CANADA

House of Commons Debates

VOLUME 138 • NUMBER 145 • 2nd SESSION • 37th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Tuesday, October 28, 2003

Speaker: The Honourable Peter Milliken

CONTENTS

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

HOUSE OF COMMONS

Tuesday, October 28, 2003

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

● (1005)

[*English*]

INTERPARLIAMENTARY DELEGATIONS

Mr. Bryon Wilfert (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the report of the 24th General Assembly of the ASEAN Interparliamentary Organization meetings held in Jakarta, Indonesia in September 2003.

* * *

COMMITTEES OF THE HOUSE

SCRUTINY OF REGULATIONS

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, as the co-chair of the Standing Joint Committee for the Scrutiny of Regulations, I have the honour to present, in both official languages, the third report of the Standing Joint Committee for the Scrutiny of Regulations, concerning broadcasting licence fees.

Notwithstanding Standing Order 109 of the House of Commons, your committee requests that the government table a comprehensive response to this report within 30 days.

* * *

OPEN GOVERNMENT ACT

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.) moved for leave to introduce Bill C-462, an act to amend the Access to Information Act and to make amendments to other Acts.

He said: Mr. Speaker, this is a private member's bill that is the result of all party cooperation from backbench MPs extending over several years it will dramatically overhaul the current Access to Information Act and extend its reach to include all crown corporations and government agencies, government funded non-profit organizations, the Senate, the House of Commons, the Library of Parliament, ministers and their exempt staffs, officers of Parliament, cabinet confidences and government opinion polling, among other things.

This bill I think is very much in order in the temper of the times and I think, Mr. Speaker, you will find that most members will support it.

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

* * *

PETITIONS

AGE OF CONSENT

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, on behalf of citizens in and around the Drumheller region of Alberta and in my particular area of the riding, petitioners have signed a petition today calling on Parliament to immediately raise the age of sexual consent from 14 to 16 years of age. This petition will be joining the hundreds of thousands of requests already tabled for this.

MARRIAGE

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, I have two petitions to file, one with one hundred signatures from the province of Quebec and one from Saskatchewan. Both petitions call on Parliament to pass legislation making the legal definition of marriage to be that between a man and a woman.

BILL C-250

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have three petitions to present, all of which are signed by a number of Canadians, including citizens from my own riding of Mississauga South.

The first petition has to do with Bill C-250. The petitioners want to draw to the attention of the House the fact that it is one of the most dangerous pieces of legislation brought before the House and it must not be passed into law because it would threaten all those who oppose special rights for homosexuals, including same sex marriages, with prosecution on the basis of alleged hate.

● (1010)

STEM CELL RESEARCH

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the second petition has to do with stem cell research. The petitioners would like to draw to the attention of the House the fact that Canadians support ethical stem cell research which has already shown encouraging potential to provide cures and therapies for the illnesses and diseases of Canadians. The petitioners also want to point out that non-embryonic stem cells, which are also known as adult stem cells, have shown significant research progress without the immune rejection or ethical problems associated with embryonic stem cells.

The petitioners therefore call upon Parliament to focus its legislative support on adult stem cell research to find those cures and therapies.

MARRIAGE

Mr. Paul Szabo (Mississauga South, Lib.): The final petition, Mr. Speaker, is on the subject matter of the definition of marriage. The petitioners would like to draw to the attention of the House that on June 10 the Ontario Court of Appeal in fact said that the definition of marriage being the legal union of one man and one woman to the exclusion of all others is unconstitutional. They also want to point out that the federal government has the opportunity under section 33 of the charter, also known as the notwithstanding clause, to overrule that judgment.

The petitioners therefore call upon Parliament to invoke the notwithstanding clause and to pass a law so that only two persons of the opposite sex can be married.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the following questions will be answered today: Nos. 248 and 256.

[*Text*]

Question No. 248—**Mr. Garry Breitkreuz**:

> With respect to the following statements from page two of the Government of Canada Regulatory Policy published by the Privy Council Office "to ensure that use of the government's regulatory powers results in the greatest net benefit to society," and "the government will weigh the benefits of alternatives to regulation, and of alternative regulations, against their cost, and focus resources where they can do the most good": (*a*) what are all the benefits of gun ownership in Canada; (*b*) what are all the direct and indirect costs of regulating firearms ownership in Canada; and (*c*) what were the benefits and costs for each of the alternatives to regulating firearms ownership weighed by the government?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, hunting and other shooting sports do have a sizeable economic impact on Canada.

In response to (a), in 2000 the report "The Importance of Nature to Canadians: The Economic Significance of Nature-related Activities" published by Environment Canada indicated:

In 1996, residents of Canada reported spending $11.0 billion on a variety of nature related activities within Canada. They made trip related expenditures for transportation, accommodation and food. They also purchased equipment, supplies and other items needed to pursue nature related activities, such as camping gear, outdoor clothing, boats, trucks, hunting and fishing equipment and supplies, licence and entry fees, cameras and binoculars. Other examples of expenditures for nature related activities are membership fees or donations to nature related organizations, costs to maintain land for conservation and purchase of feeders and feed for wildlife.

Of that total, $828.3 million is estimated to have been spent by hunters. It is important to note that this estimate does not differentiate between those hunters who use firearms and those who use other means. The 1996 survey breaks down estimated expenditures by hunters in this way: Hunting equipment accounted for 46.5% of the $823.8 million spent within Canada. The remaining amount went for trip related expenses, including: transportation, 20.2%; food, 12.1%; and accommodation, 4.7%; or for other items, such as licence fees and ammunition, 16.5%.

Hunting is the overwhelming reason for firearm ownership in Canada. A study conducted in the fall 2000 by GPC Research found that 74% of Canadian firearms owners owned guns for hunting. Fourteen percent of Canadian owners are target shooters, with this the second most common activity reported in the survey.

With regard to the year preceding the GPC Research survey, it should be noted that more than half of Canadian firearm owners had used their firearms no more than once. In fact, 37% of Canadian firearm owners surveyed had not used their firearm in the previous 12 months.

In response to (b), a more fulsome report on costs will be provided in the chapter on the firearms program contained within the Department of Justice's departmental performance report, DPR, for 2002-03 that will be tabled in Parliament this fall.

Direct costs incurred by the Canada Firearms Centre since the passage of the Firearms Act in fiscal year 1995-96 to the end of 2001-02 were approximately $668.3 million.

This amount includes funds reimbursed by the centre to its federal partners, such as CCRA, RCMP, HRDC and PWGSC, and contribution funding to the provinces, territories, aboriginal and other communities, and non-profit organizations.

In response to (c), it is impossible to determine the economic impact of firearms without considering the costs associated with firearm crime, violence and accidents. A study by Ted R. Miller published in the Canadian Medical Association Journal in 1995 indicated that the total estimated costs of gunshot wounds in Canada in 1991 was $6.6 billion in 1993 dollars.

That study looked only at incidents where an individual was shot. Clearly, there are also economic costs related to firearm crime where victims are not shot. This amount would be in addition to Dr. Miller's $6.6 billion estimate.

The financial impact of not controlling firearms is evident. The economic impact of alternatives to universal licensing and registration can be seen, for example, in the United States. It was recently reported that Chicago public schools spend approximately $60 million U.S. on security. According to the chief executive of Chicago public schools, "That's the price we're paying for our society's appalling fascination with, and easy access to, guns".

Question No. 256—**Mr. John Duncan**:

What was the total amount of money transferred to the Assembly of First Nations by the government, broken down by fiscal year from 1994-2003, and, without limiting the generality of "total amount", what was the total amount in each fiscal year broken down by core funding, contracts, special funding, special advocacy issues, travel if distinct from core funding, salaries if distinct from core funding, and any other funding category usually distinguished by the government?

Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, the breakdown is as follows:

Year	Core	Projects	Total
1993-94	$2,070,000	$607,060	$2,677,060
1994-95	$2,070,000	$1,505,500	$3,575,500
1995-96	$2,070,000	$1,160,000	$3,230,000
1996-97	$2,070,000	$1,619,740	$3,689,740
1997-98	$2,070,000	$4,742,195	$6,812,195
1998-99	$2,470,000	$12,532,549	$15,002,549
1999-2000	$2,070,000	$17,864,606	$19,934,606
2000-01	$2,070,000	$18,380,755	$20,450,755
2001-02	$2,070,000	$8,697,743	$10,767,743
2002-03	$2,070,000	$6,870,000	$8,940,000

The above amounts represent the funding categories used by the Department of Indian Affairs and Northern Development for funding agreements with the Assembly of First Nations.

[*Translation*]

Mr. Geoff Regan: I suggest that all other questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

SUPPLEMENTARY ESTIMATES (A)

The Deputy Speaker: Today being the last allotted day for the supply period ending December 10, 2003, the House will proceed as usual to the consideration and passage of the appropriation bill.

[*English*]

In view of recent practices, do hon. members agree that the bill be distributed now?

Some hon. members: Agreed.

Supply

GOVERNMENT ORDERS

[*English*]

SUPPLY

ALLOTTED DAY—CHILD PORNOGRAPHY

Mr. Myron Thompson (Wild Rose, Canadian Alliance) moved:

That, in the opinion of this House, the government should protect our children from further sexual exploitation by immediately eliminating from child pornography laws all defences for possession of child pornography which allow for the exploitation of children.

He said: Mr. Speaker, it is indeed a pleasure to rise today to speak on this particular issue. I have been trying to achieve this day for a long time and we are finally here. I hope this will be the day on which we will able to accomplish a real and true victory for the children of our country, because that is what this motion is all about. It is about our kids and the difficulties facing them regarding so many issues in our system that allow crimes against them to be committed.

I want to read the motion to the House. Once again, it states:

That, in the opinion of this House, the government should protect our children from further sexual exploitation by immediately eliminating from child pornography laws all defences for possession of child pornography which allow for the exploitation of children.

There is a key word in this motion, which I want to point out to all members, a word that is so important because the arguments against such a motion would not reflect this key word. If people stop and think about it, they will understand why it is so essential that we have this kind of system in place. That word is "exploitation".

The reason I say this is that when we have discussed child pornography in the past, a number of questions have arisen from members in the House who claimed that any laws that would tighten up this child pornography law to the extent which we are asking for today would mean that parents who had at home a picture of their small children taking their first bath could be prosecuted. I even heard in this House that if some student was carrying around Shakespeare's *Romeo and Juliet*, that could be interpreted as pornography. Or if doctors had nude pictures of a child in their offices for medical reasons, or if psychologists or psychiatrists wanted to do some research in this field and had in their possession certain items of child pornography, that could get them into trouble.

But all those examples do not exploit the child. This is why it is so important to remember that word.

The exploitation of our children has become of epidemic proportions throughout this country. We need only go to our neighbours in Toronto, to the Toronto police force and its sex crimes unit, where they will tell us, as Julian Fantino and other members of the sex crimes unit have stated time and time again, that this is becoming a very serious problem. It is jeopardizing the lives and the welfare of so many kids that it has to be addressed and it needs to be addressed immediately.

This is why I am pleased that we could do this today. I believe that October 28 ought to mark the day when every member in this House says to the people of this nation that October 28 is the day on which we decided, all 301 of us regardless of political stripe, because it is not a political issue, that today we are going to provide victory for the young kids of our country.

For 10 years I have been here and for 10 years many of us from all sides of the House have attempted to address this particular issue, to do something about it, because we do not want to hear about any more young children being abducted and sexually assaulted and then later found murdered.

I talked about Toronto. I think of the incident that happened to the Jones family and their little girl Holly. It absolutely sickens me to think that a young child had to face such a tragic ending to her life. I cannot even imagine what would be going through the hearts of the family of this young girl and those acquainted with her.

● (1015)

We have very good evidence. All of us should have had the evidence presented to us at one time or another. I know my colleagues from Okanagan—Shuswap, Fraser Valley and Calgary Northeast, who have travelled the country and visited penitentiaries, will tell everyone that when we personally visited with those who were in prison for sexually assaulting or murdering a young child, nine out of ten of them said that the reason they got to that point was because they were absolutely hooked on child pornography, and that eventually pictures, images and stories no longer fulfilled their inner needs and they had to act out their fantasies. Their compulsion was overwhelming and it caused them to do what they did.

That has been proven through all kinds of studies. All kinds of people who are involved in the work of psychology or criminology will say that child pornography has played a major role in affecting those adult individuals who have and who will eventually attack our children. There is no doubt about that.

If there were any kind of chemical or substance of any kind, whether it be food or whatever, that would be dangerous to our health, we would react immediately and remove that item. We would get rid of it because we do not want to bring harm upon anyone. For the life of me I cannot understand how a nation can sit by and watch pornography, particularly child pornography, go to the extent it has where it has become a billion dollar industry.

For heaven's sake, people are making big bucks on selling some of the worst garbage anyone could ever imagine and we have allowed it to get to the point where the chiefs of police in various parts of the country are saying that it is getting out of control. They want to do something about it. They want to remove it just like we would remove rotten food from the menu of this place, but their hands are tied because we have not provided them with the ability to do so.

Why do we even want to take the chance of something like that being challenged. Why do the 301 of us not declare today, and today is the day to do it, that child pornography will no longer be part of this nation's environment and that we will eliminate it. The 301 of us from the highest court in the land should send the message to the judges throughout the country that this is the way it will be and that the people in the courts, whenever this kind of material is brought to their attention, will lay charges when it exploits our kids, because that is what it is all about. It is about our kids.

● (1020)

We must not continue to tie the hands of the police. We must give them the tools and the ability to do their jobs so they can do what they want to do most, which is clean up this mess and provide real protection to our kids.

In Toronto, in the sex crimes units, particularly those sex crimes against children, they have confiscated over two million items of child pornography. It is because of the laws that we have on the books now and because of Bill C-20, which will be presented some time in the near future. I understand the justice minister wants it passed before Christmas. However that bill is not the answer. The police have to go through every one of the two million pieces to make absolutely certain that they do not have artistic merit or there is not some public good. Can anyone imagine those officers spending 10 to 12 hours a day only looking at material like that, material that displays a 14 month old baby in diapers being raped and tortured by two adult men, or one and two year old little girls being brutally treated by adult men?

I do not want to get into the graphics of what I have seen. I am sure a lot of members in here have seen what I have seen. It is available to us. We just need to examine what these people are having to do. Can anyone imagine what we would be like after a month or two of that? No one should have to be subjected to that kind of thing.

A law should be in place saying that this kind of material exploits our children and it is not allowed. It should state that people cannot have it in their possession, they cannot produce it, they cannot distribute it and, if they do, they will pay a heavy price through the laws of our land because it is no longer tolerated.

In answer to a question that I asked the justice minister yesterday, he made a statement that the member well knows that Bill C-20 addresses that problem and that the member well knows that the government will do something about this issue. The member for Provencher will address Bill C-20 at greater length than I will, but I can tell the minister that, no, I do not know that, the police do not know that, the courts do not know that and the prosecutors do not know that. It is only the justice minister who thinks he knows that but he has not convinced anyone. He certainly has not convinced the police who to me are the most important people in the land. They should at least be the ones who know that what they have in their hands will be sufficient to put an end to this tragic event that is going on day after day.

This stuff is not just confined to cities. It is now leaking into the rural communities. I have 16 RCMP detachments in my riding and I have contacted most of them. They have said, yes, they have had complaints brought to them regarding child pornography but that the only thing they can do is refer them to the city police for help because they do not have the training, the expertise or the knowledge on how to deal with it.

Let us give them the opportunity. Let us start a national strategy. Let us put some dollars into a worthwhile project. Do not tell me we cannot find the dollars, not when we brag about a $7 billion surplus. Let us put that money to good work by protecting our kids and providing them with some safety.

● (1025)

Statistics have shown that in Canada one out of every two females and one out of every three males will be sexually assaulted in our land. Those are not very good odds. And, yes, it is true, a lot of it is within the family. It is not just strangers on the outside. It may be because mom or dad or both got hooked on some fantasy regarding child pornography and it developed into sexually assaulting their own children.

Some families may focus on the idea of the big bucks the industry brings in and decide to use their own kids and exploit the daylights out of them to get certain things in some material, whether it be a film or picture, and make money through distributing and selling it.

However the reasons do not matter. The point is that we have thousands of families who are victims of severe, horrendous, heinous sexual crimes against kids. What a life they must lead from that point on. What a tragedy and a tragedy that could be prevented.

Chief Fantino said "if only we had the courage, the conviction and the will the problem could be addressed". Mr. Speaker, I want you to know that Chief Fantino and my colleagues have the courage and the will and we want it done today.

I know for a fact that many members throughout the House on all sides have the same feeling. Today is the day to put our feelings aside and put them into action by supporting the motion and passing it in the House of Commons. All of us have kids in our lives, whether we are moms, dads, grandfathers, grandmothers, aunts, uncles or just friends. We all have a connection to some young kids and we want them protected.

Let us not leave here today cheering that we have done this and then nothing happens for awhile. Let us get at it and make it happen. I have seen too many motions passed in the House. I saw a motion on the rights of victims pass in the House but it never went anywhere. The sex registry motion was passed by the House and almost two years later we are still waiting for something to happen.

We cannot wait. Lives are at stake. The safety of the children you know, Mr. Speaker, is at stake. It is time we took some serious action for the sake of our kids. We know the story behind all this and how it has got out of hand. Why do we want to be part of the problem? Let us be the solution today.

Let us put it to the nation that as of October 28, 2003 child pornography and the exploitation of children will no longer be an acceptable activity in this country and that people who engage in it will be in a lot of trouble. Let us stamp it out once and for all. It am not talking about a crime or even something that is bad. I am talking about something that is downright evil, evil that is happening to our children, and it has to stop.

I plead with every mother, grandmother and every other person who feels the way I feel on this issue to contact their MPs and let them know they want action, not just words or a friendly vote at the end of the day, but that something be put in place today. If we have to stay here until 6 o'clock tomorrow morning to get it done I will be here because it is worth doing. Let us get it done before Christmas. I ask the Justice Minister to join the parade. Let us really mean it. We do not need more phony legislation that will not deal with it. If we are going to do it, let us do it right and do it right now.

● (1030)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I wish to pay tribute to the member for Wild Rose for his leadership on this particular subject as well as many other subjects which have to do with the health and well-being of children and families in Canada.

I want to ask the member a question of clarification about the wording of the motion, but I would like to make a brief comment about a concern that I have. It has to do with judicial activism and the insensitivity of the courts to the social and moral values of Canadians. I have seen it even in our own justice committee where many of the members who are in the legal profession are arguing in a sanitized environment in which there does not seem to be the sensitivity to what is right. It is almost mechanical.

The difficulty that I have is, how can we deal with a social injustice like the existence of child pornography, and the possession and the distribution, et cetera, in a sterile, mechanical environment? I hope that one day we will get a better balance on the justice committee so that we can start talking about the underpinning social values that the laws of this country should be reflecting.

I certainly agree with the motion and I will support it. My question is in regard to the motion and I am sure the hon. member will be able to elaborate. It has to do with the last part where it says that it wants to eliminate "from child pornography laws all defences for possession of child pornography which allow for the exploitation of children".

We all know that the very existence of child pornography means that a child must have been abused. I suspect, and maybe the member would like to clarify, that he is referring to those cases where someone may be in possession of child pornography. It might be, for instance, police officers or special workers who are working on resolving a problem, and those who have had this tragic experience. Does he agree that child pornography in all its forms and the possession of child pornography in itself is an abuse of children?

● (1035)

Mr. Myron Thompson: Mr. Speaker, the member has brought up an important point. It is the very issue that I started my speech off with concerning the key word in the motion which is exploitation.

We know that the police have possession of child pornography. We know that many psychologists and psychiatrists throughout the country might be doing research in this area and will have possession of it. However, we know that they are not the exploiters of child pornography. There would be no reason to bring a charge against these people because they are not exploiting children through this material.

I do not believe there is a police officer or a crown prosecutor or even a judge in this country who would entertain the idea of bringing any of those people to court. Somewhere along the line some common sense has to enter into the picture. If individuals were to have this material in their possession for reasons other than the exploitation of our children, then the police should examine those reasons. The police will know what to do with it. The point is that the seriousness of the exploitation that is going on is completely out of control. If there is a better way to word that, then I would like to know what it would be.

From the articles that I have read, many lawyers and bar associations around the country are saying that Bill C-20 will never meet the charter test. This might possibly be challenged under the charter. If the huge majority of people who run this country make the decision that, regardless of what challenges may be brought forward, this particular material must cease to exist, that decision must be made loud and clear to the courts. They must tell our courts that this material must be removed from the face of the earth and will not be allowed.

If it comes to the point where the charter interferes with that decision, then maybe it is time to consider the notwithstanding clause. I do not believe that the people who created the charter of rights ever dreamed for a moment that it would protect child pornographers. Possibly, some of the things in the charter may not agree with what Canadians believe in, and so there is an out. If we are worried about this, the notwithstanding clause is our out.

Mr. Trudeau and all the fellows who put the charter together were wise enough to know that there may be conflicts so they put the notwithstanding clause in to be used. However, I understand that a large number of people on the government side absolutely refuse to ever use that clause. When it comes to this kind of issue, this is the time to use the notwithstanding clause.

We must put an end to this evil. That is what we are attempting to do today. I believe that through the collective wisdom of the House we can do it and do it right. If it comes to a point, because of judicial activism, that this is declared unconstitutional, then we have an out. We need to consider that out, and we should think about it right from the get go.

The kind of country that we want to live in should not be determined by the judges of our land. That should be determined by the people, either through direct or indirect democracy. They must decide what kind of country they want to live in.

I am sure the member will agree with me that probably 99% of the people of this land do not want to live in a country where child pornography is a major industry. We must end it. However we do it, we must do it and do it quickly.

● (1040)

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, there is a cop-out in a simple phrase. First it was artistic value and now it is for the public good.

I would like to ask my colleague or anyone else who is going to speak today, what part of pornography is acceptable and for the public good?. That phrase is a misnomer. That phrase should never be in the courts. It should never be uttered. What part of pornography could possibly be for the public good?

Mr. Myron Thompson: Mr. Speaker, I cannot think of anything nor possibly imagine what kind of idea the courts could come up with regarding the public good.

Another thing that has been brought up is that people should have the freedom of expression. We have all heard that expression. God knows, Mr. Speaker, you have known me for 10 years and you know I would like to express myself in different ways in this House, but I cannot because I am not allowed. You would shut me down in a hurry because it is not allowed.

We do not dare yell "fire" in a theatre or "bomb" in an airport. Freedom of expression is not just wide open. So, no one can tell me that exploitation of a child through child pornography is freedom of expression. That is totally unacceptable and there is no public good when it comes to exploiting our children. It must end.

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, I notice the motion is worded very carefully. I would like the member to clarify that he associates child pornography with pictures, writings or whatever that actually have a real victim rather than the meanderings of some people writing or drawing in their own private home. There has to be a real victim.

Mr. Myron Thompson: Mr. Speaker, that is simply the statement of a cop-out.

As far as I am concerned and most Canadians are concerned, any time we dwell on that, whether we are writing, sketching or whatever, even the activity itself is dangerous to our kids. It is an activity that must absolutely not be done.

I am not saying that we should bring a charge against a man and throw him in jail. I am saying that there is a man who has a problem. If he is 64 years old and cannot do anything except draw dirty pictures and write silly stories regarding the exploitation of children, he needs help.

I am sure a good legal system would recognize the difference between an individual like that and a person who is actually making a victim of a real child. Believe me, we know that over 10,000 kids in the City of Toronto have been identified as real victims in this industry, and that is a shame.

● (1045)

[*Translation*]

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am pleased to speak today on a subject the government holds to be fundamental, that is, ensuring that we, as a society, can provide all the protection our young people deserve against people who commit the hideous crime of child pornography. It is a crime that has no place in Canadian society. And when I look at our relationships with the G-8 countries, I can say it is a crime that has no place in the world.

I am looking at the motion put forward by our colleagues in the Canadian Alliance. Essentially, this motion asks the government to eliminate all possible defences for possession of child pornography, which allow for the exploitation of children.

The basic motivation behind this motion is the desire to protect our children from all forms of sexual exploitation. I believe, when I look at all the parties and all the hon. members of this House, that each one of us has the same desire and that is that we want to take whatever action is possible to make sure that we can provide young Canadians with this kind of protection.

As I said before, this objective is at the heart of the government's ongoing commitment to protecting children from exploitation and all forms of mistreatment. This commitment was recently expressed in Bill C-20, an act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, which I introduced myself on December 5, 2002.

[*English*]

The preamble to Bill C-20 echoes the importance of the issues addressed by the motion. In particular, the preamble notes:

> —the Parliament of Canada has grave concerns regarding the vulnerability of children to all forms of exploitation, including child pornography, sexual exploitation, abuse and neglect;

As hon. members know, there are five key components of Bill C-20: first, strengthening the child pornography provisions; second, providing better protection to young persons against sexual exploitation; third, strengthening sentencing provisions related to offences against children; fourth, facilitating testimony by child victims and witnesses and other vulnerable witnesses; and fifth, modernizing the criminal law by creating a new voyeurism offence.

I welcome this motion because I believe Bill C-20 delivers what is proposed by the motion.

Currently, the Criminal Code provides a defence for material that has artistic merit or serves an educational, scientific or medical purpose. It also makes the public good defence available for all child pornography offences.

Hon. members will recall that the constitutionality of the offence of possession of child pornography was considered by the Supreme Court of Canada in 2001 in the Sharpe case. In its decision, the Supreme Court of Canada affirmed Parliament's goal of protecting children from sexual exploitation through child pornography.

A key element in the Supreme Court's decision to uphold the constitutionality of the overall child pornography scheme was the existence of the current child pornography defences.

● (1050)

[*Translation*]

Bill C-20 is consistent with the Supreme Court decision. It is intended to simplify and reduce the number of defences that now exist, merging them into one defence based on the public good. In each case, the validity of this defence will be determined in two stages.

[*English*]

First, does the material or act in question serve the public good? If it does not, then there will be no defence. Second, even if it does serve the public good, does it go beyond what serves the public good? If it goes beyond, then there will be no defence. In other words, does the risk of harm posed by an act or material in question outweigh any potential benefit to society? If it does, no defence will be available. This is what today's motion proposes.

Let me explain what is meant by public good because this concept has been misunderstood by some.

In the recent Sharpe case, the Supreme Court of Canada considered a public good defence specifically in the context of child pornography, including the meaning of public good. The Supreme Court noted that the public good had been interpreted as including matters that were necessary or advantageous to the administration of justice, the pursuit of science, literature, art or other objects of general interest.

This interpretation is perhaps more clearly understood if one considers how it might operate at a practical level. For example, the administration of justice would include the possession of child pornography as part of a police investigation of a child pornography offence, the possession of child pornography by crown prosecutors for the purpose of prosecuting a child pornography offence and the possession of child pornography by police and prosecutors for the purpose of providing training to police and prosecutors on the conduct of child pornography investigations and prosecutions or even for the purpose of providing educational session to parliamentarians on the harms of child pornography.

All these purposes fall within the administration of justice and all of them necessarily require police and prosecutors to possess child pornography to do their job, a job which the government recognizes as serving the public good.

Bill C-20 recognizes that law enforcement officials must be able to track down child pornographers and protect victims. They are performing a difficult job which serves the public interest and, therefore, they should have the protection of the law.

Consider another example: a journalist who is doing an investigative news story on a child pornography ring. In the course of exposing the child porn ring, this journalist may come into contact with material that constitutes child porn. Again, this expose serves the public good and, as a society, we value this kind of work. Again I believe that this approach is consistent with today's motion.

[*Translation*]

The proposal in Bill C-20 of a single defence of public good also adds another criterion that is not currently provided for in the artistic merit defence.

Under the current artistic merit defence, as interpreted by the Supreme Court, any objectively established artistic value provides a complete defence. From that perspective, there is no requirement to balance this merit, or good, against any potential harm to society.

Under Bill C-20, the courts must also take into account a second criterion, namely whether the "good" served by an act or any material related to an act offsets potential harm.

Just because there is only one defence, based on public good, does not mean that the legislator is suggesting that child pornography is acceptable. Clearly this is not the case. The government has taken very tangible steps, which denounce child pornography in no uncertain terms.

Bill C-20 proposes another reform with respect to child pornography. It proposes broadening the definition of written child pornography to include materials that advocate or counsel prohibited sexual activity with children, and also materials that describe prohibited sexual activity with children where the written descriptions of that activity are the dominant characteristic of the material and the material was written for a sexual purpose.

The bill includes this proposal because the government recognizes the harm this type of material can cause to children and to Canadian society by describing children as objects of sexual exploitation.

● (1055)

[*English*]

As well, I want to emphasize that the proposals in Bill C-20 seek better protection against sexual exploitation through child pornography in a manner that will withstand charter scrutiny.

The government takes very seriously its responsibility to protect children against all forms of sexual exploitation, including child pornography, as well as its responsibility to uphold the charter. I repeat that it is not a question of doing one or the other. Bill C-20 does both.

[*Translation*]

The purpose of Bill C-20 is to refine all the prohibitions already in place in Canada with respect to child pornography, prohibitions which are among the strictest in the world.

Since 1993, it has been an offence under the Criminal Code to make, print, publish or possess for the purpose of publication any child pornography, to import, distribute, sell or possess for the purpose of distribution or sale any child pornography, or to possess any child pornography.

Since July 2002, and as a result of Bill C-15A, it has also been an offence under the Criminal Code to transmit, make available or export child pornography or possess child pornography for the purpose of transmission, making available or exporting, as well as to access child pornography.

The same set of reforms also allowed the courts to order child pornography deleted from computer systems, including websites in Canada, and created the new offence of using a computer system in a way, such as through the Internet, to communicate with a child for the purpose of committing a sexual offence against that child.

In addition to these important legislative measures, the government continues to work with its G-8 partners in developing a common strategy to counter the exploitation of children via the Internet. This strategy is comprised of measures to improve international cooperation, prevention, public awareness and local actions in other countries.

There is one extremely important point to be made here. We in Canada have one of the toughest laws in the world, born of our desire to fight tenaciously against this crime, which is so fundamentally heinous and has no place whatsoever in our society, or indeed in any other.

We are well aware, however, that this crime is now taking on a new dimension, a new form because of the variety of means of communication now available, including the Internet. Because of these new technologies, crime is no longer limited by borders.

It goes without saying that perhaps what is required first and foremost to remedy this situation properly is good international cooperation. At the last G-8 meeting in Paris, we had an opportunity to discuss stepping up cooperation and to examine certain studies carried out, precisely with a view to determining solid bases for that cooperation.

We also had the opportunity at that time to hear the views of others involved in international investigations. Once again, they demonstrated the importance of working together internationally in order to ensure that we are able to seek and destroy these networks wherever they are established, even if they work out of countries that may be somewhat less vigilant as far as their legislation or police intervention is concerned.

● (1100)

[*English*]

As Minister of Justice it is my responsibility to ensure that our criminal laws, our policies and indeed the criminal justice system itself reflect evolving Canadian values and emerging justice issues.

The government recognizes the importance of ensuring a strong and effective criminal law response to child pornography. Our children represent our future. We will not allow the most vulnerable in our society to be victimized by pornography. That is what Canadians expect us to do.

The protection of children bill is currently before the Standing Committee on Justice and Human Rights. I call on hon. members to protect our children by supporting Bill C-20 and to ensure its swift passage. This will enable Canada to continue to be a world leader in the fight against child pornography and the protection of our children.

An hon. member: It will never happen.

Hon. Martin Cauchon: I cannot believe what I just heard from the other side. I am counting on members to support me and pass Bill C-20 in order to ensure that as a country we keep giving our young the best protection in the world. The member just said that the passing of Bill C-20 will never happen. This is a disgusting comment.

We believe that Canada as a society needs Bill C-20 in order to increase the protection of children. As well we need Bill C-20 in order to answer the Sharpe decision.

It does not take a rocket scientist to understand what the government is doing. We are working for the future of our nation. Listen to what was just said. He said no to the passing of Bill C-20. He should be ashamed.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, I find it amazing that the justice minister would go on with that rhetoric.

Since 1993 the government has been in charge of this issue. It is now 2003. For the member's information, it is a lot worse in 2003 than it has ever been. That is what the police departments told the committee. I know the minister knows it. He has heard it time and time again. He has heard it from the lawyers throughout the country time and time again. Bill C-20 does not cut it. The rhetoric goes on. It is not the answer. We need more than that.

The minister talked about public good. Of course if a journalist wants to investigate a pornography ring to break it up and bring it to light, that is for the good of the public. Nobody denies that. All the hours of hard work the police are doing and having all of what they confiscate in their possession, of course that is for the good of the public. One does not have to be very smart to figure that out. People who try to figure out why people do these things against our kids, the psychologists, psychiatrists, or whatever they are, and they have the material in their possession for research and whatever, of course that is for the good of the public. Nobody argues that.

At the present time it sounds to me that the police departments that have this material in their possession once again will have to spend hours going through the material to make absolutely certain that it is not for the public good, piece by piece, like they do now for artistic merit. That has not been taken care of.

I find it strange that the justice minister would jump up, point a finger over here and say we are saying it will never happen. It is the police and the lawyers who are saying that the bill is not good enough. The only ones who are saying it is good enough are the justice minister and others in that front row. If they cannot get it right, they should redo it. They have the opportunity by supporting a motion like this one.

The exploitation of children must come to an end. Bill C-20 will not accomplish that, as testified to by all the experts. I am no expert. I am repeating their words. And by George, the minister is no expert either. He ought to listen to them. Why will he not listen to them?

● (1105)

Hon. Martin Cauchon: Mr. Speaker, I am going to go through a few items that I have here and after that, I am going to ask one very simple question.

The aim and goal of the government, and it is a top priority, is to offer the best protection we can to our children and to do everything we can as a government and as a society to protect our children. They are our future.

Mr. Myron Thompson: Ten years and you have not done anything.

Hon. Martin Cauchon: It is true for this government and even though sometimes they make comments, I believe that members on the other side of the House have exactly the same aim and goal.

Look at what we have done as a country over the past few years. First, I said in my remarks that we have one of the best pieces of legislation in the world nationally speaking. We have to be proud of that.

Also, look at what took place in the United States. About a year ago they were discussing the question of virtual child pornography which was maybe or maybe not covered by existing legislation following a judgment of the U. S. supreme court. With the existing legislation that Canada has, virtual child pornography is strictly criminal. As I said, there is no place for such an offence in Canada or anywhere else in the world.

As well we have proceeded as a government with Bill C-15A which created the new offence of Internet luring. It has been used successfully in order to charge people using new technologies. Bill C-15A is quite a nice piece of legislation which ensures that those people committing such an offence will not be able to use new technology in order to exploit the children of our nation.

Look at what we did within the G-8. Canada is actually one of the leaders in trying to increase cooperation to create and develop new tools in order to make sure we deter people from getting involved in such a crime anywhere in the world. We have been working over the past few years and we are going to keep working hard.

Opposition members know very well that we have also established a pilot project with the government of Manitoba and my counterpart the justice minister, Gordon Mackintosh. We have been working together in order to establish Cybertip.ca, which is a tip line for people to get in touch with Cybertip. Let me say that when we look at the stats, it is amazing what they have been able to do working together, working with the population.

From September 2002 to July 2003, 324 reports were made to Cybertip.ca. Ninety per cent of these concerned child pornography on the Internet and 9% dealt with the question of the new offence of Internet luring. Of the total, 152, or 42%, were forwarded to law enforcement agencies for action and resulted in four arrests. Thirty-five other cases are under active investigation.

We on this side of the House, the Liberal government, are working hard in order to take concrete action, concrete measures. Now we are facing a new step which is Bill C-20, an answer to the Supreme Court of Canada in the Sharpe decision, making sure that we will increase the protection of our children, making sure that we will have better legislation as well.

Today I am asking as justice minister those people on the other side of the House to support Bill C-20. What I am asking is that they stand today and say that yes, they will support Bill C-20 because they believe in the future of this nation.

● (1110)

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, I listened to the minister rattle on and on about Bill C-20 as the placebo, as the answer to all our ill will here.

The problem with Bill C-20 is that we have had a majority government for 10 years and it has not moved on it. If child protection is a priority, I would hate to see something that is not a priority. This is a snail's pace, even worse. We are going backwards according to police associations and the justice community. They are saying that Bill C-20 does not do it.

The big thing the minister goes on and on about, and I have to reply to a petition I have here on child pornography, is the increase in maximum sentencing. It is not the maximum that needs to be increased. It is the minimum that needs to be increased. That is not addressed at all.

I have a short question for the minister. Where is the truth in sentencing in Bill C-20? Where is the consecutive sentencing for perpetrators of child pornography in Bill C-20?

Hon. Martin Cauchon: Mr. Speaker, Bill C-20 touches on the question of child pornography. It has new measures as well with regard to the protection of the most vulnerable in our society.

First, we are touching on the question of the sentencing. As a government, we respect the process in place. The member knows very well that the bill is before the justice committee and members are hearing witnesses.

Mr. Myron Thompson: That doesn't mean anything to you.

Hon. Martin Cauchon: Please let me finish.

People are hearing from witnesses. People will have their say as well and the chance to propose some amendments. We do not pretend that the bill is perfect. As I said, we believe it is a fantastic piece of legislation. If we can improve it, we will. I would be more than pleased to have very positive proposals.

However, what I cannot accept and I will never accept is an opposition party that says "no" to passing an important bill such as Bill C-20, when a minister of the crown has asked for it to be passed. Today the opposition members will have to stand up and tell Canadians that they will support Bill C-20. They will do their jobs at the justice committee and if they do not, they will have to explain to Canadians why they have refused to offer the best protection possible for them.

[*Translation*]

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, I am pleased to speak on behalf of the Bloc Quebecois on this final allotted day on the business of supply. It is worth noting that last year the final opposition day was in early December. This indicates the government's firm intention to avoid the embarrassing situation that would arise if the member for LaSalle—Émard were to return to the House after his coronation on November 14 as de facto head of the federal government.

The Canadian Alliance motion reads as follows:

> That, in the opinion of this House, the government should protect our children from further sexual exploitation by immediately eliminating from child pornography laws all defences for possession of child pornography which allow for the exploitation of children.

The wording of this motion could give rise to a number of questions. I will start by addressing its intent, and will move on to the wording later on. It is rather a rare occurrence for the Bloc Quebecois to be so strongly in agreement with the Canadian Alliance, whose repressive and regressive approach generally does not correspond with the vision of Quebec.

Nevertheless, no one could oppose the highly sensitive subject we are addressing today, for the simple reason that it is a basic matter of protecting those who are fundamental to the continuation of our society: our future, that is our children.

In my opinion, the sexual exploitation of children is the most vile and perverse form of pornography. Parliamentarians have a moral duty to protect the must vulnerable members of our society, our children, who also constitute our greatest treasure. In my opinion, of all deviant behaviours, sexually deviant behaviours that is, the exploitation of children is the one that is evidence of the most vile and profound psychological disturbance.

It may be astounding to some of us that certain individuals entertain sexual fantasies involving children, the same sort of angry shock we feel when cases of pedophilia and child pornography are made public. Unfortunately, this is the sad reality, and the advent of new communications technologies has made possible a dramatic increase in this phenomenon, in the more anonymous, as it were, setting of the Internet.

There is no doubt whatsoever in the minds of any of us who have had the misfortune to see just what horrors, what disgusting material, can be found on the Internet, that action must be taken, action that must be as firm and immediate as possible.

Bound children, tortured children, exploited children, wounded children who will remain damaged all their lives, that is what we can find much too easily today, on the Internet and elsewhere. As parliamentarians it is our duty to say, "Enough. Stop it now," and to put into place all the necessary legislative measures to protect our children and provide the police with the tools they need to fight this plague.

Pornographers and pedophiles often succeed in infiltrating what are called "e-circles", clandestine, transient, electronic networks, which grow up and die off quickly, making it more difficult for the police to infiltrate them.

Of course, some perverted people will inevitably make a mistake that gives away their identity, but too often, many more get away.

● (1115)

According to Cpl. François Doré of the Sûreté du Québec, the Ottawa Interpol office dealt with more than 500 cases of juvenile pornography on the Web during 2001, which was double the previous year's total.

In an article on January 21, 2002 in *La Presse*, the same Cpl. Doré quite rightly observed:

> That is not just an increase; it is an explosion.

He calls upon us to act. That is one more reason why governments, with all the means at their disposal, must fight to eliminate this plague that attacks the most vulnerable and most fragile among us, our children.

Internet chat rooms are also favourite places for sexual predators, who often lure young people into virtual conversations, or chats. In these virtual forums it is all too easy for a 50-year-old to pass for a 13 year-old boy and strike up erotic or sexual conversations with girls or boys the same age.

The purpose of the Canadian Alliance motion is to eliminate all possible forms and means of defence in the legislation on child pornography, for anyone possessing the material targeted by the law. Here we must be very careful.

As we know, the House is considering Bill C-20, which deals specifically with amendments to the Criminal Code. This legislation has been debated and studied for some time in the Standing Committee on Justice and Human Rights.

The Bloc Quebecois has developed the best approach to the issue, in my view, because we have taken into account specific situations that could prevent the spread of this scourge. We also listened carefully to all the experts, particularly the police experts, who appeared before the committee and shared their point of view.

As we have said, we are in favour of Bill C-20 because we feel that this bill touches on several important aspects of criminal law and introduces new provisions that have become necessary because of the technology around us.

However, obviously some of the provisions raise questions, doubts and reservations in our minds, particularly with respect to the sensitive issue of possession of child pornography.

I cannot emphasis strongly enough the profound perversion associated with child pornography. However, it is important for parliamentarians to question the need, for a therapist for instance, to possess a certain amount of this material for the purpose of clinically treating sexual deviances.

To encompass some possible defences, the government introduced the concept of public good. We have not expressed any reservations with respect to the concept of public good in Bill C-20, but we will have many reservations if the concept is not defined better. We are going to present many amendments in committee in order to establish a clear definition of public good, if it is to stay in the bill.

I have examples of clarifications to be made to the concept of public good. We all agree that the possession of pornographic videos involving children would be considered a criminal offence. However, a psychiatrist specializing in the treatment of pedophiles could justify having such videos in his possession for treatment purposes because his possessing such tapes serves the public good. In this case, the possession of videos is more helpful than harmful.

● (1120)

Another example which I find justified or justifiable concerns the law enforcement agencies specialized in cracking down on child pornography. It seems normal to me that these agencies should have access to a certain amount of material in order to track sexual predators on the web, or Internet, and convict them.

The next example concerns medical research or teaching, police officers for instance, those called on to fight this scourge, what child pornography is all about and how it can be detected, or teaching future psychiatrists and psychologists in university possible treatments for the sexual deviances or perversions affecting child pornographers.

Without going as far as proposing an amendment to the motion of our colleagues from the Canadian Alliance, I would encourage all hon. members to give some thought to what I have said as they reflect on the motion. I encourage them to consider in an open yet in-depth manner this bill, which the justice minister himself described as subject to improvement.

In addition, I encourage the government to be open to constructive amendments from all sides of the House, because we must all work hand in hand, as parliamentarians, in order to eradicate this scourge in our society.

Finally, while the wording may not be the most appropriate, I urge my hon. colleagues to support the motion anyway, because its basic intent is clearly to protect our children. This intent of protecting our children could be acted on by improving the bill brought before us through constructive amendments to ensure that our children, the most precious and vulnerable members of our society, are protected as much as possible, because they represent our future.

● (1125)

[*English*]

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, I appreciate the speech given by the hon. member from the Bloc. I know where he is coming from in terms of the motivation behind the support for the motion.

I believe it is this member who has twin boys who are about five years of age. I can understand why he is so adamant about making sure that whatever we do in the House we get it right. I think that is the message he tried to deliver in his speech: whatever we do, let us get it right. I certainly thank him for his support on this motion, because I think that is what we all want to do. I think that is what you want to see, Mr. Speaker, and I know that is what I want to see accomplished. I think even the justice minister wants to see it and is attempting to do it through Bill C-20.

However, the word is out fairly strongly from the experts. I have not listened to the witnesses at the committee, but I have talked to the same individuals in person when doing my research. They simply say that Bill C-20 needs a powerful lot of improvement and is ineffective in its present form.

Would the member comment on what needs to happen to Bill C-20 to make it effective such that it would have the same intent that I have with this motion?

[*Translation*]

Mr. Richard Marceau: Mr. Speaker, first, I would like to thank the hon. member for Wild Rose for his question. One of the first things that must be done if we are to retain the idea of public good in this bill is to make it more specific. A number of witnesses, some who were more liberal in their interpretation of child pornography and some from the other side, said it was too broad. No one is sure what it means.

Police officers appeared before us, saying that from their front line position, they did not know how they should interpret such a broad concept as "public good". We need more direction. The Toronto police were among those who told us that, and it affected me deeply.

Another example of what could be done would be to permit the introduction in evidence of a certain number of images of child pornography, rather than the thousands of images that can be found in a computer. When someone is prosecuted for drug possession—say, a tonne of cocaine—the entire tonne of cocaine is not brought into court. Samples are brought in. The same thing could be done with the pornographic pictures.

Something else that is essential to help the police is to know what happens to an encrypted file, that is, supposing someone has encrypted their pictures. The police are unable to open them. We should include in C-20 a specific infraction that if the owner or user of the computer does not give the encryption key for the file, he may be charged with another criminal offence. All of this would be to help police track everything to do with child pornography, using electronic means among others.

For these three examples, I will be moving a number of amendments in committee. This is a bill that we in the Bloc Quebecois take very seriously. As a father of young children, as the hon. member for Wild Rose pointed out, I am particularly sensitive to this issue. Having seen what can be found on the Internet, I think we must deal very severely with these child pornographers.

● (1130)

[*English*]

Mr. Grant McNally (Dewdney—Alouette, Canadian Alliance): Mr. Speaker, contrary to what the justice minister claims, Bill C-20 simply will not provide adequate provisions to protect our children against those who would exploit our children through the use of child pornography.

Why does the Minister of Justice refuse to listen and remove the artistic merit defence under the public good clause of Bill C-20?

[*Translation*]

Mr. Richard Marceau: Mr. Speaker, you will have some idea how odd it is for me to be asked a question on the intentions of the minister of justice. I am not one of his confidants, far from it.

The best way to respond is to invite members of the Standing Committee on Justice and Human Rights, and then the members of this House, to be constructive in their criticism. Some of the criticism of the bill has been justified. I said that again today in committee. I believe that, with good will, we can complete consideration of a bill in the House before November 7, since we are probably going to stop sitting on November 7.

Instead of saying that this is no good, must be scrapped, set aside, I think we have a duty to bring in amendments, in committee or here in the House, that will allow it to achieve its purpose. I would like the Alliance members—the hon. member for Wild Rose in particular, who has been working on this issue for years—the members of the Bloc Quebecois, the Progressive Conservatives and the NDP, as well as the Liberals, who also have some questions and reservations on Bill C-20, to work together on this.

The Standing Committee on Justice and Human Rights is working very hard on this already. We are sitting endlessly. Let us improve this bill along with the justice minister, whom I invite, beg even, to be open to any amendments we might suggest. Let us ensure that, after November 7, thanks to this bill from this House, our children will be better protected than before. That is my goal.

I will not come to the defence of my colleague, the justice minister. If, however, he accepts the amendments the Bloc Quebecois proposes, the bill will be more solid, will be a better bill, and will protect our children better. That is the objective of all members of this House.

[*English*]

Mr. Inky Mark (Dauphin—Swan River, PC): Mr. Speaker, it is a pleasure to rise this morning in the House to take part in this very important debate on the supply motion of the official opposition. I will be dividing my time with the member for New Brunswick Southwest. Let me begin by reiterating the motion:

> That, in the opinion of this House, the government should protect our children from further sexual exploitation by immediately eliminating from child pornography laws all defences for possession of child pornography which allow for the exploitation of children.

They key element of the supply motion is about protecting our children. I am sure that Canadians have been waiting intensely for years for the government to put in legislation that in fact will protect our children.

I have just come from the justice committee where we were doing amendments this morning, clause by clause, for Bill C-23, on the sex offender registry. Already we find that there is one weak point. There is no retroactivity element in the bill. In other words, if the bill passes it will be applicable only to those who are in the process of judicial activity, but there will be no retroactivity. In other words, convicted sex offenders in this country will not have to register anywhere in this country unless they reoffend.

I also want to take my time to give some balance in terms of the debate. Again, I have been fortunate to take part in a lot of the hearings with Bill C-20, which is about child pornography. We have heard from many witnesses. We need to get a balanced presentation on this debate today. I would like to begin by quoting from some of the documents. One witness from the Evangelical Fellowship of Canada submitted a presentation that stated:

> In conclusion, we are pleased that this legislation [Bill C-20] takes steps to improve the protection of children in Canada and to reduce exploitation of them. We support the amendments that strengthen the child pornography provisions by adding a new broader definition of written pornography and a more narrow defence of public good.

The presentation goes on to state that the increase in maximum sentences for child-related offences is commendable, although the fellowship believes that minimum sentences "would be more effective". It concludes by saying:

> Any reasonable initiative that will make courtroom experiences less traumatic for child victims and witnesses is commendable, as well. We support this provision of Bill C-20.

The presentation then states:

> However, we note that Bill C-20's new category of sexual exploitation necessarily places child victims in a courtroom experience and requires them to provide details of their intimate relationships in order to ascertain whether exploitation has taken place. We are concerned that this provision will either further victimize exploited children or be ineffective. A far more effective way to protect young Canadians from sexual exploitation would be to raise the age of consent to sexual activity to 18 years of age.

That is from the Evangelical Fellowship of Canada.

Let me proceed to make some statements about what the CBC had to say. Again, members of the artistic community are concerned as well how legislation on pornography will affect them. The recommendation of the CBC is that both specific journalistic defence and in defence of the public interest be included as defences for the offence of voyeurism. It suggests the following wording:

> No person shall be convicted of an offence under this section if the acts that are alleged to constitute the offence serve the public good, are in the public interest or the acts were those of a person engaged in journalistic activities for
>
> (i) any newspaper or other paper containing public news, or
>
> (ii) for a broadcaster or internet web news provider licensed by the Canadian Radio-television and Telecommunications Commission to carry on a broadcasting transmitting undertaking or benefiting from an exemption order of the Canadian Radio-television and Telecommunications Commission.

● (1135)

Most people in Ontario have heard of Project Guardian. Carrie Kohan appeared before the committee and she had many interesting things to share as she has firsthand experience with sexual predators. In her presentation to the standing committee, she said:

> Because we all share in this plight, it is our societal responsibility to put children's rights first. It is our duty to focus our efforts not only on the protection of the child, but also to provide, at the very least, the same level of rehabilitation as that provided today to the child rapist while incarcerated.

She went on to say that:

> It is our conclusion that our legislation needs to become tough on this crime. Yes, removing the rights to freedom of the convicted pedophile may seem harsh to the vocal minority, but to the emerging majority it is a logical and necessary step. We need penalties worthy of second thought in Canada, or more specifically we need penalties that will cause pedophiles to have second thoughts about child abuse in Canada, because child rape is a most heinous crime and is deserving of the most severe penalties.

She concluded by saying that if a child victim who had experienced this crime had the opportunity to sit before the committee today, she was sure that he or she would agree with her as well.

The Canadian Conference of the Arts also submitted a brief to the standing committee. Its concern was in relation to the elimination of the artistic merit defence and that it would create confusion and punish artists. It stated in its presentation:

> The CCA opposes the elimination of the artistic merit defence in s.163.1. Eight years after s.163.1 was inserted in the Criminal Code, the Supreme Court in Sharpe gave an extensive definition of the artistic merit defence. The CCA was greatly relieved by this development because the definition is broad enough to ensure that young artists or artists working with novel or transgressive subject matter would not suffer the ignominy of being prosecuted in the criminal courts. Although the Court also went on to carve out two exceptions to the offences of possessing or making child pornography, it did so in order to avoid having to strike down the entire law on the ground that it was an overbroad infringement of the freedom of expression. As a result, the child pornography law has largely been "saved" and is wide enough to capture virtually all situations in which expressive material could lead to harm to children.

Let me close by quoting the Writers' Union of Canada. It had great concerns about defences for child pornography. Its summary stated:

> We believe that the proposed changes to the child pornography provisions of the Criminal Code set out in Bill C-20 are overbroad and infringe the Canadian Charter of Rights and Freedoms. They will greatly increase the likelihood of the arbitrary exercise of prosecutorial discretion to lay charges against creators of written and visual material falling within a broadened definition of child pornography, particularly without the existing defence of artistic merit. Our greatest concern is that the sole remaining defence of the public good will not be interpreted by courts to encompass a defence of artistic merit or purpose because Parliament has deliberately chosen to remove this defence from the existing legislation. We submit that the proposed changes to the law will lead to increased self-censorship by writers and other artists and cast a chill on expression of ideas.

In closing, Canadians look forward to legislation that will certainly protect the children of this country.

● (1140)

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, I commend the hon. member on a very good speech. I also want to congratulate the member who proposed the motion for taking leadership on this issue.

Canadians watching this debate today would be inclined to ask, why are we even debating the issue? Surely no one could be against protecting our children from sexual exploitation?

Should we not be looking at other areas of sexual exploitation as well? Maybe we should zero in on the CRTC, since we see on its airwaves at any time of the day or evening sexual exploitation taking place. The airwaves are filled with the kinds of images that sexually exploit children, and it is all done in the name of freedom of speech and artistic merit.

Would the member care to comment on whether or not we need to look at these kinds of things, such as the CRTC, to see what kind of shows and presentations the CRTC is allowing on the air these days? We see children being exploited by these kinds of images when we look at television at any hour of the day or evening. Surely the CRTC has some responsibility in that regard. Is it living up to its mandate?

● (1145)

Mr. Inky Mark: Mr. Speaker, all we need to do is turn on a computer today and we are faced with the element of spam, which is also a huge challenge not only to this country, but to the rest of the world. Other countries are looking at the same problem in terms of dealing with spam and pornography.

We all know that pornography is rampant in this country and the rest of the world as well. We know that pornography can lead to other activities. There is the market trade and exchange of pornographic pictures. In this instance, we are talking not only about children but infants as well.

This past week the committee had the opportunity to listen to the RCMP on how it deals with the whole business of child pornography, both photographic and on the Internet. This is a huge challenge before us.

I understand there are plans to introduce legislation dealing with Internet trafficking of pornographic material. I encourage the government to continue to deal with that matter. It is a huge challenge and we will continue to work on it.

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, I wish to thank the two justice critics in the House for the work they did on the bill. Our own justice critic, who is the leader of the PC Party, the member for Pictou—Antigonish—Guysborough and the Canadian Alliance member for Provencher did a tremendous job on the bill to improve it.

The fundamental question in terms of protecting our children goes right back to the inability of the government to do anything. It is a habit it has developed over the 10 years it has been in power. There is no question that because of some of the things that previous governments did—and I was a member and sat on the government side on some of the big initiatives that we took to get the economic house in order—the current government has coasted on those over the years. I am talking about such things as free trade and the GST. In fact, it did have money to do things but did not have to pay any attention to detail.

Assuming and accepting that argument, we would expect that. It is what most governments do when the economy is sorrowfully chugging along and going fairly nicely without any major initiatives, in other words, when it is not taking up a lot of its time. I challenge any member on that side of the House to get up and tell me any big economic initiative, trade or taxation policy that the government had to bring in to deal with fiscal difficulties it was facing. The fact of the matter is that it had to do nothing, just keep house and allow the machinery of government to run. And run it did.

The fact is the government had time to pay attention to social and justice issues and it has not done that. In fact, Bill C-20 has practically no support anywhere on this side of the House and very little support on that side of the House. Bill C-20 will never be passed in the life of this Parliament.

When the new leader comes in, the Martinites will take over. I hate to use the term Martinites. I would like to call them termites because they have secretly eroded the foundation of government for the last year and a half to two years.

Now we have a government that is moribund. It does not know how to do anything and there are many examples of that. It is not just Bill C-20. We can look at the fiasco that is taking place with the $700 million announced for rail service on the trade corridor between Windsor and Montreal. There is no clear indication that it will ever happen because the termites, the Martinites, are secretly undermining the government. In fact, we have a justice minister who has been caught up in that as well.

How would you like to have a record like his coming to the House, Mr. Speaker? He is sitting on a bill that could do something, but will do absolutely nothing. He will be sitting there for a long time before that bill is passed in this House simply because there is no will on the part of the government to pass it. In the meantime our children will suffer.

We saw last night the police chief of the City of Toronto, and the pain and hurt that police officers see every day of their lives. How the Government of Canada could miss that message is beyond my belief.

Mr. Roy Bailey: The government handcuffed him.

Mr. Greg Thompson: He has been simply handcuffed by his own people.

We have a government that is moribund. In fact, we will be voting on the principle of lack of leadership or the lack of government, or the duality of government that exists on that side of the House.

This House will rise in about a week or so and will not be back until the new king is crowned. That is pathetic. It means that this bill will die on the Order Paper.

In the meantime, what toll will that take on our young Canadians? The government is in a position to do something, but is doing nothing with guys like Mr. Sharpe, the serial pedophile. It is doing nothing with a bill that could eliminate those people from doing those horrible deeds against our children. We could do something in the House. That bill could pass very quickly if there is a willingness on the part of government to do something.

● (1150)

The faint hope clause could be eliminated, so when these people go before the courts, they could be sentenced appropriately and they would not be given the ability to do it again. They would be locked up behind bars, where they deserve to be.

We have to tighten up those loopholes in the Criminal Code. We can do that with Bill C-20. That is something the justice minister has been very reluctant to do.

If the members remember, one of the defences in the Sharpe case was the idea of artistic merit, believe it or not, because the pornography he was displaying or the personal pornography he had was for his own enjoyment. That is a pretty weak defence when a guy can go loose or be on the streets simply because of artistic merit.

The minister does not even address that loophole in the bill. In fact in some of the testimony provided by the minister himself at the committee hearings, he basically admitted that it would not close that loophole. In fact that loophole of artistic merit will still exist in the bill as presently written.

The question is, why would the minister not address that point? Why would he allow a bill like this to go forward if it does not close those loopholes? Why does he fail to stand up for the families that deserve to have their children protected? That is as simple as the argument can get and as basic as the argument has to get. Why would he not do that? He is victimizing our children.

When the justice minister, the one person in Canada who can make a difference, just simply sits there and does not address the needs of Canadians and the protection of young Canadians why should he be there? He is there because he will coast to office I guess on the Martinite train and that is the only reason.

The ministers are not simply there because of their ability to get the job done. They are simply coasting through office. It is time that Canadians take them to task for this and I believe they will in the next election.

Maybe it is time for the limousine Liberals to be derailed. Maybe it is time for Canadians to examine their record very carefully in terms of social justice over the last 10 years. What have they accomplished? We know they have coasted on the economy but they cannot coast forever. This legislation deserves to be passed and should be passed. However some of the recommendations that we have suggested should be in the bill.

At that, I rest my case and look forward to questions and comments from my colleagues.

● (1155)

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I would like to start by commending the member for the motion. He talked about the issues related to children and their welfare, which is very important. I believe the government has neglected these issues.

As well as the other opposition parties, I want to start by reading a letter I received from a constituent regarding a motion that I put forward in the House which dealt with children's issues and the way they were being exploited through some of our environmental conditions. It states:

> Dear Brian Masse:
>
> Our daughter was misdiagnosed four and a half years ago with Arthritis. She died four months later of leukemia. We can prove negligence but she died from bleeding internally due to a liver biopsy before treatment could begin.
>
> Now the boy across the street from us is in London fighting for his life with cancer. I find it strange that this is happening in such a close proximity of each other. I think that our children are getting cancer in the Windsor area in far too great a number compared to other areas. They are also being sent to London too late.

The government has done little in terms protecting our children.

The member, in his speech, talked about the things that the government could be doing. Why are we not doing those things, for example, ending child poverty?

My motion interestingly enough was amended by the Bloc member who supported it unanimously and the members of the PC Party at supported it. The amendment was passed, but then when the main motion was voted on a number Alliance members and Liberals switched their votes and it lost narrowly. All the motion did was address the terrible conditions that children find themselves in.

Why do we not have a comprehensive vision of how to protect our children, not only from pornography and from predators, but in the ways in which we go about fashioning laws without providing accountability, when we know these types of things in society are hurting and killing them?

Mr. Greg Thompson: Mr. Speaker, I appreciate the comment from the member for Windsor West. He is dead on in his analysis of the government. On some of the social issues, the Liberal Party truly took a lot of pride in them and I think it was generally well accepted by Canadians over the years. We could look at the electoral results of that party over the years. However, I suggest that it has lost any sense of responsibility for social issues.

One thing I will point out, aside from the education issue and the difficulty that our young people have in terms of affordability of post-secondary education, is the government is sitting on a $45 billion surplus created in the EI account. In other words, it has taken $45 billion more from Canadians in terms of their EI premiums. That is what we pay in every week. After paying out all the benefits, the government has collected $45 billion extra.

The question is what is the government going to do with it? The Liberals could do a number of things. One would be to beef up the justice system in terms of more crown prosecutors and enforcement.

Let us look at one of the other boondoggles. A thousand million dollars, that would be a billion dollars, was wasted on the long gun registry. What could that have done? What could police officers do with an extra billion dollars?

The government has simply lost all sense of responsibility in terms of young people, justice issues and social issues. That used to be the cornerstone of that party. However, it has certainly lost its way and it has to have a reality check. We hope the Canadian public will do that the next time it goes to the polls.

● (1200)

The Deputy Speaker: There is approximately one minute left, so I caution members to be somewhat brief if they do anticipate a response. The hon. member for Prince Albert.

Mr. Brian Fitzpatrick (Prince Albert, Canadian Alliance): Mr. Speaker, I think one of the cornerstones of freedom of expression is that individuals should have the right to realize their full potential. However, I think we all understand that this is not an absolute right. The Criminal Code defines the limits of that right. That is why we have offences dealing with stealing, assault, murder, fraud and numerous other offences, which I guess to the criminal is their freedom of expression. However, we draw the line on these sorts of things.

I am really puzzled why the government does not deal with exploitive child pornography in the same way it deals with other criminal behaviours and put it squarely in the Criminal Code so that our children are protected from this sort of thing.

I think the member has some legal experience and I would be curious what his comments might be on that, because I cannot for the life of me see the distinction between other types of criminal behaviour and criminal behaviour in respect to child pornography matters.

The Deputy Speaker: I regret, but the time has lapsed and we will now return to debate. The hon. member for Regina—Qu'Appelle.

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, I too want to say a few words on the opposition motion tabled by the member for Wild Rose.

The whole issue of child pornography is an extremely important issue. First, I want to begin by thanking the justice committee. A few minutes ago in the justice committee, members dealt with Bill C-23, the national sex registry. The committee agreed to an amendment I made to have a review of the registry in two years.

I am pleased that the chairman of the justice committee broke the tie. There were opposition members and some government members in support of the amendment and some opposed. The amendment as passed will provide for a review of the national sex registry in two years time. That is a good thing to do. It will make the role of parliamentarians more meaningful in terms of our political system.

The debate before the House today is one that is very important. We are dealing with Bill C-20 in our justice committee. The minister and his officials have been before the committee. We are trying to find an effective way to ensure that we are tough with people who are involved in child pornography and the abuse of children.

I have absolutely no sympathy whatsoever for people who abuse children in the way that they do. I know the minister feels exactly the same way.

We saw some very moving video from the RCMP on some of the most horrific child pornography and the abuse of children that could possibly be imagined. It is the kind of abuse that brings tears to people's eyes. There is no doubt whatsoever that we have to deal with this in the toughest and most effective way possible.

The problem we have with the legislation before the House, and one which people are wrestling with, is clause 7, the public good, the definition of the public good and the whole question of freedom of expression, artistic merit, what a museum can display, what researchers can research and so on. There is a differing legal opinion, as the minister knows, as to clause 7 and the public good.

I want to begin by saying that there is a serious difference of opinion. The Canadian Bar Association, for example, believes that the public good test is too vague and too broad to give this legislation any real effect.

In other words, the Canadian Bar Association is saying that it is not really sure what the public good test really is. It could be too broad or it could be too narrow. It could be too narrow in terms of dealing with child pornography and those who abuse children. It could be too broad and catch in the sweeping definition in the courts genuine artists and researchers, museums or medical research in the country. We do not know what will happen. The jurisprudence will evolve through the courts. In effect what Parliament is doing here is giving the authority to the courts to define what is the public good.

I wish the member for Wild Rose was here. I wonder if he would agree that what we should is remove clause 7 from Bill C-20, with instructions that Parliament define what is the public good. Then the intent of parliamentarians would be clearly signalled to the courts. If we do not do that, the courts will make the definition of public good.

I am one who is very much in favour of the Charter of Rights and Freedoms and our Constitution. However, I am also one who has been a bit nervous about the evolution of more and more power to the courts, where the courts and not legislatures make more and more decisions in our country about public policy.

I respect the courts and judges. However, they are not elected. It should be us as parliamentarians and provincial legislatures that determine policy in terms of what direction our society wants to go.

This is really the whole debate that we are now having in the justice committee. The debate is what is freedom of expression. I see the member for Dauphin—Swan River who is a decent parliamentarian and human being. He believes in freedom of expression. If he went to a movie theatre tonight at nine o'clock and there was a very popular movie on, if he jumped on the stage half way through the movie to make a big long speech about how wonderful such and such was, he would be in contempt because freedom of expression has certain limitations. He could not do that because it would be a limitation on freedom of expression.

● (1205)

Section 1 of the charter is the limitation clause. It shows there are limitations, but it has to be demonstrated that these are in the public good or the common good. It has to be demonstrated. The whole debate in the justice committee is what is artistic merit, what is the public good?

We want to make sure we have tough child pornography laws that deal in a very tough way with people who abuse children in this country. Some of this stuff is horrendously offensive and is almost beyond imagination. We have to deal with it in an extremely tough way. However, in the sweep of the law we have to make sure that genuine artistic merit and expression does not become a criminal offence. That is a concern many have.

The Canadian Bar Association is about as credible an organization as possible in terms of expressing an opinion on a certain law before the House. Its concern, as I said before, is that the use of the public good test is much too vague and broad to give the legislation any real effect.

We should be instructing the government, instructing the justice committee, instructing Parliament, to make sure that we say what is the public good and what we mean in terms of the law and how it will be carried out.

I see in the House the member from Edmonton, the former Alliance House leader. I am sure she would agree that we often leave too much power with the courts, with unelected judges, when parliamentarians should make the decisions.

The scope of the public good, as I said, is too broad according to some lawyers, and too narrow according to other lawyers. We should clarify what we mean. The police will do a better job and make more sound decisions in their investigations of suspected child pornographers to protect children if there is a very clear definition of what we mean in terms of how we want to protect the children. On the other side, if we have a clear definition of what the public good means, then artists, museums, researchers and others will not be prosecuted for legitimate artistic expression or legitimate research in their field of endeavour.

One of my colleagues on the government side, who is on the justice committee has just walked in. He knows the debate that has been raging in the committee as to what those fine lines are.

We need clarity in what we mean by the definition of the public good. We have to give some guidance to the courts as to what we mean as a parliament by the public good. We have to stop delegating that power to an unelected judiciary. We parliamentarians should write the law and clearly signal to the courts what we mean when we tighten the law against those who commit pornography and abuse children, what we mean by the freedom of expression, what we mean by artistic merit and the right of museums to display certain pieces of art, what the fine line is and what the message is that we want to send to the court.

The bill before the justice committee, which I understand will be dealt with again tomorrow afternoon, is simply too vague on too many fronts on that particular point. We have seen that by the clash of interpretation among different witnesses and the clash of interpretation among different lawyers.

My main reason for intervening today is to say that it is extremely important that we are not derelict in our responsibilities. We as parliamentarians must make sure that we take clause 7 out of the bill as it stands.

● (1210)

We would be better off getting rid of the clause altogether than to have a vague clause which no one can guarantee what it means in the end and leave that power to the unelected courts. Once the jurisprudence and the precedents are built up by our legal system, we may have a very good law. On the other hand, we may have a law that one way or the other does not have the intent of what Parliament means. It is incumbent upon us as parliamentarians to make sure that is done. I think this is an issue on which Parliament can unite, that it should be us and not the courts who define what we mean by the public good.

Artists should have the freedom to express what they want to express and not be fearful of being charged under the Criminal Code in terms of legitimate artistic expression. People should be able to do legitimate research and museums should be able to exhibit legitimately without fear of being prosecuted and convicted under the Criminal Code. At the same time the Criminal Code must have more power to prosecute and put away those people who abuse children or those people who are involved in child pornography that is so offensive to any kind of civilized society.

I hope we can come to that consensus, that it should be Parliament and not the courts that makes that determination. We can debate what the fine lines are and signal clearly to the courts what the House means.

Miss Deborah Grey (Edmonton North, Canadian Alliance): Mr. Speaker, I thank the hon. member for his remarks and his contribution in the justice committee as well. He has been here many years and has seen legislation seemingly take forever. If we look at the street level, some of these horrifying things are still happening year after year, decade after decade.

I would like to ask him a question with regard to his comments that he just made about the court system. Who in the world can determine such a subjective thing as artistic merit and what is in the public good? I have a difficult time doing this because of course it is a sliding scale. Everybody has his or her own definition of what that might be.

It seems to me that where young children are being forced into nudity and sexual acts with adults, there is no way on God's green earth I would ever be convinced nor surely would anyone else in this chamber nor anyone in the Supreme Court of Canada nor any of the legal people that this somehow falls under artistic merit. If we look at the devastating ramifications and implications this has on children as they grow up to be adults, I think we are seeing something rampant here that in the next generation we will only know the devastation it has caused.

What is the member's feeling and what are his thoughts on the justice minister coming here this morning and ranting about how Bill C-20 will actually solve everything? In fact a press conference is going on right now in the press room with police and law enforcers saying that this is not going to cut it.

What does he think we could do to convince the justice minister that it is not just us on a political basis here saying we do not think that Bill C-20 will be the answer to all the ills, but the police themselves are saying it just will not hold up? What could we do about that?

● (1215)

Hon. Lorne Nystrom: Mr. Speaker, first of all, I agree with the member for Edmonton North that any adult who forces a child is obviously not artistic merit. It obviously should be a violation of our Criminal Code and the criminal laws. I want to make that very clear. We saw scenes provided by the RCMP, as the member for Edmonton North said, of 18 month old baby girls being violated by adult men. Obviously that is horrific and we have to come down extremely hard on that type of issue.

My answer to the member's question is that either we as parliamentarians define what the public good is or the courts define what the public good is. It is one or the other. My appeal today is that we as parliamentarians should make the definition. It is going to be tricky in many cases, we all know that, but I would sooner have parliamentarians do it because we are elected and accountable to the people. We should write the legislation without the determination of the courts. If we do not, the courts will do it. As I said, the Canadian Bar Association has said that the use of the term public good as a test is too vague and too broad to give the legislation any real effect.

The answer to the question is that we should do it, not the courts.

Mr. Peter Goldring (Edmonton Centre-East, Canadian Alliance): Mr. Speaker, perhaps my colleague could comment on one of the concerns that I have, as well as many other members on this side of the House and on the other side too. It is about pornography being considered a gateway, something that will lead to, contribute to eventually and condition people to make the next step to pedophilia, child molestation. We are all concerned with the explosion on the Internet of pornography as it is today and that could lead catastrophically to an explosion in child molestation too, if this is considered to be the first step toward it.

I would like my hon. colleague to comment on that and to reinforce to the government the absolute urgency that this be attended to firmly and squarely with the laws that we do bring down, to prevent this explosion from carrying forward into the everyday world.

Hon. Lorne Nystrom: Mr. Speaker, I certainly want to reinforce that.

We are dealing here not just with a magazine one may pick up and pictures one may look at. We are dealing here with videos. We are dealing here with the Internet. We are dealing here with violation against children. We are dealing here with the abuse of children. We are dealing here with the whole gambit of violation and degradation of the crassest kind one would ever want to imagine. We have to deal with it in a very tough way and that is what I want to do.

I commend the member for Wild Rose for putting this motion on the Order Paper. I go back to my central point. It comes down to the definition of the public good. Who defines the public good? Is it the courts or is it Parliament? My plea is that Parliament, and not the unelected judiciary, define the public good. That is where we have to start. Then we can have the arguments as to what is the public good, what is artistic merit, what is legitimate research, what is legitimate in terms of museums, where the two clash and where the fine lines are. Those are not easy questions to answer, but we start with Parliament defining it and not the courts.

* * *

● (1220)

BUSINESS OF THE HOUSE

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, on a point of order, I believe that if you seek it among all parties, you will find consent for the following regarding private members' business:

> That Bill C-452 in the name of the member for Lakeland, the item that is to be debated on Thursday, October 30, 2003, be switched with Bill C-338 in the name of the member for Surrey North, the item that is to be debated on November 27, 2003.

The Acting Speaker (Mr. Bélair): Is there unanimous consent?

Some hon. members: Agreed.

The Acting Speaker (Mr. Bélair): Agreed and so ordered.

* * *

SUPPLY

ALLOTTED DAY—CHILD PORNOGRAPHY

The House resumed consideration of the motion.

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, once again, as members of the Canadian Alliance, we find ourselves in a position where we have to defend the rights of the most vulnerable group of people in our society, our children, against a Liberal cabinet fixated on protecting the interests of dangerous sexual offenders.

Past experience should tell us that this need not be much of a challenge, given the fact that Liberals tend to govern by opinion polls, and the evidence is clear that Canadians overwhelmingly support giving children the most effective legal protection possible against sexual predators.

Nevertheless, to this point the legislation put forward by the minister continues to defend the interests of sexual predators rather than Canadian children.

However it appears that some of the concerns that have been consistently raised by the Canadian Alliance, members of child advocacy organizations and the police may finally be catching the attention of the government.

Recently we heard the Solicitor General admit that he may have erred in his opinion that including convicted sex offenders in a national registry would violate their charter rights. Perhaps it is not too late to hope that the Liberals will also eventually admit that there is no justification for the criminal possession of child pornography and amend the laws accordingly.

Over the course of parliamentary debate on this issue I have often been struck by the contrast between the fact that Canada's Criminal Code provides no defences against certain types of hate propaganda, yet the defences for the possession of child pornography are alive and well and broader than ever. There is zero tolerance for hate propaganda against vulnerable minorities, and rightly so, yet the most vulnerable minority of all, our children, are not similarly protected.

By now most Canadians are familiar with the case of the notorious child pornographer, John Robin Sharpe, and the material that originally sparked this debate on our child pornography laws. After being caught with material glorifying violent sexual acts between adults and children, Sharpe began a court challenge in the mid-1990s arguing that his charter rights were being violated by Canada's legal prohibition on child pornography. Eventually the Supreme Court of Canada upheld the law but said that artistic merit should be interpreted as broadly as possible. A British Columbia superior court judge later did just that and let Sharpe off the hook for two possession with intent to distribute charges on the basis that the material had artistic merit.

Let us be clear about what kind of material we are talking about, the kind of material that allowed this judge to apply artistic merit to acquit Mr. Sharpe of those charges. We are not talking about literature, art or anything that could reasonably be described as such. Seventeen stories that Sharpe had written were given as evidence. Detective Noreen Waters of the Vancouver police department characterized those stories as follows:

> They're extremely violent stories, the majority of them, with sexual acts involving very young children, in most cases, under the age of 10 engaged in sado-masochistic and violent sex acts.... And the theme is often that the child enjoys the beatings and the sexual violence....

John Robin Sharpe was acquitted of those charges. Clearly, after the Sharpe cases, there was a legislative gap that required immediate attention. Canadians were outraged but it took some time and considerable pressure to convince the justice minister to bring forward legislation.

Last December, when Bill C-20 was finally tabled, the minister was proud to declare that the existing defences for child pornography had been narrowed, implying that the artistic merit defence was no longer there. No one was fooled. In fact, instead of eliminating all legal loopholes that justify the criminal possession of child pornography in Bill C-20, the minister simply combined these defences and hid them in the broadly interpreted defence of public good.

● (1225)

However, despite the minister's attempt to sell Bill C-20 on the basis that the artistic merit defence no longer applies, he admitted on September 25 in the justice committee that it was still included under the now broader public good defence.

The Supreme Court briefly commented on the public good defence in the Sharpe decision stating:

> It might be argued that the public good is served by possession of materials that promote expressive or psychological well-being or enhance one's sexual identity in ways that do not involve harm to others.

If this commentary is any indication of how the public good defence will apply in the courts, it clearly will not fulfil the aim of protecting our children.

The Supreme Court of Canada does not make comments like that idly. It is signalling what it may well do in the future. It is too big a risk for Parliament to leave that particular phrase as open as it now is in the bill. It has become clear that the public good defence has not been precisely defined and will be subject to broad interpretations by the courts.

Mr. David Matas, a well-known lawyer and a member of the board of directors of the child advocacy group, Beyond Borders, said the following during committee hearings on October 7 in reference to the public good defence:

> The practical problems of putting a very vague defence into the law is this:

He was referring to this public good defence. The quote continues:

> It doesn't serve as a deterrent. If you read what child abusers say, they think what they're doing is in the public good. They promote sexual activity of children. It also is going to lead to a lot of not-guilty pleas. We're going to get the courts clogged up with defendants saying that they're not guilty because they think there's a defence of public good. The defence, of course, will be defined over time, but differently in different provinces until it gets to the Supreme Court of Canada. So we'll have many years of uncertainty about the law.

Given what the Supreme Court of Canada has said, I think know where this court is going to take this particular definition.

The same day, detective sergeant Paul Gillespie of the Toronto police also said:

> —trying to, as a front-line officer, determine what the public good is will prove to be impossible.

We are putting evidentiary burdens on the police in addition to those they already have that they simply will not be able to meet.

The representative from the Canadian Bar Association also expressed doubt that the public good defence would be effective stating:

> The issue is one of how the courts are going to interpret for public good. This is not an easy concept and it is one that does incorporate the community standard that the court rejected in their interpretation of artistic merit in Sharpe, but there's a real issue of whether or not it's indeed going to solve the problem.

That is exactly what I have said on earlier occasions. The Supreme Court of Canada has already emasculated this particular defence. Why does it think that by resurrecting it in this new bill it will do any better?

From the side of the spectrum that tends to favour freedom of speech over all other social objectives, Mr. Alan Borovoy of the Canadian Civil Liberties Association also expressed serious misgivings about the public good defence. He said:

> Then they talk about the defence of public good, Bora Laskin described it as anomalous, the Supreme Court of Canada has expressed misgivings and the same court has also held that the comparable term "public interest" is constitutionally vague. That's what we would be left with if those amendments were enacted.

What we essentially have is almost every witness, other than the justice minister, coming before the committee and telling us that the law will not work, it will not be effective and, more important, it will not accomplish its objective of effectively prosecuting child pornographers.

● (1230)

In a further complication of the child pornography defences, the Supreme Court carved out two exemptions to the child pornography law in the Sharpe case: that materials, such as diaries and drawings, created privately and kept by that person for personal use; and visual recordings of a person by that person engaged in lawful sexual activity, again kept by the person for personal use.

Although at first blush those types of defences for personal use appear to be reasonable, the latter exemption has the potential to expose children age 14 to 18 to further exploitation by child pornographers since they would be engaging in a legal activity.

What that means is that a 40, 50 or 60 year old man can have sex with a 14 year old girl as long as she consents to the activity, and that man can legally make a visual recording of that activity. Of course it still remains illegal to distribute it but then there is a permanent record of that child that no doubt will eventually be put out into the public domain.

Our age of consent laws also enable child sexual predators to legally use the Internet to lure children over 14 who are online.

One of the more dubious objections to raising the age of consent from 14 was provided by the Parliamentary Secretary to the Minister of Justice, the member for Northumberland, who stated in the House of Commons on November 5, 2002 that there were "many social and cultural differences that have to be reflected in the law".

That certainly was news to many Canadians. Many members of Canadian ethnic groups were offended and angry that the government was trying to hide behind so-called social or cultural considerations on the age of consent issue, and never have the members opposite ever asked which cultural group consented to the exploitation of their children. No such cultural group exists in Canada, and that activity should clearly be against the law.

As Liberal ministers keep making weak excuses for not moving to raise the age of consent, they will continue to be discredited by Canadians who have common sense ideas and are committed to the protection of their children even if this government is not.

Under our current laws, children and teenagers easily become targets of pornographers, Internet sex scams, pedophiles and sexual abuse, and parents have no legal recourse with which to shield their children from these dangers.

So far the committee has heard strong recommendations from several witnesses to ignore any excuse from the government in its refusal to raise the age of consent; particularly from police representatives Detective Sergeant Gillespie from the sex crimes unit of the Toronto police service, who has done such a fine job trying to make the children of this country safer, and Mr. Tony Cannavino of the Canadian Professional Police Association. They continue to come to Parliament to remind us that we are failing our children and that Bill C-20 certainly fails our children.

Instead of raising the age of consent, the bill creates the category of "exploitive relationships" aimed at protecting people between the age of 14 and 18. Overwhelmingly, child advocates have urged committee members to reject the provisions of Bill C-20. This new category is a vague provision that fails to create the certainty of protection that children require. It will not serve as a real deterrent. It will simply result in longer trials and more litigation by putting unnecessary, undue prosecutorial burdens and evidentiary burdens on our crown attorneys and our police.

● (1235)

Mr. Normand Boudreau, also a member of the board of directors for Beyond Borders, urged members to reject excuses against raising the age of consent. He reminded us of the story of the little aboriginal girl in Saskatchewan. This case occurred in Melfort, Saskatchewan.

A 12 year old aboriginal girl was preyed upon sexually after being made drunk by three adult males. A 26 year old man sexually assaulted the 12 year old girl with his two friends outside his truck on a gravel road. The 26 year old man received a conditional sentence. The other two, however, were found not guilty. In the case of those two, the jury found that the accused took all reasonable steps to ascertain that the girl was at least 14 years of age. In effect, in this particular case, the age of consent was 12 years old. These individuals were acquitted because they took all reasonable steps to satisfy themselves that the individual may in fact be 14 years old. That is shameful and disgusting.

A side issue on this particular debate that is nevertheless an important one is what is to be done with sex offenders once they are convicted. Currently, Canada's methods serve as little more than a weak reprimand. The list of dangerous sexual offenders who receive no jail time is long. I can quote a number of cases where serious sexual offenders won. For example, the *Toronto Sun* reported that a Mr. Oswold, who had a record of sexual assault, sexual interference and had attempted to obtain the services of a 10 year old boy, received a conditional sentence for breach of a probation order.

These are the kinds of laws the government has passed. They are not only weak laws in terms of sentencing, but to add final insult to the injury is to try to pass a law such as Bill C-20. The list goes on.

Those who suggest that mandatory prison sentences do not deter crime are mistaken. We know that as long as they are secure behind bars, they will not reoffend.

One witness, I believe it was the Civil Liberties Association, said "What do you expect child pornographers to do, collect stamps?" I say they can collect stamps if they want to as long as they are doing it behind prison bars. They should not be released to be able to exploit our children on the Internet or otherwise.

Only a Liberal would suggest that society should take a chance with its children by releasing those individuals into society without first requiring a period of incarceration. A strong message from Parliament to the courts and from the courts to the offenders that the abuse of children will not be tolerated will have the appropriate effect. Unfortunately, Bill C-20 and the Liberal government fail to send that message.

The lack of funding also continues to be a vital problem for those who are tasked with enforcing the laws. In March 2003 Chief Julian Fantino of the Toronto Police Service said that he was:

> —deeply disappointed by the recent comments by [the] Solicitor General that police are adequately resourced in the area of child pornography. The Toronto Police Service has received no funding or resources from the federal government in this area. We have, however, managed to move forward thanks to a $2 million grant from the provincial government.

It was the former conservative government in Ontario that showed concern when the federal Liberal government did not.

That will conclude my comments. I would be prepared to answer questions.

● (1240)

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, the speech that we have just heard should be mandatory listening for every person in Canada.

The fact that the Liberal government continues to create ways in which sexual predators, those who prey on children, can hide behind a defence as provided by the Liberals is unconscionable. I would like the hon. member to comment on that defence. The new defence, the public good, in my view greatly broadens the defence that can be used. Instead of just restricting it to artistic merit as it was before, public good could probably be construed to include all of those issues, freedom of speech, artistic merit, all of these other things.

Who among us is not going to say that freedom of speech is a good thing? The courts will certainly see it that way. This one catch-all in my view adds all of these others to it and thereby even broadens the defence.

I would like to castigate the government for creating this defence which is such a huge error. I would appreciate the comments of my colleague on what I have just said. Does he agree with this?

Mr. Vic Toews: Mr. Speaker, if I were to stand here and say that I agree with the hon. member, people would simply see that as being self-serving as we are in the same political party. I do in fact agree with the hon. member not simply because it is my opinion but because it is the opinion of reputable child advocacy organizations across the country.

I want to specifically refer the member to some of the comments of Mr. David Matas of Winnipeg. Mr. David Matas is a very well respected legal counsel in Manitoba and in Canada. He has often fought for civil liberties, for immigrants and others. It was his concern, exactly as expressed by the member for Elk Island, that this broadened the defence of artistic merit and that we were not moving forward, we were not standing still, but we were moving backward.

The member for Elk Island should find some comfort that eminent legal scholars have agreed with his interpretation of what the Liberal bill does and that it in no way protects our children. It needs to go back to the drawing board to be redrafted so that the priority of children is the first consideration of Parliament.

● (1245)

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, I appreciated my colleague's speech. He was right on. He has done an excellent job on this particular issue of Bill C-20.

I will ask him a question that I know he probably cannot answer which is in regard to raising the age of consent. I heard the same message from the Liberals that it was not raised to the age of 16 because of certain cultural groups in our country who prefer to keep it at 14 yet no such group can be found.

Can the member possibly give me any reason why the Liberal government refuses to raise the age of consent from 14 to 16? Is there any possible reason that he could name?

Mr. Vic Toews: Mr. Speaker, I want to thank the member for Wild Rose who sponsored the motion. He has been a tireless advocate of ensuring that we have effective laws to protect our children.

In respect of the age of consent issue that the member raised, why is it that the government simply tries to avoid the most direct and effective mechanism of protecting children by at least raising the age of sexual consent between children and adults? I am not talking about children close in age. We all accept that there needs to be an exemption for that kind of activity. That is essentially a social issue rather than a criminal issue. I think what the member for Wild Rose is talking about is the exploitation by adults of children.

Why is it that the government has consistently refused to address that issue? I know one of the reasons. The government consistently puts the cart before the horse. The government keeps on thinking of what the courts are going to do with the legislation if it makes it effective and tough to protect children.

The government tries to think of every single excuse that a judge would come up with, rather than focusing on the legislation, saying what is the most effective way of protecting children, drafting the law in that way and then defending the law before the courts. If the courts want to jeopardize the safety of our children, let it be on their heads, but it should not be on the heads of parliamentarians and those who care about children.

Mr. Grant McNally (Dewdney—Alouette, Canadian Alliance): Mr. Speaker, my colleague speaks with a great deal of knowledge being the former attorney general of the province of Manitoba.

I want to ask the member a specific legal question with regard to what the Supreme Court said in the Sharpe case. The Supreme Court said with regard to the public good clause that while the public good defence might prevent troubling applications of the law in certain cases, it would not do so in all.

My colleague mentioned that in his speech. I would like him to elaborate on that. I was chagrined and dismayed when the justice minister earlier today seemed to say that the fact the Alliance has brought the motion forward was a bad thing. I say it is a good thing. We need to discuss the problems with the government and its Bill C-20.

I would appreciate my colleague's comments on the public good defence as referenced in the Supreme Court decision.

Mr. Vic Toews: Mr. Speaker, first of all, with regard to it being a bad thing that the member for Wild Rose brought forward the motion, if that is a bad thing, I am happy to stand with the member for Wild Rose and to stand with those who want to protect children, as opposed to the minister who is only concerned about advancing the interests of dangerous offenders over the rights of our children.

With respect to the issue of public good, this is clearly a vague defence on which many of the witnesses have already commented. This defence effectively hides all of the existing defences, including that of artistic merit.

The minister can now stand up in the House and say that he has gotten rid of the defence of artistic merit. He can say that nowhere does it read in the legislation that artistic merit is there. However, all members in the House and any thinking Canadian knows that it has simply been subsumed into that broader, more vague phrase.

I would like to point out that it is not only those who are advocating on behalf of children who are concerned, but civil libertarians also say that this is too vague. Clearly, the minister has got it wrong from any direction one comes at it.

● (1250)

Mr. Myron Thompson: Mr. Speaker, I constantly hear the minister talk about the leadership that Canada is taking on all these judicial issues and how his government is leading the rest of the world. I find that to be a strange comment as I understand Canada is the only country of all free democracies that has the age of consent at 14, when the rest have the age of consent at least at 16 or older. Is that leadership? We are the bottom of the heap.

I would like to ask the member, from his experience if this particular motion were to pass through the House and most members found it acceptable, how difficult would it be to immediately incorporate the motion into Bill C-20?

Mr. Vic Toews: Mr. Speaker, there are number of issues. The biggest concern that I have with the suggestion made by the member for Wild Rose is not the legal issue. We can do that. Good legislative draughtsmen can put together the effective legislation that would prevent this criminal exploitation of our children. The biggest impediment that the people of Canada face is the government and its refusal to take the necessary steps.

What do I need to add? Child pornographers are advertising Canada as a good place to do business because of our present laws.

[*Translation*]

Mrs. Marlene Jennings (Parliamentary Secretary to the Solicitor General of Canada, Lib.): Mr. Speaker, I would like to thank my colleague from the official opposition for moving this motion in the House.

[*English*]

As already stated, the motion from the opposition proposes to eliminate all defences for the possession of child pornography which allows for the exploitation of children.

We on this side of the House believe that this is what we are proposing to do with Bill C-20, an act to amend the Criminal Code regarding the protection of children and other vulnerable persons, and the Canada Evidence Act which was introduced by the Minister of Justice on December 5, 2002.

I am pleased that the hon. member from the opposite side chose to raise this very important issue because it allows me an opportunity to inform Parliament and Canadians of the important work that the government is doing to protect our most vulnerable citizens, our children. We agree with the opposition that our children are our most vulnerable citizens and require the most protection.

I would like to build on a few of the remarks made by the hon. Minister of Justice relating to some of the efforts that the government has undertaken to combat the sexual exploitation of children, particularly on the Internet.

I realize the motion in question relates specifically to Bill C-20 and the public good defence, but now is a perfect opportunity for me to highlight the collective work that we are doing to address the troubling problem of child pornography.

I would like to take issue with statements made by the member for Provencher where he claimed that Canada is wild, open country for child pornographers and that the message going out internationally is that people can do business in child pornography here in Canada.

Most of the studies that I have read and most of the statements that I have either read or heard from law enforcement agencies is that the United States is the source of much more child pornography than Canada.

I am sure we are all aware that the sexual exploitation of children is sadly not a new crime. We have been working for many years on this issue. Canada has some of the toughest legislation and policies in place dealing with the sexual exploitation of children. We are challenged with keeping pace with the rapidly evolving technologies, including the Internet, that make it easier for people to sexually exploit our children.

We are all aware of the benefits of the Internet and the increased access to educational resources. However, the Internet also makes collecting, distributing, accessing and making child pornography easy to do. It is extremely difficult and complicated to investigate, according to our law enforcement experts.

Despite the complexities of these crimes, we have been active nationally and internationally on this issue. In fact, this year the Solicitor General of Canada and the Minister of Justice, along with their G-8 counterparts, endorsed the G-8 strategy to protect children from sexual exploitation on the Internet. This strategy has provided a framework for action by all member states. I am pleased to report that we are taking this initiative seriously and we are working to develop Canadian initiatives that meet the broader G-8 objectives.

On the law enforcement front, for example, the Solicitor General of Canada in the spring of this year asked the RCMP and the Ontario Provincial Police to create the national steering committee on Internet based child sexual exploitation. The committee has representation from law enforcement across Canada as well as representation from the federal departments of Solicitor General and Justice.

The steering committee is providing direction to law enforcement efforts to better address this problem and is working closely with many specialized units, and many other integrated teams in the provinces and municipalities.

● (1255)

Building on the work of the steering committee and the various provincial initiatives,—because there are provincial initiatives that are to be lauded in the area of prohibiting and investigating sexual exploitation of our children—I am happy to report that we have taken the first steps toward the creation of a national coordination centre at the RCMP.

While it is still in its infancy, this centre is currently in operation, and is coordinating national investigations and liaising with international partners. We are hoping to build the capacity of the centre so it can provide even greater national leadership in this area.

The Canadian government has also been active in the establishment of cybertip.ca, an online reporting centre for reports of Internet based child sexual exploitation. Run by Child Find Manitoba, this pilot project provides a valuable service to law enforcement by forwarding reports of child pornography and also providing educational materials to the public.

The Solicitor General of Canada had the pleasure of announcing $55,000 in funding from his department for the initiative in August of this year and along with other federal departments, including Justice and Industry, we are actively working to find ways to provide cybertip.ca with sustainable funding to build on the current pilot project to make cybertip.ca a national resource.

Children are our greatest asset and Canadians can be assured that we are doing everything in our power to better protect them. Canadians can be assured that law enforcement in Canada is working to complement our strong criminal law framework, which we are hoping to strengthen with Bill C-20. Canadians can also be assured that the government takes the protection of children seriously and is ensuring we keep pace with technological advances.

I would like to address some of the government initiatives to protect our children from sexual exploitation. If we look at Bill C-20, among the various provisions, it proposes to limit the existing defences for child pornography. It proposes to strengthen the Criminal Code by expanding the current definition of written child pornography. It also proposes to increase the maximum penalty for sexual exploitation of children from 5 years to 10.

It maintains Canada's status as having some of the toughest child pornography legislation in the world, but we have done other things. Members who are sitting in the House now may remember that on December 11, 2002, the government tabled Bill C-23, the sex offender information registration act. It is before the committee on justice. I am pleased that we dealt with it this morning and hopefully it will be reported back to the House either today or shortly.

Bill C-23 proposes to establish a national sex offender database. The database would contain information on convicted sex offenders and would assist police across the country who investigate crimes of a sexual nature by providing them with rapid access to vital current information of convicted sex offenders.

We have Bill C-15A, an act to amend the Criminal Code and to amend other acts, which received royal assent on June 4, 2002. What are some of its provisions? It created a new offence to target criminals who use the Internet to lure and exploit children for sexual purposes. It made it a crime to transmit, make available, export and intentionally access child pornography on the Internet. It also allowed judges to order the deletion of child pornography posted on computer systems in Canada.

This was a power or an authority that the judges did not have prior to the royal assent of Bill C-15A. It allowed judges to order forfeiture of materials or equipment used in the commission of a child pornography offence. Here again, this provided new authority to judges which they did not have before.

● (1300)

It also enhanced the ability of judges to keep known sex offenders away from children by making prohibition orders, long term offender designations and one year peace bonds available for offences relating to child pornography and the Internet.

Finally, another of the provisions amended the child sex tourism act, which had been enacted in 1997, to simplify the process of prosecuting Canadians who sexually assault children in other countries. I think that is testimony to the gravity and the seriousness with which the government takes its responsibility to protect our most vulnerable citizens, our children.

That is not all. Since 1993, we have introduced other changes designed to protect our children or to enhance the protections that we have for our children, such as, for instance, amending the Criminal Code to toughen the laws on child prostitution and child sex tourism, which I just mentioned. We strengthened it again under Bill C-15A. We amended the Criminal Code to ensure that peace bonds keep abusers away from women and children. We passed legislation to enable criminal records of pardoned sex offenders to be available for background checks. We passed legislation to change the parole and corrections systems so that sex offenders serve until the end of their sentence.

Those are just a couple of example of provisions, measures, steps and legislative changes that the government has taken to strengthen the protections that we have for our children in order to ensure that we do everything we can to eliminate sexual exploitation of our children, and that when we do uncover it and find it, it is properly addressed and those who commit it are properly punished.

It is so important for us to look at and deal seriously with this issue. I honestly believe that our government has done so. I have not listened to all the speeches or the participation in the debate of all members of the opposition and members on the government side who have participated; I have only been able to listen to that of the member for Provencher. I found some of the issues he raised to be very pertinent, but I disagree with him when he says that they are not addressed by Bill C-20. I believe they are addressed.

There is one issue that I think most if not all of the witnesses who came before the justice committee spoke to. I am a member of the justice committee and I have had the privilege of participating in these sessions where we have conducted consultations on Bill C-20. It is the issue of the public good defence. There has been some confusion on the part of some witnesses, but there has been clarity on the part of other witnesses. It is clear that the clarity brought forward by what I would say is a consensus of witnesses is that the government may do well to look again at the dispositions or the sections in Bill C-20 that talk about public good and bring more clarity to them to ensure that the bill does in fact ensure protection of our children from sexual exploitation. On that, I think the member for Provencher gave an accurate accounting of what we heard from a large majority of witnesses. I think the government would do well to look at that piece of it.

However, on the rest of Bill C-20, I think that the overall majority of the witnesses who came before us, if not all, said that this is needed legislation. They commended the government in going forward on the legislation. They were in agreement that the legislation is needed, that it is a positive measure and that they wanted to see Bill C-20 adopted. However, they wanted to see clarity brought to the public defence issue. On that issue, there was agreement among a lot of the witnesses.

● (1305)

I will conclude now. I still have five minutes but will not repeat what I have said as I think the statements and points I have made are very clear. I think that any member in the House who listened to what I had to say would understand very clearly where I am coming from and what issues I feel are important and are being addressed by Bill C-20. As well, they would understand the measures and the steps that the government has taken since 1993 to continually strengthen the protection of our most vulnerable citizens, our children, and to strengthen Criminal Code provisions to ensure that those who would sexually exploit our children are properly caught, properly charged, have a fair hearing before the proper courts and, when convicted, receive the proper sentencing.

Mr. Brian Fitzpatrick (Prince Albert, Canadian Alliance): Mr. Speaker, in my comment I want to reflect on a situation that occurred in our province of Saskatchewan this past year. A 12 year old girl was sexually assaulted. Three men in their twenties were charged. The trial took place in Melfort. One man was convicted and two were acquitted.

The decision to acquit those two individuals was very controversial in Saskatchewan. The public backlash was massive and it united aboriginal and non-aboriginal people.

In the trial, the defence used by the accused and the instructions to the jury on the matter referred to the matter of the age of the victim. The argument used was that they believed she was 14 or older when she was in fact 12 years of age.

I recall the Minister of Justice saying on that particular issue, when we had a motion before the House on it, that it was far too complicated to be dealt with here, that it was a very complicated issue. I would suggest that the inaction of this government caused a huge injustice in that trial and that perhaps two individuals are walking free in our society today who should not be.

Does the member now see the merit in looking at this age of consent and moving it up to a reasonable level, to at least 16, for one purpose, that of protecting our children from abuse and from sexual assaults like that in the case to which I have just referred?

● (1310)

Mrs. Marlene Jennings: Mr. Speaker, I have not had the privilege of actually following the case the member is talking about. When I say following the case, I mean actually following all the testimony during the trial itself and then the verdict and the reasons for the verdict.

However, on that issue, obviously it is horrendous for any child to be taken advantage of sexually, but putting that particular case aside and simply dealing with the question of age of consent, I am a mother. I have a daughter who will be 11 years old next year. As a mother, and I do not mean to trivialize the question, I would love to have the age of consent at 25. For me personally as a mother, I do find that the age of consent at 14 is too low. I would be more than prepared to look at raising the age of consent, possibly to 16.

However, I do not think at this point in time that this is what we are dealing with. We are dealing with Bill C-20. We are dealing with sexual exploitation of children. I think that age of consent has to be dealt with in another debate. The reason I say it would need to be dealt with in another debate is that I am aware that depending on which province one is in there is a different age requirement for marriage, for instance. I think we have to look at all of that issue.

I would not at this time address the age of consent, as the member opposite would like, in Bill C-20. I would say that we as Parliament and as a society should begin a debate on the issue of age of consent, making it separate from Bill C-20. If there develops a real consensus among Canadians that the age of consent should be changed from where it now stands, then we would take in the appropriate legislative changes. The legislative changes would not just be those that are addressed by Bill C-20. There would be a whole host of legislation. In some cases that legislation may actually be civil legislation and come under provincial jurisdiction.

So on the issue of whether or not there should be a debate on age of consent for sexual activity, yes, it is a debate that we certainly could have in our society and in this House, but I do not think that now is the time. I think we need to support Bill C-20 and get it adopted so that the criminal dispositions that will protect our children will be reinforced.

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, I listened quite carefully to the speech. One thing rather amazed me. The member is a person of some authority, I suppose, as she is a member of the justice committee and she has been studying these issues, but in that whole speech I was not able to find out whether or not she would be supporting this motion today.

She spoke on both sides of the issue at various times. Every once in a while I thought, "Yes, she will be supporting this motion today". This is a really good motion today. We are talking about stopping the sexual exploitation of children. I thought, "Wow, she is going to vote for it. She is going to support it". Then a few minutes later, there was all that equivocation.

If she will be voting against this, I would really like her to explain whether she in fact condones the use of children in depictions of sexual acts, either with other children or with adults, and whether somehow in our society it is in the public interest and the public good if that is done.

Therefore, I would urge her to vote in favour of this motion today and I would like her to state that she will be doing so in order to give leadership to all those other colleagues of hers over there who may be similarly vacillating.

● (1315)

Mrs. Marlene Jennings: Mr. Speaker, I thought I had made myself clear but obviously I did not. I think the motion is a good motion and that it should be supported, as Bill C-20 should be supported. The motion reads:

> That, in the opinion of this House, the government should protect our children from further sexual exploitation by immediately eliminating from child pornography laws all defences for possession of child pornography which allow for the exploitation of children.

I agree with that and I think Bill C-20 does exactly that. Now I understand that the members in the official opposition do not agree that Bill C-20 does in fact do what their motion calls for but I disagree with them. I think Bill C-20 does do what the motion calls for.

Therefore I think the motion is a good one. I support it and I support Bill C-20.

Mr. Grant McNally (Dewdney—Alouette, Canadian Alliance): Mr. Speaker, I would ask the member directly whether she will be voting yes to the motion tonight. She said that she supports it but that she also supports Bill C-20. Some of us have been left with the impression that perhaps that may be an out; that supporting Bill C-20, the government's bill on this issue, would then allow for her to take an out on this.

Mrs. Marlene Jennings: Mr. Speaker, the member opposite is ascribing Machiavellian characteristics to me that simply are not there. Anyone who has seen me and listened to me in the House since 1997 knows that I am very direct. If I say I support the motion, it means I support the motion, which means that when the vote is called I vote in favour.

I am amazed that it was not clear to members of the opposite side. The only thing I can believe is that they are ascribing to me characteristics that they themselves have, which is non-clarity and Machiavellian philosophy and characteristics. I am very direct. If I say I support something I support it.

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, for those who are listening, we are having one of those but discussions in the House of Commons; that is, I agree but something else is changing my mind.

It is a wonder Canadians can listen to this. It must be frustrating for them. What is wrong with this philosophy is that members on both sides agree and yet the government stands up and says that it agrees but that it cannot do that right now for some reason. The difference between this side and that side is that we want to see some action, not just words.

I have long felt that the country is into a moral and ethical crisis on a number of issues, some of which were mentioned. Even on the issue of prostitution, which the government says should not be legalized, the Liberals have a bill in the House right now that would anticipate legalizing prostitution under the name of harm reduction. We have heard that before on drugs.

I am here to say that prostitution is not a form of harm reduction. It is a form of abuse of women. The difficulty I have is that on that side the members say that they do not feel that prostitution should be put into legislation, and yet they are working on it. That is one of those but discussions.

It is the same with the age of sexual consent. I just heard the parliamentary secretary say that the age of sexual consent was too low and that she was more than prepared to raise it but that we could not do it right now because we have to work on that one. The Liberals have had 10 years in government. If they are prepared to raise it, why can they not raise it?

I could give a litany of the issues I have dealt with concerning younger kids under the age of sexual consent who are living with four or five men over the age of 30 and 40 who are using them to sell drugs, using them for sex and using them to sell themselves. Does the House know why they do it? They do it because 14, 15 and 16 year olds are young offenders.

The government says that the age of 14 and over is the age of sexual consent. That is the problem with it. We have been explaining that for 10 years. Yes, the Liberals agree with it but they will not change it.

We have seen a litany of other issues in the House. Drugs is one of the issues in which I have been involved from day one. The government says that it does not agree with drugs and that it does not want to promote that idea, and yet it promotes the idea of an injection site, not just in Vancouver but in Toronto and Montreal as well.

What the government is saying is that it disagrees with people using drugs but then it promotes the idea of having a place to shoot up in a bubble zone around that place. What kind of contradiction of terms is the Government of Canada presenting to us? These are contradictions.

I want to talk about pornography but I also want to mention the sex offender registry, the legislation that I actually wrote three and a half years ago. When we as an opposition party introduced it in the House of Commons all we heard was that we do not need it because we already have it. Guess what the Liberals did? They created a sex offender registry, after being dragged through the knot hole by every victim's rights groups, police associations and the Canadian Alliance. It is unbelievable that they can stand there and say that we can have this, but.

I want to talk about pornography which is the topic of the motion introduced by my colleague. One of the interesting things in Bill C-20, the bill on pornography, is the issuance of maximum sentencing. The government did the very same thing with the marijuana legislation; maximum sentencing.

By the way, Mr. Speaker, I will be splitting my time with the member for Saskatoon—Rosetown—Biggar.

● (1320)

Maximum sentences are okay. However it is minimum sentences that are the problem. When we bring up issues in child pornography legislation and say that we will toughen it up and give maximum sentences, that is the upper limit.

I want to bring forward a case, and although I do not like reading it I ask the House to consider it. If the government were to give maximum sentences for child pornography and not minimum sentences, then why on earth would a judge hand out such a sentence. Let me read this case to the House.

Members of the OPP child pornography unit are outraged that the Ontario Court of Appeal shot down the crown's attempt to appeal a house arrest given to a Newmarket man convicted of possession and distribution of vile and disgusting child pornography.

Randy Weber, the man who had the pornography, was convicted last February of possession and distribution of images of little children being bound, gagged and forced to have sex with men. He was given a conditional sentence of 14 months, otherwise known as house arrest. He was basically told to go home and think about what he had done.

The government has been telling us that it is going to give maximum sentences. What is the good of a maximum sentence if the judge will not apply it? A conditional sentence for something of this nature is unacceptable.

To continue on, among the images viewed in court by the justice was one that revealed a four year old child, weeping and struggling, with her hands bound and her neck leashed with a dog collar while an adult male sexually assaulted her. Another image revealed an eight year old girl, tied, gagged, blindfolded and hung upside down. The video clip with sound revealed a toddler who could be heard weeping and yelling "stop, stop, stop". The judge on that case gave the minimum sentence: a conditional sentence. The man was told to go home and think about what he had done.

If the government really believes that child pornography is a bad thing, then it must do something constructive about it. It should not talk about giving maximum sentences if the courtrooms of Canada are only giving minimums.

What I just read to the House is totally unacceptable. The government should be doing something about this. It should raise the floor on the sentences. People with this kind of disgusting behaviour should not be let off with conditional sentences.

What is wrong is that there are many of these cases. The government has said that Bill C-20 would provide maximum sentences but that is not good enough. That is just a charade.

The government has talked about providing maximum sentences in drug cases. The Prime Minister has agreed to maximum sentences but that an individual can have a joint in one hand, a fine in the other and pay that fine any time he wants and nobody will pay any attention to the drugs. Maximum sentences are not good enough. Minimums are the order of the day.

A control room operator at the Bruce nuclear plant was sentenced to one year in jail yesterday for possession and distribution of disgusting, degrading and haunting computer images of child pornography and nude women who appear to have been hideously murdered. The court heard that computer images showing children being raped by adults were among some of the things that had actually happened. The fellow received a year in jail and will be out within six to seven months. That is all the time he has received for that crime, and yet the government has said it is looking after this issue and will give maximum sentences.

The problem is that our society has a moral and an ethical crisis on its hands and the legislation being delivered into the House of Commons is not adequate.

I will give members one last situation.

● (1325)

I visit prisons on fairly frequent occasions. I walked into a maximum security prison the other day where sex offenders are imprisoned. On the floors, the ceilings and the walls of these cells were very explicit pictures of women and children. I asked the warden why this was so. After all, they have rules that say they cannot have these on the cell walls. He apologized and said that they would be taken down. Where are the rules from the government?

I know my time is over. I can only say, that these bills, which come through the House, are so much drivel unless they actually mean something to the average Canadian and victims on the street, and they do not.

Mr. Darrel Stinson (Okanagan—Shuswap, Canadian Alliance): Mr. Speaker, I listened to the member's speech very intensely. I too have travelled quite extensively to prisons, normally with the member for Wild Rose, the member who introduced this motion. I have seen what the other member described on prison walls and on ceilings. I also agree in regard to the sentencing.

Does the member recall when the laws were changed? We could go right back to capital punishment when people were supposed to get 25 years or life imprisonment. The problem with Canada today is there is no such thing as truth in sentencing. When the government says that it will put the maximum sentence in force, it absolutely gives no confidence to the Canadian public as a whole.

After sitting through some of the police evidence, as the member has done, and having seen some of the sickening details that were presented to us, I do not know how a government with any conscience could allow this to keep on going. To say that it will be addressed by the courts and not by us in the House is wrong.

What is the member's outlook on truth in sentencing?

● (1330)

Mr. Randy White: Mr. Speaker, I am glad my colleague brought that up because truth in sentencing is exactly what most of the victims of crime see as a big problem. The government comes in and says that it will give a maximum, let us say nine years, for some of the things that I read in the House. An individual would get nine years but he is guaranteed to be out in six years. He is very likely to be out walking the streets on escorted temporary absences or unescorted temporary absences within two years, and so on and so forth.

The further difficulty with that is sex offenders, who have about a 40% recidivism rate, are put into facilities based on nine year sentences, knowing the offenders will get out in likely three or four years. They are cascaded down so fast that they do not get enough rehabilitation to prepare for the street again.

What we are doing is turning sex offenders back out in the street unprepared for society because the sentence that society thought the offenders had in the first place was a lot less than what they actually got.

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, today I speak in favour of the Canadian Alliance brought forward by the member for Wild Rose, a motion to address the growing problem surrounding child pornography.

I have spoken in the House many times on issues that frustrate me, bother me and annoy me, but this one sickens me. I do not think it is because I am a mother or a grandmother, or even a female. I believe the idea of child pornography sickens most Canadians.

I attended a briefing sponsored by the member for Wild Rose where we met frontline police officers from Toronto who must track down and prosecute the makers and distributors of child pornography. These officers must view every picture, number it and catalogue it. The stress that this causes was indescribable. We saw some of those pictures, which they see on a daily basis, and I have not been able to drive those disturbing images from my memory ever since. They are truly sickening. They are extremely unsettling.

These are the same officers who must spend hours and hours a day viewing these disturbing images. Their commitment to our children is the only comfort that they get from their task. The Government of Canada must respond to their appeals for more law enforcement resources. We need to change Canada's laws to ensure that those who distribute and use child pornography are prosecuted.

Despite the empty arguments of those who support child pornography, it is not possible to make this material without causing harm. It is no different than any other form of child abuse.

One female victim of child pornography wrote:

> When I was 8 years old my father made me look at pictures that showed girls doing sexual things to men in books. I went along with him, not knowing any better. He continued to rape me and use me for 4 years while using these books. Now at 16 I have found that I have a serious STD that has no cure. I have been with no one but my father. What will I tell my husband someday? I may die from this disease. Pornography has ruined my life.

She is 16 years old. How people who engage in this behaviour can believe they are normal is beyond me. How can a father give his 12 year old daughter a sexually transmitted disease not get her to a doctor for help? These actions harm the affected children for many years to come.

Another young victim wrote:

> I am 13 years old. You could say that I am an average teenager, except for one fact. I am a victim of pornography. When I was very small, my real Dad sexually abused me while he was watching a pornographic video. I lost my innocence to my real Dad when he chose to use me for his own self-fulfilling needs. The things he did to me happened while he watched pornography. What did I do to deserve this? I go through times of depression, confusion, anorexia and guilt. My Mom says it was not my fault, but I still wonder—wasn't I good enough or perfect enough. I am finding that there are many others like me. People say there is no harm to pornography. I say they are wrong.

Victims of this sexual abuse do their best to avoid repeating the cycle, but the statistics tell us they are not as successful as one would hope. Most victims are saddled with a lifetime of insecurity, mistrust, sexual dysfunction, sexual addictions, intimacy issues and all the related stress and health disorders.

One victim wrote:

> When I was six years old my Great Uncle started showing me pictures of men and women in all kinds of pornographic situations. As a child of divorced and busy parents I was so eager for any kind of attention I could get—even his kind. He started out teaching me to masturbate (so I wouldn't be physically damaged when he started to molest me). I only saw him every other week or so but by the time I was seven when we (my mom, my grandmother and I) moved in with him, I knew everything that was in those magazines and how to do them.

● (1335)

> He started molesting me soon after we moved in and of course he wanted to do everything that those people did. I just tried to pretend I wasn't there. This knowledge damaged me for most of my life. We lived there for a year and I finally told a friend what was happening and she convinced me it wasn't my fault and that I should tell my father. Well my Dad got the abuse stopped by threatening to go to court with it but then finally had to take over my custody because my Mom didn't believe me and let my uncle come over to the house around me again.
>
> Through me teenage years I abused alcohol and was very promiscuous. My view of myself was very warped. I married my husband at 17 and because of this degrading view of myself I continued to abuse alcohol and started a long string of affairs. I felt I was nothing more than a hooker so I acted like one.
>
> Well to make a long story short 7 years ago I found I was pregnant and I didn't know if it was my husband's or the other man I was seeing at the time. I called my husband to ask him what to do (we were only a signature away from divorce) and God was in control. This man who had seen me cheat and lie to him still didn't want a divorce. He wanted to reconcile and raise the child together as a family. Well being responsible for someone other than myself woke me up and I was determined to be a better parent to my child than mine were.

What should we do as a society and a government to stop this? We can crack down on the people who produce and distribute child pornography as a first step.

In fact in a recent survey of my constituents, when asked if those caught with child pornography should be included in a national sex offender registry, 98% said, yes. Support for raising the age of consent from 14 years to 16 years was almost unanimous, at 96%. Many even suggested raising it to 18.

When asked if pornography increased the likelihood of child sexual exploitation, 88% agreed and of my constituents who responded to the survey, 100% wanted child pornography banned in Canada.

I would like to go back to the issue of the national sex offender registry and the inclusion of producers and distributors of child pornography.

The Canadian Alliance has called for such a registry for a long time. Unfortunately, the Liberal government has responded with a pathetic, watered down version. It is unbelievable that the John Robin Sharpes of this world will not be placed on the list.

Every living person who has been convicted of a sex crime should be included in the registry for life. I am looking forward to hearing the Liberal reasoning why they should not be.

How we deal with the issue of child pornography is not a measure of our freedoms of expression, but it is a measure of how much importance we place on the protection of our children.

While not everyone who looks at pornography is a rapist or pedophile, virtually every single rapist and pedophile is caught with pornography and often it includes child pornography. We know that viewing large quantities of pornography provides its reader with a distorted view of the real world around them. It skews their normal social relations. Why would we not take the opportunity to prevent this when given the chance?

Many of those who view large quantities of pornography do not even know they are in trouble.

Here is Tom's story:

> As a former addict, there is no question in my mind that pornography has a profound impact on a person viewing the material. It is subtle and has a latency period, not always an immediate impact, on the individual. My sexual addiction reached its height when I finally decided to act out all those images I had been taking in over the years...I was arrested for attempted rape. The attack was my responsibility, but there is no doubt that pornography was the fuel, the drug I used to prepare for my crime. I do not think the crime would ever have occurred without it.

We have a chance today to do something good for both the victims and the perpetrators of child pornography. We have a chance to make our communities safer, our children safer.

I encourage my colleagues to stand up in support of the motion and make a very positive difference today for all Canadians.

● (1340)

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, my colleague gave some heart wrenching stories.

The real issue at heart in our debate today is that we are not dealing with only another bill or law. It is at a completely different level than when we debate whether or not taxes should be at 16% or 17%. Today we are dealing with the very heart and life of individuals.

When I think of the implications of the outcome of the vote today, I cannot think of any reason why anyone on the other side would hesitate to vote in favour of the motion and then do everything possible to implement the terms of the motion.

Does my colleague have any comment on the fact that the Liberal members at this stage seem to have dropped out of the debate? There has been nothing but speeches from the Canadian Alliance for the last number of hours. The Liberals have had nothing to say. Obviously they are caught in a quandary. They cannot defend Bill C-20, yet for some reason they are hesitant to participate and say that this is a good motion and let us go for it.

I would appreciate my colleague's comments on the lack of participation by the Liberals on this very important issue.

Mrs. Carol Skelton: Mr. Speaker, what we are seeing is a lack of leadership by the Liberal government. We are looking at their inability to stand up and say to Canadians that they will do something right for a change. The Liberals are taking the lamb position and saying that they will follow what the minister is telling them to do. They will not do what is right for Canadian children.

The hon. member for Wild Rose brought the police officers from Toronto and all that was needed was to see the pictures of those beautiful little children being abused so badly. I will never get that little girl's blue eyes out of my mind for as long as I live. I will never forget the beautiful little girl with the blonde curly hair being abused so badly.

That the Liberal members do not stand up for our children I think is indefensible. For them to state that Bill C-20 will handle these atrocities is a disgusting display of what the Liberal members believe in.

● (1345)

Mr. Werner Schmidt (Kelowna, Canadian Alliance): Mr. Speaker, I was quite impressed with the speech of my colleague. I was particularly impressed with the graphic description and stories that some people tell about their lives.

I cannot help but recall the provision in Bill C-20 that amends the Criminal Code to actually agree that there shall be a defence of the possession of child pornography if it is in the public good.

I ask every colleague in the House, having listened to the kind of stories that my hon. colleague has expressed to us, how could anyone in their right mind ever consider anything like that to be in the public good? How could that somehow lift the moral feelings of people? How could that somehow encourage ethical behaviour? How could it somehow create greater commitment to family life, greater love and appreciation for members of the family? How could anything like that ever be in the public good?

Would my colleague speak to that? It seems to me there is something extremely warped in making that kind of a comment.

Mrs. Carol Skelton: Mr. Speaker, there should not be any provision for artistic merit in child pornography. I believe that every child is very valuable. Child pornography is not anything that I would ever want any artist to bring forward or show Canadians. What I saw from the police officers in Toronto was absolutely disgusting and vile. The people who do that are sex offenders from the very start.

Mr. John Williams: Mr. Speaker, I rise on a point of order. Last week I asked a question in question period of the Secretary of State for Western Economic Diversification and he responded by sending me a letter which he tabled in the House in both official languages. I have responded to the secretary of state and I would therefore like to table my response in the House in both official languages.

The Acting Speaker (Mr. Bélair): Is there unanimous consent for the hon. member for St. Albert to table his response?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the motion before us is a very important one. We have discussed this subject matter on a couple of occasions. Bill C-20 brought substantial debate to this place with regard to matters such as artistic merit, public good, exploitation, et cetera.

The essence of the motion is that all defences for the possession of child pornography be eliminated. It is an excellent idea and we should do it. We understand that law enforcement officers and others who are working to resolve or deal with the issue would be authorized to have possession, but it is those who would exploit children through that possession who are the targets.

I am told that a total crackdown on child pornography is happening in other jurisdictions, for example, in the U.K. From the type of responses it is getting, it is sending out a strong message of deterrence and a message that embraces public protection. It is probably the biggest change from what I can see in the Canadian experience. That is why I believe that in itself it is what we should be doing in Canada.

In our justice system sentences available to judges should send a message of deterrence, keeping in mind the balance necessary at least to try to rehabilitate. In this case, with regard to the issues of child pornography and individuals who engage in the manufacture, production and proliferation of child pornography, just as those involved in pedophilia and sexual assaults, the chances for rehabilitation are very small.

Mr. Speaker, I neglected to mention I am going to split my time with the member for Pickering—Ajax—Uxbridge.

If there is very little chance of rehabilitation, then clearly the emphasis has to be put on public protection. I think that is what the member for Wild Rose has been telling this place for years. It is about time we listened to him.

There was a question posed during the debate on Bill C-30, which I think in itself was a very good debate. The question was what possible public good or merit could be found in something that exploits children? How is it that lawyers actually come up with this terminology? How do they think the public would respond when someone is trying to play both sides of the fence rather than taking a position? What ever happened to a proactive legislative system that addressed problems in a proactive way, rather than trying to be all things to all people at all times? It means that we more often fail than we pass the test of whether or not our legislation is effective.

* * *

● (1350)

POINTS OF ORDER

TABLING OF DOCUMENT

Mr. John Williams (St. Albert, Canadian Alliance): Mr. Speaker, I rise again on a point of order, I think you will find that there is unanimous consent among the parties now for me to table the letter, my response to the Secretary of State for Western Economic Diversification, in both official languages.

The Acting Speaker (Mr. Bélair): Does the hon. member for St. Albert have unanimous consent to table his response?

Some hon. members: Agreed.

* * *

SUPPLY

ALLOTTED DAY—CHILD PORNOGRAPHY

The House resumed consideration of the motion.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, in looking back at some of that debate, another statement caught my attention and it probably is reflective of the attitude of the House. That is that the public good, whatever that nebulous concept is, can never be served where there is a tolerance for child pornography. The existence of that tolerance is really at issue.

I do not think there is any more important issue we could address when it comes to the protection of children, those who are unable to protect themselves, those who would be the victims of exploitation. We have to be their voice. Where is the leadership? Have we shown leadership? How can we show leadership? We have to ask those questions.

I asked a question earlier of the member for Wild Rose. In my experience it appears that lawyers look at these questions in a very sterile environment and a very mechanical way. They do not seem to be very reflective of social and moral values. They do not seem to be sensitive to the victim. They seem to continue to look for ways to argue how to balance the interests of the victim and the perpetrator because of the charter of rights.

Where exactly does the charter of rights say that it is more important to balance the interests of a criminal and a victim? I thought the charter was there to protect the affirmative rights of Canadians, the rights to be protected. How did the paradigm shift and all of a sudden the charter has been interpreted in so many different ways? How is it that we are now seized with the issue of judicial activism?

On same sex marriage issues, what happened in the Ontario Court of Appeal that after hearing the pronouncement of the Supreme Court of Canada three judges could say that the traditional definition of marriage being the legal union of one man and one woman to the exclusion of all others is unconstitutional? Marriage existed before the Constitution. How could something be unconstitutional?

We are in a spiral. When these issues come forward where charter arguments have been made, it is clear that we are losing the battle unless we seize the day. We need to seize the day. We need to express ourselves in a manner which reflects not only the founding principles of justice, but also which fairly reflects the social, moral and family values of Canadians.

Who in this place is not going to put the interests of a child ahead of the interests of a perpetrator or someone who possesses child pornography? Who is going to balance that?

When the Supreme Court of Canada dealt with the abortion issue, it made a decision to put the rights of the mother ahead of the rights of the unborn child. It was not a matter of when life begins. It was not a matter of was there a child or were there rights for that child. The judges did not decide. They did not opine on that. They made a decision that they would put the rights of one party ahead of another.

If we can do that, if the courts can do that, why can we not put the rights of children ahead of the rights of those who possess child pornography? Why do we have to balance it? We did not balance the interests of the unborn. We do not have to.

If that is the way it works, let us apply the laws consistently. Let us make sure that the rights of children are put ahead of the rights of those who believe there is some artistic merit, who somehow believe there is some public good in what they do. The very existence of child pornography necessarily means that a child has been abused. I do not know if there is a member in this place who would not agree with that.

Why is it then that we cannot embrace a motion like this one which effectively reflects that commitment, that understanding and that support? We all have to support this motion to send a message to those in the justice system, to send a message to the courts so that Parliament, the supreme court of the land will have its views known. Then we can effectively deal with the erosion of the rights of Canadians because of judicial activism.

S. O. 31

● (1355)

The Acting Speaker (Mr. Bélair): We will now move on to members' statements. The hon. member for Mississauga South will have five minutes remaining in questions and comments after question period.

STATEMENTS BY MEMBERS

[*English*]

DON DEACON

Mr. Shawn Murphy (Hillsborough, Lib.): Mr. Speaker, I rise today to honour and pay tribute to a well-known Charlottetown resident, Don Deacon, who died in Charlottetown on September 16.

Don Deacon embodied the concept of service to this country and the people who live here. He gave freely of his time and resources without thought of his own benefit.

After returning from serving his country during the second world war, Don Deacon volunteered for a variety of organizations, of which I will name only a few. He was national commissioner of Scouts Canada, the founding co-chair of the Katimavik youth program, director of the Trans Canada Trail Foundation, founding president of Island Trails, and president of the Prince Edward Island Region of the Red Cross. He received the Order of Canada for his service and was named P.E.I. Red Cross Humanitarian of the year last March.

After a successful career in business and politics in Ontario, he relocated to Prince Edward Island about 20 years ago and quickly became one of our most cherished citizens.

His warmth and caring were legendary and he will be sorely missed. On behalf of this House, we offer our sympathy to his wife Florence and to his family.

* * *

RURAL WOMAN OF THE YEAR

Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance): Mr. Speaker, today I want to pay tribute to a constituent of mine: Anthea Archer. Anthea, along with her husband Darrel, was caught up in the unfortunate consequences of mad cow disease when a reported case in Denmark meant the destruction of their water buffalo herd by the Canadian Food Inspection Agency a couple of years ago.

This scenario sounds all too familiar to beef producers across the country, who are still waiting for the government to persuade the Americans to open the border, and to alpaca and llama farmers in my riding, who, amazingly, have also had their wool exports curtailed because of this mess.

Despite an uncaring federal government and little help from traditional financial institutions, Anthea has been tenacious in her desire to stick to the original plan and, with her husband, build the first water buffalo herd in Canada. This innovative entrepreneurial business will provide cheese and meat, low in fat and rich in protein.

Anthea recently received the Rural Woman of the Year award from the South Vancouver Island Women's Institute. I salute her as a Canadian who has shown much grace under fire and the ability to move on in spite of the challenges she has faced. I say well done, Anthea. We in the Cowichan Valley are proud of her work.

* * *

● (1400)

ASSISTED HUMAN REPRODUCTION

Ms. Judy Sgro (York West, Lib.): Mr. Speaker, for too long Canadian women and their children have waited for Parliament to pass legislation on assisted human reproduction and genetic technologies.

Bill C-13 is the result of more than a decade of careful consideration and consultation that is designed to protect the health and safety of women and the children born to them through assisted human reproduction.

This legislation is all about hope: hope for couples struggling with infertility and hope for Canadians with disabilities such as Parkinson's, MS and leukemia. And let us not forget the children born with juvenile diabetes, who would benefit from research into the use of stem cells to treat these diseases. An open letter released on October 25 by 65 leading health care experts calls on Parliament to pass Bill C-13.

As parliamentarians, we have a responsibility to put in place a framework to regulate aspects of reproductive technology and to act now in the best interests of hundreds of Canadian families who have waited so long for this to happen.

* * *

CHILD PORNOGRAPHY

Mr. Darrel Stinson (Okanagan—Shuswap, Canadian Alliance): Mr. Speaker, when nine year old Cecilia Zhang was abducted from her bedroom last week, it seemed as if not only her family and her community but also our entire country started holding our breath. We are all praying for her safe return, but Canada's children need more than prayers. They need good laws to protect them from abuse. Instead, this Liberal government has put forward Bill C-20, which still allows the defence of "public good" for child pornographers.

We need to give our police the tools they need to catch child abusers. Instead, Toronto Police Chief Julian Fantino recently told an international group that he was ashamed of Canada's weak efforts to protect our children.

Finally, we need judges to sentence child abusers to maximum penalties instead of some actually getting house arrest.

This Liberal government is totally out of step with the concerns of Canadians in its disgustingly weak efforts to protect what we all hold dearest: our children.

BREAST CANCER AWARENESS MONTH

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, October is Breast Cancer Awareness Month and an opportunity for me to thank a Burlington constituent for his work in raising money to fight this disease.

Seven years ago, Paul DeKort founded Clothing for Charity, whose bins collect used clothing donations. Clothes are distributed free of charge to women's shelters or sold to textile recyclers, with a substantial portion of the proceeds donated to the Breast Cancer Health Fund of Canada.

Clothing for Charity has donated over $100,000 to Joseph Brant Memorial Hospital in Burlington for it to buy a breast cancer diagnostic machine.

Mr. DeKort has also provided substantial assistance to an awesome Burlington organization: Breast Cancer Support Services. His recent donation of $175,000 enabled BCSS to purchase a secure and welcoming home from which to operate.

I ask colleagues to please join me in thanking Mr. DeKort for his outstanding efforts to make a real difference in the fight against breast cancer.

* * *

LANDMINES

Mrs. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, last night I attended a very special dinner, the first of many of "The Night of a Thousand Dinners" to raise money for the removal of landmines.

Every year the Canadian Landmine Foundation and Adopt-a-Minefield ask individuals to host an event around the first Thursday in November. Guests bring donations toward landmine removal projects in six countries.

While it only costs $3 to plant a landmine, it requires $1,000 to remove one. Canada took the lead in the Ottawa treaty banning anti-personnel landmines, but there are still 45 million to 50 million landmines in the ground in at least 70 countries. They kill or maim over 15,000 people every year. The true tragedy of landmines is that they continue to destroy lives, often those of innocent children, long after the conflict has ended.

We as Canadians are all too personally familiar with the terrible effects of landmines, as just a few weeks ago we saw two of our own brave soldiers become victims.

I encourage my fellow parliamentarians and all Canadians to follow the lead of our colleagues in the other place and sponsor a landmine dinner this year.

* * *

● (1405)

WILLIAM KALLEO

Mr. Lawrence O'Brien (Labrador, Lib.): Mr. Speaker, it is with sadness that I rise to pay respects to William Kalleo of Nain, Labrador.

William was a pioneer broadcaster who was devoted to serving the Labrador Inuit. He was forceful as an interviewer, excelled as a translator, and was an eloquent advocate for his people and language.

Whenever I was in Nain I looked forward to coffee and conversation not only with William the journalist but also with William the community leader. He was always generous with his time and his spirit.

While he fought and lost the battle with cancer, his spirit will live on. To his family and his colleagues at the OKalaKatiget Society, I wish to express the condolences of the people of Labrador.

Atsunai ilannâk. Goodbye, old friend.

* * *

[*Translation*]

RÉSEAU DES ORGANISATEURS DE SPECTACLES DE L'EST DU QUÉBEC

Mrs. Suzanne Tremblay (Rimouski—Neigette-et-la Mitis, BQ): Mr. Speaker, this year, the Réseau des organisateurs de spectacles de l'est du Québec, or ROSEQ for short, is celebrating its 25th anniversary.

Many vocal artists gathered in Rimouski for the occasion to show the solidarity of this network, which, since 1978, has brought distributors out of their isolation and ensured quality performances throughout the eastern Quebec region. ROSEQ, the oldest and largest such network in Quebec, which began with 4 distributors and now has 32, has uncovered talented artists year after year.

Bravo to this collaboration of artists and those behind the scenes, who have blended their structural differences and their means of expression with creativity and talent and who seem to be here for a long time.

Bravo to ROSEQ and our thanks to arts promoters in eastern Quebec.

* * *

THE HOMELESS

Mr. Gérard Binet (Frontenac—Mégantic, Lib.): Mr. Speaker, the Government of Canada launched the National Homelessness Initiative in December 1999 to support communities in their activities to help homeless people. Building on the successes achieved by communities, the government announced $405 million over three years to continue its commitment to addressing homelessness

On October 23, 2003, the Minister of Labour and Federal Coordinator on Homelessness, went to Thetford Mines to announce $135,000 in funding for the Réseaux d'entraide Amiante organization.

The funding will help the organization purchase and renovate a building to meet the basic needs of the youth, including six supportive housing units as well as support and crisis intervention services.

Réseaux d'entraide Amiante will also organize activities that will stimulate the youth and will motivate them to take an active part in the community.

The Société d'habitation du Québec and the City of Thetford Mines are also providing funding. I have a great deal of respect for this type of partnership, which makes a difference in our communities.

* * *

[*English*]

GREECE

Mrs. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, on October 28, 1940, the Greek government refused demands from Nazi Germany to occupy Greece.

On October 28, 1940, Greece said no to Nazi Germany.

On October 28, 1940, Greece, this small country in the Mediterranean, entered World War II. Greece joined the Allied forces.

On behalf of the Canadian Alliance, the official opposition, I would like to commend all those who gave their lives for peace, justice and equality. Greeks fought in this terrible war alongside many Canadian troops.

Canadians of Greek origin remember this day as the day of *Ohi*. I would like to pay tribute to all the brave young soldiers who put their country ahead of everything else. Greece and Canada will always remember their fight for freedom.

* * *

NATIONAL LIBRARY DAY

Mr. Eugène Bellemare (Ottawa—Orléans, Lib.): Mr. Speaker, at the summit on school libraries held in Ottawa last June, Roch Carrier, National Librarian of Canada, proclaimed National Library Day as the fourth Monday in October to coincide with International Library School Day.

[*Translation*]

This year, the theme of International School Library Day is "Breaking Down Barriers". This day highlights the importance of school libraries in overcoming the barriers that often prevent students from achieving their full potential.

School libraries give our young people an opportunity to become familiar with the process of seeking information through reading and research. They represent a investment that pays lifetime dividends for our youth.

[*English*]

The Government of Canada is proud to recognize the importance of school libraries in the education of our children.

* * *

● (1410)

VOLUNTEERS

Mr. Gary Schellenberger (Perth—Middlesex, PC): Mr. Speaker, earlier this month I rose to support Bill C-325, a private member's bill that would have allowed volunteer emergency service workers, such as firefighters, to claim a much deserved tax credit in recognition of the tireless service they provide the community.

After spending 14 years as a volunteer fireman, I have a firsthand appreciation for the tremendous work these groups contribute to our society and know all too well how poorly these volunteers are compensated financially.

The Liberal government has greatly reduced services offered to Canadians and volunteers are being called upon to pick up the slack. It can be easy to forget just how many Canadians, especially in rural Canada, benefit from the service of volunteers.

I want to thank volunteer firefighters right across Canada who give of themselves in order that others may be helped. This was a good bill and should have been passed. I say shame on the government for voting against it.

* * *

[*Translation*]

LIBERAL GOVERNMENT

Mr. Sébastien Gagnon (Lac-Saint-Jean—Saguenay, BQ): Mr. Speaker, ever since the Prime Minister announced his departure date, we have witnessed the total paralysis of the government. It is obvious that the reason for this paralysis is the existence of a parallel government working outside this House.

Ministers no longer even dare to take positions on the subjects addressed in the House for fear of displeasing the member for LaSalle—Émard. It goes without saying that this situation is totally unacceptable.

The democratic balance must be restored as quickly as possible. That is why we are asking all hon. members to vote in favour of our motion calling upon the Prime Minister to leave office as soon as possible after November 14, 2003.

That is the only way to restore real democracy for Quebeckers and all Canadians and in particular, the only way for the hon. member for LaSalle—Émard to shoulder all his responsibilities and, at last, become accountable to the people.

He must stop pulling the strings from behind the curtain and show his true face.

* * *

[*English*]

LANDMINES

Mr. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, as the House is well aware, the threat of landmines throughout the world is still causing great injury not only to military personnel but also to the civilian population.

Canada has always taken a lead role in the elimination of the use of landmines. Last night was one example of our efforts with the 3rd annual Senators Against Landmines: Night of a Thousand Dinners.

Cape Breton is also playing a role in eliminating the use of landmines with our own Canadian International Demining Corps under the leadership of Irving Schwartz. I would like to commend the Senators and the participants in last night's event for their contributions to this worthy cause.

I am also proud to recognize two fellow Cape Bretoners whose music is known nationally and internationally. In Ottawa today are fiddler Jerry Holland and piano player Robert Devaux who participated in the success of last night's event. These gentlemen have demonstrated how we can use our talents to make an impact on such a noble cause.

* * *

[*Translation*]

ACADIAN COMMUNITY

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, with the 400th anniversary of the founding of Acadia and the third Congrès mondial acadien fast approaching, we have a duty to draw attention to the important contribution made by Acadians to the founding of Canada.

The Acadians' ancestors from France, the mother country, were among the first European colonists in Canada. As a result, the Acadian culture has made an important contribution to Canadian history and is most definitely an important part of the cultural mosaic of this country.

Because of the importance of this 400th anniversary, the Acadian people want to share this major event with all of Canada.

I am therefore joining my voice with the Acadian people and the Société nationale de l'Acadie in calling upon the Canadian government to officially recognize 2004 as the Year of Acadia.

* * *

LANDMINES

Mr. Christian Jobin (Lévis-et-Chutes-de-la-Chaudière, Lib.): Mr. Speaker, November 6 will be the Night of a Thousand Dinners.

This is an international event to increase public awareness of the dangers of landmines and to raise funds for their removal and for assistance to survivors.

The idea is a simple one. A person hosts a dinner for family or friends. Instead of bringing wine or flowers, each guest makes a donation to mine action.

I would like to congratulate Senator Hubley, who hosted one such dinner last night. The Night of a Thousand Dinners gives us an opportunity to do something that will produce results.

Landmines are a very important world issue. On behalf of the Canadian government, I invite everyone to get involved in this cause. The Night of a Thousand Dinners is an enjoyable way to do something useful.

● (1415)

[*English*]

MEMBER FOR LASALLE—ÉMARD

Mr. Chuck Strahl (Fraser Valley, Canadian Alliance): Mr. Speaker, while Canadians are unsure if they should support a government led by the former finance minister, they are right to ask themselves some questions.

If he does not support the proposed changes to aboriginal governance, what changes does he support? If he does not like the way the Kyoto agreement was foisted on the provinces and Canadian industry, what is his alternative? If he does not like the recent announcement of $700 million for VIA Rail, what exactly are his transportation priorities? If he is unhappy with the results of the same sex marriage debate, why does he say he will do whatever the courts tell him? Why does he promise cuts to all government departments one day, but assure people that there will be no cuts to programs the next? Why does he hold first ministers conferences, promise disaster relief money, chastise the current Prime Minister over foreign policy decisions, and generally usurp the authority of the current government, yet he is not available to the House to be accountable for his parallel government?

Canadians ask themselves these questions and others because they cannot ask them of the former finance minister. That is simply wrong, and that is why all members of Parliament should vote in favour of the motion to transfer authority and, more important, accountability as soon as possible.

ORAL QUESTION PERIOD

[*English*]

ETHICS

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, while the Prime Minister was out of town, he will know that the labour minister apologized for unethical behaviour, the environment minister has apologized, and the industry minister has apologized and asked the ethics counsellor to revisit his actions. However, the Prime Minister floats into town today and says apparently that he thinks he has the right to go to the Irving lodge whenever he feels like it.

Is the Prime Minister reneging on the apologies? Is he actually saying that his ministers' behaviour is acceptable?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I said that I put in place a process that did not exist. Ministers, as members of Parliament, have the right to accept an invitation to dinner or to sleep at a place. If they have doubts, they go to the ethics counsellor who gives them advice on whether it is the right thing, yes or no. The system did not exist before.

What I asked was, is that type of problem the biggest problem of the nation? They have all done the right thing; they went to the ethics counsellor and reported publicly.

I have been around the world and on returning to Canada I realize that the only thing that the opposition has in mind is to try to destroy the reputations of all the politicians. I think that the government—

The Speaker: The hon. Leader of the Opposition.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, if the Prime Minister wants us to deal with bigger issues, then give us the leader who has the mandate to deal with them, which is the new leader.

[*Translation*]

I invite the Prime Minister to take a look at section 20 of his code of conduct. I will read it for the Prime Minister:

> Gifts...including those described in section 21 that could influence public office holders...shall be declined.

This refers to gifts of over $200.

Does the Prime Minister have trouble understanding his own code of ethics?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I just said that there is a code that everyone follows. If a person has doubts, they should consult the ethics counsellor, who will indicate whether the situation is acceptable or not.

When I hear that the interim leader of the official opposition revealed the source of only 13% of the contributions he received when he ran for leader of his party, I think he has some nerve standing in this House and pointing the finger at people on this side.

[*English*]

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the industry minister apparently was given guidelines by the ethics counsellor. He chose to ignore them anyway and now he is going back to him. I guess that is how it works over there.

The Prime Minister seems okay with these ethical lapses. There is a code of conduct. There are clear guidelines. There are not supposed to be any gifts over $200.

I ask the Prime Minister, could he tell the House what undeclared gifts over $200 he has accepted?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we have a process. Every gift is reported and listed. The staff does that. When I travel, I am offered gifts and they are reported dutifully and truthfully.

The leader of the other party gets up, but it was the members of his party that went to the people of Canada for three elections telling Canadians that they will never accept pensions. After that they turned around and took the money, and they talk about ethics.

● (1420)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, the Prime Minister returned to quite a mess from his final farewell—

Some hon. members: Oh, oh.

The Speaker: Order, please. We are on to the next question and the hon. member for Pictou—Antigonish—Guysborough has the floor.

Mr. Peter MacKay: Mr. Speaker, the Prime Minister has returned to quite a mess from his final farewell tour.

As health minister at the time, the industry minister clearly violated the rules by accepting an invitation from Paul Zed, an Irving family member, who was lobbying Health Canada on the very file that the then minister of health was handling, the tobacco labelling law which was part of the government's tobacco strategy.

I say to the Prime Minister, the facts are now proven. The jury is in; the minister is guilty. When will the Prime Minister finally do the right thing and fire his industry minister?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I would like to ask the hon. member, who is up on his feet on ethics, what David Orchard would say about the hon. member's ethics after he signed a document in writing making a promise and double-crossed him, and after that getting up in the House of Commons and talking about ethics. He should be ashamed of himself.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, what an absolutely pathetic answer. It is what we have come to expect. I can say this, it did not cost the Canadian taxpayers hundreds of millions of dollars like some of the ethical breaches on that side of the House.

The Prime Minister must wish that he had stayed away. The industry minister, the fisheries minister, the labour minister and now the environment minister, practically his entire front bench are mired in scandal, placing themselves in breach of the rules of ethics and withholding key information from the ethics counsellor who is a joke, and we all know it.

In light of this onslaught—

The Speaker: The time for the question has expired. The right hon. Prime Minister.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, for a person to get up from his seat and admit clearly that he double-crossed Mr. Orchard, after making a solemn promise on TV in front of all the nation that he would never make a deal with the opposition, even saying at one time that he would rather run for the separatist party of Nova Scotia than join that gang in front of him; and yet he has the gall to get up today and talk about ethics.

The Speaker: Order, please. I remind all hon. members that this is question period with answers or responses. The Chair has to be able to hear the questions and the answers. The answers and the questions now are causing severe disorder. Think how much worse it would be if something out of order was said that I could not hear.

I urge hon. members to show a little restraint so that we can hear the questions and the answers. Everyone wants to hear them.

[*Translation*]

The hon. member for Laurier—Sainte-Marie will have the next question.

LIBERAL GOVERNMENT

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, because of the behind-the-scenes games the future Liberal leader is playing, the Prime Minister can claim all he wants that he is governing, but he is not the one leading the government any more. His successor has confirmed that his government will be reviewing all the decisions made by the current administration.

So that the government does not spin its tires for another four months, will the Prime Minister, for reasons of state, leave office as quickly as possible, so that the man who is really leading can finally be held accountable to the House?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the reason of state is this: three years ago, the people of Canada gave the member for Saint-Maurice a mandate to be Prime Minister of Canada for the next five years. That is the reason. Nevertheless, I indicated that I would be leaving in February, and that is what I intend to do. It is clear to everyone.

The successor to the President of the United States is chosen in November and sworn in only at the end of January. So, there is nothing so strange. We are able to walk and chew gum at the same time.

● (1425)

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the reality is that the system here is not the same as that in the United States. The reality is that the Prime Minister wanted another mandate. It was his own troops that said no, and it was the member for LaSalle—Émard who pushed him out. That is the reality. What is happening now is that we have a virtual prime minister, but the real decisions are being made by the member for LaSalle—Émard.

In the name of democracy, can he let the true leader of the party come into the House and be accountable for his actions, and let democracy rule here again?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I can understand why the hon. member is nervous. It is because in the next election, his party will not even have official party status in the House of Commons.

And speaking of leaders, they have had three since I have been leader. We have no lessons to learn from them. Other parties have had eight leaders. We have one until he decides to leave.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, if there is one important step for a government, it is the preparation of the budget. Yet the Minister of Finance himself admits he does not control everything in the current budget preparation process.

Will the Prime Minister admit that budget preparations are going on in the parallel government, and that his remaining on the job is creating problems for everyone, because the real policies are coming from outside the government?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the parliamentary committee is meeting. Meetings are being held all across Canada to gather people's opinions on the next budget.

There will certainly be a new finance minister come next February. The budget will again be a good one. Once again, the budget will be a balanced one. The budget for the coming year will make Canada the only country still capable of balancing its books.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the Prime Minister may try to justify staying on, despite the actions of the future PM which are undermining his authority. Events, however, speak for themselves.

Will the Prime Minister agree that the decision made by the premiers of Quebec and the provinces to go to his successor for answers on the issue of health care funding are a clear illustration that neither he nor the present finance minister have the necessary authority to provide any kind of answer?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I really wonder why the ministers met with the federal finance minister on this matter last week.

Our contacts with them are ongoing. We have a budget. We gave considerable amounts of money for health in the last budget. In February we signed an accord with the provinces. They were very pleased with it, but as always they would like to have more.

Never once in the past ten years has a provincial premier called me to ask "Mr. Prime Minister, could I return some money?" This has never happened yet, and I do not think it is likely to happen any time soon.

* * *

[*English*]

ETHICS

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, it is rather interesting that the Prime Minister forgets how he treated one of his own stalwarts of close to 40 years, Mr. Herb Gray, when he talks about how members treat each other.

My question is for the Minister of the Environment. Has the minister received any other gifts in excess of $200?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, I cannot recall any gift whatsoever that would be over $200.

In the case in question to which he is referring, the trip with the former Governor General Roméo LeBlanc, any obligation I have is to Mr. LeBlanc, not the Irvings.

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, it is the ministers who set the policy. It is the ministers who are influenced. That is exactly why these guidelines are in place.

I would like to ask the Public Works minister whether he has ever received an undeclared gift of over $200.

● (1430)

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, to the best of my knowledge and belief, I filed all the returns required by the ethics commissioner to disclose all these matters in the public domain.

Oral Questions

INTERNATIONAL AID

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, the House seems preoccupied with gifts over $200 and the role of the member for LaSalle—Émard. Perhaps I could combine the two in a serious question to the Prime Minister by asking him to imagine what a $200 gift of generic drugs would do for a person with AIDS in Africa.

When will the Prime Minister make that happen? When will that legislation come forward? Is it the member for LaSalle—Émard who is holding up this process? Whatever it is, we want it addressed and soon.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, this is a very serious question that needs attention. We have decided that we want to proceed with a change in legislation to ensure that the medication is made available to the people who are suffering from AIDS and other similar types of disease in Africa and elsewhere.

We have been working on this file for a long time. We have been helping, for example, the foundation of former President Clinton on this matter. We have been at the forefront.

I am happy the member from the NDP knows that there are other problems rather than trying to destroy the reputation of members of Parliament.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, no one knows better than the Prime Minister that time is running out for various political agendas. To the extent that this is on his political agenda, I wonder if he could tell the House that he will ensure this kind of change in legislation, which would provide generic drugs for people with AIDS and malaria and other diseases in Africa, will happen before the House adjourns or prorogues.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, it is a complicated file. There is some work to be done and if it can be done before we adjourn, it will be done. If not, it will be done early in the next year.

* * *

ETHICS

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am going to avoid the occasion to take a lesson from the man who wrote the book on saying one thing and doing another, and ask the Prime Minister a very direct question.

The ethics counsellor's website indicates the Prime Minister has not reported any gifts since November 19, 2001. Has the Prime Minister received any gifts with a value over $200 since November 2001, almost three years ago?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I have a process on that. I do not know if it has been filed. Every one has been reported and every one will be reported. I do not know if there are some lagging in time, but if they arrive there is a person in my office who takes care of that. I do not do the filing myself.

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, it is cabinet members who set policy. It is cabinet members who are influenced. That is why we have guidelines.

My question is for the Minister of Industry. Has the minister ever received any other undeclared gift in excess of $200?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, to the best of my knowledge I have complied with all the requirements, all the guidelines and made all the filings required by the ethics counsellor.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, one by one, ministers of the government are apologizing for accepting a $1,500 fishing trip from the Irving family, which is unethical and puts them in an apparent conflict of interest.

My question is for the Prime Minister, who is responsible for the ethics counsellor. What should his successor do for having accepted $100,000 from the Irving family?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, political contributions are known and made public and are used for election campaigns. Everything is done out in the open.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, it is a question of political morality, not a question of rules.

The Minister of Industry is saying that because he accepted a $1,500 trip, he refrained from discussing any issue or making any decisions regarding Irving.

What should the next prime minister do for having accepted $100,000?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, first, it was his organization that accepted the money, not him personally. Secondly, starting next year, this type of contribution will no longer be possible. The maximum will be $5,000 based on the legislation passed by the House of Commons a few months ago, which will come into effect on January 1.

● (1435)

[*English*]

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Mr. Speaker, many ministers are admitting to very limited knowledge today.

For the minister of the Treasury Board, the author and defender of ethics in this House, the minister who writes all the rules for everybody else, has the minister, the President of the Treasury Board, ever received undeclared gifts in excess of $200?

[*Translation*]

Hon. Lucienne Robillard (President of the Treasury Board, Lib.): No, Mr. Speaker.

[*English*]

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, the issue of undeclared gifts in breach of the ethics code has been front and centre in the public for some time now. Every minister should be in a position to clearly and unequivocally know if he or she failed to declare those gifts.

Has the Minister of Justice ever failed to declare gifts in excess of $200?

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, to the best of my recollection, the answer is clearly, no. When there is a problem, I ask the ethics counsellor. I am used to dealing with him in a proper manner.

* * *

[*Translation*]

AGRICULTURE

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, the agriculture community is unanimous in denouncing the inadequacy of measures to help farmers affected by the mad cow crisis.

Is the federal government, through its minister, prepared to listen to Quebec's Liberal Minister of Agriculture, who is saying that it is essential for the federal government to provide a quick solution to the problems being experienced by producers of cull cattle?

[*English*]

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, it is very evident that the government has been listening to the beef industry and the dairy industry in the challenges they have been facing because of the BSE find last May. I have discussed that on a regular basis with those in the cattle industry and in the dairy sector as well. I also discussed it with all the provincial ministers yesterday.

I will continue to do that in order to provide ways to support the marketing and use of older animals in our beef industry.

[*Translation*]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, farmers do not want words, they want action. This is an urgent situation. The minister does not seem to understand that. Yet, the minister from Quebec understands, people in the opposition understand, and producers of cull cattle understand.

Will the minister take his blinders off and respond to this urgent situation with an emergency program?

[*English*]

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the opposition members want government to have discussions with the provinces and with the industry before taking action and that is exactly what we have been doing right from May 20 with regard to this issue.

The federal government has put millions of dollars forward. The provinces have been there. We have been there together. We have worked with the cattlemen, the dairy industry, the processors and the manufacturers. Canadians have supported the situation in Canada.

We will continue to take that approach because it is working.

* * *

ETHICS

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, for many Canadians $200 is a lot of money. According to Canada's Auditor General and our chief actuary, this year Canada's working poor will be overcharged by more than $200 on their EI premiums.

Has the Minister of Human Resources Development Canada ever received an undeclared gift in excess of $200?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, to the best of my knowledge, all my gifts have been declared appropriately under the ethics guidelines.

[*Translation*]

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, my question is for the Minister of Intergovernmental Affairs.

Has the minister ever received an undeclared gift worth more than $200?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, the answer is no. One thing is certain, the questions from the opposition today are not worth $200.

* * *

[*English*]

ARTS AND CULTURE

Mr. Julian Reed (Halton, Lib.): Mr. Speaker, my question is for the Parliamentary Secretary to the Minister of Canadian Heritage.

A few weeks ago I had the pleasure of talking with Wendy Crewson who last week received a well deserved Gemini Award for best actress in a TV movie. As she said, “Canadian drama is in a rough spot right now”.

Could the parliamentary secretary tell the House when we can expect more support for Canadian television and film?

● (1440)

[*Translation*]

Ms. Carole-Marie Allard (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.): Mr. Speaker, I thank my colleague for his question.

I can tell him that he is not the only one concerned about the dissatisfaction of the public in English-speaking Canada with respect to English-language Canadian drama. The CRTC is also concerned and has just issued a public notice to gather comments from Canadians. Those who have opinions and observations to offer have until November 14 to do so.

I would like to take this opportunity to invite all the members of this House to respond to the CRTC's request.

* * *

[*English*]

ETHICS

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, my question is simple. Canadians deserve to know how many undeclared gifts in excess of $200 are still out there. A couple of weeks ago there were none and today there are a lot of them.

Has the Minister for International Trade ever received any undeclared gifts in excess of $200? Canadians deserve to know.

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): No, Mr. Speaker. Every gift I would have accepted or received would have been declared. I do not think anyone has been that generous with me.

Mr. Gary Schellenberger (Perth—Middlesex, PC): Mr. Speaker, the ministers are the ones who set policies and the ministers are the ones who are influenced. That is why guidelines are in place.

Has the Minister of State responsible for ACOA ever received any undeclared gifts in excess of $200?

Hon. Gerry Byrne (Minister of State (Atlantic Canada Opportunities Agency), Lib.): Mr. Speaker, my answer is exactly the same as the answer given by the Minister for International Trade and other colleagues. To the best of my knowledge I have complied with all the guidelines.

* * *

BUDGET SURPLUS

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, even as the Liberals again lowball the surplus and then apply every penny of it to the national debt, cuts are in the air.

Even as Canada's debt to GDP ratio goes down the fastest in the industrialized world, we are told to spend more on debt repayment and less on trains.

And even without any innovation in medicare or a Kyoto plan that really fights climate change, we are told tax cuts are the order of the day.

Why on earth would Canada make another hard right turn? Could we get some answers from the member for LaSalle—Émard?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there has been no question to the government.

* * *

CANADIAN BROADCASTING CORPORATION

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, the Liberals broke their promise to the CBC by cutting $10 million this year on top of the hundreds of millions of cuts since this government took over. Ten million dollars could produce a program like *Shattered City: The Halifax Explosion*, which over one million Canadians watched last weekend.

I could ask the government to commit today to stable multi-year funding as the heritage committee recommended, but the member for LaSalle—Émard could nix it.

The CBC operates three to four years ahead in programming. What guarantees can the Minister of Finance give that the CBC will receive the funding it needs to carry out its mandate?

[*Translation*]

Ms. Carole-Marie Allard (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.): Mr. Speaker, I would like to inform this House that this morning, CBC officials appeared before the Standing Committee on Canadian Heritage. They answered a barrage of questions, but their answers confirm that they are fully capable of fulfilling their national broadcaster mandate with the $1 billion the government gives them each year.

* * *

[*English*]

ETHICS

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, the Minister of Agriculture has a dismal record of getting cash out to primary producers and I am sure they would be interested to know how many undeclared gifts of over $200 the minister has accepted in the last little while.

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I can assure the hon. member, the House and all Canadians that I have declared every gift certainly within the knowledge that I have and that I received.

Mr. David Chatters (Athabasca, Canadian Alliance): Mr. Speaker, I am sure that after two weeks of scandal every minister over there has had ample time and ample reason to search their recollection, search their records and search their conscience on this issue.

Has the natural resources minister received any undeclared gifts over $200?

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, I am amazed at members of the Alliance Party. Is this what Canadians elected them to do, ask questions for $200? No. They were elected to debate the issues most important to Canadians and that affect Canadians. That is why they are at only 13% in the polls and going down further.

* * *

● (1445)

[*Translation*]

HIGHWAY INFRASTRUCTURE

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, since the construction of highway 175 was announced 14 months ago, nothing has been done in the Saguenay. The member for Chicoutimi—Le Fjord blames the delay on Quebec provincial officials.

Can the Minister of Transport tell us whether or not his government is prepared to take on 50% of the cost of building highway 175, as well as 50% of cost overruns, if any?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, last year we made a commitment regarding construction of this highway. We are going to pay 50% of the cost of constructing this highway.

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, Quebec's Liberal minister, Françoise Gauthier, confirms that the only thing blocking the agreement now is that the federal government refuses to accept responsibility for its share of cost overruns.

Will the Minister of Transport confirm that the Canadian government's commitment to paying 50% of the highway costs also means it will share 50-50 with Quebec on any cost overruns? If he will not make that commitment, it puts the whole agreement at risk.

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, there is an agreement that our contribution to construction of this highway will be 50%.

* * *

[*English*]

ETHICS

Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Canadian Alliance): Mr. Speaker, the government seems to think that our questions today are inappropriate, but what is inappropriate is the government's conduct which has necessitated our polling of its ministers as to their improper conduct.

Has the Minister of Labour received any undeclared gifts in excess of $200, except for the one that she belatedly reported this week?

Hon. Claudette Bradshaw (Minister of Labour, Lib.): Mr. Speaker, to the best of my knowledge, no.

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, the Prime Minister and the Minister of Natural Resources are treating this ethical issue of reporting undeclared gifts over $200 as one of partisanship, not principle. That has been the problem all along.

Has the Minister of Indian Affairs and Northern Development ever received undeclared gifts in excess of $200?

Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.): No, Mr. Speaker.

* * *

INSURANCE INDUSTRY

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, a few months ago I asked the Secretary of State for International Financial Institutions to launch national public hearings into the state of the insurance industry. Since then, things have gone from bad to worse in all insurance fields.

On behalf of the realtors of Canada, especially those in Peterborough, I now ask the secretary of state if he will initiate federal hearings into the declining availability and the rising cost of property insurance.

Hon. Maurizio Bevilacqua (Secretary of State (International Financial Institutions), Lib.): Mr. Speaker, I share Canadians' concerns over the impact of rising insurance rates, which is why I have already taken action on this file. I asked OSFI to prepare a report on the industry in those areas covered by its mandate and OSFI reported that overall it considers the industry's investment portfolios and strategies to be prudent.

I know that the member, who has served as a parliamentarian at both the federal and provincial levels, knows it is the provincial governments that are responsible for regulating the market conduct of all P&C companies, which includes the issues of insurance contracts and premiums.

The fact that rising insurance premiums were major issues in several recent provincial elections clearly demonstrates that fact.

* * *

ETHICS

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, in the past two weeks the House has caught high ranking cabinet ministers with their hands in the Irving cookie jar. It seems that the line-up of Liberals coming out of the closet to admit their wrongdoing by accepting these gifts will only keep growing.

Since this trend seems to be increasingly fashionable among the Liberal ranks, I would invite the Minister of National Revenue to hop on the bandwagon. Canadians want to know. Has this minister ever accepted an undeclared gift in excess of $200?

● (1450)

Hon. Elinor Caplan (Minister of National Revenue, Lib.): No, Mr. Speaker.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, the Prime Minister has made much of his new ethics package as part of his legacy. It is pretty hard to take him seriously when he makes a mockery of those who raise concerns about the ethics of his own ministers.

Has the immigration minister received any undeclared gifts of over $2,000, or $200?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Two thousand dollars? Now, Mr. Speaker, there is a raise in the question.

[*Translation*]

First of all, according to our sources, our ratings have unfortunately dropped by about 80% in the past two hours. As for myself, I have most certainly never accepted that kind of thing, to the best of my knowledge.

I note once again that these questions are coming from people who are not capable of respecting their own signatures on an agreement with another person; they tell me that Jim Hart is still waiting for his $50,000.

* * *

QUEBEC

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, yesterday the Minister of Intergovernmental Affairs made it known that he would be voting against the Bloc Quebecois motion calling upon the House to recognize that Quebec constitutes a nation.

My question is this: Can the Minister of Intergovernmental Affairs explain to us how he could have voted in favour of recognizing the Nisga'a nation and yet now can oppose recognizing Quebec as a nation?

Hon. Stéphane Dion (President of the Queen's Privy Council and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, the Bloc Quebecois is incorrigible. This is not the issue before the House. The issue before the House has to do with the link between the concept of an exclusive nation held by the Bloc and the right to opt out with full financial compensation. That was what the motion was about. For once, the Bloc must not distort its own question.

[*English*]

BROADCASTING

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, I congratulate the Ministers of Industry and Canadian Heritage for bringing Bill C-52 to the House.

Many of us have been in discussion with the Canadian Association of Broadcasters and are well aware of the financial and cultural damage that illegal satellite dishes and the piracy of intellectual property have caused in our country.

Would the Minister of State and Leader of the Government in the House of Commons assure the House that the legislation will pass expeditiously. Further delay would mean that there would be hundreds of millions of dollars lost in revenue to the provincial and federal governments?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have received representations from a number of people who have indicated to us how important this legislation is. I certainly agree with them and with my cabinet colleagues. I intend to put the bill forward for debate as early as next week. I urge all hon. members to support our Minister of Industry and our Minister of Canadian Heritage in this regard.

* * *

[*Translation*]

CANADA CUSTOMS AND REVENUE AGENCY

Ms. Pierrette Venne (Saint-Bruno—Saint-Hubert, Ind. BQ): Mr. Speaker, my question is for the Minister of National Revenue.

After the theft of computers from the Canada Customs and Revenue Agency's Laval premises on September 4, application was made to the Quebec Superior Court by the Union des consommateurs and a private citizen from Beauport to initiate a group action against the federal government.

Can the minister tell us whether she plans to compensate the 120,000 taxpayers who were victims of this theft, or does she plan instead to deny any responsibility for this situation?

[*English*]

Hon. Elinor Caplan (Minister of National Revenue, Lib.): Mr. Speaker, the member opposite should know that it would be improper and irresponsible for me to comment on matters that are before the courts or might be before the courts.

* * *

ETHICS

Mr. Darrel Stinson (Okanagan—Shuswap, Canadian Alliance): Mr. Speaker, sitting here listening to minister after minister stand up and say "to the best of my knowledge" is kind of frightening as we all know that a lot of them do not have much in regard to knowledge.

I would like to ask the minister of fisheries, if he has ever received any other undeclared gifts in excess of $200.

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, to my knowledge, no. But I should advise the opposition members, and the rump of the opposition, that they are at very close risk of fishing without a licence here. However, as the yield seems to be insignificant, I will not recommend further action by my department.

* * *

● (1455)

NUCLEAR INDUSTRY

Mr. Joe Comartin (Windsor—St. Clair, NDP): Mr. Speaker, the government is proposing to dump another $46 million into the bottomless pit known as the nuclear power industry. In spite of a long litany of broken promises from the government and the industry and strong opposition from the Canadian public to this form of power, the government persists in giving away huge subsidies.

I ask the Minister of Natural Resources, is it not time for a full public review of government support for this toxic industry?

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, the nuclear industry is a $5 billion industry that creates thousands of jobs across the country.

Of course, in terms of the structure of AECL, this is something that is being reviewed at this time as to how we can change the structure to take advantage of new opportunities.

Last week the Prime Minister was in China. The Chinese bought two Candu reactors and they were on time and on budget. I hope we have further opportunities. That is showing off the technology. Canada is leading the world in nuclear technology.

* * *

ETHICS

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, I say to the hon. minister of fisheries that I do not think we need a fishing licence to catch these suckers.

Even members of the ethically challenged cabinet should be able to answer this simple question not to the best of their knowledge, but with a very simple yes or no.

My question is for the Minister of National Defence. Has he ever failed to declare gifts of over $200?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, to the very best of my knowledge, the answer is no.

* * *

[*Translation*]

ROYAL CANADIAN MOUNTED POLICE

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, yesterday the Solicitor General stated that the lives of citizens took precedence over the lives of informants.

Can the Solicitor General tell us with certainty that the RCMP was never aware that murders were being committed in order to preserve the cover of its informant, Dany Kane, who had infiltrated the biker gangs?

[*English*]

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, the hon. member is correct in what I stated yesterday and I stand by what I stated.

The fact of the matter is, the very responsibility of the RCMP is to enhance and protect public safety out in the communities. That is what it does as its first priority and that is what it will continue to do.

* * *

ETHICS

Mr. Chuck Strahl (Fraser Valley, Canadian Alliance): Mr. Speaker, it is critically important that Canadians receive unequivocal assurance from each one of the ministers that they have abided by the ministerial code of conduct, not just when they have been caught, but at all times.

My question is for the Minister of Foreign Affairs. Has he ever received any undeclared gifts of over $200?

Hon. Bill Graham (Minister of Foreign Affairs, Lib.): Mr. Speaker, as the hon. member knows, when I travel, I give small gifts to ministers and I get small gifts from ministers. I have an office staff who look at this. They understand it. The member can come to my office and he can see all the gifts.

I did once receive a painting by a constituent which was more valuable than $200. I gave it to the department. The member can come and see it. It is hanging on the wall of the department. So it belongs to him along with every other member of the House.

* * *

HEALTH

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, my question is for the Prime Minister who in the past has expressed concern about fetal alcohol syndrome. I am sure he would like to have as his legacy an initiative which was passed by Parliament almost unanimously two and a half years ago. Before he ends his time as Prime Minister, could the Prime Minister ensure that the motion passed by Parliament requiring labels on all alcoholic beverage containers warning that drinking when one is pregnant can cause fetal alcohol syndrome becomes a reality?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, as the hon. member has done before, she has raised a very important issue, one which is of great concern to everyone in the House and all Canadians.

I want to be sure that everyone in the House understands that the motion that was adopted in 2001 was that the government should consider the advisability of requiring that no person shall sell an alcoholic beverage unless the container in which the beverage is sold carries a warning label. I want to assure the hon. member that we are doing just that. We are seriously looking at the advisability of requiring warning labels.

* * *

ETHICS

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, despite the fact that my friend the House leader looks forlorn and left out, I want to return to the only minister who refused to answer the question today, the Minister of Natural Resources.

Seeing that he has not filed with the ethics commissioner since May 1998, would he tell the House whether he has received any undeclared gifts over $200?

● (1500)

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, if the hon. member would take the time to do his research, he would find that any gift received over $200 is listed with the conflict of interest counsellor. I have abided fully with all the requirements.

If the hon. member has any evidence that I have not, he should go to the conflict of interest counsellor or he should table it in the House here today. If he has evidence of any time that I have not complied with the counsellor, he should stand up right now, instead of doing this nonsense in the House.

* * *

[*Translation*]

BUSINESS DEVELOPMENT BANK

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, the Auditor General has agreed to my request to include the extravagant expenditures of the BDC in her audit and to encourage the BDC to make this report public.

Will the Minister of Industry support the Auditor General's proposal in order to ensure the necessary transparency in this matter?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, as far as I know, the Auditor General can do whatever she sees fit within her jurisdiction, such as tabling her reports in Parliament. The decision is up to her.

GOVERNMENT ORDERS

[*English*]

SUPPLY

ALLOTTED DAY—CHILD PORNOGRAPHY

The House resumed consideration of the motion.

Mr. Myron Thompson: Mr. Speaker, I rise on a point of order. There should be a period for questions on the last speech.

The Speaker: The member is not here, so we cannot have them. It is one of those heartbreaks, but there is not much we can do.

We are resuming debate with the hon. member for Pickering—Ajax—Uxbridge.

Mr. Dan McTeague (Pickering—Ajax—Uxbridge, Lib.): Mr. Speaker, the hon. member for Wild Rose ought to know that the member for Mississauga South had to conduct an interview this afternoon on yet another controversial issue, that being the issue of stem cells.

We are dealing with a number of very tough and substantive issues, issues which no doubt will be current not only today but certainly down the road.

I want to thank the opposition for bringing this motion forward. It is not very often we find that members on both sides of the House can agree to an initiative. The wording of the motion itself is not only commendable but indeed quite supportable.

While I say this, there have been some steps that have been taken by the government. Some would treat them as baby steps but nevertheless they are important steps on the issue of child pornography, which probably is the most serious issue confronting this nation today. We have been able to move ahead with Bill C-20 and Bill C-23 and pass Bill C-15, which among other things moved a step closer to ensuring that Internet service providers would have to retain data. Those are some of the measures that have been taken.

For the sake of the debate, I would like to point out that this is not a new issue. I applaud the member for bringing this motion forward and speaking to it very proudly. Not too long ago it was that member who led a committee of several members of Parliament to attend what was supposed to be a one hour session on the epidemic of child pornography and the scourge that exists not only around the world but also here in Canada.

The shocking pictures referred to a little earlier were the same pictures that I had seen when I had the opportunity of working with Detective Sergeant Paul Gillespie and Detective Sergeant Bob Matthews of the OPP. I know they are in very good hands with the work now of Detective Sergeant Bruce Smollett and Detective Sergeant Paul Gillespie.

A number of initiatives must come of this motion. It is clear that there is sufficient support for the motion. I would be very surprised that there would be any attempt to water down what is otherwise a motion that must serve as a constant reminder of the most serious problem that confronts our nation.

The hon. member for Wild Rose will remember that we put together an issues and options paper. In the few minutes that have been given to me, I want to go through several of the items that I think would be cause for where we go after the motion is passed. Hopefully there will be time left in our parliamentary agenda and calendar to fulfill those.

We said that the age of consent should be raised from 14 to 16, while maintaining the close in age exemption. This would amend section 150 to substitute 16 for 14. We would also retain the age of 18 as a consent for trust relationships.

We dealt with the issue of artistic merit. Section 163.1(6) as currently expressed by the Supreme Court of Canada in the Sharpe decision exempts child pornography clearly harmful to children as the subject of criminal prosecution.

Our solution at the time, and I believe we had support from all parties, was to eliminate the defence of artistic merit and that the definition of child pornography be included as part of the hate crimes section 319.

In my view, that would be the way in which we try to address this very serious issue.

I think where the government has certainly come a long way is to deal with section 163, to apply a community standards test similar to the Butler case. I will not get into the specifics of that.

Another issue, which would not be news to some colleagues, was the requirement that written child pornography be found to advocate or counsel illegal sexual activity with children permits the exclusion of child pornography that is harmful to children from being the subject of criminal prosecution.

It was felt that if we added "a prominent characteristic of which is the description of sexual activity between a person under the age of 18 and an adult, the primary purpose of which is for sexual gratification of an adult or which poses a risk of harm to a child", that would serve the test.

We know that in the same decision on Sharpe, the Supreme Court of Canada permitted a number of exemptions. I believe that some of them are downright wrong and must be reviewed by Parliament.

The "private recordings of unlawful sexual activity privately held for personal use" invented by the Supreme Court of Canada permits subsequent exploitation of persons recorded who no longer consent to the use and, given the disparity of age permissible, permits ongoing exploitation of children under 18, or 16, by adults.

● (1505)

Our view on this is to restrict such exceptions to recordings between persons under 18, not engaged in explicit sexual activity involving disclosure, clearly indicating both knowledge and consent that the activity is being recorded, not kept in a manner where it is capable of distribution to others, and the possession is for the exclusive personal of the person in possession of it.

Another issue is one that we also tackled that evening—many of these things were by consent—the expressive material exemption, again an exemption to what is otherwise unlawfully expressed child pornography and invented again by the Supreme Court of Canada, is capable of being used to permit material harmful to children to be created and possessed, including animated, computer generated, morphed images, mixed and edited videos, and audio recordings mixed with the above. We felt that it was important to eliminate the personally possessed expressive material defence whenever that should pose a harm to children. I note that the government has done this in some of its legislation.

Perhaps the most controversial but nevertheless most important issue from a police resource perspective is the Stinchcombe decision. The Supreme Court of Canada some time ago imposed rules of disclosure that necessitate police providing copies of every image seized from an offender, frequently in the tens of thousands and more as a result of the Internet and the nature of sexual deviance, thus needlessly depleting resources, delaying prosecutions and potentially disseminating material harmful to children. It is our view that a simple way to achieve this would be similar to how it is done with drugs, and that is simply to get a sample and admit that as evidence, and that could be written in as opposed to going through every single issue.

Another issue is the whole area of lawful access, and I know that the only people who will buzz to that are obviously people in the police community and those in the justice department, who I hope will be listening to this. It is clear that Canada is losing the battle with evolving technologies. We simply do not have the ability when people are using various forms of encryption, new technologies and disposable telephones, you name it. The government needs to proceed with binding and effective legislation that allows police modern and up to date information.

Also, and I should point out that this is a critical point, if we want to beat the child pornographers and stop the 40% of people who see this material and go on to offend against and exploit children, as is currently the convention in this country, then the way in which we do that, I would submit very honestly, is to ensure that if an Internet service provider or, for this case, a company that is involved in the use of telephone lines, should provide the information to lawful and local authorities, it should be based on warrant. They should not be charged the going rates. This is not about making money. This is about protecting children. It is time that the telephone companies and those involved in communications get on board. We do need that.

I know that only a few minutes on this very important question will be provided to me. I do want to issue the challenge again to all colleagues to hear the voices of those who believe that we do need to amend the definition of primary designated offence and provide for the taking of DNA samples. This should, in my view, of course be retroactive. That may be impossible to do, but we must start that as soon as possible.

Sentences imposed for crimes involving child pornography are disproportionately low for the harm they cause and the risks posed to children. In my view, and indeed I think in the view of the majority in the House, we should create a mandatory minimum penalty for second or subsequent offences under section 163.1. That would of course allow as well the opportunity to create a mandatory consecutive penalty akin to section 82.1 for firearms, for conviction of an offence under section 163 or committed in conjunction with another sexual crime, or committed while on parole for sexual crime against a child under the same section.

I believe that some of these bills and some of the ideas that we have talked about for some time would go a long way. I cannot think of a better opportunity we would have for all of us at some stage to understand that if we are to take seriously the protection and the safeguarding of this country's most precious constituency, the laws that we have in this country are of no force or effect or in fact of no meaning if we cannot protect those who eventually will assume the very burden of making this a greater nation.

Young people in the tens of thousands from around the world are only faces. We cannot put names to those faces. We understand the concerns that have been raised by those who say we need to have a balance, but the balance must not come at the expense of rewriting our charter. We have a Charter of Rights and Freedoms, but I ask the House, whose rights are we to protect and whose freedoms are we to safeguard? It is very clear to all in the House and to any ordinary individual that the benefit of the doubt must always inure to those who are the most vulnerable and least in a position to defend themselves.

● (1510)

The exploitation we are talking about is all the more important given the advancements in technology, the ability within a nanosecond to transmit a face around the world. The Internet, Interpol and a number of agencies have been involved with trying to make sure that a document about a certain activity and a behaviour that is occurring in Canada is not simply sent to the country or sent to a few agencies around our great nation, but that in fact those police forces and those agencies involved would have the resources to be able to understand, to disseminate and to make sure that we protect children.

That is the bottom line. I thank the House for the motion.

● (1515)

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, I appreciate what the hon. member has said. He brings up a very important topic, that is, the charter, the use of the charter and how the charter is being used.

For two decades Canadians have had the charter. It seems to me that at the present time there are certain freedoms within the charter that are far more important than other freedoms. Was the charter written for the courts and lawyers or was it written for ordinary people such as hon. members and myself?

I want to give two quick examples and ask for a comment. It seems to me the freedom of the charter most used by the judiciary is that of freedom of expression. For example, we have a legal church service in progress that is disrupted because few individuals know what doctrine they preach. That was only freedom of expression, it is a legal assembly, and yet no charges are laid because the freedom of expression is weighted more heavily than the freedom of assembly. I would appreciate a comment on that.

Mr. Dan McTeague: Mr. Speaker, I want to thank the hon. member for Souris—Moose Mountain. I know he is very passionate about this. I think all of us are travelling into deep waters some 20 years after the charter came into effect. I believe the hon. member is suggesting that there is of course a priority or, according to some courts, staggered priorities as far as the charter is concerned.

I do not believe it is the responsibility of this Parliament to delve into what decisions are made unless they impact the rights and freedoms of individuals. I believe that to be the essence of what the hon. member is asking.

Before we do that, I think Parliament must come to the idea that we need to know who is on the benches of this country. Quite frankly, if we are to have a constitutional democracy, we understand democracy and we know who is going to be elected, but we must have a better idea of who is going to be making these decisions. With no disrespect, if people are going to wear black robes and make decisions and delve into public policy, as is their right, they believe, according to interpretation after interpretation, then I believe it is also incumbent upon us to understand it and to have a process of review prior to them being on the bench.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, I would like to say that I appreciate this member and his efforts on this particular issue over the years. I also agree with what he said needs to happen. There is no doubt about that.

Here is my concern. I think the member understands why most of us are concerned about it. He put on the meeting, which he has talked about. I attended and that is when I first had a chance to see the graphics of these pictures and what the videos were all about. Although I have been on this issue for a long time as well, that is the first time I actually got see any of that. That inspired me even more to believe that this has to be dealt with and has to be dealt with quickly.

The meeting was perhaps two years or several months ago. The people who left that meeting, including members on this side of the House and on the other side, agreed that legislation has to come forward immediately to address this very serious problem, because it will get worse if not.

That is why the motion was put forward today. I became very impatient. I kept waiting, and I am sorry, but Bill C-20 does not have what is required to protect our children. The bill is short on that. It is flawed. The bill needs to be fixed.

I am quite certain that most of the members on his side of the House will probably support the bill. It would be rather silly not to. I have a question for the member, then: if they support the bill, can I expect that they would move forward immediately with amendments to Bill C-20, which is before the committee, to address this very serious problem? Or are we going to have to wait another two years or several months before something actually happens? Time is of the essence when it comes to the safety of our kids.

Mr. Dan McTeague: Mr. Speaker, I want to compliment and thank the hon. member. I know how sincere and devoted he is to this issue, as are so many of us in the House and as are so many Canadians.

I think we have to try to find a way to break down those impediments and barriers that prevent us from allowing even one child to be exploited unduly.

I believe that the hon. member may very well want to take a look at the issues and options paper that we, all members of the House, crafted together. We tried to get an agreement some years ago on the age of consent but it was not successful. I have tried as a member of Parliament to bring these issues and options to the attention of my colleagues and many have listened.

Unfortunately, from time to time there are other priorities, I point out to the hon. member. I am interested in what is happening with the Irving question and I am interested in all these scandals that we want to bring up, but frankly, if this Parliament is to have any relevance and any meaning it must be for the young people in the country, who know that there is a possibility of being exploited by people who individually and obviously have need for some therapy, not some form of judicial interpretation that might ultimately wind up putting young children at greater risk.

● (1520)

Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance): Mr. Speaker, I am pleased to participate in this supply day motion put before the House by the hon. member for Wild Rose. I know he has been trying for quite some time to get this issue on the floor.

I would like to perhaps make this a little more personal. As a mother and a grandmother, it causes me great concern with the way our society is going as far as protecting its children.

When I was a young woman living in Slave Lake, Alberta, the community was putting together a day care to provide a safe place for young children to spend their day. We had a visit from a police officer from Edmonton who spoke to us in general terms about the abuse of young children. I can remember being unable to comprehend what she was telling us. She told us that young children, even those a few months old, had been sexually assaulted by adults. I found it hard to accept that an adult could do that sort of thing to a baby. She assured me that this was in fact a case file, that it was not a made up story and that cases like that did happen.

Over the last 10 years I have been subjected to people coming to my office who are concerned that the laws of the land do not protect younger children, even those 14 years of age. There was such a case in my own constituency. A 27 year old had taken a 14 year old girl out of her home with her consent and they were living together. The parents of that 14 year old child could do nothing about it.

I am not alone in caring about this issue. I will be sharing my time with the member for Crowfoot who also is concerned as are, I would hope, most members in the House.

A number of issues need to be addressed when we talk about the protection of our children. One of those issues is the fact that we as adults have to take responsibility for protecting children. We have to ensure that society takes that responsibility seriously. Not only do we have to ensure that the police and legal people who take these cases to court take this seriously, but we have to ensure that judges and those people who determine sentences take these situations seriously as well.

There has been a lot of debate as to the legal parameters of when child pornography is pornography and when it is artistic merit. We know that children are being hurt either directly or indirectly when we see a picture or anything depicting children in an inappropriate sexual situation.

As a parent and as a grandparent, I am more concerned about the psychological damage done to young people who find themselves being abused and being made the victim of filming or whatever to satisfy an adult's needs. The statistics show the damage done to those young people. Survivors struggle with depression, low self-esteem, self-blame, dissatisfaction with life, anxiety, disassociations, splitting between the mind and the body and difficulties in relationships. The list goes on and on of how young children end up responding to situations that they have no control over goes.

Being used as an instrument in the creation of pornography is something that a young person knows is not acceptable, yet often that material is used to coerce them into keeping quiet and continuing with the process.

● (1525)

Others before me have mentioned how, through the Internet, invasive child pornography has become. There was a case in the Toronto area where a 32 year old man was arrested for taking pictures of young women at different places in society, bus stops, stores, and even in bathrooms. He was using these images to further whatever. He has been charged. The question is what kind of penalty will he receive in the courts?

Canadians are concerned about that. Statistics will show that Canadians are concerned that the courts are not dealing with this in a proper manner. One source from the *Ottawa Citizen* says that in 1999 the Ontario Provincial Police pornography investigation unit executed 59 search warrants, laid 110 charges, arrested 28 people and performed 134 investigations. Unfortunately, what happens is these cases do not manage to get through the courts with any meaningful sentencing.

Therefore, Canadians are left with the feeling that not enough is being done, that the laws are not specific enough, that the courts can convict but that they not be taking this as seriously as Canadians do.

A Pollara poll taken last year found that 76 respondents agreed that passing a stronger child pornography law should be a high priority for the federal government. I do not think the government has even dealt with this. I know Bill C-20 is before the House, but most people are saying that it does not come anywhere close to dealing with the issue of child pornography.

Some 86% of Canadians disagree with the recent B.C. decision acquitting John Robin Sharpe of possession and distribution of child pornography. It is quite clear to me, and it should be clear to the House, that Canadians do not feel this government or the courts are doing enough to protect our children.

As was said before me, our most valuable asset is our children. We in the House have a duty to them to do everything possible to ensure that they are protected, and I include 14 year olds. I do not know how many members have 14 year old children or grandchildren, but let me say, they are not very mature. They may think they know what is good for them and they may think they know what they should be doing, but I can assure everyone, they do not.

One place for us to start is to recognize that a 14 year old is a child and that, as a child, they are not in a position of giving their consent to an adult relationship. I am not talking about a teenage to teenage relationship. Other countries have shown, as we have in the past, that close to age consent is something quite different. However, we owe it to our children to ensure that we do not have children in adult relationships that are inappropriate. We owe it to our children to ensure that they are not used as victims to create pornography that is used for purposes, which none of us here can possibly support. We owe it to our children to ensure that we do everything possible to protect them in the future.

I speak with an impassioned plea to those across the way to support this motion and to support the fact that the House broadly condemns the use of child pornography in Canadian society and that we ask the government and the courts to take it seriously because that is what Canadians want.

● (1530)

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I want to thank my hon. colleague from British Columbia for her comments. I also thank the hon. member for Wild Rose for bringing this very important motion to the floor for debate, exactly where it should be.

A former member of Parliament named Mr. Chris Axworthy, a former attorney general of Saskatchewan, brought forward an Internet child pornography bill which was very extensive and widely supported by various members of the House, as well as the Canadian Police Association, the RCMP, the OPP, et cetera. The premise of that bill is that we must do everything to protect our children from the ills of child pornography. One of those is something called cyberspace. Many young people are being sucked into the world and aura of the Internet.

The Internet pornography bill, which I have now assumed and am hoping to have debated in the House at some time, states that the Internet providers themselves, the ones who provide the service, would have to bear some sort of responsibility for monitoring their sites. They would have to ensure that they did everything possible to stop child pornography from appearing on their sites.

Would hon. member for South Surrey—White Rock—Langley support that type of initiative? When she says we must do everything possible to protect our children, I fundamentally agree with her on that.

Ms. Val Meredith: Mr. Speaker, it sounds like a reasonable approach. As the hon. member said, a lot of children now are using the Internet.

It is also the responsibility of the parents to ensure they know what their children are watching or doing on the Internet. It is also incumbent upon the parents to put those kinds of things into the system which blocks out that kind of material.

However, I think we will have to expand our imagination as to how we control the use of cyberspace, as my hon. colleague called it. We have been able to do some of it. We have been able to control the promotion of hate material, so I certainly think the same can be done for promoting child pornography.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, I too would like to commend the speaker on her comments. I understand where she is coming from as a mother and a grandmother and why it is so important this issue be addressed in the way it is.

The member has been here 10 years and she knows pretty well what has been going on with the justice system of the country. She has been involved in it a lot. I would like her opinion on some comments that I have heard today.

I do not know how many times I have heard the comment, but it is something the Liberals like to espouse a lot. "We are leading the world in this fight". "We are leading the charge in all of these issues". "We have the best criminal justice system in the world". "We are leading the charge in a penitentiary system". Old Ingstrup used to say, "We are the envy of the world". Yet I look at the facts and I see that all the free democratic countries have the age of consent at 16 and we are still at 14.

I see some other things that really look strange when I hear those kinds of words. I think we are sitting on the side or we are trailing desperately.

Based on the member's experience in this place, what does she feel about that?

Ms. Val Meredith: Mr. Speaker, I thank the hon. member for his questions and comments.

It does not take too much to realize that someone can be crawling along the ground and still be leading. I do not think the government can take any credit for leading anybody in issues such as this.

If the government feels that what it is doing is leading, then I would hate to think what it would do if it was following. My response to that is one is judged by their actions, not by their words.

● (1535)

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, I rise today to partake in this debate sponsored by the Canadian Alliance regarding the elimination of all defences for the possession of child pornography.

I am confident that members on all sides of the House and all parties would agree that there is probably nothing more important in their lives than their children or grandchildren. Therefore, the debate today is very important. It is urgent, given that the House, as rumoured, may recess fairly soon and motions such as this will no longer be able to be debated or discussed.

The period of time available to the House to pass necessary pieces of legislation such as Bill C-20 or Bill C-23, the national sex offender registry, is rapidly running out.

We have less than two weeks to ensure that important bills, bills aimed at protecting our children, are enacted before the business of this country is put on hold because we have one Prime Minister who is on his way out to make room for another Prime Minister who is on his way in. Basically, the House will recess early because of the turmoil and disarray in which the government finds itself in the middle of this shuffle.

Bill C-20 has yet to be reported on by the committee. It falls far short of the official opposition's expectations. It fails to adequately protect our children from sexual exploitation, abuse, neglect, and falling victim to child pornography or pornographers. In fact, it falls short of almost everyone's expectations, including those who are on the opposite side of the issue dealing with Bill C-20.

In a submission to the justice committee, the Canadian Bar Association stated that the wording was vague and could be challenged on constitutional grounds. The Canadian Bar Association suggested that Bill C-20 be sent back to the drawing board.

Bill C-20 deals with child pornography, voyeurism and exploitation. It deals with all those issues that we are debating here today.

Meanwhile, those of us on the other side of the issue are concerned about the justice minister's failure to eliminate all legal loopholes that wrongfully justify the criminal possession of child pornography.

Instead, the Minister of Justice has devised a catch-all defence. The Liberal minister has effectively combined a number of defences, including artistic merit in the broadly interpreted defence of public good. This was in direct response to the Supreme Court's consideration of public good in the decision of Regina v. Sharpe.

If Bill C-20 passes, anyone arrested for the possession of child pornography may use what the government considers a narrower defence: the defence within the public good. This replaces the defence of the possessing of child pornography for reasons of artistic merit, educational, scientific or medical reasons and the public good. It has taken that and shrunk it down, but in reality it has become much more broader.

In Regina v. Sharpe, the Supreme Court of Canada found that public good could be interpreted to be necessary or advantageous to the pursuit of science, literature, or art, or other objects of general interest. Here, the court was saying that there is a place for it in literature or in art.

Quite obviously, for all intents and purposes, the defence of public good can and will be interpreted to still include the defence of artistic merit. Therefore, nothing really changes in this bill. Nothing really changes from the current status, except that our courts now will become even further inundated with trials and cases.

These cases will only serve to add to the backlog that is currently clogging our courts, while defence lawyers argue about what does and what does not constitute public good or artistic merit or any of the above.

● (1540)

The Ontario Office for Victims of Crime pointed out the following in its brief to the justice committee only a couple of weeks ago:

> Clearly, in order to prevent the expanded legality of possession of child porn, Parliament must craft precise legislation supported by an explicit description of its rationale for doing so in the preamble of the bill. The legislation should attempt to respond to all of the potential "defences" generated by the Supreme Court of Canada or Canadians can look forward to an ever-increasing legalization of child porn possession and use. As expert evidence accepted by the Supreme Court makes clear, that translates directly to increased threat to children.

Bill C-20 is coming forward. There are different groups. One group is in favour of maintaining artistic merit. Many groups, civil liberties and those types of groups, say that the bill would open the door and it is not what they want because it is vague.

We have those who deal specifically with victims who stand back and say that Bill C-20 would not help combat child pornography. The threat would increase and the use and the legalization of child porn would increase.

I implore the government to listen to the victims groups. I implore the government to do everything within its power to stop the proliferation of child pornography, especially as we have seen it unfold over the Internet.

As a member of the Standing Committee on Justice and Human Rights, I have been privy to the debates, presentations, opinions, testimonies and to the witnesses on both sides of the issue. Regrettably, I have also been privy to police files that contained literally thousands and sometimes tens of thousands of absolutely degrading and sickening pictures of child pornography.

Pictures were shown by Sergeant Detective Paul Gillespie to a group of members of Parliament but also by the RCMP. Paul Gillespie gave a presentation about the need to help solve the epidemic problem of child pornography. He is with the Toronto sex crime unit. These pictures were unimaginable. They were so horrible and so revolting that a number of members of Parliament left the room. Others looked away not wanting to be privy to seeing the pictures that were put on the screen.

I felt absolutely nauseated thinking about the innocent and vulnerable children all across this country who were being criminally exploited by society's most perverse and sadistic criminals who, under Bill C-20, will not be subjected to sentences that fit the crime because the legislation does not seek to increase maximum sentences for child related offences, nor does it impose any minimum sentences.

When was the last time we saw a judge impose the maximum sentence on any type of criminal offence dealing with pornography? We do not see it. To increase maximum sentences is not the answer to anything. When we are dealing with child pornography, Bill C-20 does not impose minimum sentences.

It effectively means that pedophiles can and will continue to receive fines and conditional sentences, and no jail time. Sadistic types of pornography are being passed on the Internet and the perpetrators get a slap on the wrist. They are told not to do it again and to stay home. It is unacceptable.

Nothing within Bill C-20 would prevent judges from handing out conditional sentences or fines to offenders convicted of possessing or distributing child pornography.

In my opinion, those who possess and seek to possess child pornography are every bit as guilty of committing a crime against a child as those who take the pictures. Therefore, they should be sentenced to minimum terms in prison for committing the offence of aiding and abetting the abuse, torture or sexual exploitation. This opinion is shared by police officers throughout the country.

It was my pleasure today to stand with Staff Inspector Bruce Smollet, the officer in charge of Toronto's sex crime unit, during today's press conference commending him and the entire Toronto police force for their outstanding work and their commitment to public protection.

● (1545)

Under the excellent leadership of Police Chief Julian Fantino, the entire Toronto police force has done an exemplary job of fighting a crime that is becoming much more prevalent in this nation. It is not only in urban areas but in rural areas as well because it can be ushered straight into homes via the Internet.

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Mr. Speaker, we had to endure the sound and fury of the justice minister this morning. He cannot understand why his proposal, Bill C-20, falls so far short of what the country needs.

I think that our tough questions are an affront to his career and leadership aspirations. We saw him twist himself into a pretzel to justify Liberal ideology under which the country endures, perhaps even suffers.

The pathetic minister bleats virtue while under the same Liberal administration, in their years of power, crime and tragedies have continued for families. In fact, it has expanded. In view of these poor results, it would look like the Liberal government in some sections is secretly compromised.

I would talk specifically about the child porn situation. It worsens and this is the Liberal legacy of inaction. Divorce and family law is a national tragedy for families. Liberals could not deliver upon the masterful work *For the Sake of the Children* report and the hurt for children continues.

Street prostitution is a stain on our communities. For years now the laws allow easy access for juveniles to get into the whole exploitive sex trade process. This is the Liberal record of inaction for our children.

Last, there is sexual relations with children, the age of consent and the legal problem, and the Liberal record of failure to protect the vulnerable in our neighbourhoods.

I am talking about what the minister said. He hires Department of Justice officials and seeks their advice. Unfortunately, he gets very poor advice. We are saying that Canada needs moral and administrative leadership.

Mr. Kevin Sorenson: Mr. Speaker, I appreciated the eloquence with which the member brought forward some of the concerns that he had with the justice minister. He passionately talked about Bill C-20 and how the minister felt that it will solve all the problems. Bill C-20 will not solve the problems; it may become a massive problem.

One of the worst things we could believe in is a sense of security when there is nothing there. We have a sense that something is being looked after and Canadians believe that child pornography will be addressed in Bill C-20. That may be all that the average "Joe Lunchbucket" understands; however, in reality, it is not being addressed one bit.

Every bit of expert advice tells us that child pornography is a risk to children. There is no one who can say that child pornography does not pose a risk.

I believe that Canadians place a higher priority on the protection of children from risk of harm than they place on any defence dealing with artistic merit or public good. If we were to ask Canadians who go to work eight hours a day what they believe is most important, whether to protect children from this type of filth that is on the Internet and this type of pornography or to allow the defence of artistic merit, I think the answer would be very clear.

Defence counsel thrive on inconsistencies, technicalities, holding things up in court, and playing out whether or not this is a legitimate public good.

The justice minister was arguing about the public good and how it would be the protection of what is needed in Bill C-20. I think some of the ways that we can solve the problem with public good is to make it very clear. Does this questionable piece of so-called art or pornography, or whatever it may be deemed, serve a greater public good or is it more pornographic and dealing with illegal types of sexual activities? Is it descriptive of that?

What is best? We have to do the balance sooner or later. Is it more public good or is it more sexually pornographic material?

Those who would argue for public good or artistic merit do not want that type of standard set. They want the small little question placed, is there any artistic merit? And on would go the court cases. The best thing the government could do is to say that it will not be tolerant of child pornography and of those who prey on our innocent.

As a father of a young daughter, 11 years old and a son, eight, it absolutely turns my stomach to see those individuals who would prey on young people. We need a government that will have the courage and boldness to stand up and say that it is intolerable and it will not allow it.

● (1550)

Mr. Shawn Murphy (Hillsborough, Lib.): Mr. Speaker, I am pleased to speak to this very important motion. We have heard it during the debate and it goes without saying that the issue of child pornography is a concern for all members of the House and indeed for all Canadians.

All child pornography exploits children. Any defence that would allow for the further exploitation of children should not be tolerated. I believe that the House is unanimous on this issue. We as parliamentarians must do everything within our power to eliminate child pornography in our society.

We are also dealing with some very challenging and complex matters on the whole issue of child pornography. We are dealing with the Internet. We are dealing with emerging technologies. It takes tremendous resources just to keep up with what is going on in society. We are also dealing with the interjurisdictional transfer of pictures and images which makes law enforcement that much more difficult to deal with.

The priority of the government, as was reflected in the Speech from the Throne, is child pornography. Despite what sometimes appears to be a divergence of opinion, which the last speaker talked about and we are going to get that every day here, on the best way to protect children against sexual exploitation, I think all hon. members share the common concern and objective that we all want to better protect our children against this form of sexual exploitation.

The child is exploited when the picture or image is taken and the child is exploited each and every time that picture or image is transmitted wherever. There is no question this is of great harm to our children and it is of great harm to our society.

As I understand today's motion it seeks to respond to the issues that flow from the R. versus Sharpe decision. Similarly Bill C-20, an act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, which the Minister of Justice tabled on December 5 last year also responds directly to the issues flowing from the Sharpe decision.

It is my view that Bill C-20 directly responds to the issues raised by today's motion. It is appropriate to consider Bill C-20 and this motion together, which is being done. They are parallel situations.

We want to protect children against sexual exploitation. We are seeking sentence reforms. Bill C-20 facilitates the testimony of children and it creates a new offence of voyeurism.

As hon. members will recall, John Robin Sharpe was convicted. A lot of people forget that. He was convicted on two counts of possession of pornographic photographs of children. Unfortunately he was acquitted on charges of possessing written child pornography for the purpose of distribution or sale on the basis that these writings did not advocate or counsel unlawful sexual activity with children as required by the existing definition of written child pornography.

In the alternative, the court went on and found that Mr. Sharpe could avail himself of the defence of artistic merit. Quite correctly and quite rightly there was a public outcry over that decision. Like many of the members who have spoken on debate today, I found the decision disgusting. It certainly was not in accord with Canadian values as we know them.

Bill C-20 was introduced last December. It proposes a number of criminal law reforms that will provide children with increased protection against all forms of exploitation, including against sexual exploitation through child pornography. Two child pornography amendments are proposed that directly respond to concerns flowing from the Sharpe decision.

● (1555)

First, Bill C-20 proposes to broaden the existing definition of written child pornography to include not only material that advocates or counsels sexual crimes against children under 18 years, but also written material that describes prohibited sexual activity with a child where the written description of this activity is the dominant characteristic of the material and the description is written for a sexual purpose. In this way the proposed amendment to broaden the existing definition of written child pornography recognizes the very real risk of harm that such material can pose to children and to society by portraying children as a class of objects for sexual exploitation.

Second, Bill C-20 proposes to narrow the available defences. As has been stated here this afternoon, we currently have two defences, one for material that has artistic merit or serves an educational, scientific or medical purpose, and another for material that serves the public good.

I would suggest that there may be some misunderstanding of what the public good defence does, what it means and what it does not mean. Its meaning may not be immediately obvious to some, particularly for those less familiar with criminal law. It is nonetheless a defence that is known to courts in Canada. It is also a defence that has recently been considered by the Supreme Court of Canada in the specific context of child pornography.

This defence certainly does not mean that child pornography is good. I do not think any of us would ever say that. It does mean that in certain circumstances a person should not be convicted of a child pornography offence where the act or material in question serves the public good and, this is important, the benefit of that actual material to society outweighs any associated risk of harm.

The last speaker talked about being at a meeting with police officers and I understand there was another meeting held in the House and there was obviously possession of child pornography. Pictures were shown which were repulsive and disgusting, but it was obviously in the public good. They were just trying to show how disgusting this material was and how we as parliamentarians should do something. If the public good defence were not available, I submit that the police officers could have been charged and put in jail, as could the members who were present at the meeting. It would create a strict liability offence. Hon. members should think about it. What is their defence?

It will benefit Canadian society to enable police to possess the child pornography for these purposes which, and I come back to my second test, clearly outweigh the risk of harm that such possession possesses. The law must take into account all possibilities. Bill C-20 does exactly that.

While this again has been debated this afternoon, it still may be possible, although I cannot visualize it myself, for art to be considered under Bill C-20's public good defence. Bill C-20 proposes a different test from the existing test for artistic merit which was talked about in the Sharpe case. Under the existing artistic merit defence, material that is objectively shown to have artistic merit benefits from the defence of artistic merit. That is under the existing Sharpe decision. Nothing further must be shown.

● (1600)

However, under Bill C-20 such material must also undergo a second level of analysis such that even if the material in question can objectively be shown to have some artistic value, it will not have a defence where the risk of harm that such material poses to society outweighs any potential benefit that it offers. I cannot visualize how anyone like Robin Sharpe or a similar offender would benefit from this defence. No defence will be available for any material or act that does not satisfy both branches of the public good defence.

Bill C-20 is not perfect. We do not live in a perfect world, but I submit that it responds effectively to real concerns about child pornography. There appears to be no dispute in the House about the need to deal with this issue and Bill C-20 is a vehicle to make the necessary reforms.

Bill C-20's proposed child pornography reforms directly respond to concerns that were expressed following the Sharpe decision. As I said at the outset of my remarks, I believe this is what today's motion seeks to do. As well, like the other speakers, I want to congratulate the member for Wild Rose for bringing this motion forward and having this debate today because this is a very important and significant issue for all Canadians.

The timing of this motion is opportune as I understand that Bill C-20 is presently before the Standing Committee on Justice and Human Rights.

In closing, I want to suggest that our support for Bill C-20 will in effect help us realize our support for today's motion.

Mr. Peter Goldring (Edmonton Centre-East, Canadian Alliance): Mr. Speaker, I have a question and a general comment on the member's speech. My feeling is that the member's support and encouragement for Bill C-20, based on a broader definition and narrow offences, is not supportable on this side. It still is very confusing. This has been recognized by most all authorities.

The question I want to ask the member more specifically is on the Charter of Rights and Freedoms. It appears that the rights of the criminals to be free and the rights to somehow clarify and save from litigation freedoms of expression and artistic merit seem to carry much more weight in the expression of the speech he has just made, but what about the right of our children to be secure and the right to be protected from harm? We seemingly are decreasing continually the rights of our children to safety and security while the criminals seem to have more and more rights and weaker and weaker penalties. Whose rights are more important?

How does Bill C-20 alter the provisions in the Charter of Rights and Freedoms to better protect our children at the end of the day? Perhaps the member could answer that question.

Mr. Shawn Murphy: Mr. Speaker, there is no priority to rights or freedoms expressed in the Charter of Rights and Freedoms. These rights and freedoms are for all Canadians. There is no priority in it at all.

I will be the first to admit that Bill C-20 is not perfect. If we could do it, we as parliamentarians would like to enact legislation that would stamp out child pornography today, but unfortunately, we do not live in a perfect world. We are dealing with all sorts of technology, devices and difficulties in prosecution. I believe that Bill C-20 is effective and it is certainly a big improvement over what is presently there.

● (1605)

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I would hope that the hon. member for Hillsborough is not saying that the mover of this motion is being opportunistic in bringing forward this issue while we are debating Bill C-20 in another forum. I am not in that party, but I know the member for Wild Rose has been raising this issue time and time again. Any time we can talk about this issue in the House of Commons to bring light to this very serious illness that faces our country, it is a wonderful way to go.

The hon. member for Hillsborough indicated that we should do all we can to stamp out child pornography. I have a private member's bill on Internet pornography that would make providers of Internet services partially responsible for what they provide in terms of Internet services. It means that they themselves would also have to take part in monitoring the sites to ensure that any child pornography that they picked up was immediately sent to the RCMP or local police forces for investigation. Would the member support that type of initiative?

Mr. Shawn Murphy: Mr. Speaker, I certainly did not suggest nor did I intend to suggest that the hon. member for Wild Rose is being opportunistic. It just happens that this supply day motion is being debated at the same time.

As the learned member has pointed out and as everyone in the House is aware, the hon. member for Wild Rose has been working on this issue for a number of years. He is committed to the cause. I congratulate him on behalf of Canadians and I thank him. We are not dealing with a perfect world, but I believe it is up to all parliamentarians to do everything we can on this issue.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, I want to clarify one thing. I hope I did not hear the hon. member correctly. He can correct me if I am wrong. I heard him say that public good ought to stay in as a defence. He must not have heard the opening comments on the motion and he must not have read it carefully, because there is one key word in it, and that word is exploitation. There is no public good in exploiting children through pornography. That is the whole point of the motion. It simply means that public good would not be a defence for anyone who chooses to exploit children.

Surely he does not believe that the police who would have possession of these items would exploit children. Surely he does not believe that psychiatrists or psychologists who have these items would exploit children. They are not included in this. We are talking about individuals in possession of this material and who dare to exploit those children through that. That is the clarity, but it did not come across that way in his speech.

Lastly, let me say that I appreciate the member's support, but Bill C-20 must immediately react to the motion today if his party is going to support this motion. It must happen immediately.

Mr. Shawn Murphy: Mr. Speaker, I did not intend to say that at all. I agree with the gist of this motion and with the last three words. Exploitation is there. There has been some debate about eliminating all defences, but we cannot do that. Murder is just as disgusting, but some defences are available.

As for the motion as worded by the member for Wild Rose, I support it 100% and I certainly will be standing here in the House voting for it.

Mr. Peter Stoffer: Mr. Speaker, again I go back to the hon. member and my question regarding Internet providers.

Would he support any kind of motion or bill which indicates that the providers of Internet services themselves have to take some responsibility in terms of child pornography for what they provide throughout this country, and that if they find something on the services they provide they indeed would inform the proper authorities in order to meet what everyone here is saying today, that is, we must do everything in our power to stamp out child pornography?

● (1610)

Mr. Shawn Murphy: Mr. Speaker, I prefer to keep my comments to this particular motion. I have not seen the bill. I have not studied it. I have not analyzed it. Certainly I would agree with the speaker's last words, "We must do everything in our power to stamp out child pornography". I agree with him on that.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I listened to the member's speech. I know he is a lawyer. When we went through some of the debates on Bill C-20, the issues of artistic merit and public good, these nebulous ideas, came up. I wonder if the member could give us his comments about balancing the interests of two parties, that is, the need to protect the public good and the need to protect those who might argue artistic merit. If there is no rehabilitative progress demonstrated by people who have a preponderance or propensity to be possessors of pornography or to be pedophiles or whatever, is there in our system a bias which would say that if we are going to err, then we should err on the side of protecting the children before the rights of another?

Mr. Shawn Murphy: Mr. Speaker, the difficulty we sometimes get into with these arguments is that we argue the law based upon the case we are talking about. I can go right back to the Sharpe case for that matter, but other factual examples have been illustrated here this afternoon, which everyone in the House and everyone in this country find disgusting. Any talk or suggestion of or any lawyer getting up on his hind legs and talking about artistic merit is ridiculous and should not be countenanced by the judge or by society.

There would be a certain element of artistic merit, but we must not forget that there are two tests now and the benefit has to outweigh the harm. I do not see how it could ever come to be, in the situations we are talking about, in regard to the offenders we are talking about, or what is going on out there, that artistic merit would enter into the equation at all.

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, it is not always a privilege to have to stand in these kinds of debates, but it is a privilege to stand on behalf of the children of our nation. I will be splitting my time with the hon. member for Edmonton North.

First of all, I want to talk a little bit about the reality of child pornography. There was a headline story on *CTV News* on January 16 about a global pornography investigation covering more than 2,300 people in Canada. That is only one investigation and that is how many people they found connected in our country, so we cannot dismiss this problem as being somewhere else in the world.

As a part of the conference entitled "Rethinking The Line: The Canada-U.S. Border", Dr. Max Taylor of the University College, Cork, Ireland, said that each week his team collects about a thousand child pornography images from 60 different Internet news groups and that there is quite a number of children being added to these sites every week as time goes on. It is a growing problem and we need to remember that.

Bill C-20 has its weaknesses. The bill does not address sufficiently how to get the convictions and how to cut down on this international problem.

We sometimes forget about the plans of the pornographers. We pass over that and we talk about things such as community good or artistic merit.

However, the plans of the pornographers are these. Number one is to familiarize, to familiarize the community and familiarize children with these kinds of scenes because that leads to desensitizing them. The children become less sensitive to those kinds of things. They begin to accept them as normal. In other words, they sanitize. They familiarize and desensitize and then they sanitize it until it seems like that is what everyone else is doing, which then makes it more normal.

So the guard comes down. The red flags are buried. The pornographers can then move on to tantalize and actually tempt people to move into sexual experiences with other kids, with adults and in all kinds of situations that are set out. There is no reason for this kind of pornography to be made other than to use it as a tool to recruit and enlist other victims.

The results of sexual abuse on children are so awful and so terrible that we are very hesitant many times to speak about that. I want to make that the major part of what I want to say today.

I will read a quote for members, the source of which is a book by Tsai and Wagner, 1984:

> Sexual victimization may profoundly interfere with and alter the development of attitudes toward self, sexuality, and trusting relationships during the critical early years of development.

It interrupts the development of a child.

Then, from Whitlock and Gillman, in 1989, there is this quote:

> Sexuality is regarded not simply as a part of the self limited to genitals, discrete behaviours, or biological aspects of reproduction, but is more properly understood as one component of the total personality that affects one's concept of personal identity and self-esteem.

There is a great impact, in other words, on the life of a child who has experienced sexual abuse.

I asked Kathy Broady, the clinical director of AbuseConsultants.com, for a quick, short list of consequences observable in children who are suffering from sexual abuse. Let me give part of that list and then follow with a quote from Ms. Broady.

● (1615)

She wrote as number one: fear, mistrust, abandonment issues, intense clinginess to the safe person, and no trust in people. Number two: withdrawal from friends or no friends, no normal play, not smiling, and not happy, and the withdrawal from society continues in comparison to how serious the abuse is. Number three: depression, suicidal thoughts and behaviour, anger, acting out, and serious misbehaviour. Number four: eating disorders, self-injuries, and addiction to drugs, alcohol and other substances.

I have heard of how some of these children act when they are being sexually abused; they can be very young and do this. Sometimes we might see a child sitting alone, sitting in a corner or sitting in a private place, and we might see that child rocking. We might see that child displaying nervous symptoms or slapping itself, hitting itself on the head or pulling its own hair. Sometimes that is what happens when children are being subjected to sexual abuse, and that abuse does not even have to be severe.

Ms. Broady has given me this quote:

> Severe childhood sexual abuse literally steals a lifetime of productivity, happiness, fulfillment, and peace from its victims.

The Internet and child pornography on the Internet and in other forms is a recruiting tool to reach children and to bring them in to the sex trade on many occasions.

Children who have been severely sexually abused and sold into the sex slave industry experience a great number of negative impacts. I am going to give members only a few of those listed by survivors in a survey that was done by AbuseConsultants.com, a survey, by the way, in which those impacts cover 50 pages in a book. I will give members less than one page.

The first category was "constant fear and no sense of safety or security anywhere, any time". The survivors listed these points:

> One: Constant fear about something, anything, always. Two: No peace, no ability to relax, constant hyper-vigilance. Three: Inappropriate or extreme responses to problems. Four: Always waiting and anticipating the next bad thing that will happen. Five: Very fatalistic thinking, preparing for doomsday—because "bad stuff" did happen so frequently, repeatedly, it was the one constant that could be expected, therefore, "it's best to always be prepared for and expecting the worst".

Those were comments made by abuse survivors. There is one more category: self-harm. It may come as a surprise to some as to what actually can happen. It is as follows:

> One: Cutting—wrists, arms, legs, stomachs, breasts, genitalia, face, absolutely anywhere. Two: Burning—by cigarettes, fire, stoves, scalding water. Three: Stabbing—legs, stomachs, vagina, abdomen.

Mr. Speaker, I remind you, these are the things these victims are doing to themselves. It is not the abuse; it is what they do to themselves because of the abuse.

Also included are:

> Five: Slapping face, legs, private areas, anything anywhere. Six: Mutilation of any sort in any place by any means. Seven: Scraping layers of skin off the entire face or genitalia. Eight: Strangulation, hangings. Nine: Overdoses of drugs and alcohol. Ten: Jumping off bridges or throwing themselves in front of traffic.

This problem creates some horrendous repercussions. I will quote from a book by about five authors, not all of whom I will list:

> Early identification of sexual abuse victims appears to be crucial to the reduction of suffering of abused youth and to the establishment of support systems for assistance in pursuing appropriate psychological development and healthier adult functioning. As long as disclosure continues to be a problem for young victims, then fear, suffering, and psychological distress will, like the secret, remain forever with the victim

I say that because there is something that resides there and so many people deny the awfulness of this.

What is the responsibility of Parliament? It is the protection of the citizens, protection of the vulnerable; it is to deal with the truth and make value judgments, making sure that the laws of this country are the very best possible.

● (1620)

We cannot allow Bill C-20 or any other bill that would address child pornography to fall so far short of dealing entirely with the situation and that would be to do. In the words of my colleague from Wild Rose, let us stamp out child pornography.

* * *

BUSINESS OF THE HOUSE

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, there have been consultations among all parties in the House through the House leaders regarding Bill C-36. I am very pleased to announce that an agreement has been arrived at. It will take me a couple of minutes to read it into the record and to seek the unanimous consent for which it has already been agreed. A copy of what I am going to say has already been served to the desks across the way and the table also has a copy. I move:

> That Bill C-36, in Clause 21, be amended by replacing lines 33 to 40 on page 9 and lines 1 to 26 on page 10, with the following:
>
> Works not public before December 31, 1998
>
> (3) Where
>
> (*a*) a work has not, before December 31, 1998, been published or performed in public or communicated to the public by telecommunication,
>
> (*b*) subsection (1) would apply to that work if it had been published or performed in public or communicated to the public by telecommunication before December 31, 1998, and
>
> (*c*) the relevant death referred to in subsection (1) occurred after December 30, 1948 and before December 31, 1998, copyright shall subsist in the work until the end of 2048, whether or not the work is published or performed in public or communicated to the public by telecommunication after December 30, 1998.
>
> Works not public before December 31, 1998
>
> (4) Where
>
> (*a*) a work has not, before December 31, 1998, been published or performed in public or communicated to the public by telecommunication,
>
> (*b*) subsection (1) would apply to that work if it had been published or performed in public or communicated to the public by telecommunication before December 31, 1998, and
>
> (*c*) the relevant death referred to in subsection (1) occurred before December 31, 1948, copyright shall subsist in the work until the end of 2006, whether or not the work is published or performed in public or communicated to the public by telecommunication after December 30, 1998.

Those are the changes unanimously agreed to and I submit them to the House for unanimous consent.

● (1625)

The Acting Speaker (Mr. Bélair): Is there unanimous consent to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

LIBRARY AND ARCHIVES OF CANADA ACT

Bill C-36. On the Order: Government Orders

> October 28, 2003—the Minister of Canadian Heritage—Third reading of Bill C-36, an act to establish the Library and Archives of Canada, and to amend the Copyright Act and to amend certain acts in consequence.

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I ask that Bill C-36, as amended, be deemed to have been now read a third time and passed on division.

The Acting Speaker (Mr. Bélair): Is that agreed?

Some hon. members: Agreed.

(Bill, as amended, read the third time and passed)

* * *

SUPPLY

ALLOTTED DAY—CHILD PORNOGRAPHY

The House resumed consideration of the motion.

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, in Bill C-20 the government proposes public good as a defence. It is such a vague term that I think it could take years for that to be defined. Experts at committee have said that the problem with putting a very vague defence into the law is that it does not serve as a deterrent and that we are going to have the courts clogged up with defendants saying that they are not guilty because they think there is a chance of public good. Would the member care to comment on that?

Mr. Larry Spencer (Regina—Lumsden—Lake Centre, Canadian Alliance): Mr. Speaker, yes, I would be glad to comment on that because I believe the defence of public good simply is another way of camouflaging and replacing the defence of artistic merit. It is just as nebulous.

I believe there is a better way to do it. If we want some kind of protection for those who may be using this kind of material, for example, the police in their investigations, the psychologists and the psychiatrists in their treatment procedures and the teachers, perhaps, we could in fact list those categories of people who, in the performance of their duties, would allowed to do that. That would be better than simply leaving something nebulous like for community good.

It does not take a whole lot of thinking to figure out there is a better way to tighten it up, and I think it needs to be tightened up very much.

Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance): Mr. Speaker, I want to thank my hon. colleague from Regina for a very fine speech today.

One concern, particularly those of us in the opposition benches have, is that very often we propose these very good motions, motions that really the government should be introducing if it were really sensing how Canadians were feeling about important issues. Oftentimes the government will vote for our motions because it believes it is bringing in legislation that includes the motion already or it simply thinks it is politically expedient to vote for them because there is an election coming or for whatever reason. We get near unanimous agreement in the House on these motions and then they simply sit and the government never does anything about them.

I think of my good friend from Prince George—Bulkley Valley who fought for years to bring in tougher laws for drunk drivers.

I think of my good friend from Langley—Abbotsford who brought in the national sex offenders registry. It passed unanimously in this House and it took the government ages to simply get on with it.

Does the hon. member have any advice for the government as to what it should do now, if indeed we have unanimous consent on this motion at the end of the day?

● (1630)

Mr. Larry Spencer: Mr. Speaker, I think the government can figure out better than we can how to speed things up. We see it doing it all the time with its stuff.

The smoke and mirrors that goes on is the first thing that needs to go. The government needs to have willingness to recognize some weaknesses in Bill C-20, fix it immediately and get it on the table in a way that will actually provide the kind of protection for which this motion asks. The fastest way I know is to put the right stuff in the bill, which is already in the process, and get it moving.

Miss Deborah Grey (Edmonton North, Canadian Alliance): Mr. Speaker, I will just introduce my remarks by thanking my partner for sharing his time with me. On a scale of one to ten, what chance does he think this has of going through.

Mr. Larry Spencer: One, Mr. Speaker.

Miss Deborah Grey (Edmonton North, Canadian Alliance): Mr. Speaker, I appreciate my friend from the other part of Saskatchewan splitting his time with me.

This is kind of a sad day. I have been sitting on House duty since 10 a.m. listening to the discussions on something that seems to me should not take a whole lot of discussion. We should have been able to put this through before morning coffee. We have been talking about it six ways to Sunday. We have been comparing it to Bill C-20. Surely we could just get this done.

Why in the world do we need to discuss perhaps the merits of Bill C-20, the merits of artistic merit, the merits of what the public good is when we see that sexual predators are allowed to do the stuff they do because they think it is all right? This is absurd.

We talk about the artistic merit of something. We could go to an art gallery. It seems to me that if we checked the heart rate and the heartbeat alone of people who are looking at art on the wall versus this kind of junk, child pornography, that ought to be enough to do it.

Some of these discussions today make me think we are talking about some volumes in the Library of Parliament. There has been so much sort of academic chat about this filth, that does not deserve to be talked about, as if it is academic stuff. Let us put it where it belongs. It is filth. It is disgusting. It is disgraceful.

I do not think we should be wasting a whole day in the House of Commons on it quite frankly. It is a sad thing that it has had to come to that.

Why can we not just pass the motion and say absolutely. However, that someone is allowed to go through the courts like Robin Sharpe and say that is just for his good, at whose expense? It is always the child who is the victim.

I can hardly believe that we would need to get into a discussion about this, about whether it is really okay or whether it is not, whether it will get distributed or whether it will get sold. Why do we need to waste time on this? I bet the people who are sitting in here can hardly believe it. Yet the minister today said Bill C-20 would look after all that.

He could turn this political and say that the opposition is just creating havoc or making a fuss. My friend from Wild Rose has been talking about this year after year after. Yet the minister does not need to worry about us. Let him listen to the Toronto Chief of Police for starts or the Canadian Bar Association. These people are not politicians. They are operating on the front lines and seeing this filth day after day.

When Paul Gillespie showed members of Parliament the kind of stuff that police officers had to look at every day, it was sickening. Somehow we can just treat this as though it is academic volumes. Shame on this House of Commons. Shame on the member over there who said earlier that with public good the cops could not have shown us that kind of stuff, that they would have been charged with it. There is some kind of logic.

Forgive me, I am blond, but I am not that dumb that they would be charged with the public good. They need this in there for defence, for showing members of Parliament how despicable this stuff is. No, they do not need any defence for public good. They need to show us that. If every member of Parliament watched this for about 45 seconds, we would not have wasted a day of debate here.

We can get this thing under control right now. When the police say that it will not curb it and when the bar association says it will not solve the problem, that is good enough for me frankly. Praise God, I do not need to look at that stuff every day.

I tell the members this. With stepchildren and with the many foster children whom I raised, I am just sick to death to see these people. These are people who these young kids know, who they are related to but most of all who they trust. These people abuse trust day after day.

● (1635)

Before I came here I taught school for 10 years. I understand the position of being an adult and working with children in a position of trust. I see this trust being blown apart by these people every single time they commit these wrong criminal acts. Let us put it right where it belongs. This stuff is filth. There is no way anyone can convince the victims that this has artistic merit. One just has to look at the kids who are being subjected to this. Is this somehow in the public good? I do not think they would say that.

Let us solve this today. Let the government go ahead with Bill C-20. It can trump whatever it likes. I do not care who gets credit for this. All I know is that these kids, who are innocent victims, have any number of pathetic implications that go on for the rest of their lives: sexual dysfunctions, addictions and psychological problems.

I do not know how we can stand here and have this little discussion saying that maybe Bill C-20 will be the answer if the cops and the lawyers say that it is not the answer and we should not worry about what the politicians on the other side say. We should take their word for it and do something about it.

For goodness sake, let us make sure that we call a spade a spade. It is filth. It is disgusting. These people collect it like stamps or baseball cards or something like that. It is wrong. It is criminal. It is evil. We should stand up in this place and say that it is enough already. Let us move forward with this tonight. Let us not talk about it like it is some artistic work.

I do not understand some modern art. Sometimes I stand and look at it and wonder what it is. However I would recognize every single piece of smut that is child pornography for what it is. It is wrong. It is disgusting. It is evil. Let us stand together in the House of Commons as 301 people and do something rather than just yap, yap, yap about it. Let us get this job done.

● (1640)

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, if anyone in the House had followed me on four different occasions when I dealt with children as young as in grade two who have been maimed for the rest of their lives because of what my colleague calls pure filth, and followed these people through the course of their lives, they would have seen that one committed suicide and three others had real problems in their lives. Let me say that there is no defence. My colleague very proudly said that we should remove all defences. There is nothing in the bill that will really stop what is going on.

I say to my colleague from Edmonton North that we have enough courage. Does she think the government has enough courage to stand with us and say that there is zero tolerance for this material?

Miss Deborah Grey: Mr. Speaker, I am sure the four people the member mentioned are only four out of millions who have had great difficulty somehow adjusting. When life is great, it is hard enough, is it not, when we are talking about relationships and families and colleagues working together? Let us not pit the government against opposition. Let us just take the wall right out from along the middle here and say that we are people sitting in a circle who need to do something about this.

This is the fourth Parliament that I have sat in, Mr. Speaker, as it has been yours. What gets done? We are ready to leave because we basically have two prime ministers now and we are all more worried about that. I say that we should forget that and get on with the job of passing the motion and not just trumping ourselves for the great job we did. As my colleagues have mentioned, lots of things have been passed in the House, but let us get it done.

Let us make sure that the police say that it was not only passed but enacted so that our kids are safe, whether it is on the Internet or the physical or sexual abuse that they are going through, all these horrifying things. I ask the government to forget that it is the government. I ask all opposition members to forget they are the opposition. Let us enact this and move it ahead.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the member was right in her assessment. There probably is no one in this place who would disagree that the possession and existence of child pornography means that a child must have been abused.

I want to ask the member to comment on our social values and the hypocrisy of our social values in the context that as long as a person has not reached his or her 19th birthday, he or she is considered to be a child. We are abhorred by the degrading representation of a child. However one day later, when a person reaches his or her 19th birthday, all of a sudden there is no longer a problem.

Would the member like to comment on our social condition in Canada with regard to degrading depictions of human beings?

Miss Deborah Grey: Mr. Speaker, I only wish that everything could be afforded to people who are turning 19. He talks about becoming an adult at age 19, where a person is protected one day and the next he or she is not.

How about 14? Let us talk about people who are 14 years old. I taught junior high for 10 years. Fourteen is a very difficult age. We have all been there. It was not a pack of laughs when we were there and it is even that much more difficult now.

When I see potlickers preying on these young people, not at 19 when hopefully we know a few more things than we did at 14, why can we not stand up and say that other countries have it at 16 why can we not? The fact that the government continues to think that 14 is okay is very frightening.

We need to pick an age somewhere but when the hon. member says 19 in terms of adulthood, let us look at 14 and social values and how important it is to say that 14 is not old enough to determine sexual consent. Let us make it 16 and then we will worry about the 19 year olds after that.

● (1645)

Ms. Judy Sgro (Parliamentary Secretary to the Minister of Public Works and Government Services, Lib.): Mr. Speaker, I am pleased to speak to this issue today and, specifically, to follow my colleague on the other side of the House from Edmonton North. It will be a sad day when we no longer have her in the House standing up and arguing issues that matter to all of us.

The motion on the Order Paper today is about how we can better protect children from all forms of sexual exploitation, including child pornography. Protection of our children from such exploitation is a continuing priority for the government as reflected in last year's Speech from the Throne, and I think we will see that reflected in the vote that will happen in approximately one hour from now.

The motion on the table today calls upon the government to protect children from further sexual exploitation by immediately eliminating all defences for the possession of child pornography which allow for the exploitation of children. When we look at some of the things that people use as a defence for what they call art and various other things that they try to get away with and say that it is not sexual exploitation, any of us who have actually looked at some of the stuff know clearly that it is. The sooner we eliminate any portending avenue of defence the better.

Child pornography is an issue that concerns all Canadians. The making of a child pornographic image is in fact the making of a permanent record of the sexual exploitation of a child being depicted in that image. That same child is further exploited with every subsequent distribution and viewing of that awful image.

Child pornography in all its forms harms children and all segments of Canadian society by portraying children as sexual objects.

Today's motion therefore speaks to an issue that is a priority for both the government and for Canadians, and it is long overdue.

As the Minister of Justice has already stated, Bill C-20, which he introduced in December 2002, proposes child pornography reforms consistent with today's motion. This just brings it along a little faster. Bill C-20, an act to amend the Criminal Code, which is the protection of children and other vulnerable persons, and the Canada Evidence Act, proposes a broad range of criminal law reforms that seek to better protect children against abuse, neglect and sexual exploitation, including child pornography.

The opposition's motion today would strengthen Bill C-20 and help move it in the direction in which I think we all want it to go. Bill C-20 proposes strengthening reforms to ensure that the maximum penalties for offences against children better reflect the serious nature of offending against children. Bill C-20 proposes reforms that will facilitate testimony by child victims and witnesses, and other vulnerable victims and witnesses in criminal justice proceedings. It also proposes the creation of a new offence of voyeurism.

The bill proposes two child pornography reforms that are consistent with the motion today and which respond in a very direct and meaningful way to issues highlighted by the March 2002 case involving Robin Sharpe. In that case, as many members know, Robin Sharpe was convicted of possession of photographic images of child pornography but acquitted of possession for the purpose of distribution or sale of written stories describing child sexual abuse on the grounds that these stories did not meet the current definition of written child pornography. I am glad I was not involved in that case because I certainly would not have agreed with that decision.

Bill C-20 proposes to broaden the definition of written child pornography. Currently, written child pornography is defined as written material that advocates or counsels unlawful sexual activity with a young person under the age of 18. Bill C-20 would broaden this definition to include written material that describes prohibited sexual activity with a child, where the written description of the activity is the dominant characteristic of the material and the written description is done for a sexual purpose. Significantly, this proposed motion recognizes the risk of harm that such material can pose to society by portraying children, as a class, as objects for sexual exploitation.

Bill C-20 also proposes to narrow the availability of the existing defences for child pornography. The Criminal Code currently provides two defences: one for material that has so-called artistic merit, or serves an educational, scientific or medicinal purpose; and another for material that serves the public good but does not go beyond what serves the public good. I think that is an area that is still up for much debate and discussion.

● (1650)

Bill C-20 proposes to merge these two defences into a single public good defence and in doing so would introduce an important new second step in the analysis of when a defence to a child pornography offence would be available for all child pornographic materials and acts.

Under Bill C-20 a court would be required to consider whether the act or material in question serves the public good. If it does, then the court must consider a second level of analysis: does the act or material go beyond what serves the so-called public good.

Stated in another way, the second test asks whether the risk of harm that such an act or material poses to society outweighs any potential benefit. If the risk of harm exceeds the public good, for example,—because it allows for the exploitation of children as condemned by today's motion—then no defence would be available or should be available.

Today's motion addresses an important issue and calls upon the government to act immediately. Bill C-20 is currently being reviewed by the Standing Committee on Justice and Human Rights. Hon. members can give immediate effect to this motion by supporting Bill C-20 at the justice committee, getting it into the House, and ensuring swift passage.

I wish to congratulate the opposition for moving this agenda forward and assisting the government, and ensuring the safety of our children.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, I would like to thank the member for participating in the debate and for her remarks.

In fact, I would like to thank all members who spoke on this particular motion today. I especially want to thank the member for Edmonton North when she put the fire into the spirit about this critical issue that needs to be addressed.

We had the Minister of Industry in the justice portfolio for a while. The present Minister of Health was there for a while and now this minister has been there for a while. I find it amazing that in 10 years this had not been seriously looked at, and even before that. If I were the Minister of Justice, I would be aware of what is out there. I would walk into the House and make an announcement that today we are getting rid of this filth and evilness that is happening to our children. I cannot believe it is taking forever and ever.

It has been said over and over that Bill C-20 must be fixed if it is going to do the job of eliminating child pornography from the face of our country. I am sure the member would agree that it should be gone. Who needs that kind of junk hanging around? We can do it.

I am going to ask the member, is she prepared—and I know this may pass unanimously and that would be great—to join me and other colleagues in the House to dog this justice minister until it is done? I do not want her to just say yes to that and then let it sit like so many other motions. Let us dog him until it is done. Will she help me do that?

If worse comes to worse,—in the wisdom of the people who developed the Charter of Rights and Freedoms and put in a clause that says notwithstanding—if we come to a point where we cannot seem to accomplish anything else unless we use that clause, is she prepared to do that as a bottom line? Will she follow-through on these issues?

Ms. Judy Sgro: Mr. Speaker, I thank the member for the question.

Certainly, dogging the minister in order to get a piece of legislation as important as this through is something that we should all be doing.

The work has been going on in the justice committee for some time. Members who have an interest here, as we all should, will continue to monitor this to ensure, on behalf of all of our children and Canadians, that we get this legislation through and we tighten up whatever areas that still need to be tightened.

Frankly, if we are doing our jobs and bringing in legislation, I would think that we would not need notwithstanding this and notwithstanding that. We have an opportunity right now to ensure this legislation meets the requirements and is airtight.

Part of the problem is that it is easy when we are just talking. There are many things I would like to do, but when reality sets in we deal with a whole pack of lawyers and we have to have legislation that is error proof. Often, it seems to water down the very intent that we are trying to achieve.

We must stand back and ensure that it will stand up in the courts. What we are trying to achieve today must be airtight so that we will not end up with some challenge going to the courts. We do not want legislation thrown out that will protect our children and achieve the intent that we want.

● (1655)

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, I want to thank the member for her excellent remarks.

The hon. member touched upon something which is bothering Canadians very much. The hon. member made reference to making it airtight so it is approved by the courts.

It seems to me that Parliament is the supreme court in this land. It seems to me that we represent all the people in this land. We should be concentrating on pleasing all the people, not only the courts.

I have a real problem that in the last 20 years we are always trying to do something to please the courts. I want the parliamentary secretary to address the question, why not try to please the people first?

Ms. Judy Sgro: Mr. Speaker, at the end of the day, people have rights in this country. There is always the right of appeal and that is where the danger comes.

Let us ensure that we bring in legislation that achieves what we want and can go before a court. Sure enough, there will be people out there who think differently than those of us in this room right now. They will want to appeal this because it violates something somewhere down the line. In the meantime, the legislation is put on hold until it goes on for years while our children continue to be exploited and not protected.

Let us ensure that we are doing the legislation right. Some day the hon. member may end up on this side of the House and he will find out that it is easy to talk. However, the government must ensure that what is put down in legislation is done right. It cannot only be reflective of how we might feel from an emotional perspective.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, I have a quick question for the parliamentary secretary.

Would the member be willing to help some of us lobby the justice minister to include raising the age of consent in Bill C-20? The age of consent is not in the bill. Why?

Raising the age of consent is something that 90% of Canadians want to see happen immediately. Will she help us get that done? The Liberals have voted against that in the past. I am assuming they will quit doing that.

Ms. Judy Sgro: Mr. Speaker, there are a whole lot of reasons in and around the issue of age of consent.

I have not sat on the committee. I have not been part of the ongoing work on this particular bill. I know it has been raised. The member can ask us on a personal basis what we might like and we might have one view. There are often other reasons as to why it is that way.

Mr. Myron Thompson: Just do it. It is not difficult.

Ms. Judy Sgro: It is not as simple as someone wanting it or someone else not wanting it. No doubt there is some reason that it is where it is and Liberal members are maintaining it where it is.

Certainly, those are issues that matter and have been thought through. The Liberals have worked very carefully to ensure that Bill C-20 and the legislation is as tight as it can be to protect the children.

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, allowing any defence of child pornography to stand in law sends a message that child porn and child abuse is sometimes all right.

Does the parliamentary secretary think that the government could send a stronger message more reflective of Canadian values by eliminating all defences for exploitive possession of child pornography?

● (1700)

Ms. Judy Sgro: Mr. Speaker, I would like to ensure that we do everything humanly possibly to stamp it out completely.

When we are doing legislation, we must ensure that it achieves the goal that we want it to. Whatever we have been doing, we will continue to do. I think if we can put some more emphasis on it, that would even be better.

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance): Mr. Speaker, we are addressing a very difficult subject this afternoon, but it is a very important one. I would like to congratulate my colleague from Wild Rose who has a passion for this issue. He has been the one leading the charge in the House of Commons and in our caucus. He wants to see the government do something to protect our children.

We have heard discussions today about Bill C-20. The hon. member for York West said that members on that side of the House have worked hard to make Bill C-20 as tight as possible in order to protect children. However, we have some real problems with the efforts that the government side has made and with the justice minister's defence of the glaring loopholes in Bill C-20.

I live on Vancouver Island and represent 114,000 constituents. Robin Sharpe was in our area in Vancouver, 35 kilometres across the strait from Nanaimo. Judges in British Columbia refused to prosecute cases of child pornography for some months because of the constitutionality of the artistic merit defence in the John Robin Sharpe case.

The outrage in our community was palpable. People in my community, who I am sure are not that different from most Canadians, felt a sense of outrage that someone would justify the most vile depictions of sexual activity with children as being some form of artistic merit. People found it incomprehensible that these vile acts would go unchallenged by our courts. For months to follow, no cases of child pornography were prosecuted because of the glaring loophole of artistic merit in our law.

Bill C-20, which is supposed to protect our children, simply takes the artistic merit defence and replaces it with something the public was not familiar with, something called public good. This was done because the public was sensitized to artistic merit and was outraged by that term.

It is not good enough to simply have smoke and mirrors. It is not good enough when we are talking about protecting our children from abuse that will scar them for life. With counselling and with help, they may overcome these horrors and may live successfully. Many have, thank God, been able to overcome the horrors of abuse as children. Many carry those scars for life and many, sadly, carry them into their relationships in the future.

The consequences of seeing our children being abused costs society greatly. We on this side of the House are very concerned about it. I know members on the other side have genuine hearts of compassion and are concerned about this issue as well.

Unfortunately, we have not seen a response from the executive branch of government giving law enforcement the teeth that are needed to address this vile and degrading aspect of abuse that happens in our society.

Representatives of the Toronto police department came to the House a year or so ago. The member for Wild Rose was there as well as a number of our members. These representatives were apologetic for the material they had to present. Even their toughened officers that are trained in enforcement in criminal matters had a hard time dealing with the content of what is available today in the trafficking of pornography and the vile images of children being abused.

They apologized in advance and told us that some of us may have a hard time relating to the subject material. Many members had to leave the room as the presentation started because it was the kind of thing normal people do not want to imagine. The activities that are going on today and things that are being distributed throughout our society are so vile that the average citizen is really not aware of how evil they really are. These police officers were crying out to us as members of Parliament to do something.

● (1705)

With the volume of material they had to go through, these seasoned officers sometimes had to excuse themselves from the file. Sadly, some of them even had to take leave because they were so disturbed after spending hours going through that kind of stuff in order to build a case to see those people prosecuted.

On this side of the House we do not believe that a public good defence is good enough. We do not believe there should be any defence for feeding on this kind of vile material.

There is an ancient proverb, and one which I think is reliable, that as long as this world remains, seed time will follow harvest and harvest will follow seed time. I believe that principle to be a very sound one. A farmer might plant oats and get partway through the season and decide he should have planted wheat because it has a better price. He cannot just change in mid-season; he has to wait for that crop to come in.

I am concerned as to where this crop that is being sown in society is taking us, and it will bring a crop. We need to do some crop eradication here. This is not the kind of thing that leads to a healthy society. It does not lead to healthy individuals.

The people who feed on this kind of vile material will act on it eventually. It is not good enough to think it is for their personal use and it keeps them from acting something out. People who feed on this kind of thing will bring a crop, sadly on the people on whom they act out their vile intentions.

The public good defence is simply not good enough. It is not good enough for Canadian society. It is not good enough for our children. It should be stricken down. It should be stricken from the law as a defence for child pornography.

There are other concerns. The government is touting that it has toughened things up because it has increased the maximum penalties for criminals who are involved in this type of activity. I do not know that Canadians can continue to be misled by this toughening up because the courts hardly ever impose maximum sentences. What is the point of having maximum sentences if the courts never impose them?

That is fundamentally misleading. It gives an impression that we are actually toughening things up, that we are doing something to protect society from perpetrators of this type of evil but we really are not. When we look at the implementation, many of the sentences are conditional sentences served at home, in spite of the tough maximum sentences that appear to be there. There are minimum sentences and many of them turn out to be simply conditional sentences. That is not good enough.

All of us probably know people who have been through situations of abuse. I know some personally. I know the tragedy it causes in their lives and the difficulty they have, sometimes for many years, in recovering.

In my riding I have had quite a response over time to this issue. I have presented numerous petitions in the House. At least two of them had over 1,000 signatures. I have had a lot of letters from constituents.

Hilda Higgs of Lantzville wrote that she is appalled that someone would see anything artistic when it comes to child pornography. Members opposite would say that we do not have an artistic merit defence any more, but we do have the public good defence which amounts to the same argument for the lawyers.

Gerald Hall of Lantzville wrote that the minds of our children are too precious to allow misguided individuals like Mr. Sharpe to overturn perfectly common sense laws that are in place to protect society.

Marilyn Burrows of Port Alberni wrote expressing her concern that the decision would set a dangerous precedent for our children.

I do not believe that the concerns of these constituents have been adequately met.

Dr. Maureen Keane of Qualicum Beach wrote and asked that the age of consent be raised and that the artistic merit defence be removed. Dr. Keane raised a point about the age of consent. I know other members have addressed it as well. We have one of the lowest ages of consent in developed countries at age 14.

We feel that for an adult to subject a girl or a boy of that age to enticement, perhaps with money, perhaps with goods, perhaps with lifestyle benefits, is not good enough. The age of consent should be raised. There are other jurisdictions that have dealt with this issue, such as the U.K., Australia and most U.S. states, which have a close in age exemption. We are not talking about teenagers that might be involved, whether we approve of that or not. We are talking about adults who abuse children, to make the point clear.

● (1710)

The point about the age of consent is one which I think has to be recognized. There are many serious concerns about children being abused. It is time for the House to take action.

Madam Speaker, I should have mentioned at the beginning that I was sharing my time with the hon. member for New Westminster—Coquitlam—Burnaby.

It is a serious issue. I hope all members of the House will want to take action on it.

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Madam Speaker, I wonder if the member could comment on the recurring theme that we have heard today.

We heard of all the technical merits of getting on with the job and the limits of Bill C-20. There seems to be something deeper here about the ability of the Liberal government to manage social control legislation and the deeper philosophical malaise and almost fear to tread into that kind of moral code.

The Criminal Code itself is a grand piece of work which in essence is moral legislation. We are legislating morality when we apply the Criminal Code. The Liberal ideology seems to fall short when we get into this kind of social policy. It seems to be the fad in the political air that we are going to deal with the democratic deficit but Liberals seem to go all over the map when we try to deal with the ethical deficit. We heard that today in question period for example.

Could the member comment on the deeper philosophical inadequacy of Liberal ideology that is reflected time and again when it comes to this kind of social policy and social standards?

Mr. James Lunney: Madam Speaker, it is a problem in society. Some people call it a permissive society. A very nasty trend has developed in society where we do not want to say no to anybody about anything. It reflects an undermining of authority where parents are not allowed to discipline their children. It is a question of discipline. Even spanking a child is now brought into question. Parental authority is undermined. It affects the authority of the principals and the teachers in schools who are not allowed to touch a child. This is very pervasive in society and it seems that we do not want to say no to anything.

It is the role of government to provide laws that protect society. That means there are some issues and some times where we must say no. Frankly, it seems it is a problem with what my colleagues refer to as the Liberal philosophy. I know not all members on that side would share that extreme a philosophy that we cannot say no to people, that we cannot punish people. Yet increasingly our courts seem to have taken this up, that we cannot punish people for crimes, that we have to look at the excuses and why they did something wrong.

The proper role of government is to protect society and to establish a stable society, to establish laws that provide protection for children, for women when they are walking on the streets at night—

An hon. member: And men.

Mr. James Lunney: —and for young men as well, from criminals and violence.

Because we fail to take action we are paying a high price in society in that we put bars on our windows and security systems in our homes. We are all paying a big price for our attitude when we do not want to say no and we do not want to punish people for committing crimes and being violent. We all suffer as a consequence.

● (1715)

The Acting Speaker (Ms. Bakopanos): It being 5:15 p.m. and this being the final supply day in the period ending December 10, 2003, it is my duty to wrap up the proceedings and to put forthwith every question necessary to dispose of the business of supply.

Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Ms. Bakopanos): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Acting Speaker (Ms. Bakopanos): I declare the motion carried.

(Motion agreed to)

Mr. Myron Thompson: Madam Speaker, I rise on a point of order. I would like to take a moment to thank all the speakers who participated today. I am terribly excited because for the first time in the 10 years that I have been here, the highest court in the land unanimously, 301 people, said that we will put an end to child pornography. I applaud everyone for that.

[*Translation*]

ALLOTTED DAY—DEMOCRATIC IMBALANCE

The House resumed from October 23 consideration of the motion.

The Acting Speaker (Ms. Bakopanos): Pursuant to order made on Tuesday, October 21, 2003, the House will now proceed to the taking of the deferred recorded division on the opposition motion standing in the name of Mr. Gauthier.

Call in the members.

● (1750)

[*English*]

After the taking of the vote:

Mr. Dale Johnston: Mr. Speaker, I think you would find that the heritage minister voted, although she did not come into the House until well after the question was called and voting was well underway.

● (1755)

The Speaker: Could the Minister of Canadian Heritage clarify for the Chair whether she was in the House when the question was put to the House?

Hon. Sheila Copps: Mr. Speaker, I was under the impression that the question had been put when I came in, but if not, I would be happy to withdraw my vote.

The Speaker: Order, please. All hon. members know that the rules require that members be in the House when the question is put to the House if they are to vote on the matter. If the Minister of Canadian Heritage is saying that she was not here when the question was put but came in later, there may be some difficulty with her vote and it may be disallowed. I am seeking clarification on the point.

Hon. Sheila Copps: Mr. Speaker, I was under the impression that there would be several votes and I arrived in the middle of a vote. Therefore I am here for the next vote. I am happy to withdraw my vote if it is a problem.

The Speaker: The vote of the hon. Minister of Canadian Heritage will be disallowed on this vote but she is here for the subsequent votes.

Mr. Ken Epp: Mr. Speaker, I draw to your attention Standing Order 21 which states:

> No Member is entitled to vote upon any question in which he or she has a direct pecuniary interest, and the vote of any Member so interested will be disallowed.

I waited until the members actually voted before I raised this question. I was hoping to have raised it before the vote was called. In my 10 years in this place I have never seen a vote that more closely fits that definition. I therefore request that you enforce the provision of Standing Order 21 and disallow the votes of the Prime Minister and the member for LaSalle—Émard.

Hon. Don Boudria: Mr. Speaker, that is not at all the definition of the standing order in question. The pecuniary interest referred to has to do with voting on a bill before the House in which an hon. member would have ownership of an issue where they would gain financially.

This has nothing to do with the issue before the House. If it had—

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. member for Elk Island made his point of order and the member is entitled to respond.

Hon. Don Boudria: If it had, Mr. Speaker, those who proposed to defeat the government on this motion of non-confidence and replace the government with themselves would similarly be out of order by voting on it at all.

The Speaker: I think the point made by the hon. member for Elk Island, while no doubt interesting, is not a valid point. He will know that members are entitled to vote on matters relating to their salaries and bills that affect those things. It is tough to argue that this has anything to do with that kind of direct pecuniary interest.

Mr. John Herron: Mr. Speaker, I came into the chamber late, after the question was put, so my vote should be disallowed as well.

The Speaker: I thank the hon. member.

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

Supply

(Division No. 255)

YEAS

Members

Abbott
Anders
Asselin
Bailey
Bergeron
Breitkreuz
Burton
Cardin
Clark
Cummins
Day
Doyle
Duncan
Epp
Forseth
Gagnon (Champlain)
Gagnon (Québec)
Gauthier
Goldring
Grewal
Guay
Harper
Hill (Macleod)
Hilstrom
Jaffer
Kenney (Calgary Southeast)
Lalonde
Lunn (Saanich—Gulf Islands)
MacKay (Pictou—Antigonish—Guysborough)
Mark
Mayfield
Ménard
Merrifield
Moore
Paquette
Perron
Plamondon
Reynolds
Rocheleau
Sauvageau
Schmidt
Sorenson
St-Hilaire
Strahl
Thompson (New Brunswick Southwest)
Tremblay
White (North Vancouver)
Williams
Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Benoit
Bourgeois
Brison
Cadman
Chatters
Crête
Dalphond-Guiral
Desrochers
Duceppe
Elley
Fitzpatrick
Fournier
Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet
Girard-Bujold
Gouk
Grey
Guimond
Hearn
Hill (Prince George—Peace River)
Hinton
Johnston
Laframboise
Loubier
Lunney (Nanaimo—Alberni)
Marceau
Martin (Esquimalt—Juan de Fuca)
McNally
Meredith
Mills (Red Deer)
Pallister
Penson
Picard (Drummond)
Reid (Lanark—Carleton)
Ritz
Roy
Schellenberger
Skelton
Spencer
Stinson
Thompson (Wild Rose)
Toews
Vellacott
White (Langley—Abbotsford)
Yelich– — 96

NAYS

Members

Adams
Allard
Assad
Augustine
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Blaikie
Bonin
Boudria
Brown
Bulte
Caccia
Cannis
Carignan
Castonguay
Cauchon
Charbonneau
Coderre
Comartin
Cotler
Cuzner
Desjarlais
Alcock
Anderson (Victoria)
Assadourian
Bagnell
Barrette
Bélair
Bellemare
Bertrand
Binet
Blondin-Andrew
Bonwick
Bradshaw
Bryden
Byrne
Calder
Caplan
Carroll
Catterall
Chamberlain
Chrétien
Collenette
Comuzzi
Cullen
Davies
DeVillers
Dhaliwal
Dromisky
Duplain
Efford
Farrah
Fontana
Fry
Godfrey
Goodale
Grose
Harvard
Hubbard
Jackson
Jobin
Karetak-Lindell
Keyes
Knutson
Lastewka
LeBlanc
Lill
MacAulay
Maloney
Martin (LaSalle—Émard)
Masse
McCallum
McDonough
McKay (Scarborough East)
McTeague
Mitchell
Myers
Neville
Nystrom
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Robinson
Saada
Scherrer
Serré
Shepherd
Speller
St-Julien
Steckle
Stoffer
Telegdi
Thibeault (Saint-Lambert)
Torsney
Valeri
Venne
Wappel
Wilfert
Dion
Drouin
Easter
Eyking
Finlay
Frulla
Gallaway
Godin
Graham
Guarnieri
Harvey
Ianno
Jennings
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
Lebel
Lee
Longfield
Macklin
Marcil
Martin (Winnipeg Centre)
Matthews
McCormick
McGuire
McLellan
Minna
Murphy
Nault
Normand
O'Brien (Labrador)
O'Reilly
Pacetti
Paradis
Peric
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Robillard
Rock
Savoy
Scott
Sgro
Simard
St-Jacques
St. Denis
Stewart
Szabo
Thibault (West Nova)
Tonks
Ur
Vanclief
Volpe
Wasylycia-Leis
Wood– — 168

PAIRED

Members

Barnes (London West)
Lanctôt
Bigras
Tirabassi– — 4

The Speaker: I declare the motion defeated.

* * *

● (1800)

SUPPLEMENTARY ESTIMATES (A)

CONCURRENCE IN VOTE 7A—SOLICITOR GENERAL

Hon. Lucienne Robillard (President of the Treasury Board, Lib.) moved:

That Vote 7a, in the amount of $10,000,000, under SOLICITOR GENERAL—Canadian Firearms Centre—Operating expenditures, in the Supplementary Estimates (A) for the fiscal year ending March 31, 2004, be concurred in.

The Speaker: Is it the pleasure of the House to adopt the motion?

Ms. Marlene Catterall: Mr. Speaker, I believe you would find consent in the House that those who voted on the previous motion be recorded as voting on the motion now before the House, with the Liberal members voting yes with the addition of the member for Hamilton East.

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

Mr. Dale Johnston: Mr. Speaker, Canadian Alliance members will vote no to the motion.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, members of the Bloc Quebecois vote no to this motion.

[*English*]

Mr. Gary Schellenberger: Mr. Speaker, members of the Progressive Conservative Party will be voting no to the motion.

[*Translation*]

Mr. Yvon Godin: Mr. Speaker, members of the NDP vote no to this motion.

Mr. Jean-Guy Carignan: Mr. Speaker, I am voting in favour of the motion.

Mr. Ghislain Lebel: Mr. Speaker, I will be voting against the motion.

Ms. Pierrette Venne: Mr. Speaker, I will be voting against the motion.

Mr. Yvon Godin: Mr. Speaker, I would like to make a correction. When I recorded the vote for the NDP, the microphones got turned off. I just wanted to make sure that the vote of the hon. member for Burnaby—Douglas was not recorded, because he is absent.

Mr. Michel Guimond: Mr. Speaker, by way of correction, I would like to specify that the vote I just recorded must be recorded, but the vote of the hon. member for Laurier—Sainte-Marie should not be recorded.

(The House divided on Motion No. 1, which was agreed to on the following division:)

(Division No. 256)

YEAS

Members

Adams
Allard
Assad
Augustine
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Blondin-Andrew
Bonwick
Bradshaw
Bryden
Byrne
Calder
Caplan
Carroll
Catterall
Chamberlain
Chrétien
Alcock
Anderson (Victoria)
Assadourian
Bagnell
Barrette
Bélair
Bellemare
Bertrand
Binet
Bonin
Boudria
Brown
Bulte
Caccia
Cannis
Carignan
Castonguay
Cauchon
Charbonneau
Coderre
Collenette
Copps
Cullen
DeVillers
Dion
Drouin
Easter
Eyking
Finlay
Frulla
Gallaway
Goodale
Grose
Harvard
Hubbard
Jackson
Jobin
Karetak-Lindell
Keyes
Knutson
Lastewka
Lee
MacAulay
Maloney
Martin (LaSalle—Émard)
McCallum
McGuire
McLellan
Minna
Murphy
Nault
Normand
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Rock
Savoy
Scott
Sgro
Simard
St-Jacques
St. Denis
Szabo
Thibault (West Nova)
Tonks
Valeri
Volpe
Wilfert
Comuzzi
Cotler
Cuzner
Dhaliwal
Dromisky
Duplain
Efford
Farrah
Fontana
Fry
Godfrey
Graham
Guarnieri
Harvey
Ianno
Jennings
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
LeBlanc
Longfield
Macklin
Marcil
Matthews
McCormick
McKay (Scarborough East)
McTeague
Mitchell
Myers
Neville
O'Brien (Labrador)
O'Reilly
Pacetti
Paradis
Peric
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Robillard
Saada
Scherrer
Serré
Shepherd
Speller
St-Julien
Stewart
Telegdi
Thibeault (Saint-Lambert)
Torsney
Vanclief
Wappel
Wood– — 152

NAYS

Members

Abbott
Anders
Asselin
Bailey
Bergeron
Bourgeois
Brison
Cadman
Chatters
Comartin
Cummins
Davies
Desjarlais
Doyle
Elley
Fitzpatrick
Fournier
Gagnon (Champlain)
Gaudet
Girard-Bujold
Goldring
Grewal
Guay
Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Benoit
Blaikie
Breitkreuz
Burton
Cardin
Clark
Crête
Dalphond-Guiral
Day
Desrochers
Duncan
Epp
Forseth
Gagnon (Québec)
Gagnon (Lac-Saint-Jean—Saguenay)
Gauthier
Godin
Gouk
Grey
Guimond

Harper
Herron
Hill (Prince George—Peace River)
Hinton
Johnston
Laframboise
Lebel
Loubier
Lunney (Nanaimo—Alberni)
Marceau
Martin (Winnipeg Centre)
Masse
McDonough
Ménard
Merrifield
Moore
Pallister
Penson
Picard (Drummond)
Reid (Lanark—Carleton)
Ritz
Roy
Schellenberger
Skelton
Spencer
Stinson
Strahl
Thompson (New Brunswick Southwest)
Tremblay
Venne
White (Langley—Abbotsford)
Williams
Hearn
Hill (Macleod)
Hilstrom
Jaffer
Kenney (Calgary Southeast)
Lalonde
Lill
Lunn (Saanich—Gulf Islands)
MacKay (Pictou—Antigonish—Guysborough)
Mark
Martin (Esquimalt—Juan de Fuca)
Mayfield
McNally
Meredith
Mills (Red Deer)
Nystrom
Paquette
Perron
Plamondon
Reynolds
Rocheleau
Sauvageau
Schmidt
Sorenson
St-Hilaire
Stoffer
Thompson (Wild Rose)
Toews
Vellacott
Wasylycia-Leis
White (North Vancouver)
Yelich– — 110

PAIRED

Members

Barnes (London West)
Lanctôt
Bigras
Tirabassi– — 4

The Speaker: I declare the motion carried.

The next question is on Motion No. 2.

CONCURRENCE IN VOTE 8A—SOLICITOR GENERAL

Hon. Lucienne Robillard (President of the Treasury Board, Lib.) moved:

Motion No. 2

That Vote 8a, in the amount of $1, under SOLICITOR GENERAL—Canadian Firearms Centre—Contributions, in the Supplementary Estimates (A) for the fiscal year ending March 31, 2004, be concurred in.

[*English*]

Ms. Marlene Catterall: Mr. Speaker, I believe you would find consent that the vote on the previous motion be applied to the motion now before the House, with the exception of the member for Lambton—Kent—Middlesex who wishes to vote no.

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

Mrs. Rose-Marie Ur: Mr. Speaker, I will be abstaining.

Mr. Paul Steckle: Mr. Speaker, you will note that in the previous motion I had abstained. I want to remind the House that I am abstaining on this vote as well.

● (1805)

Mr. Lawrence O'Brien: Mr. Speaker, I want it to be noted that I will be abstaining from this vote.

(The House divided on Motion No. 2, which was agreed to on the following division:)

(Division No. 257)

YEAS

Members

Adams
Allard
Assad
Augustine
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Blondin-Andrew
Bonwick
Bradshaw
Bryden
Byrne
Calder
Caplan
Carroll
Catterall
Chamberlain
Chrétien
Collenette
Copps
Cullen
DeVillers
Dion
Drouin
Easter
Eyking
Finlay
Frulla
Gallaway
Goodale
Grose
Harvard
Hubbard
Jackson
Jobin
Karetak-Lindell
Keyes
Knutson
Lastewka
Lee
MacAulay
Maloney
Martin (LaSalle—Émard)
McCallum
McGuire
McLellan
Minna
Murphy
Nault
Normand
O'Reilly
Pacetti
Paradis
Peric
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Robillard
Saada
Scherrer
Serré
Shepherd
Speller
St-Julien
Stewart
Telegdi
Thibeault (Saint-Lambert)
Torsney
Vanclief
Wappel
Wood– — 151
Alcock
Anderson (Victoria)
Assadourian
Bagnell
Barrette
Bélair
Bellemare
Bertrand
Binet
Bonin
Boudria
Brown
Bulte
Caccia
Cannis
Carignan
Castonguay
Cauchon
Charbonneau
Coderre
Comuzzi
Cotler
Cuzner
Dhaliwal
Dromisky
Duplain
Efford
Farrah
Fontana
Fry
Godfrey
Graham
Guarnieri
Harvey
Ianno
Jennings
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
LeBlanc
Longfield
Macklin
Marcil
Matthews
McCormick
McKay (Scarborough East)
McTeague
Mitchell
Myers
Neville
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Rock
Savoy
Scott
Sgro
Simard
St-Jacques
St. Denis
Szabo
Thibault (West Nova)
Tonks
Valeri
Volpe
Wilfert

NAYS

Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Asselin	Bachand (Saint-Jean)
Bailey	Benoit
Bergeron	Blaikie
Bourgeois	Breitkreuz
Brison	Burton
Cadman	Cardin
Chatters	Clark
Comartin	Crête
Cummins	Dalphond-Guiral
Davies	Day
Desjarlais	Desrochers
Doyle	Duncan
Elley	Epp
Fitzpatrick	Forseth
Fournier	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Girard-Bujold	Godin
Goldring	Gouk
Grewal	Grey
Guay	Guimond
Harper	Hearn
Herron	Hill (Macleod)
Hill (Prince George—Peace River)	Hilstrom
Hinton	Jaffer
Johnston	Kenney (Calgary Southeast)
Laframboise	Lalonde
Lebel	Lill
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacKay (Pictou—Antigonish—Guysborough)
Marceau	Mark
Martin (Winnipeg Centre)	Martin (Esquimalt—Juan de Fuca)
Masse	Mayfield
McDonough	McNally
Ménard	Meredith
Merrifield	Mills (Red Deer)
Moore	Nystrom
Pallister	Paquette
Penson	Perron
Picard (Drummond)	Plamondon
Reid (Lanark—Carleton)	Reynolds
Ritz	Rocheleau
Roy	Sauvageau
Schellenberger	Schmidt
Skelton	Sorenson
Spencer	St-Hilaire
Stinson	Stoffer
Strahl	Thompson (Wild Rose)
Thompson (New Brunswick Southwest)	Toews
Tremblay	Vellacott
Venne	Wasylycia-Leis
White (Langley—Abbotsford)	White (North Vancouver)
Williams	Yelich– — 110

PAIRED

Members

Barnes (London West)	Bigras
Lanctôt	Tirabassi– — 4

The Speaker: I declare the Motion No. 2 carried.

The next question is on Motion No. 3.

CONCURRENCE IN VOTE 35A—SOLICITOR GENERAL

Hon. Lucienne Robillard (President of the Treasury Board, Lib.) moved:

That Vote 35a, in the amount of $21,495,721, under SOLICITOR GENERAL—Royal Canadian Mounted Police—Operating expenditures, in the Supplementary Estimates (A) for the fiscal year ending March 31, 2004, be concurred in.

Ms. Marlene Catterall: Mr. Speaker, I believe you would find consent generally in the House that the vote on Motion No. 1 of supplementary estimates (A) be applied to Motions Nos. 3, 4 and 7.

The Speaker: Is it agreed to proceed in this way?

Some hon. members: Agreed.

[*Translation*]

Mr. Yvon Godin: Yes, Mr. Speaker, except that I would like to add the name of the hon. member for Burnaby—Douglas for the vote on Motions Nos. 4 and 7.

(The House divided on Motion No. 3, which was agreed to on the following division:)

(Division No. 258)

YEAS

Members

Adams	Alcock
Allard	Anderson (Victoria)
Assad	Assadourian
Augustine	Bagnell
Bakopanos	Barrette
Beaumier	Bélair
Bélanger	Bellemare
Bennett	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Bonwick	Boudria
Bradshaw	Brown
Bryden	Bulte
Byrne	Caccia
Calder	Cannis
Caplan	Carignan
Carroll	Castonguay
Catterall	Cauchon
Chamberlain	Charbonneau
Chrétien	Coderre
Collenette	Comuzzi
Copps	Cotler
Cullen	Cuzner
DeVillers	Dhaliwal
Dion	Dromisky
Drouin	Duplain
Easter	Efford
Eyking	Farrah
Finlay	Fontana
Frulla	Fry
Gallaway	Godfrey
Goodale	Graham
Grose	Guarnieri
Harvard	Harvey
Hubbard	Ianno
Jackson	Jennings
Jobin	Jordan
Karetak-Lindell	Karygiannis
Keyes	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Lastewka	LeBlanc
Lee	Longfield
MacAulay	Macklin
Maloney	Marcil
Martin (LaSalle—Émard)	Matthews
McCallum	McCormick
McGuire	McKay (Scarborough East)
McLellan	McTeague
Minna	Mitchell
Murphy	Myers
Nault	Neville
Normand	O'Brien (Labrador)
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pacetti
Pagtakhan	Paradis
Patry	Peric
Peschisolido	Peterson
Pettigrew	Phinney
Pickard (Chatham—Kent Essex)	Pillitteri
Pratt	Price
Proulx	Provenzano
Redman	Reed (Halton)
Regan	Robillard

Rock	Saada
Savoy	Scherrer
Scott	Serré
Sgro	Shepherd
Simard	Speller
St-Jacques	St-Julien
St. Denis	Stewart
Szabo	Telegdi
Thibault (West Nova)	Thibeault (Saint-Lambert)
Tonks	Torsney
Valeri	Vanclief
Volpe	Wappel
Wilfert	Wood– — 152

NAYS

Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Asselin	Bachand (Saint-Jean)
Bailey	Benoit
Bergeron	Blaikie
Bourgeois	Breitkreuz
Brison	Burton
Cadman	Cardin
Chatters	Clark
Comartin	Crête
Cummins	Dalphond-Guiral
Davies	Day
Desjarlais	Desrochers
Doyle	Duncan
Elley	Epp
Fitzpatrick	Forseth
Fournier	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Girard-Bujold	Godin
Goldring	Gouk
Grewal	Grey
Guay	Guimond
Harper	Hearn
Herron	Hill (Macleod)
Hill (Prince George—Peace River)	Hilstrom
Hinton	Jaffer
Johnston	Kenney (Calgary Southeast)
Laframboise	Lalonde
Lebel	Lill
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacKay (Pictou—Antigonish—Guysborough)
Marceau	Mark
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Masse	Mayfield
McDonough	McNally
Ménard	Meredith
Merrifield	Mills (Red Deer)
Moore	Nystrom
Pallister	Paquette
Penson	Perron
Picard (Drummond)	Plamondon
Reid (Lanark—Carleton)	Reynolds
Ritz	Robinson
Rocheleau	Roy
Sauvageau	Schellenberger
Schmidt	Skelton
Sorenson	Spencer
St-Hilaire	Stinson
Stoffer	Strahl
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Toews	Tremblay
Vellacott	Venne
Wasylycia-Leis	White (Langley—Abbotsford)
White (North Vancouver)	Williams
Yelich– — 111	

PAIRED

Members

Barnes (London West)	Bigras
Lanctôt	Tirabassi– — 4

[*English*]

CONCURRENCE IN VOTE 15A—NATURAL RESOURCES

Hon. Lucienne Robillard (President of the Treasury Board, Lib.) moved:

That Vote 15a, in the amount of $46,000,000, under NATURAL RESOURCES—Atomic Energy of Canada Limited—Payments to Atomic Energy of Canada Limited for operating and capital expenditures, in the Supplementary Estimates (A) for the fiscal year ending March 31, 2004, be concurred in.

(The House divided on Motion No. 4, which was agreed to on the following division:)

(Division No. 259)

YEAS

Members

Adams	Alcock
Allard	Anderson (Victoria)
Assad	Assadourian
Augustine	Bagnell
Bakopanos	Barrette
Beaumier	Bélair
Bélanger	Bellemare
Bennett	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Bonwick	Boudria
Bradshaw	Brown
Bryden	Bulte
Byrne	Caccia
Calder	Cannis
Caplan	Carignan
Carroll	Castonguay
Catterall	Cauchon
Chamberlain	Charbonneau
Chrétien	Coderre
Collenette	Comuzzi
Copps	Cotler
Cullen	Cuzner
DeVillers	Dhaliwal
Dion	Dromisky
Drouin	Duplain
Easter	Efford
Eyking	Farrah
Finlay	Fontana
Frulla	Fry
Gallaway	Godfrey
Goodale	Graham
Grose	Guarnieri
Harvard	Harvey
Hubbard	Ianno
Jackson	Jennings
Jobin	Jordan
Karetak-Lindell	Karygiannis
Keyes	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Lastewka	LeBlanc
Lee	Longfield
MacAulay	Macklin
Maloney	Marcil
Martin (LaSalle—Émard)	Matthews
McCallum	McCormick
McGuire	McKay (Scarborough East)
McLellan	McTeague
Minna	Mitchell
Murphy	Myers
Nault	Neville
Normand	O'Brien (Labrador)
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pacetti
Pagtakhan	Paradis
Patry	Peric
Peschisolido	Peterson
Pettigrew	Phinney
Pickard (Chatham—Kent Essex)	Pillitteri
Pratt	Price
Proulx	Provenzano
Redman	Reed (Halton)

Regan
Rock
Savoy
Scott
Sgro
Simard
St-Jacques
St. Denis
Szabo
Thibault (West Nova)
Tonks
Valeri
Volpe
Wilfert
Robillard
Saada
Scherrer
Serré
Shepherd
Speller
St-Julien
Stewart
Telegdi
Thibeault (Saint-Lambert)
Torsney
Vanclief
Wappel
Wood– — 152

NAYS

Members

Abbott
Anders
Asselin
Bailey
Bergeron
Bourgeois
Brison
Cadman
Chatters
Comartin
Cummins
Davies
Desjarlais
Doyle
Elley
Fitzpatrick
Fournier
Gagnon (Champlain)
Gaudet
Girard-Bujold
Goldring
Grewal
Guay
Harper
Herron
Hill (Prince George—Peace River)
Hinton
Johnston
Laframboise
Lebel
Loubier
Lunney (Nanaimo—Alberni)
Marceau
Martin (Esquimalt—Juan de Fuca)
Masse
McDonough
Ménard
Merrifield
Moore
Pallister
Penson
Picard (Drummond)
Reid (Lanark—Carleton)
Ritz
Rocheleau
Sauvageau
Schmidt
Sorenson
St-Hilaire
Stoffer
Thompson (New Brunswick Southwest)
Toews
Vellacott
Wasylycia-Leis
White (North Vancouver)
Yelich– — 111
Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Benoit
Blaikie
Breitkreuz
Burton
Cardin
Clark
Crête
Dalphond-Guiral
Day
Desrochers
Duncan
Epp
Forseth
Gagnon (Québec)
Gagnon (Lac-Saint-Jean—Saguenay)
Gauthier
Godin
Gouk
Grey
Guimond
Hearn
Hill (Macleod)
Hilstrom
Jaffer
Kenney (Calgary Southeast)
Lalonde
Lill
Lunn (Saanich—Gulf Islands)
MacKay (Pictou—Antigonish—Guysborough)
Mark
Martin (Winnipeg Centre)
Mayfield
McNally
Meredith
Mills (Red Deer)
Nystrom
Paquette
Perron
Plamondon
Reynolds
Robinson
Roy
Schellenberger
Skelton
Spencer
Stinson
Strahl
Thompson (Wild Rose)
Tremblay
Venne
White (Langley—Abbotsford)
Williams

PAIRED

Members

Barnes (London West)
Lanctôt
Bigras
Tirabassi– — 4

Supply

CONCURRENCE IN VOTE 15A—PUBLIC WORKS AND GOVERNMENT SERVICES

Hon. Lucienne Robillard (President of the Treasury Board, Lib.) moved:

That Vote 15a, in the amount of $28,246,741, under PUBLIC WORKS AND GOVERNMENT SERVICES—Communication Canada—Operating expenditures, in the Supplementary Estimates (A) for the fiscal year ending March 31, 2004, be concurred in.

(The House divided on Motion No. 7, which was agreed to on the following division:)

(Division No. 262)

YEAS

Members

Adams
Allard
Assad
Augustine
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Blondin-Andrew
Bonwick
Bradshaw
Bryden
Byrne
Calder
Caplan
Carroll
Catterall
Chamberlain
Chrétien
Collenette
Copps
Cullen
DeVillers
Dion
Drouin
Easter
Eyking
Finlay
Frulla
Gallaway
Goodale
Grose
Harvard
Hubbard
Jackson
Jobin
Karetak-Lindell
Keyes
Knutson
Lastewka
Lee
MacAulay
Maloney
Martin (LaSalle—Émard)
McCallum
McGuire
McLellan
Minna
Murphy
Nault
Normand
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Alcock
Anderson (Victoria)
Assadourian
Bagnell
Barrette
Bélair
Bellemare
Bertrand
Binet
Bonin
Boudria
Brown
Bulte
Caccia
Cannis
Carignan
Castonguay
Cauchon
Charbonneau
Coderre
Comuzzi
Cotler
Cuzner
Dhaliwal
Dromisky
Duplain
Efford
Farrah
Fontana
Fry
Godfrey
Graham
Guarnieri
Harvey
Ianno
Jennings
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
LeBlanc
Longfield
Macklin
Marcil
Matthews
McCormick
McKay (Scarborough East)
McTeague
Mitchell
Myers
Neville
O'Brien (Labrador)
O'Reilly
Pacetti
Paradis
Peric
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Robillard

Rock	Saada
Savoy	Scherrer
Scott	Serré
Sgro	Shepherd
Simard	Speller
St-Jacques	St-Julien
St. Denis	Stewart
Szabo	Telegdi
Thibault (West Nova)	Thibeault (Saint-Lambert)
Tonks	Torsney
Valeri	Vanclief
Volpe	Wappel
Wilfert	Wood– — 152

NAYS

Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Asselin	Bachand (Saint-Jean)
Bailey	Benoit
Bergeron	Blaikie
Bourgeois	Breitkreuz
Brison	Burton
Cadman	Cardin
Chatters	Clark
Comartin	Crête
Cummins	Dalphond-Guiral
Davies	Day
Desjarlais	Desrochers
Doyle	Duncan
Elley	Epp
Fitzpatrick	Forseth
Fournier	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Girard-Bujold	Godin
Goldring	Gouk
Grewal	Grey
Guay	Guimond
Harper	Hearn
Herron	Hill (Macleod)
Hill (Prince George—Peace River)	Hilstrom
Hinton	Jaffer
Johnston	Kenney (Calgary Southeast)
Laframboise	Lalonde
Lebel	Lill
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacKay (Pictou—Antigonish—Guysborough)
Marceau	Mark
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Masse	Mayfield
McDonough	McNally
Ménard	Meredith
Merrifield	Mills (Red Deer)
Moore	Nystrom
Pallister	Paquette
Penson	Perron
Picard (Drummond)	Plamondon
Reid (Lanark—Carleton)	Reynolds
Ritz	Robinson
Rocheleau	Roy
Sauvageau	Schellenberger
Schmidt	Skelton
Sorenson	Spencer
St-Hilaire	Stinson
Stoffer	Strahl
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Toews	Tremblay
Vellacott	Venne
Wasylycia-Leis	White (Langley—Abbotsford)
White (North Vancouver)	Williams
Yelich– — 111	

PAIRED

Members

Barnes (London West)	Bigras
Lanctôt	Tirabassi– — 4

The Speaker: I declare Motions Nos. 3, 4 and 7 carried.

[*Translation*]

CONCURRENCE IN VOTE 20A—CANADIAN HERITAGE

Hon. Lucienne Robillard (President of the Treasury Board, Lib.) moved:

That Vote 20a, in the amount of $50,000,000, under CANADIAN HERITAGE—Canadian Broadcasting Corporation—Payments to the Canadian Broadcasting Corporation for operating expenditures, in the Supplementary Estimates (A) for the fiscal year ending March 31, 2004, be concurred in.

[*English*]

Ms. Marlene Catterall: Mr. Speaker, I believe you would find consent in the House that those who voted on the previous motion be recorded as voting on this motion now before the House, with Liberal members voting yes.

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

Mr. Dale Johnston: Mr. Speaker, Canadian Alliance members will vote no to this motion.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, the members of the Bloc Quebecois will vote in favour of this motion.

[*English*]

Mr. Gary Schellenberger: Mr. Speaker, the Progressive Conservative Party votes yes.

[*Translation*]

Mr. Yvon Godin: Mr. Speaker, the members of the New Democratic Party will vote in favour of this motion.

Mr. Jean-Guy Carignan: Mr. Speaker, I vote yes on this motion.

Mr. Ghislain Lebel: Mr. Speaker, I vote no on this motion.

Ms. Pierrette Venne: Mr. Speaker, I vote against this motion.

[*English*]

Mrs. Rose-Marie Ur: Mr. Speaker, I want to be recorded as voting with the government on these motions.

Mr. Paul Steckle: Mr. Speaker, I also want to be recorded as having voted for these motions now before the House.

Mr. Lawrence O'Brien: Mr. Speaker, I want to be recorded as voting with the government on these motions.

[*Translation*]

The Speaker: Just to clarify, could the hon. whip of the New Democratic Party please indicate once more his party's vote on Motion No. 5, because the Clerk did not hear his answer?

Mr. Yvon Godin: Mr. Speaker, the members of the NDP will vote in favour of this motion.

● (1810)

(The House divided on Motion No. 5, which was agreed to on the following division:)

(Division No. 260)

YEAS

Members

Adams	Alcock
Allard	Anderson (Victoria)

Assad
Asselin
Bachand (Saint-Jean)
Bakopanos
Beaumier
Bélanger
Bennett
Bertrand
Binet
Blondin-Andrew
Bonwick
Bourgeois
Brison
Bryden
Byrne
Calder
Caplan
Carignan
Castonguay
Cauchon
Charbonneau
Clark
Collenette
Comuzzi
Cotler
Cullen
Dalphond-Guiral
Desjarlais
DeVillers
Dion
Dromisky
Duplain
Efford
Farrah
Fontana
Frulla
Gagnon (Québec)
Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet
Girard-Bujold
Godin
Graham
Guarnieri
Guimond
Harvey
Herron
Ianno
Jennings
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
Lalonde
LeBlanc
Lill
Loubier
MacKay (Pictou—Antigonish—Guysborough)
Maloney
Marcil
Martin (Winnipeg Centre)
Masse
McCallum
McDonough
McKay (Scarborough East)
McTeague
Minna
Murphy
Nault
Normand
O'Brien (London—Fanshawe)
O'Reilly
Pacetti
Paquette
Patry
Perron
Peterson
Phinney
Pickard (Chatham—Kent Essex)
Plamondon
Price
Provenzano
Reed (Halton)
Robillard
Rock
Assadourian
Augustine
Bagnell
Barrette
Bélair
Bellemare
Bergeron
Bevilacqua
Blaikie
Bonin
Boudria
Bradshaw
Brown
Bulte
Caccia
Cannis
Cardin
Carroll
Catterall
Chamberlain
Chrétien
Coderre
Comartin
Copps
Crête
Cuzner
Davies
Desrochers
Dhaliwal
Doyle
Drouin
Easter
Eyking
Finlay
Fournier
Fry
Gagnon (Champlain)
Gallaway
Gauthier
Godfrey
Goodale
Grose
Guay
Harvard
Hearn
Hubbard
Jackson
Jobin
Karetak-Lindell
Keyes
Knutson
Laframboise
Lastewka
Lee
Longfield
MacAulay
Macklin
Marceau
Mark
Martin (LaSalle—Émard)
Matthews
McCormick
McGuire
McLellan
Ménard
Mitchell
Myers
Neville
Nystrom
O'Brien (Labrador)
Owen
Pagtakhan
Paradis
Peric
Peschisolido
Pettigrew
Picard (Drummond)
Pillitteri
Pratt
Proulx
Redman
Regan
Rocheleau
Roy
Saada
Savoy
Scherrer
Serré
Shepherd
Speller
St-Jacques
St. Denis
Stewart
Szabo
Thibault (West Nova)
Thompson (New Brunswick Southwest)
Torsney
Ur
Vanclief
Wappel
Wilfert
Sauvageau
Schellenberger
Scott
Sgro
Simard
St-Hilaire
St-Julien
Steckle
Stoffer
Telegdi
Thibeault (Saint-Lambert)
Tonks
Tremblay
Valeri
Volpe
Wasylycia-Leis
Wood– — 206

NAYS

Members

Abbott
Anders
Bailey
Breitkreuz
Cadman
Cummins
Duncan
Epp
Forseth
Gouk
Grey
Hill (Macleod)
Hilstrom
Jaffer
Kenney (Calgary Southeast)
Lunn (Saanich—Gulf Islands)
Martin (Esquimalt—Juan de Fuca)
McNally
Merrifield
Moore
Penson
Reynolds
Schmidt
Sorenson
Stinson
Thompson (Wild Rose)
Vellacott
White (Langley—Abbotsford)
Williams
Ablonczy
Anderson (Cypress Hills—Grasslands)
Benoit
Burton
Chatters
Day
Elley
Fitzpatrick
Goldring
Grewal
Harper
Hill (Prince George—Peace River)
Hinton
Johnston
Lebel
Lunney (Nanaimo—Alberni)
Mayfield
Meredith
Mills (Red Deer)
Pallister
Reid (Lanark—Carleton)
Ritz
Skelton
Spencer
Strahl
Toews
Venne
White (North Vancouver)
Yelich– — 58

PAIRED

Members

Barnes (London West)
Lanctôt
Bigras
Tirabassi– — 4

The Speaker: I declare Motion No. 5 carried.

The next question is on Motion No. 6.

CONCURRENCE IN VOTE 1A—AGRICULTURE AND AGRI-FOOD

Hon. Lucienne Robillard (President of the Treasury Board, Lib.) moved:

That Vote 1a, in the amount of $157,062,714, under AGRICULTURE AND AGRI-FOOD—Department—Operating expenditures, in the Supplementary Estimates (A) for the fiscal year ending March 31, 2004, be concurred in.

[*English*]

Ms. Marlene Catterall: Mr. Speaker, I believe you would find consent that those who voted on the previous motion be recorded as voting on this motion, with Liberal members voting yes.

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

Mr. Dale Johnston: Mr. Speaker, Canadian Alliance members will be voting nay on this motion.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, the members of the Bloc Quebecois will vote against this motion.

[*English*]

Mr. Gary Schellenberger: Mr. Speaker, members of the Progressive Conservative Party vote yes on this motion.

Mr. Yvon Godin: Mr. Speaker, members of the NDP are voting yes to this motion.

[*Translation*]

Mr. Jean-Guy Carignan: Mr. Speaker, I vote yes on this motion.

Mr. Ghislain Lebel: Mr. Speaker, I vote no on this motion.

Ms. Pierrette Venne: Mr. Speaker, I vote no on this motion.

The Speaker: The hon. NDP whip on a point of order.

Mr. Yvon Godin: Mr. Speaker, there seems to have been some confusion on Motion No. 5. I would like to verify that our vote in favour of the motion was recorded.

The Speaker: The answer is yes.

(The House divided on Motion No. 6, which was agreed to on the following division:)

(Division No. 261)

YEAS

Members

Adams
Allard
Assad
Augustine
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Blaikie
Bonin
Boudria
Brison
Bryden
Byrne
Calder
Caplan
Carroll
Catterall
Chamberlain
Chrétien
Coderre
Comartin
Copps
Cullen
Davies
DeVillers
Dion
Dromisky
Duplain
Efford
Farrah
Fontana
Fry
Godfrey
Goodale
Grose
Harvard
Hearn
Hubbard
Jackson
Jobin
Karetak-Lindell
Keyes
Knutson
Lastewka
Lee
Longfield
MacKay (Pictou—Antigonish—Guysborough)
Maloney
Mark
Martin (LaSalle—Émard)
Matthews
McCormick
McGuire
McLellan
Minna
Murphy
Nault
Normand
O'Brien (Labrador)
O'Reilly
Pacetti
Paradis
Peric
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Robillard
Saada
Schellenberger
Scott
Sgro
Simard
St-Jacques
St. Denis
Stewart
Szabo
Thibault (West Nova)
Thompson (New Brunswick Southwest)
Torsney
Valeri
Volpe
Wasylycia-Leis
Wood– — 175

Alcock
Anderson (Victoria)
Assadourian
Bagnell
Barrette
Bélair
Bellemare
Bertrand
Binet
Blondin-Andrew
Bonwick
Bradshaw
Brown
Bulte
Caccia
Cannis
Carignan
Castonguay
Cauchon
Charbonneau
Clark
Collenette
Comuzzi
Cotler
Cuzner
Desjarlais
Dhaliwal
Doyle
Drouin
Easter
Eyking
Finlay
Frulla
Gallaway
Godin
Graham
Guarnieri
Harvey
Herron
Ianno
Jennings
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
LeBlanc
Lill
MacAulay
Macklin
Marcil
Martin (Winnipeg Centre)
Masse
McCallum
McDonough
McKay (Scarborough East)
McTeague
Mitchell
Myers
Neville
Nystrom
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Rock
Savoy
Scherrer
Serré
Shepherd
Speller
St-Julien
Steckle
Stoffer
Telegdi
Thibeault (Saint-Lambert)
Tonks
Ur
Vanclief
Wappel
Wilfert

NAYS

Members

Abbott
Anders
Asselin
Bailey
Bergeron
Breitkreuz
Cadman
Chatters
Cummins
Day
Duncan
Epp
Forseth
Gagnon (Québec)
Gagnon (Lac-Saint-Jean—Saguenay)
Gauthier
Goldring
Grewal
Guay
Harper
Hill (Prince George—Peace River)
Hinton
Johnston
Laframboise
Lebel
Lunn (Saanich—Gulf Islands)
Marceau
Mayfield
Ménard
Merrifield
Moore
Paquette
Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Benoit
Bourgeois
Burton
Cardin
Crête
Dalphond-Guiral
Desrochers
Elley
Fitzpatrick
Fournier
Gagnon (Champlain)
Gaudet
Girard-Bujold
Gouk
Grey
Guimond
Hill (Macleod)
Hilstrom
Jaffer
Kenney (Calgary Southeast)
Lalonde
Loubier
Lunney (Nanaimo—Alberni)
Martin (Esquimalt—Juan de Fuca)
McNally
Meredith
Mills (Red Deer)
Pallister
Penson

Perron
Plamondon
Reynolds
Rocheleau
Sauvageau
Skelton
Spencer
Stinson
Thompson (Wild Rose)
Tremblay
Venne
White (North Vancouver)
Yelich– — 89

Picard (Drummond)
Reid (Lanark—Carleton)
Ritz
Roy
Schmidt
Sorenson
St-Hilaire
Strahl
Toews
Vellacott
White (Langley—Abbotsford)
Williams

PAIRED

Members

Barnes (London West)
Lanctôt

Bigras
Tirabassi– — 4

The Speaker: I declare Motion No. 6 carried.

[*English*]

Hon. Lucienne Robillard moved:

That Supplementary Estimates (A) for the fiscal year ending March 31, 2004, except any vote disposed of earlier today, be concurred in.

The Speaker: Is it the pleasure of the House to adopt the motion?

Ms. Marlene Catterall: Mr. Speaker, I believe you would find consent in the House that those who voted on the previous motion be recorded as voting on this motion, with Liberal members voting yes.

The Speaker: Is there unanimous consent to proceed in this fashion?

Some hon. members: Agreed.

Mr. Dale Johnston: Mr. Speaker, Canadian Alliance members will vote no on this motion.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, the members of the Bloc Quebecois will be voting no on this motion.

[*English*]

Mr. Gary Schellenberger: Mr. Speaker, the Progressive Conservative Party votes no.

Mr. Yvon Godin: Mr. Speaker, members of the NDP are voting no to this motion.

[*Translation*]

Mr. Jean-Guy Carignan: Mr. Speaker, I vote yes to this motion.

Mr. Ghislain Lebel: Mr. Speaker, I vote no on this motion.

Ms. Pierrette Venne: Mr. Speaker, I vote no on this motion.

● (1815)

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

(Division No. 263)

YEAS

Members

Adams
Allard
Assad
Augustine
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Blondin-Andrew
Bonwick
Bradshaw
Bryden
Byrne
Calder
Caplan
Carroll
Catterall
Chamberlain
Chrétien
Collenette
Copps
Cullen
DeVillers
Dion
Drouin
Easter
Eyking
Finlay
Frulla
Gallaway
Goodale
Grose
Harvard
Hubbard
Jackson
Jobin
Karetak-Lindell
Keyes
Knutson
Lastewka
Lee
MacAulay
Maloney
Martin (LaSalle—Émard)
McCallum
McGuire
McLellan
Minna
Murphy
Nault
Normand
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Rock
Savoy
Scott
Sgro
Simard
St-Jacques
St. Denis
Stewart
Telegdi
Thibeault (Saint-Lambert)
Torsney
Valeri
Volpe
Wilfert

Alcock
Anderson (Victoria)
Assadourian
Bagnell
Barrette
Bélair
Bellemare
Bertrand
Binet
Bonin
Boudria
Brown
Bulte
Caccia
Cannis
Carignan
Castonguay
Cauchon
Charbonneau
Coderre
Comuzzi
Cotler
Cuzner
Dhaliwal
Dromisky
Duplain
Efford
Farrah
Fontana
Fry
Godfrey
Graham
Guarnieri
Harvey
Ianno
Jennings
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
LeBlanc
Longfield
Macklin
Marcil
Matthews
McCormick
McKay (Scarborough East)
McTeague
Mitchell
Myers
Neville
O'Brien (Labrador)
O'Reilly
Pacetti
Paradis
Peric
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Robillard
Saada
Scherrer
Serré
Shepherd
Speller
St-Julien
Steckle
Szabo
Thibault (West Nova)
Tonks
Ur
Vanclief
Wappel
Wood– — 154

NAYS

Members

Abbott
Anders
Asselin
Bailey
Bergeron
Bourgeois
Brison
Cadman
Chatters

Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Benoit
Blaikie
Breitkreuz
Burton
Cardin
Clark

Comartin	Crête
Cummins	Dalphond-Guiral
Davies	Day
Desjarlais	Desrochers
Doyle	Duncan
Elley	Epp
Fitzpatrick	Forseth
Fournier	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Girard-Bujold	Godin
Goldring	Gouk
Grewal	Grey
Guay	Guimond
Harper	Hearn
Herron	Hill (Macleod)
Hill (Prince George—Peace River)	Hilstrom
Hinton	Jaffer
Johnston	Kenney (Calgary Southeast)
Laframboise	Lalonde
Lebel	Lill
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacKay (Pictou—Antigonish—Guysborough)
Marceau	Mark
Martin (Winnipeg Centre)	Martin (Esquimalt—Juan de Fuca)
Masse	Mayfield
McDonough	McNally
Ménard	Meredith
Merrifield	Mills (Red Deer)
Moore	Nystrom
Pallister	Paquette
Penson	Perron
Picard (Drummond)	Plamondon
Reid (Lanark—Carleton)	Reynolds
Ritz	Rocheleau
Roy	Sauvageau
Schellenberger	Schmidt
Skelton	Sorenson
Spencer	St-Hilaire
Stinson	Stoffer
Strahl	Thompson (Wild Rose)
Thompson (New Brunswick Southwest)	Toews
Tremblay	Vellacott
Venne	Wasylycia-Leis
White (Langley—Abbotsford)	White (North Vancouver)
Williams	Yelich– — 110

PAIRED

Members

Barnes (London West)	Bigras
Lanctôt	Tirabassi– — 4

The Speaker: I declare the motion carried.

[*English*]

Hon. Lucienne Robillard moved that Bill C-55, an act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2004,be read the first time.

(Motion deemed adopted and bill read the first time)

[*Translation*]

Hon. Lucienne Robillard moved that Bill C-55, an act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2004 be read the second time and referred to a committee of the whole.

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Ms. Marlene Catterall: Mr. Speaker, I believe you will find there is unanimous decision for the results of the vote on the previous motion to be applied to the motion now before the House.

The Speaker: Is there unanimous consent to proceed this way?

Some hon. members: Agreed.

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

(Division No. 264)

YEAS

Members

Adams	Alcock
Allard	Anderson (Victoria)
Assad	Assadourian
Augustine	Bagnell
Bakopanos	Barrette
Beaumier	Bélair
Bélanger	Bellemare
Bennett	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Bonwick	Boudria
Bradshaw	Brown
Bryden	Bulte
Byrne	Caccia
Calder	Cannis
Caplan	Carignan
Carroll	Castonguay
Catterall	Cauchon
Chamberlain	Charbonneau
Chrétien	Coderre
Collenette	Comuzzi
Copps	Cotler
Cullen	Cuzner
DeVillers	Dhaliwal
Dion	Dromisky
Drouin	Duplain
Easter	Efford
Eyking	Farrah
Finlay	Fontana
Frulla	Fry
Gallaway	Godfrey
Goodale	Graham
Grose	Guarnieri
Harvard	Harvey
Hubbard	Ianno
Jackson	Jennings
Jobin	Jordan
Karetak-Lindell	Karygiannis
Keyes	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Lastewka	LeBlanc
Lee	Longfield
MacAulay	Macklin
Maloney	Marcil
Martin (LaSalle—Émard)	Matthews
McCallum	McCormick
McGuire	McKay (Scarborough East)
McLellan	McTeague
Minna	Mitchell
Murphy	Myers
Nault	Neville
Normand	O'Brien (Labrador)
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pacetti
Pagtakhan	Paradis
Patry	Peric
Peschisolido	Peterson
Pettigrew	Phinney
Pickard (Chatham—Kent Essex)	Pillitteri
Pratt	Price
Proulx	Provenzano
Redman	Reed (Halton)
Regan	Robillard
Rock	Saada
Savoy	Scherrer

Scott	Serré
Sgro	Shepherd
Simard	Speller
St-Jacques	St-Julien
St. Denis	Steckle
Stewart	Szabo
Telegdi	Thibault (West Nova)
Thibeault (Saint-Lambert)	Tonks
Torsney	Ur
Valeri	Vanclief
Volpe	Wappel
Wilfert	Wood– — 154

NAYS

Members

Abbott	Ablonczy
Anders	Anderson (Cypress Hills—Grasslands)
Asselin	Bachand (Saint-Jean)
Bailey	Benoit
Bergeron	Blaikie
Bourgeois	Breitkreuz
Brison	Burton
Cadman	Cardin
Chatters	Clark
Comartin	Crête
Cummins	Dalphond-Guiral
Davies	Day
Desjarlais	Desrochers
Doyle	Duncan
Elley	Epp
Fitzpatrick	Forseth
Fournier	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Girard-Bujold	Godin
Goldring	Gouk
Grewal	Grey
Guay	Guimond
Harper	Hearn
Herron	Hill (Macleod)
Hill (Prince George—Peace River)	Hilstrom
Hinton	Jaffer
Johnston	Kenney (Calgary Southeast)
Laframboise	Lalonde
Lebel	Lill
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacKay (Pictou—Antigonish—Guysborough)
Marceau	Mark
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Masse	Mayfield
McDonough	McNally
Ménard	Meredith
Merrifield	Mills (Red Deer)
Moore	Nystrom
Pallister	Paquette
Penson	Perron
Picard (Drummond)	Plamondon
Reid (Lanark—Carleton)	Reynolds
Ritz	Rocheleau
Roy	Sauvageau
Schellenberger	Schmidt
Skelton	Sorenson
Spencer	St-Hilaire
Stinson	Stoffer
Strahl	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Toews
Tremblay	Vellacott
Venne	Wasylycia-Leis
White (Langley—Abbotsford)	White (North Vancouver)
Williams	Yelich– — 110

PAIRED

Members

Barnes (London West)	Bigras
Lanctôt	Tirabassi– — 4

The Speaker: I do now leave the chair for the House to go into committee of the whole.

Supply

(Bill read the second time and the House went into committee thereon, Mr. Kilger in the chair.)

[*English*]

The Chair: Order please. The hon. member for New Westminster—Coquitlam—Burnaby.

Mr. Paul Forseth (New Westminster—Coquitlam—Burnaby, Canadian Alliance): Mr. Chair, I ask the President of the Treasury Board if the bill is presented in its usual form.

(On clause 2)

[*Translation*]

Hon. Lucienne Robillard (President of the Treasury Board, Lib.): Mr. Chairman, the presentation of this bill is essentially identical to that used during the previous supply period.

[*English*]

The Chair: Shall clause 2 carry?

Some hon. members: Agreed.

An hon. member: On division.

(Clause 2 agreed to)

The Chair: Shall clause 3 carry?

Some hon. members: Agreed.

An hon. member: On division.

(Clause 3 agreed to)

The Chair: Shall clause 4 carry?

Some hon. members: Agreed.

An hon. member: On division.

(Clause 4 agreed to)

The Chair: Shall clause 5 carry?

Some hon. members: Agreed.

An hon. member: On division.

(Clause 5 agreed to)

[*Translation*]

The Chair: Shall clause 6 carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Clause 6 agreed to)

The Chair: Shall clause 7 carry?

Some hon. members: Agreed.

Some hon. members: On division.

(Clause 7 agreed to)

[*English*]

The Chair: Shall schedule 1 carry?

Some hon. members: Agreed.

An hon. member: On division.

(Schedule 1 agreed to)

The Chair: Shall clause 1 carry?

Some hon. members: Agreed.

An hon. member: On division.

(Clause 1 agreed to)

The Chair: Shall the preamble carry?

Some hon. members: Agreed.

An hon. member: On division.

(Preamble agreed to)

Mr. Ken Epp: Mr. Chair, I rise on a point of order. I would like to point out that the vote should go according to the voice vote and it is totally evident that the nays are exceeding the yeas. If the Liberals want it to carry, then they should get on the ball and say yes loudly so they actually win the vote.

The Chair: I am quite satisfied that the yeas have outnumbered slightly the nays on this one. That is why I registered the votes carried on division.

Shall the title carry?

Some hon. members: Agreed.

An hon. member: On division.

(Title agreed to)

(Bill reported)

Hon. Lucienne Robillard moved that the bill be concurred in.

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

An hon. member: No.

Ms. Marlene Catterall: Mr. Speaker, I would like to point out to the member for Elk Island that we know he has been suffering from a cough today so we were being kind to him.

However, on the matter of the vote, Mr. Speaker, I believe you would find consent that the vote for second reading be applied to the report stage concurrence motion and to the motion for third reading.

● (1820)

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

[*Translation*]

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

(Division No. 265)

YEAS

Members

Adams
Allard
Assad
Augustine
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Blondin-Andrew
Bonwick
Bradshaw
Bryden
Byrne
Calder
Caplan
Carroll
Catterall
Chamberlain
Chrétien
Collenette
Copps
Cullen
DeVillers
Dion
Drouin
Easter
Eyking
Finlay
Frulla
Gallaway
Goodale
Grose
Harvard
Hubbard
Jackson
Jobin
Karetak-Lindell
Keyes
Knutson
Lastewka
Lee
MacAulay
Maloney
Martin (LaSalle—Émard)
McCallum
McGuire
McLellan
Minna
Murphy
Nault
Normand
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Rock
Savoy
Scott
Sgro
Simard
St-Jacques
St. Denis
Stewart
Telegdi
Thibeault (Saint-Lambert)
Torsney
Valeri
Volpe
Wilfert

Alcock
Anderson (Victoria)
Assadourian
Bagnell
Barrette
Bélair
Bellemare
Bertrand
Binet
Bonin
Boudria
Brown
Bulte
Caccia
Cannis
Carignan
Castonguay
Cauchon
Charbonneau
Coderre
Comuzzi
Cotler
Cuzner
Dhaliwal
Dromisky
Duplain
Efford
Farrah
Fontana
Fry
Godfrey
Graham
Guarnieri
Harvey
Ianno
Jennings
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
LeBlanc
Longfield
Macklin
Marcil
Matthews
McCormick
McKay (Scarborough East)
McTeague
Mitchell
Myers
Neville
O'Brien (Labrador)
O'Reilly
Pacetti
Paradis
Peric
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Robillard
Saada
Scherrer
Serré
Shepherd
Speller
St-Julien
Steckle
Szabo
Thibault (West Nova)
Tonks
Ur
Vanclief
Wappel
Wood– — 154

NAYS

Members

Abbott
Anders
Asselin
Bailey
Bergeron
Bourgeois
Brison

Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Benoit
Blaikie
Breitkreuz
Burton

Cadman
Chatters
Comartin
Cummins
Davies
Desjarlais
Doyle
Elley
Fitzpatrick
Fournier
Gagnon (Champlain)
Gaudet
Girard-Bujold
Goldring
Grewal
Guay
Harper
Herron
Hill (Prince George—Peace River)
Hinton
Johnston
Laframboise
Lebel
Loubier
Lunney (Nanaimo—Alberni)
Marceau
Martin (Esquimalt—Juan de Fuca)
Masse
McDonough
Ménard
Merrifield
Moore
Pallister
Penson
Picard (Drummond)
Reid (Lanark—Carleton)
Ritz
Roy
Schellenberger
Skelton
Spencer
Stinson
Strahl
Thompson (Wild Rose)
Tremblay
Venne
White (Langley—Abbotsford)
Williams

Cardin
Clark
Crête
Dalphond-Guiral
Day
Desrochers
Duncan
Epp
Forseth
Gagnon (Québec)
Gagnon (Lac-Saint-Jean—Saguenay)
Gauthier
Godin
Gouk
Grey
Guimond
Hearn
Hill (Macleod)
Hilstrom
Jaffer
Kenney (Calgary Southeast)
Lalonde
Lill
Lunn (Saanich—Gulf Islands)
MacKay (Pictou—Antigonish—Guysborough)
Mark
Martin (Winnipeg Centre)
Mayfield
McNally
Meredith
Mills (Red Deer)
Nystrom
Paquette
Perron
Plamondon
Reynolds
Rocheleau
Sauvageau
Schmidt
Sorenson
St-Hilaire
Stoffer
Thompson (New Brunswick Southwest)
Toews
Vellacott
Wasylycia-Leis
White (North Vancouver)
Yelich– — 110

PAIRED

Members

Barnes (London West)
Lanctôt

Bigras
Tirabassi– — 4

The Speaker: I declare the motion carried.

Hon. Lucienne Robillard moved that the bill be read the third time and passed.

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

(Division No. 266)

YEAS

Members

Adams
Allard
Assad
Augustine
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Blondin-Andrew
Bonwick
Bradshaw

Alcock
Anderson (Victoria)
Assadourian
Bagnell
Barrette
Bélair
Bellemare
Bertrand
Binet
Bonin
Boudria
Brown

Bryden
Byrne
Calder
Caplan
Carroll
Catterall
Chamberlain
Chrétien
Collenette
Copps
Cullen
DeVillers
Dion
Drouin
Easter
Eyking
Finlay
Frulla
Gallaway
Goodale
Grose
Harvard
Hubbard
Jackson
Jobin
Karetak-Lindell
Keyes
Knutson
Lastewka
Lee
MacAulay
Maloney
Martin (LaSalle—Émard)
McCallum
McGuire
McLellan
Minna
Murphy
Nault
Normand
O'Brien (London—Fanshawe)
Owen
Pagtakhan
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Rock
Savoy
Scott
Sgro
Simard
St-Jacques
St. Denis
Stewart
Telegdi
Thibeault (Saint-Lambert)
Torsney
Valeri
Volpe
Wilfert

Bulte
Caccia
Cannis
Carignan
Castonguay
Cauchon
Charbonneau
Coderre
Comuzzi
Cotler
Cuzner
Dhaliwal
Dromisky
Duplain
Efford
Farrah
Fontana
Fry
Godfrey
Graham
Guarnieri
Harvey
Ianno
Jennings
Jordan
Karygiannis
Kilgour (Edmonton Southeast)
Kraft Sloan
LeBlanc
Longfield
Macklin
Marcil
Matthews
McCormick
McKay (Scarborough East)
McTeague
Mitchell
Myers
Neville
O'Brien (Labrador)
O'Reilly
Pacetti
Paradis
Peric
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Robillard
Saada
Scherrer
Serré
Shepherd
Speller
St-Julien
Steckle
Szabo
Thibault (West Nova)
Tonks
Ur
Vanclief
Wappel
Wood– — 154

NAYS

Members

Abbott
Anders
Asselin
Bailey
Bergeron
Bourgeois
Brison
Cadman
Chatters
Comartin
Cummins
Davies
Desjarlais
Doyle

Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Benoit
Blaikie
Breitkreuz
Burton
Cardin
Clark
Crête
Dalphond-Guiral
Day
Desrochers
Duncan

Elley	Epp
Fitzpatrick	Forseth
Fournier	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet	Gauthier
Girard-Bujold	Godin
Goldring	Gouk
Grewal	Grey
Guay	Guimond
Harper	Hearn
Herron	Hill (Macleod)
Hill (Prince George—Peace River)	Hilstrom
Hinton	Jaffer
Johnston	Kenney (Calgary Southeast)
Laframboise	Lalonde
Lebel	Lill
Loubier	Lunn (Saanich—Gulf Islands)
Lunney (Nanaimo—Alberni)	MacKay (Pictou—Antigonish—Guysborough)
Marceau	Mark
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Masse	Mayfield
McDonough	McNally
Ménard	Meredith
Merrifield	Mills (Red Deer)
Moore	Nystrom
Pallister	Paquette
Penson	Perron
Picard (Drummond)	Plamondon
Reid (Lanark—Carleton)	Reynolds
Ritz	Rocheleau
Roy	Sauvageau
Schellenberger	Schmidt
Skelton	Sorenson
Spencer	St-Hilaire
Stinson	Stoffer
Strahl	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Toews
Tremblay	Vellacott
Venne	Wasylycia-Leis
White (Langley—Abbotsford)	White (North Vancouver)
Williams	Yelich– — 110

PAIRED

Members

Barnes (London West)	Bigras
Lanctôt	Tirabassi– — 4

The Chair: I declare the motion carried.

(Bill read the third time and passed)

* * *

[*English*]

ASSISTED HUMAN REPRODUCTION ACT

The House resumed from October 27 consideration of the motion that Bill C-13, an act respecting assisted human reproduction, be read the third time and passed; and of the motion that the question be now put.

The Speaker: The House will now proceed with the taking of the deferred recorded division on the previous question at the third reading stage of Bill C-13.

Ms. Marlene Catterall: Mr. Speaker, just to clarify, there are two motions on Bill C-13. The first is a procedural motion and I believe there is consent to apply. There will be a standing vote on the second motion on third reading of the bill.

I would ask that you seek the consent of the House that those who voted on the previous motion be recorded as voting on this motion now before the House, with Liberal members voting yes.

The Speaker: Is there unanimous consent to proceed in this way?

Some hon. members: Agreed.

An hon. member: No.

● (1830)

[*Translation*]

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

(Division No. 267)

YEAS

Members

Adams	Alcock
Allard	Anderson (Victoria)
Assad	Assadourian
Augustine	Bagnell
Bakopanos	Barrette
Beaumier	Bélair
Bélanger	Bellemare
Bennett	Bertrand
Bevilacqua	Binet
Blaikie	Blondin-Andrew
Bonwick	Boudria
Bradshaw	Brison
Brown	Bryden
Bulte	Byrne
Caccia	Calder
Cannis	Caplan
Carignan	Carroll
Castonguay	Catterall
Cauchon	Chamberlain
Charbonneau	Chrétien
Coderre	Collenette
Comartin	Comuzzi
Copps	Cotler
Cullen	Cuzner
Davies	Desjarlais
DeVillers	Dhaliwal
Dion	Dromisky
Drouin	Duplain
Easter	Efford
Eyking	Fontana
Frulla	Fry
Gallaway	Godfrey
Godin	Goodale
Graham	Grose
Harvard	Harvey
Herron	Hubbard
Ianno	Jackson
Jennings	Jobin
Jordan	Karetak-Lindell
Keyes	Kilger (Stormont—Dundas—Charlottenburgh)
Kilgour (Edmonton Southeast)	Knutson
Kraft Sloan	Lastewka
LeBlanc	Lee
Lill	MacAulay
Macklin	Maloney
Marcil	Martin (LaSalle—Émard)
Martin (Winnipeg Centre)	Masse
Matthews	McCallum
McDonough	McGuire
McLellan	Minna
Mitchell	Murphy
Myers	Nault
Neville	Normand
Nystrom	O'Brien (Labrador)
Owen	Pacetti
Pagtakhan	Paradis
Patry	Peschisolido
Peterson	Pettigrew
Phinney	Pickard (Chatham—Kent Essex)
Pillitteri	Pratt
Price	Proulx
Provenzano	Redman
Reed (Halton)	Regan
Robillard	Robinson
Rock	Saada
Savoy	Scherrer
Scott	Serré
Sgro	Shepherd
Simard	Speller

St-Jacques
St. Denis
Stoffer
Telegdi
Thibeault (Saint-Lambert)
Torsney
Valeri
Wasylycia-Leis
Wood– — 155

St-Julien
Stewart
Szabo
Thibault (West Nova)
Tonks
Ur
Vanclief
Wilfert

NAYS

Members

Abbott
Anders
Asselin
Bailey
Bergeron
Bourgeois
Burton
Cardin
Clark
Cummins
Day
Doyle
Elley
Fitzpatrick
Fournier
Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet
Girard-Bujold
Gouk
Grey
Guay
Harper
Hill (Prince George—Peace River)
Hilstrom
Jaffer
Karygiannis
Laframboise
Lebel
Lunn (Saanich—Gulf Islands)
MacKay (Pictou—Antigonish—Guysborough)
Mark
Mayfield
McTeague
Meredith
Mills (Red Deer)
O'Brien (London—Fanshawe)
Pallister
Penson
Picard (Drummond)
Reid (Lanark—Carleton)
Ritz
Roy
Schellenberger
Skelton
Spencer
Steckle
Strahl
Thompson (New Brunswick Southwest)
Tremblay
Venne
Wappel
White (Langley—Abbotsford)
Yelich– — 105

Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Benoit
Bonin
Breitkreuz
Cadman
Chatters
Crête
Dalphond-Guiral
Desrochers
Duncan
Epp
Forseth
Gagnon (Champlain)
Gagnon (Québec)
Gauthier
Goldring
Grewal
Guarnieri
Guimond
Hearn
Hill (Macleod)
Hinton
Johnston
Kenney (Calgary Southeast)
Lalonde
Loubier
Lunney (Nanaimo—Alberni)
Marceau
Martin (Esquimalt—Juan de Fuca)
McNally
Ménard
Merrifield
Moore
O'Reilly
Paquette
Perron
Plamondon
Reynolds
Rocheleau
Sauvageau
Schmidt
Sorenson
St-Hilaire
Stinson
Thompson (Wild Rose)
Toews
Vellacott
Volpe
White (North Vancouver)
Williams

PAIRED

Members

Barnes (London West)
Lanctôt

Bigras
Tirabassi– — 4

The Speaker: I declare the motion carried.

[*English*]

The next question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

And more than five members having risen:

● (1840)

[*Translation*]

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

(Division No. 268)

YEAS

Members

Adams
Allard
Assadourian
Bagnell
Barrette
Bélair
Bennett
Bevilacqua
Blondin-Andrew
Boudria
Brison
Bryden
Byrne
Calder
Caplan
Carroll
Catterall
Chamberlain
Chrétien
Coderre
Comartin
Copps
Cullen
Davies
DeVillers
Dion
Drouin
Easter
Eyking
Frulla
Gallaway
Godin
Graham
Harvard
Herron
Ianno
Jennings
Jordan
Keyes
Kilgour (Edmonton Southeast)
Kraft Sloan
LeBlanc
Lill
MacKay (Pictou—Antigonish—Guysborough)
Maloney
Martin (LaSalle—Émard)
Masse
McDonough
McKay (Scarborough East)
Minna
Murphy
Nault
Normand

Alcock
Anderson (Victoria)
Augustine
Bakopanos
Beaumier
Bélanger
Bertrand
Binet
Bonwick
Bradshaw
Brown
Bulte
Caccia
Cannis
Carignan
Castonguay
Cauchon
Charbonneau
Clark
Collenette
Comuzzi
Cotler
Cuzner
Desjarlais
Dhaliwal
Dromisky
Duplain
Efford
Fontana
Fry
Godfrey
Goodale
Grose
Harvey
Hubbard
Jackson
Jobin
Karetak-Lindell
Kilger (Stormont—Dundas—Charlottenburgh)
Knutson
Lastewka
Lee
MacAulay
Macklin
Marcil
Martin (Winnipeg Centre)
McCallum
McGuire
McLellan
Mitchell
Myers
Neville
Nystrom

Owen
Pagtakhan
Patry
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed (Halton)
Robillard
Rock
Scherrer
Sgro
Simard
St-Jacques
St. Denis
Stoffer
Thibault (West Nova)
Tonks
Valeri
Wasylycia-Leis
Wood– — 149

Pacetti
Paradis
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proulx
Redman
Regan
Robinson
Saada
Scott
Shepherd
Speller
St-Julien
Stewart
Telegdi
Thibeault (Saint-Lambert)
Torsney
Vanclief
Wilfert

NAYS

Members

Abbott
Anders
Asselin
Bailey
Benoit
Bonin
Breitkreuz
Cadman
Chatters
Cummins
Day
Doyle
Elley
Fitzpatrick
Fournier
Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet
Girard-Bujold
Gouk
Grey
Guay
Harper
Hill (Prince George—Peace River)
Hilstrom
Jaffer
Karygiannis
Laframboise
Lebel
Lunn (Saanich—Gulf Islands)
Marceau
Martin (Esquimalt—Juan de Fuca)
Mayfield
McTeague
Meredith
Mills (Red Deer)
O'Brien (London—Fanshawe)
O'Reilly
Paquette
Perron
Plamondon
Ritz
Roy
Savoy
Schmidt
Skelton
Spencer
Steckle
Strahl
Thompson (New Brunswick Southwest)
Toews
Ur
Venne
Wappel
White (Langley—Abbotsford)
Yelich– — 109

Ablonczy
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Bellemare
Bergeron
Bourgeois
Burton
Cardin
Crête
Dalphond-Guiral
Desrochers
Duncan
Epp
Forseth
Gagnon (Champlain)
Gagnon (Québec)
Gauthier
Goldring
Grewal
Guarnieri
Guimond
Hearn
Hill (Macleod)
Hinton
Johnston
Kenney (Calgary Southeast)
Lalonde
Loubier
Lunney (Nanaimo—Alberni)
Mark
Matthews
McNally
Ménard
Merrifield
Moore
O'Brien (Labrador)
Pallister
Penson
Picard (Drummond)
Reid (Lanark—Carleton)
Rocheleau
Sauvageau
Schellenberger
Serré
Sorenson
St-Hilaire
Stinson
Szabo
Thompson (Wild Rose)
Tremblay
Vellacott
Volpe
White (North Vancouver)
Williams

PAIRED

Members

Barnes (London West)
Lanctôt

Bigras
Tirabassi– — 4

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

PRIVATE MEMBERS' BUSINESS

[*English*]

CANADA PENSION PLAN

The House resumed from October 8 consideration of the motion.

The Speaker: Pursuant to order made on Thursday, October 9, the House will now proceed to the taking of the deferred recorded division on Motion No. 197 under private members' business.

● (1855)

[*Translation*]

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

(Division No. 269)

YEAS

Members

Abbott
Bachand (Saint-Jean)
Blaikie
Caccia
Cardin
Comartin
Dalphond-Guiral
Desjarlais
Dromisky
Fournier
Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet
Girard-Bujold
Grewal
Guimond
Laframboise
Lill
Marceau
Martin (Winnipeg Centre)
Matthews
McNally
Meredith
Nystrom
O'Brien (Labrador)
Perron
Plamondon
Rocheleau
Sauvageau
Scott
St-Julien
Stoffer
Telegdi
Tremblay

Asselin
Bergeron
Bourgeois
Cadman
Charbonneau
Crête
Davies
Desrochers
Duncan
Gagnon (Champlain)
Gagnon (Québec)
Gauthier
Godin
Guay
Hill (Prince George—Peace River)
Lalonde
Loubier
Mark
Masse
McDonough
Ménard
Minna
O'Brien (London—Fanshawe)
Paquette
Picard (Drummond)
Robinson
Roy
Schellenberger
St-Hilaire
Stinson
Strahl
Toews
Wasylycia-Leis– — 66

NAYS

Members

Ablonczy
Alcock
Anders
Anderson (Victoria)
Bagnell
Bakopanos
Bélanger

Adams
Allard
Anderson (Cypress Hills—Grasslands)
Augustine
Bailey
Barrette
Bellemare

Benoit
Bevilacqua
Blondin-Andrew
Bradshaw
Brison
Bryden
Burton
Calder
Caplan
Castonguay
Cauchon
Chatters
Coderre
Comuzzi
Cuzner
DeVillers
Dion
Drouin
Easter
Epp
Fitzpatrick
Goldring
Graham
Grose
Harvey
Herron
Jackson
Jennings
Johnston
Kenney (Calgary Southeast)
Kilgour (Edmonton Southeast)
Kraft Sloan
LeBlanc
MacKay (Pictou—Antigonish—Guysborough)
Maloney
Mayfield
McCormick
McLellan
Mills (Red Deer)
Moore
Myers
Neville
Pacetti
Pallister
Patry
Peschisolido
Pettigrew
Pickard (Chatham—Kent Essex)
Price
Provenzano
Reed (Halton)
Ritz
Rock
Savoy
Sgro
Simard
Speller
St-Jacques
Steckle
Szabo
Thompson (New Brunswick Southwest)
Tonks
Ur
Vellacott
Wilfert
Wood– — 145

Bertrand
Binet
Boudria
Breitkreuz
Brown
Bulte
Byrne
Cannis
Carroll
Catterall
Chamberlain
Clark
Collenette
Cummins
Day
Dhaliwal
Doyle
Duplain
Elley
Eyking
Forseth
Goodale
Grey
Harvard
Hearn
Hilstrom
Jaffer
Jobin
Karetak-Lindell
Keyes
Knutson
Lastewka
Lee
Macklin
Marcil
McCallum
McKay (Scarborough East)
Merrifield
Mitchell
Murphy
Nault
Owen
Pagtakhan
Paradis
Peric
Peterson
Phinney
Pillitteri
Proulx
Redman
Regan
Robillard
Saada
Scherrer
Shepherd
Sorenson
Spencer
St. Denis
Stewart
Thibault (West Nova)
Thompson (Wild Rose)
Torsney
Vanclief
White (Langley—Abbotsford)
Williams

PAIRED

Members

Barnes (London West)
Lanctôt

Bigras
Tirabassi– — 4

The Speaker: I declare the motion lost.

* * *

[*English*]

BANKRUPTCY LEGISLATION

The House resumed from October 9 consideration of the motion.

Private Members' Business

The Speaker: Pursuant to order made on Thursday, October 9, the House will now proceed with the taking of the deferred recorded division on Motion No. 400 under private members' business.

● (1905)

[*Translation*]

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

(Division No. 270)

YEAS

Members

Abbott
Alcock
Asselin
Bélanger
Bergeron
Bourgeois
Brown
Bulte
Cadman
Cannis
Carroll
Charbonneau
Crête
Dalphond-Guiral
Desjarlais
Dromisky
Forseth
Gagnon (Champlain)
Gagnon (Québec)
Gauthier
Godin
Guay
Harvard
Jackson
Kraft Sloan
Lalonde
Lill
Maloney
Mark
Masse
McDonough
Meredith
Neville
O'Brien (London—Fanshawe)
Paquette
Perron
Picard (Drummond)
Plamondon
Rocheleau
Sauvageau
Scott
St-Julien
Telegdi
Tremblay
Vellacott
White (Langley—Abbotsford)

Adams
Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)
Bellemare
Blaikie
Breitkreuz
Bryden
Caccia
Calder
Cardin
Chamberlain
Comartin
Cullen
Davies
Desrochers
Duncan
Fournier
Gagnon (Lac-Saint-Jean—Saguenay)
Gaudet
Girard-Bujold
Grewal
Guimond
Ianno
Karetak-Lindell
Laframboise
Lastewka
Loubier
Marceau
Martin (Winnipeg Centre)
Matthews
Ménard
Minna
Nystrom
O'Brien (Labrador)
Peric
Phinney
Pickard (Chatham—Kent Essex)
Robinson
Roy
Schellenberger
St-Hilaire
Stoffer
Tonks
Ur
Wasylycia-Leis
Wood– — 92

NAYS

Members

Allard
Anderson (Victoria)
Bagnell
Barrette
Bertrand
Binet
Boudria
Burton
Castonguay
Chatters
Coderre
Comuzzi
Cuzner
DeVillers
Dion

Anders
Augustine
Bailey
Benoit
Bevilacqua
Blondin-Andrew
Brison
Caplan
Cauchon
Clark
Collenette
Cummins
Day
Dhaliwal
Doyle

Drouin	Duplain
Elley	Epp
Eyking	Fitzpatrick
Goldring	Goodale
Graham	Grey
Grose	Harvey
Hearn	Herron
Hill (Prince George—Peace River)	Hilstrom
Jaffer	Jobin
Johnston	Kenney (Calgary Southeast)
Knutson	Lee
MacKay (Pictou—Antigonish—Guysborough)	Macklin
Marcil	Mayfield
McCallum	McKay (Scarborough East)
McNally	Merrifield
Mills (Red Deer)	Mitchell
Moore	Murphy
Myers	Nault
Owen	Pallister
Paradis	Patry
Peterson	Pettigrew
Pillitteri	Price
Redman	Reed (Halton)
Regan	Ritz
Robillard	Rock
Saada	Savoy
Scherrer	Sgro
Simard	Sorenson
Spencer	St-Jacques
St. Denis	Steckle
Stewart	Strahl
Szabo	Thibault (West Nova)
Thompson (New Brunswick Southwest)	Vanclief
Williams– — 97	

PAIRED

Members

Barnes (London West)	Bigras
Lanctôt	Tirabassi– — 4

The Speaker: I declare the motion lost.

[*English*]

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.

Mr. Bill Blaikie: Mr. Speaker, I rise on a point of order. I want to call to your attention and perhaps to the attention of some members of the House the rules for voting, as I understand them.

The rules for voting, as they were when I came to this place and as they were for many years—and I do not remember them ever having been changed—are that once the vote begins members are to stay in their seats. They are not to move around and talk to each other. They are not to leave before they vote or after the vote has taken place. They are not to leave after they vote.

I observed 12 Liberals leave and God knows how many opposition members because I cannot see all of them. Members are not behaving properly.

The idea is that members are supposed to sit in their place until the vote has taken place and then they can leave. I wish you would enforce that, Mr. Speaker.

I can understand why some members may want to leave. The Minister of Labour left because she did not want to vote against workers because that is what her cabinet instructed her to do. I do not understand why other members felt they had to leave, particularly after they had voted. They could at least wait around to see the turnout.

Right Hon. Joe Clark: Mr. Speaker, I think this is more significant than simply a breach of normal comportment. If the rules have been breached, then the members of Parliament who cast a vote and left improperly should not have their votes count.

I would ask the Chair to consider whether the vote that has just been recorded is in fact a valid vote taking account the appropriate comments made by the House leader of the New Democratic Party.

The Speaker: The hon. member for Winnipeg—Transcona and the right hon. member for Calgary Centre have raised points that are perfectly valid.

I quite agree with the hon. member for Winnipeg—Transcona that it is a requirement that members remain in the chamber during the taking of a vote until the vote is completed.

Then, there is a moment to leave before the next vote begins, but members are required to stay once they have voted or once a vote has begun. Some may be slower getting out perhaps than others and if they have not voted, their departure makes no difference.

However, members who depart, after they have voted and before the vote is completed, are liable to have their votes disallowed, as we found in the case of the Minister of Canadian Heritage earlier who came in after the question had been put and before the vote was completed.

Once the vote begins, and that is why we have the whips come into the chamber to indicate that all is in readiness, members cannot come in and find themselves counted. Similarly, they cannot leave without, in my view, losing their vote.

Having said that, I will issue it as a warning to all hon. members. Tonight, we have no way of tracking who came and went. As the hon. member for Winnipeg—Transcona pointed out, a number of members left, maybe some before they voted and maybe some after, and maybe there were yeas and nays. We will let the vote stand tonight. I will not disturb that.

However, I would urge hon. members that if they want to have their vote count, they must remain in their seats from the time the vote begins until the result of the vote is announced. They are then free to move around and go out of the chamber or come back in if they wish.

The fact is that they must be here during the time of voting. That has been the practice of the House, although I must say there have been times recently when it has not been observed as carefully as it might.

The hon. member for Ancaster—Dundas—Flamborough—Aldershot.

● (1910)

Mr. John Bryden: Mr. Speaker, I respect the position you have taken on this, but because this is private members' business I would seek the unanimous consent of the House to declare the vote on this motion invalid and to defer it to a vote on another occasion to be determined by the whips.

The Speaker: Is there unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

[*Translation*]

Mr. Yvon Godin: Mr. Speaker, I rise on a point of order. Since the House did not give its consent, I am certain that you can make this decision because this is an important vote.

You said it yourself; members who leave the House are transgressing the rules. You are well aware that many members left the House this evening, which is against the rules.

I am certain that you have the authority to call for the vote to be held again tomorrow evening in order to do justice to Motion M-400.

[*English*]

The Speaker: I would like to think I had that power.

Had this rule been one that was rigorously enforced over the last number of years in terms of members raising objections to the fact that members were leaving, I would have more sympathy with the point that the hon. member is making today, but it has certainly, in my view, been more observed in the breach than in the observance. I am concerned that it has not been well observed in the last while. I am delighted frankly that the hon. member for Winnipeg—Transcona has raised the matter and the right hon. member for Calgary—Centre has raised the matter, because it is, in my view, part of the practice of the House. The fact that attention has been drawn to the breach of it is important.

I hope that hon. members will take notice if we have a problem of members getting up and moving during votes. I had an opportunity to chastise a member who came to consult me during the taking of the vote and suggested he get back to his seat pronto or his vote would be disallowed.

This kind of thing, in my view, ought not to be going on. The hon. member for Winnipeg—Transcona has done his best to make it clear to all that that is the case. I agree with him. In future votes we will be watching, I am sure, for members, miscreants, who choose to ignore the rules and practices of the House, and the votes might get disallowed. However I think that that is a matter that I am not going to adjudicate on tonight because there happened to be an exceptionally large number of people that left. People have been leaving during votes now for some time. I am concerned about it and I am glad the hon. member for Winnipeg—Transcona has raised the matter.

Right Hon. Joe Clark: Mr. Speaker, you have ruled on the question of the vote tonight and the House of course will accept your ruling, but I think that if you are trying to establish a sense of certainty, we cannot deal in warnings and we cannot deal in mights.

I would think that the House has a right to know whether, on the next vote and in votes after that, if a member leaves before the count is completed, that member's vote will count or not. I think we cannot leave it, with respect sir, in the uncertainty that was reflected in your last intervention.

● (1915)

The Speaker: I appreciate the right hon. member's assistance at all times, but I am sure he realizes the uncertainty is that the Chair might not see somebody leaving. If it happens that somebody slipped out and I or one of my colleagues sitting in the chair did not see it, I would not think that we would be disallowing that member's vote even though the member was disobeying the practice of the House.

Naturally we would be looking for assistance from all hon. members. I am sure that the fact that the point of order is recorded in *Hansard*, members will be reading it like crazy tomorrow. I have no doubt that the whips will take this matter up in caucus meetings that I understand are usually held on Wednesday mornings. All hon. members will therefore be fully informed and I thank the right hon. member for raising it with that in view.

It being 7:15 p.m., the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:18 p.m.)

CONTENTS

Tuesday, October 28, 2003

ROUTINE PROCEEDINGS

GOVERNMENT ORDERS

STATEMENTS BY MEMBERS

ORAL QUESTION PERIOD

GOVERNMENT ORDERS

PRIVATE MEMBERS' BUSINESS

MAIL POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid | Port payé

Lettermail | **Poste–lettre**

1782711
Ottawa

If undelivered, return COVER ONLY to:
Publishing and Depository Services
PWGSC, Ottawa, ON K1A 0S5
Internet: http://publications.gc.ca
1-800-635-7943 or Local 613-941-5995

En cas de non-livraison,
retourner cette COUVERTURE SEULEMENT à :
Les Éditions et Services de dépôt
TPSGC, Ottawa (Ontario) K1A 0S5
Internet: http://publications.gc.ca
1-800-635-7943 ou appel local (613) 941-5995

Published under the authority of the Speaker of the House of Commons

Publié en conformité de l'autorité du Président de la Chambre des communes

Also available on the Parliamentary Internet Parlementaire at the following address:
Aussi disponible sur le réseau électronique « Parliamentary Internet Parlementaire » à l'adresse suivante :
http://www.parl.gc.ca
