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OFFICIAL REPORT
(HANSARD)

Tuesday, September 18, 2012

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Tuesday, September 18, 2012

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

•(1005)

[*Translation*]

PETITIONS

RIGHTS OF THE UNBORN CHILD

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, I am pleased to rise in the House today to present a petition signed by Canadians from several provinces calling on members of Parliament to reject Motion M-312, which violates women's rights.

KATIMAVIK

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, I have three petitions to present here today.

The first petition calls on the government to bring back the Katimavik program, because it is an excellent program for all Canadians, and particularly young Canadians.

ABORTION

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, the second petition I wish to present opposes Motion M-312, which is an attempt to reopen the abortion debate and could compromise the status of women.

PUBLIC TRANSIT

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, the third petition I wish to present expresses support for the national public transit strategy proposed by my colleague from Trinity—Spadina.

[*English*]

CHILDREN'S HEALTH

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, I am delighted to present this petition regarding access to healthy food which is critically important for a child's development but is often limited for Canadian children who live in poverty.

Child and youth nutrition programs are a cost-effective way to encourage the development of lifelong healthy eating habits, support

Canadian farmers and food producers and the development of local markets, and reduce future health care costs.

The petitioners call upon Parliament to provide national leadership in support of child and youth nutrition programs through the ministries of health and agriculture, develop a national child and youth nutrition strategy in consultation with stakeholders across the country and develop partnerships with farmers and food producers to stimulate economic development.

As Buzz Aldrin says, if we can conquer space, we can conquer childhood hunger.

[*Translation*]

ABORTION

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I wish to present a petition signed by Quebeckers from across Quebec—from the Gaspé, Gatineau, Mont-Laurier and Laval—who oppose Motion M-312, which is an attempt to reopen the abortion debate.

[*English*]

KATIMAVIK

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, I would like to present two petitions. The first petition is in support of Katimavik, a critical program for our youth, and building understanding across our great country.

ABORTION

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, I am pleased to present a second petition on behalf of Canadians who are opposed to Motion No. 312, a thinly veiled attempt to reopen the abortion debate.

Many Canadians are hoping that not just government frontbenchers but backbenchers as well will stand up for a woman's right to choose and moving on to gender equality.

[*Translation*]

PUBLIC TRANSIT

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, I also wish to present a petition on behalf of many Canadians who, like my colleague from Trinity—Spadina, would like to see a national public transit strategy.

[*English*]

ABORTION

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I am pleased to present three petitions today.

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I am honoured to present a petition signed by men and women from across Canada who are opposed to Conservative Motion No. 312, a thinly veiled attempt to reopen the abortion debate in Canada. It is a debate we have already had and Canadians want to move on. Men and women in Canada look forward, not backward, and want to achieve true gender equality in Canada.

KATIMAVIK

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, the second petition is in support of the Katimavik program, an important program for youth leadership development. A constituent of mine, who had been accepted in the summer program, was bitterly disappointed when she was told that she was not allowed to participate.

I am happy to present a petition calling for the continuation of Katimavik program.

PUBLIC TRANSIT

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, lastly, I present a petition in support of the motion put forward by my colleague from Trinity—Spadina calling for a public transit strategy.

The Board of Trade in the city of Toronto says that we have a \$6 billion annual deficit because of a lack of transit infrastructure investment. Canadians want to make this happen.

GOVERNMENT SPENDING

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have a petition to present today signed by constituents in my riding who want to send a strong message to the Government of Canada that they do not support increasing the size of the House of Commons. The petitioners indicate that they would rather see that money being spent on seniors' pensions, health care, more bedside care and more community policing.

RIGHTS OF THE UNBORN

Mr. Gary Schellenberger (Perth—Wellington, CPC): Mr. Speaker, I would like to present three petitions signed by constituents in my riding in support of Motion No. 312.

INTERNATIONAL AID

Mr. Gary Schellenberger (Perth—Wellington, CPC): Mr. Speaker, I have one petition to demonstrate the international responsibility by recommitting Canada to contribute 0.7% of GDP to overseas development assistance.

[*Translation*]

ABORTION

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I am pleased to present three petitions here today.

The first petition opposes Motion M-312, a backward motion that reopens the debate on abortion.

KATIMAVIK

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, the second petition I am presenting supports reinstating Katimavik. According to a number of my constituents, the program was very good because it enabled young people to connect with others who come from different cultures and speak different languages.

PUBLIC TRANSIT

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, the final petition I am presenting is an initiative of my colleague from Trinity—Spadina in favour of a national public transit strategy that would resolve problems in my riding and others. The government could help municipalities with this.

[*English*]

ABORTION

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I have the privilege today to present two petitions.

The first petition is opposed to Conservative Motion No. 312, which is a thinly veiled attempt to reopen the abortion debate in Canada. We have been there, done that and we do not need to go back there again.

Men and women across Canada are stating their clear opposition and are hoping that not just government frontbenchers but all benches support a woman's right to choose. Women and men in Canada look to moving forward, not backward, and finally achieving true gender equality.

● (1010)

PUBLIC TRANSIT

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, the second petition I wish to present calls for a national public transit strategy.

I represent a riding that is in dire need of public transit. The establishment of a national strategy and then specific action and investment in infrastructure would go a long way not only toward addressing environmental issues but also toward making people's lives a lot healthier.

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I have three petitions to present today in the House.

The first is in support of my colleague from Trinity—Spadina's request for a national public transit strategy.

Canada is the only OECD nation that does not have a national public transit strategy. We also need more investment in our public transit infrastructure.

ABORTION

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, the second petition is in response to Motion No. 312 and is against the motion. Dozens of Canadians from across the country have signed the petition. They oppose the Conservatives' motion, which is a thinly veiled attempt to reopen the abortion debate in Canada.

Canadians held this debate decades ago, and people are ready to move on to other things.

KATIMAVIK

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, the final petition I am presenting today is about maintaining Katimavik. The government should continue to fund Katimavik at a cost of \$14 million to ensure that our youth can take advantage of this program in communities across the country.

[English]

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, this morning I have the honour to present three petitions. The first one is in support of the Katimavik program.

We know that the Katimavik program is an important program that greatly benefits youth, communities and many non-profit organizations across the country. Approximately 600 youth who were supposed to participate in the program this July did not have the opportunity to participate and were not able to register at post-secondary institutions and have been left in an unfortunate state.

The petitioners are calling upon the Minister of Heritage, the Minister of Finance and the Prime Minister to continue to allocate \$14 million per year in funding to the Katimavik program.

PUBLIC TRANSIT

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, I am honoured to present more petitions on behalf of constituents in support of creating a national public transit strategy. It is estimated that over the next five years there will be an \$18 billion gap in transit infrastructure needs. We feel the desperate need of this in Scarborough—Rouge River.

ABORTION

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, I am honoured to present a third petition signed by women and men from across Canada who are opposed to Conservative Motion No. 312, a thinly veiled attempt to re-open the abortion debate in Canada, a debate that Canadians already had decades ago. Canadians are ready to move on and finally achieve true gender equality in Canada.

[Translation]

KATIMAVIK

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I have the pleasure of submitting two petitions today. The first concerns reinstating and keeping the Katimavik program. Many young people spoke to us about this program and the need to keep it.

PUBLIC TRANSIT

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, the second petition concerns a national public transit strategy, and I am tabling it today in support of my colleague from Trinity—Spadina.

[English]

HEALTH OF ANIMALS ACT

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

The first petition is from residents of Saanich within my riding of Saanich—Gulf Islands. The petitioners urge the House to support private member's Bill C-322. The bill deals with the issue of horse meat and the risk. I think most Canadians would like to believe that

Routine Proceedings

horses are not part of a food product for many reasons, including the drugs that horses may have ingested and the fact that they are not reared as food. They should be protected and Bill C-322 should be passed.

CANADIAN BROADCASTING CORPORATION

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is from residents in the Vancouver area calling on the House to act to protect a stable, public broadcasting system through full funding. We have seen the CBC trashed this summer. We have just lost the broadcasting of CBC International. Now people can only access it through a website, which we know repressive governments, like Communist China, can block access to. We need to have that short wave system revived. Let us, as these petitioners wish us to do, protect the CBC.

KATIMAVIK

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, I have two petitions today.

The first petition is in regard to the unfortunate ending of the Katimavik program. This program has been part of the scene in Canada for many years and has produced some incredible leaders among the youth who participated. Sadly, 600 young people were supposed to be part of that program this year and were denied that opportunity because of the funding cut imposed by the government to the Katimavik program.

PUBLIC TRANSIT

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, the second petition is from Canadians across the country who are very concerned about the fact that Canada is the only OECD nation that does not have a national transit strategy and that over the next five years we will find ourselves in an \$18 billion deficit when it comes to transit infrastructure.

Therefore, the petitioners are asking the Government of Canada to enact a Canada public transit strategy which will provide permanent investment in transit, establish a federal funding mechanism, work with other levels of government to provide a sustainable and predictable long-term funding strategy and establish accountability measures so we can have a transit system of the 21st century rather than the 19th century.

●(1015)

[Translation]

KATIMAVIK

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, this morning I have the pleasure of submitting two petitions signed by men and women from across the country.

Government Orders

The first petition is in support of reinstating and extending the Katimavik program. In Rimouski, I had the opportunity to meet with young people who benefited from the experience. Meeting young people from all over the country was an enriching experience for the youth who participated and for my community.

PUBLIC TRANSIT

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, the second petition is in support of a national public transit strategy. There is a large gap in infrastructure, which must be remedied. We are talking about \$18 billion. Most Canadians, whether they live in big cities or rural areas, would like to have much more efficient public transit. That is why many people have signed this petition, which I am very pleased to submit.

[*English*]

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, there are a lot of petitions being tabled with respect to a national public transit strategy. That is the exact petition that I am tabling. Nobody knows more the impact of not having public transportation than northern Ontario. It has a very big impact on our communities.

On that note, it is estimated that over the next five years there will be an \$18 billion gap in transit infrastructure. We are the only OECD country that does not have a national public transit strategy.

Therefore, what the petitioners are asking for is a permanent investment plan to support public transit. They are also asking that a federal funding mechanism be put in place for public transit and that we work together with all levels of government to provide sustainable, predictable, long-term and adequate funding, as well as to establish accountability measures.

[*Translation*]

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, today I have the pleasure of submitting a petition signed by dozens of Canadians from across the country, which underscores the chronic underfunding of public transit in recent years.

This petition is in support of the bill introduced by my colleague from Trinity—Spadina. This bill will improve public transit infrastructure, which could be a great boon to the people in my riding who do not have adequate infrastructure to establish an efficient public transit system.

[*English*]

The Speaker: Unfortunately, the time provided for petitions has expired, but there will be another 15 minutes tomorrow. I am sure we can get the rest of them in.

Questions on the Order Paper. The hon. parliamentary secretary to the government House leader.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

ENHANCING ROYAL CANADIAN MOUNTED POLICE ACCOUNTABILITY ACT

The House resumed from September 17 consideration of the motion that Bill C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts, be read the second time and referred to a committee, and of the motion that this question be now put.

The Speaker: The hon. member for Alfred-Pellan has five minutes remaining for questions and comments.

● (1020)

[*English*]

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, I listened intently to my colleague's speech yesterday. If possible, I would like her to elaborate on some of the things she thinks are very pointed and good about this bill and what she thinks could be improved.

The Deputy Speaker: The member for Windsor West on a point of order.

Mr. Brian Masse: Mr. Speaker, on a point of order, I would like the House to welcome you to your new role as Deputy Speaker and thank you for your work for the constituents of Windsor—Tecumseh. You have ably served this House since the year 2000. I have been grateful to share many experiences with you. I think this is a good decision for the House.

Ironically, I think your first ruling will probably be against me. However, I do think it is important to recognize your contributions.

I look forward to seeing how you will perform the role of Deputy Speaker.

The Deputy Speaker: The member for Windsor West is correct. He is out of order with regard to that.

However, the expression of support that I received yesterday, once the Speaker had given my name forward, was quite overwhelming and greatly appreciated by me and my constituents.

Let us resume debate. The member for Alfred-Pellan.

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, it is an honour for me to answer this question and to be the first person you called upon to speak in this chamber. I thank you very much. I would also like to thank my colleague from Scarborough—Rouge River for her excellent question.

Government Orders

The NDP's position is to support Bill C-42 at second reading. However, corrections and amendments need to be made. This bill is going in the right direction, but there are improvements to be made. Yesterday, the Minister of Public Safety himself confirmed that amendments could be made to flesh out this bill and to ensure that it is tougher on members of the RCMP who commit offences such as sexual harassment.

The speech I gave yesterday centred on the problem of sexual harassment and the public's confidence in the RCMP. What is important for us is to see that we will have the opportunity to implement a more independent process to address such offences within the RCMP. The only problem is that if it so happens that no other organization can conduct an investigation—I am talking here about provincial organizations—then the investigation could be conducted by the RCMP itself, which means that the RCMP would be investigating itself.

This process therefore sets a double standard and is not exactly independent. We are really looking to ensure that the bill will implement a completely independent process in all of the provinces and throughout Canada so that women who work for the RCMP are well protected and that the public's confidence in the RCMP is restored.

[*English*]

Ms. Rathika Sitsabaiesan: Mr. Speaker, I thank my colleague again for that very clear answer. She did acknowledge that the NDP will be supporting Bill C-42 at second reading. However, I wonder if she could elaborate a little further on some of the amendments she proposed that would make this a very strong bill moving forward.

I know my colleague has a very thorough understanding of this bill. I ask if she would elaborate on some of the amendments and allow the government members to learn about those that we look forward to proposing during committee stage.

• (1025)

[*Translation*]

Ms. Rosane Doré Lefebvre: Mr. Speaker, I would once again like to thank my colleague from Scarborough—Rouge River. I would be happy to give more information about what could be added to help flesh out Bill C-42.

In my speech, I mentioned that as Canadians, we must have a thorough debate on what we want to do with the RCMP. This is the right time to do so. This is the time to change the RCMP's internal policies.

I would also like to mention that we support Commissioner Paulson's statement that legislation alone is not enough to preserve public trust and that extensive reform is necessary to address the serious underlying problems within the RCMP, in order to create a workplace that is more open, more co-operative and more respectful of everyone.

We completely agree with Commissioner Paulson's statement. We want to ensure that Commissioner Paulson has everything he needs to make the necessary changes within the RCMP.

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, in recent years, a number of scandals have rocked the

RCMP, particularly with respect to the sexual harassment against certain members in recent years. Furthermore, many Canadians were troubled by the disciplinary measures that were too lenient for some officers accused of serious misconduct. The revelations that came out with these scandals seriously undermined Canadians' trust in this noble institution. I would like to briefly remind members of the various scandals in order to put this bill into context.

More than 200 women who work and have worked for the RCMP in recent years filed a class action suit against the RCMP for sexual harassment. The first hearing was held a little over a month ago, but the class action suit has not yet been accepted by the courts. A number of officers have also filed individual lawsuits in addition to this legal action.

The government introduced Bill C-42 in response to all of these scandals, in order to restore public trust in the RCMP.

From 1994 to 2011, 750 formal discipline hearings were held across Canada. In this same period of time, 206 regular and civilian members resigned from the RCMP. From 2000 to 2011, 715 new formal discipline cases were filed, which represents an average of about 83 new cases a year.

Given the many harassment allegations and serious disciplinary offences, we believe this bill is justified. There is growing public concern among Canadians regarding the problem of harassment.

For months now, the NDP has been urging Public Safety Canada to make the issue of sexual harassment in the RCMP a top priority. Unfortunately, Bill C-42 does not directly or adequately address the systemic, deeply-rooted problems in the RCMP corporate culture, nor will it do anything to change the current climate in the RCMP.

The Minister of Public Safety does not appear to have taken into account the various recommendations made by the Task Force on Governance and Cultural Change in the RCMP. Bill C-42 simplifies the process of resolving problems in the workplace, a process that many saw as complicated and ill-suited to changes in workplace practices.

In 2007, the Task Force on Governance and Cultural Change in the RCMP described the process as too formal, and an overly legalistic and procedural system. More recently, Commissioner Paulson wrote an open letter to Canadians expressing his concerns about the RCMP's disciplinary system, which he described as outdated and administratively burdensome. These problems limit the disciplinary system's ability to ensure that members' conduct is properly managed and corrected or, when necessary, to see to it that the rotten apples are fired.

Government Orders

Currently, RCMP managers faced with having to address harassment issues have two completely different processes they must follow. The first one was created under Treasury Board policy and the other under the RCMP Act. Since these two policies do not always align, this can lead to some confusion about the rights of the parties involved.

Bill C-42 proposes to give the commissioner the power to establish a single framework for conducting investigations into harassment problems and resolving those problems. The bill will also give the commissioner of the RCMP a new power to decide what disciplinary actions would be appropriate, which will include the power to appoint and discharge members.

The first thing we note is that the Minister of Public Safety has adopted a simplistic solution to a problem that is much broader, by simply giving the commissioner final authority when it comes to dismissing employees, for example. Employees are in fact somewhat concerned about this bill.

The bill does nothing to address unionization by the members of the RCMP. Since the RCMP is the only police force that is not represented by a union and is also not subject to a collective agreement, the Mounted Police Professional Association of Canada has concerns about the job security of members of the RCMP and the extraordinary power given to the commissioner over dismissals. But the Conservatives do not want to address that question at all.

While Bill C-42 gives the commissioner greater ability to establish a more effective process to address harassment problems, and also gives him more power in relation to discipline, it cannot bring about the real change of culture within the RCMP that is needed in order to eliminate harassment and problems relating generally to discipline and the conduct of RCMP officers. The evidence is in what Commissioner Paulson has said himself: that legislation alone is insufficient to restore the public's trust, and that thorough reform is needed to tackle the serious underlying problems in the RCMP, in order to foster a workplace that is more open and respectful for all its members.

The commissioner has also told the Standing Committee on the Status of Women that the problem goes well beyond the question of sexual harassment.

This situation has to change from top to bottom. I think the minister should have taken the opportunity offered by this bill to include a clear policy to combat sexual harassment. The minister did not consider all of the police and civilian stakeholders. The government is also going to have to pay attention to the findings of the two reports that should clarify the problem of sexual harassment in the RCMP, the problem of the RCMP Public Complaints Commission, and the evaluation of the RCMP on gender issues.

Let us move on to another aspect of the bill, the reform of the former RCMP Public Complaints Commission by establishing a new civilian complaints commission called the Civilian Review and Complaints Commission for the RCMP, and by implementing a new framework for handling investigations of serious incidents involving members.

●(1030)

The bill will establish a new civilian complaints commission for the Royal Canadian Mounted Police to replace the RCMP Public Complaints Commission.

This bill will give the new commission a number of powers, including the power to undertake its own reviews of RCMP policies to ensure that the Minister's directives and the applicable legislation and rules are being followed. It will provide a right of access to information in the control or possession of the RCMP. It establishes new investigative powers, including the power to compel witnesses and officers to testify, and to require them to produce evidence and documents. It also allows the commission to conduct joint complaint investigations with other police complaints bodies. Lastly, the commission will report to the Minister of Public Safety and the commissioner of the RCMP, and its recommendations will not be binding.

The Conservatives have been promising for years that they are going to make an independent oversight body responsible for investigating complaints against the RCMP, as the Task Force on Governance and Cultural Change in the RCMP recommended. The task force had recommended that a model be adopted under which there would be a body responsible for examining every incident or aspect of RCMP operations that was considered to be problematic and making binding recommendations. With this bill, we can see that the government has not kept its promise.

The "new" civilian complaints commission proposed by this bill bears a strange resemblance to the RCMP Public Complaints Commission, because just like that commission, the new one is unfortunately not totally independent. It reports not to the House of Commons, but to the Minister of Public Safety. We would also have liked more powers to be given to an independent external civilian body, to investigate serious incidents in which death or serious bodily injury is caused by members of the RCMP. That type of investigation will largely be assigned to municipal or provincial police forces, even though many of them have no civilian investigation body, and so, depending on the circumstances, some investigations will continue to be done by the RCMP itself.

Canadians want this type of investigation to be done by a body outside the RCMP. That is how we will enhance Canadians' confidence in our institution. Bill C-42 does not provide more transparency and better independent oversight of the RCMP. The bill simply leads to a single body that submits its non-binding recommendations to the minister.

We believe that this bill is a step in the right direction, but it does not go far enough. We are therefore going to support it so it can be considered in committee, where we will be proposing amendments.

Government Orders

• (1035)

[English]

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, as the member knows, the bill is called enhancing Royal Canadian Mounted Police accountability act. He talked a fair bit in his remarks about the new civilian complaint commission, which reports to the Minister of Public Safety. We know from experience that when the government introduced its own accountability act with much fanfare, it was just words with more spin than anything else. It has not, by any means, abided by that accountability act.

My question to the member is this. Why should we expect, with the fancy words in this bill, that it is going to do anything different when it comes to complaints against the RCMP than it has already done? We know one of the best representatives on the Commission for Public Complaints Against the RCMP was Paul Kennedy. He was doing his job, and because he was doing his job the government removed him from his position, because he was challenging the RCMP and the government in terms of their management of that file. Now there is a new commission, which is basically a shadow of the other one. Yes, it has civilians on it, but it still reports to the Minister of Public Safety. How can that actually work?

[Translation]

Mr. Sylvain Chicoine: Mr. Speaker, I thank my hon. colleague for his question.

He has highlighted certain problems that this new bill will present. He notes that this body will have no transparency since it will report directly to the department and the commissioner. Because it is not at arm's length, it will unfortunately not be able to make binding proposals that would require the RCMP to change its practices.

Canadians really expect the RCMP to fix its problems. This bill is a good step in that direction, but it needs to go a little further to be able to tackle sexual harassment head-on. Officers will have to abide by this bill, and for that reason we will support it. We will be able to hear the experts' opinions on the subject in committee.

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, first, I would like to congratulate my colleague on his speech.

I would like to ask him what he thinks are the advantages of this bill, which would give the commissioner the authority to establish a unique overall framework.

Mr. Sylvain Chicoine: Mr. Speaker, I thank my colleague for her interesting question.

Indeed, the new commissioner will have certain powers to compel officers, who will have to comply with more effective disciplinary measures. There is a problem within the RCMP. The commissioner will certainly have greater authority to enforce appropriate behaviour within the RCMP.

It will be interesting to study the government's proposal in committee.

• (1040)

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, first, I would like to congratulate you on your appointment and on assuming the Chair today.

I am pleased to speak to Bill C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts. The NDP will support Bill C-42 and will vote in favour of it at second reading. However, we want to make some considerable amendments, in order to fix the most problematic areas of the bill, particularly in order to improve oversight and to ensure that independent investigations are conducted. We would also like to increase the independence of the new Civilian Review and Complaints Commission for the Royal Canadian Mounted Police from the RCMP and the minister.

Canadians' confidence in the RCMP has been shaken over the past few years by the many scandals the police force has been involved in. Now a number of bullying and harassment in the workplace cases are once again tarnishing the Royal Canadian Mounted Police's reputation.

When Commissioner Paulson was newly appointed in November 2011, he was very clear about the priorities he was committed to focusing on: accountability and leadership. Canada's largest police force must be accountable and must not give the impression of being above the law.

Bill C-42 was introduced to modernize the force's systems and make them more efficient. In particular, members accused of an offence will be punished or fired more quickly. Members who commit crimes not only violate the standards and laws that they are supposed to uphold, they also cause significant harm to the organization's image.

In a speech following his appointment to the head of the RCMP, Mr. Paulson said:

The work we do is important, but how we do this work is equally important and can profoundly impact the lives of Canadians. I get that.

In a way, it is reassuring to know that the commissioner cares about more than results. He also cares about how those results are achieved.

Obviously, the RCMP is a huge organization. That is not news to anyone. It has some 30,000 employees whose activities are frequently international in scope. The commissioner recognized that he has "a lot of work ahead of [him] as we continue to transform the RCMP." Fixing the force is not an easy undertaking. We know that. This bill is a small step, but it remains to be seen whether it will really help the commissioner achieve his goals of accountability and responsibility.

After Corporal Catherine Galliford came forward in November 2011, many other women followed her example. The day after the media reported Ms. Galliford's allegations, another officer, Krista Carle, came forward about the abuses she suffered and the lack of assistance and empathy on the part of her former supervisors, who maintained the environment of silence and fear in which she had to work. Ms. Carle said, "I know for a fact there are at least six women that I know who have left the force or are still in that have suffered harassment." She added, "I'm sure there are others who are afraid to come forward for fear of reprisals." Ms. Carle's case was settled in 2007, but she still felt the need to speak up about what happened.

Government Orders

Then, in December 2011, Corporal Élisabeth Couture also took legal action against the RCMP for professional harassment. According to the media, the young woman is currently on sick leave because of stress caused by the incidents.

In Manitoba, another woman publicly denounced the sexual harassment and racism she was a victim of. Marge Hudson was the only aboriginal police officer in Manitoba when she joined the force. It seems that she went through some difficult years during which people were apparently plotting to force her to resign.

Then, former constable Janet Merlo launched a class action suit with the Supreme Court of British Columbia on behalf of over 150 former and current female police officers, who are making numerous claims of discrimination and sexual harassment within the force.

To his credit, Commissioner Paulson has said that he was aware that harassment exists within the RCMP and that this was unfortunately not a new thing, but that mindsets must change and that these behaviours must never be tolerated. On the day of his appointment, Mr. Paulson said, "First on my plate will be addressing the issue of harassment and sexual harassment in the workplace."

• (1045)

A number of the bill's critics are wondering how this stricter system will be able to stop the specific problems of sexism and harassment in the workplace because, quite often, it is not necessarily the complaint process that is the issue, but the acknowledgement of the action and the very willingness to set this process in motion. Commissioner Paulson spoke about that himself.

[English]

He said they have good policies on how to deal with complaints, but "the trouble is ensuring compliance with these policies".

[Translation]

That is why we are instead talking about the need to change the culture of the Royal Canadian Mounted Police. The Minister of Public Safety has defended the effectiveness of his bill in this respect by declaring, and I quote:

[English]

Under this legislation, the commander cannot allow a negative culture to continue or they will be held responsible. That, in my opinion, will make a huge difference in changing that culture.

[Translation]

Unfortunately, we all know that no legislation can force such a change.

Following the overwhelming findings of the Brown report in 2007, which essentially called for a full review of the entire currently existing culture, governance and management structure within the RCMP, the Minister of Public Safety at the time refused to hold a public inquiry, instead preferring to create the Task Force on Governance and Cultural Change in the RCMP.

The task force issued its report in December that same year. Nearly 50 recommendations were made, 49 actually, but three are essential for starting a true cultural change, improving governance

and paving the way for the application of the other recommendations.

The first recommendation was to establish the RCMP as a separate entity within the government, with its own employer status, which would involve giving it the full authority to manage its financial affairs and personnel within general parameters approved by Parliament.

These new powers would require a different structure within the Royal Canadian Mounted Police, which leads us to the second recommendation, which was to create a board of management of the RCMP responsible for the stewardship of its organization and administration, including the oversight of the management of its financial affairs, resources, services, property, personnel and procurement. The board would be accountable to Parliament through the minister.

Finally, the third recommendation of the task force was that legislation be enacted to establish an independent commission for complaints and oversight of the RCMP—the ICCOR. This commission would have the same responsibilities as the ERC and the CPC, with expanded authorities similar to those of an ombudsman. It would present public reports and its decisions would be binding on the commissioner.

When the report was released, David Brown, the chair of the task force, stated that the RCMP is not just another federal department—nor should it be. In his report he added:

In many ways, the RCMP's approach to governance has been based on a model and style of policing developed from—and for—another era...none of these changes will be sustainable without the fundamental changes to structure that we are proposing.

It would be disingenuous to not acknowledge the impact of the recommendations of the Brown report and the task force on Bill C-42, the bill we are currently debating.

However, it is quite obvious that the recommendations central to the reform set out in the two reports, particularly the recommendations concerning accountability to Parliament and the binding nature of the new civilian commission's decisions, have been diluted. The Brown report does state that "confidence by the public and the RCMP family in these results can only be achieved through full civilian oversight." We believe that this oversight requires public reports to elected officials.

As for separate employer status, there is no mention of it in the bill.

In light of the nature and importance of the responsibilities of an organization such as the RCMP, the task force stated:

Such a consideration [governance and the administration of the Royal Canadian Mounted Police] would require a much broader public policy debate as to the policing model which best suits Canada and best serves Canadians.

Although it is not within the task force's mandate to order such a debate, the simple fact that they mentioned it shows the importance attributed to the exercise by the task force members, especially since the recommendations do not seem to have had the desired effect.

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● (1050)

We will get a better idea of the reaction of those affected during the committee hearings. We will vote in favour of this bill at second reading so that committee hearings can be held to thoroughly examine this bill. For now, comments seem to indicate that the bill does not go far enough in terms of the nature and extent of the changes made to the RCMP's structure and organization to ensure a real change in culture.

Bill C-42 thus seeks to ensure that with power comes responsibility, and members will have to realize that. However, let us be clear: this bill puts a lot of power and responsibility in the hands of the commissioner. The commissioner will be given the following tasks: to establish procedures to investigate and resolve disputes relating to alleged misconduct by a member, and to establish an informal conflict management system within the parameters established by the Treasury Board. The dual nature of the two complaints systems—one governed by the Treasury Board and the other by the Royal Canadian Mounted Police Act—often results in red tape and confusion within the organization.

This bill gives the commissioner two very broad mandates, which much be used very carefully and in a very analytical manner in order to ensure that he is able to fulfill them.

One thing that is surprising, however, is that the government introduced the bill without waiting for the results of the review on gender relations and the place of women in the RCMP that was ordered by the new commissioner, or the findings of the independent investigation that the Commission for Public Complaints Against the RCMP, or CPC, is conducting on workplace harassment. These two reports are to be submitted by the end of the year.

We can only hope that the commissioner will wait to consult and consider the findings in these two reports before making any other changes, since the purpose of these reports was to better understand harassment problems within the organization.

According to the Treasury Board's Office of the Chief Human Resources Officer, Bill C-42 "gives the Commissioner human resource management authorities similar to those of Deputy Heads in the federal Public Service and to those of heads of large police services in Canada. This includes the authority to appoint, promote, discipline, demote or terminate the employment of all members...".

These cases would still go before a disciplinary committee, but the commissioner could appeal the tribunal's decision or change it. Furthermore, this authority could be used for a variety of non-disciplinary reasons, such as absenteeism or poor performance.

It is difficult to know how much this increased authority for the commissioner is related to the government's controversial decision to reduce the number of categories of employees from three to two. Civilian members, specialized employees without police training who directly assist police officers, will now become simple public servants, and this category would be eliminated.

First, I think it is important to say that the Brown report and the subsequent task force report were both in favour of this change. This would lighten the structure and avoid confusion about the rights and responsibilities of the various categories of employees.

These reports aside, however, there are two conflicting views here, and the decision is controversial. The 4,000 or so civilian members see their no longer being members of the Royal Canadian Mounted Police as a lack of recognition or even a demotion. One civilian member, speaking anonymously, said that the problem was not being part of the public service, but rather no longer being considered members of the RCMP. This would widen the gap between these employees and members, all for budgetary reasons, since this change would jeopardize their benefits and would save the government more than \$190 million. However, this amount was contested by the commissioner, who estimated the savings at closer to \$10 million a year.

This idea of removing a category of employees is nothing new. For over 15 years, the government and the RCMP have been unsuccessfully proposing this change. Regardless, this is no longer a possibility being considered. It is being put into place with Bill C-42, despite a formal rejection by over 90% of civilian members in an internal poll held in 2010.

It is true that these people do not carry out police duties per se, but they are more than administrative staff.

● (1055)

By agreeing to this change, civilian members will acquire protections related to their status that they did not have before, such as the right to unionize and accordingly, the right to strike. They will be protected from the commissioner's new discretionary powers with respect to human resources as set out in Bill C-42. They will no longer be treated as members, and will therefore not be subject to the same degree of severity as police officers; they will be treated like public servants. We hope that the committee's study will enable us to understand both sides of this issue and better identify the consequences of this decision.

Responsibility and accountability are central to this bill, which, according to the Minister of Public Safety, will ensure that the RCMP is accountable for its actions before its members and the public. By creating a civilian complaints commission for the RCMP, the government wants us to believe that the organization will henceforth be accountable to the public.

What will really make a difference in terms of transparency is the fact that members of the commission will not be drawn from the Royal Canadian Mounted Police. That is the idea, anyway, but I think it is dishonest to say that the makeup of the commission will ensure that it renders decisions that it will have to justify to the public. That is one of our biggest disappointments with this bill. The RCMP should be accountable to Parliament, not just to the Minister of Public Safety. That would make the commission truly independent.

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In conclusion, I believe that the RCMP remains one of the most respected paramilitary police forces in the world, but given the scope of the allegations and under pressure from the NDP, the Conservative government was forced to act before public trust disappeared altogether. We will have to wait until the committee has had a chance to do its work before the consequences of this bill are felt, but one thing is certain: this government had a duty to act, yet it dragged its feet. I would remind the House of the many questions that were asked during the previous session, the spring session. Indeed, time and time again during question period, we asked the Minister of Public Safety to brief us on the situation. He tended to give evasive answers anytime he was asked the question during question period.

The new commissioner frequently reiterated his intention and his willingness to intervene. It remains to be seen whether this government's proposals will help him. It is important to remember that above and beyond its responsibility to enforce the law, this government, which is ultimately responsible, must do everything it can to dispel any appearance of being above the law.

That is why the NDP will support An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts at second reading, considering the many pressing and extremely problematic allegations of sexual harassment in the RCMP. We plan to propose a number of amendments at second reading, since we believe that they are necessary to ensuring that this bill is effective in addressing the many complaints and criticisms regarding the status quo, not only by members of the RCMP, but also by people who have had to go to court in order to assert their right to dignity in the workplace within the RCMP. In order to ensure that these objectives are met, we must create the mechanisms needed to guarantee the independence of the new civilian review and complaints commission for the RCMP—and we do not think this has been achieved—in order to improve oversight and ensure that investigations really are independent.

That is why we are asking the government to allow this bill to be examined as thoroughly as possible when it reaches the committee stage. By so doing, we will be able to truly understand what mechanisms would allow this bill to fulfill this mandate. I would strongly urge the government to take note of the various working groups and commissions, including the Brown task force, and the report that was published in order to ensure that Bill C-42 meets its objectives. This will make it possible for us to finally set aside—but not forget, since we must never forget—all the abusive behaviour that had such disastrous effects on the work environment and to ensure that complaints are resolved and that situations such as the ones that these women in the RCMP experienced will never happen again.

• (1100)

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, please allow me to start by congratulating you on your appointment to the Chair. Even though I have not known you for a great period of time, I have heard of many of your accomplishments here and I just want to express my congratulations on your appointment.

Mr. Speaker, I am very sensitive to the need for the legislation currently before us. We want to see the bill go to the committee stage. We are hoping that the government will have an open mind

and listen to what members of the public, including some of the stakeholders, have to say and what they are able to contribute to the debate because we think it is very important.

We have heard a lot of concerns with regard to these isolated incidents, and that is what they really are. A number of incidents have occurred that do reflect fairly negatively on the force. Not only do they have an impact upon the morale within the force but they also have an impact on the public's perception of the RCMP.

I wonder if the member would agree that this just concerns a very small percentage of our RCMP officers in general. The vast majority within the RCMP ranks are outstanding representatives, and we do need to highlight that point as we continue to debate this particular issue.

Yes, we do need to deal with the discipline issue and the need for grievances and public overview. However, we also need to recognize that the RCMP is a world, first-class organization.

I would ask that the member comment on that fact.

[Translation]

Mr. Guy Caron: Mr. Speaker, I touched on this in my presentation. Canadians still recognize that the RCMP represents one of the most respectable and respected police forces in the world. The number of cases is not high compared to the total number of members in the force, but even one case of sexual harassment is one too many, whether it occurs within the RCMP, or in the public or private sectors.

We must take steps to ensure that situations such as this do not happen again. Regardless of the number of cases, the problem that we saw with the RCMP was that there were flaws in the system that allowed such situations to reoccur.

It is therefore essential to table a bill that will re-examine how the RCMP can act transparently in order to reassure the public. In our opinion, Bill C-42 addresses this issue fairly adequately. Even if we vote in favour of this bill, it is still necessary to demonstrate that the RCMP can regain public support and to ensure that Canadians' trust in this organization is well placed. That being said, the review proposed by this bill is a first step in the right direction even if it does have some shortcomings.

We urge the government to take note of the various complaints and situations. The existing structure in which such cases of harassment can occur must also be examined and the system must be fixed so that Canadians can continue to have confidence in the RCMP.

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Mr. Tarik Brahma (Saint-Jean, NDP): Mr. Speaker, I listened carefully to my colleague's speech. He mentioned one aspect that has catastrophic consequences for the RCMP's reputation—very serious cases of sexual harassment. I would also like to hear him talk about the mismanagement of national security, for example in the case of Maher Arar. Why is the current complaints commission not responsible for ongoing oversight of RCMP activities? What amendments in this vein will the NDP propose in committee?

• (1105)

Mr. Guy Caron: Mr. Speaker, that is one of the systemic shortcomings. In order for Canadians to have confidence in the RCMP, the police force that protects them across Canada, they must also have confidence in the complaints mechanism. When the RCMP oversteps its mandate or does not take all necessary precautions with respect to a Canadian citizen—Maher Arar in this case, or any other citizen—there must be a mechanism to examine its actions. The proposed mechanism will not result in a full review. For that reason, the NDP will propose amendments in that regard at second reading.

[*English*]

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, as a long-time colleague and admirer, I am pleased to see you in the chair and I look forward to your many rulings.

I have a brief question and comment for the member for Rimouski-Neigette—Témiscouata—Les Basques. I am looking at the grievance procedure in the new act and it seems the last step is that of the commissioner who has final and binding decision making. He can also make the rules for what is allowed to be grieved and what information is available and he can delegate his power to someone else who also has the power to delegate it to someone else.

In a hierarchical organization we have concerns, which were even expressed in today's *Globe and Mail* in a story about people afraid to make harassment complaints because of how they are handled, about a procedure with no external input at all, again recognizing the hierarchy of three or four sections only on the grievance procedure.

As someone with experience in workplace rules and labour relations, does the member have any confidence that this procedure will change or assist in changing the culture that seems to be part of the problem with the RCMP?

[*Translation*]

Mr. Guy Caron: Mr. Speaker, this is an important matter.

I would say that it is conducive to a culture of passing the buck, or avoiding and delegating responsibilities. There are some problems in that regard. Therefore, a review of the bill in committee is absolutely necessary in order to ensure that everything that has happened and that has been allowed to happen by the current culture in the RCMP is changed. In my presentation, I spoke about the great powers given to the commissioner. They are major powers and major responsibilities. But if the commissioner can delegate very sensitive powers to shirk his responsibilities, the culture will not change.

In that sense, this side of the House considers Bill C-42 to be a step in the right direction. It is probably not enough, and that is why we will propose a number of amendments to strengthen the mechanism for accountability and transparency. This will ensure

that those who commit abuses within the RCMP—sexual harassment is definitely an abuse in the Canadian society of today—will be accountable to a commission that in turn is accountable. In the end, there will be better oversight with more specific duties and responsibilities. All Canadians will benefit because their confidence in the RCMP, our police service, will be restored and there will be no fears for the future.

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I would like to thank my colleague from Rimouski-Neigette—Témiscouata—Les Basques for his speech.

I have one quick question. We are supporting Bill C-42 at second reading so that it can go to committee. Still, is my colleague not somewhat disappointed that the Conservatives are not using this bill to do more to change the prevailing climate at the RCMP?

• (1110)

Mr. Guy Caron: Mr. Speaker, we are indeed disappointed because a little consultation is all it would have taken for us to share with the Minister of Public Safety some critical elements that could have helped refine this bill and made it easier for us to support. It would not have taken much effort. However, what we have once again is a botched bill that is supposed to fix problems with another bill. Bill C-42 replaces Bill C-38.

The minister could have done a better job if he had consulted the opposition. Had he done so, we would not have to redo the work at second reading, and we would be able to move the bill through as quickly as possible. As things stand, at least we support studying it at second reading so that we can pass a bill that will make the RCMP more accountable and prevent certain types of incidents from happening again.

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, I would like to congratulate you on your new role.

I am very pleased to speak to Bill C-42, An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts. This bill is about the RCMP and is intended to renew public confidence in the institution. It is also intended to renew the confidence of RCMP members in their institution. They have very unusual working conditions. They are required to respond to dangerous situations. I think it is critical to renew the confidence of RCMP members in their institution. We owe them that much because of the work we ask them to do.

This debate in the House is long overdue. Over the years, this government and its predecessors could have and should have implemented a number of measures. In 2006 and 2007, several reports were published, including one by Justice O'Connor and another by the task force set up to provide advice on strengthening the accountability and governance of the RCMP.

Government Orders

Justice O'Connor's report, published in 2006 regarding the Maher Arar case, recommended that Parliament create an organization in charge of overseeing the RCMP similar to the Security Intelligence Review Committee.

In 2007, the Task Force on Governance and Cultural Change in the RCMP suggested creating an independent board, which would help assure Canadians that the government could not intervene directly in the RCMP's activities and give any so-called advice to the commissioner, who reports directly to the minister.

Since that time, over 200 female members of the RCMP have filed a class action suit alleging sexual harassment within that organization. A few other problems have also undermined the confidence of the Canadian public in the RCMP, particularly serious incidents like the death of Robert Dziekanski.

These problems are not new and people have known about them for years. However, in order to open the debate, 200 women had to file complaints and several scandals had to erupt. It is unfortunate that so much time was wasted and that the health and safety of some members of the RCMP—and of Canadians in general—were jeopardized.

I am a nurse by trade, but I also began studies in workplace health and safety. I was particularly interested in psychological health in the workplace. Furthermore, as a woman, sexual harassment cases also interest me. Everyone would have been better off if we had worked on this issue earlier, because by allowing the climate to worsen, we may have missed out on the work of good people who could have made a contribution to the RCMP. We really need to change the corporate culture of that organization. This issue in particular really interests me.

I would also like to emphasize that the RCMP has served Canada with distinction for a very long time. Although these incidents may have shaken Canadians' trust in the RCMP, I have no doubt that it will restore its image, resume its role and regain public trust, and in turn, the trust of its members.

This bill helps on several fronts. It strengthens public trust in the RCMP as the institution responsible for Canada's national security. This goal is extremely important, as I am sure everyone here would agree.

• (1115)

This bill also seeks to enhance transparency and public accountability when it comes to policing and security. This is another essential step in restoring Canadians' confidence in their institutions. The purpose of this bill is to reform the disciplinary investigation procedure and to implement a new civilian complaints commission.

I would like to take a moment to talk about a case of sexual harassment and misconduct that occurred within the RCMP that we heard a lot about. Harassment is not acceptable and should not be taken lightly. Often, the problem is bigger than just one specific case of harassment.

There is one case that many people are aware of that occurred in British Columbia. Having to endure sexual harassment for years leaves a serious mark on a person and can change her life, her

family's life and her marriage. This is something that really needs to be taken seriously.

In the case of the RCMP, the complaint and redress mechanism, which consists of transferring a person accused of sexual harassment to another province, is no solution at all. When someone is accused of sexual harassment, transferring him to another province simply moves the problem from one province to another. From a corporate culture perspective, if a person who has been accused of such behaviour has a tendency to have a negative influence on his younger colleagues and he is transferred to another location, then we are merely transferring the problem. We also risk creating another problem. Young members of the RCMP could be influenced by someone who has behaved unacceptably and who, after being accused, may not have necessarily understood that he had to change his behaviour or what caused him to behave in such a manner and how he could do things different to ensure that he did not behave that way again. In addition, by transferring an offender from one province to another, we are completely ignoring the victim and trauma she experienced.

As I mentioned, this could put other women in other places in danger and victimize others. We are thus ignoring a recurring problem in general workplace culture where there are no measures in place to change the situation. Although we talk about harassment in corporate or general culture, it is really the little things that people say and do that everyone considers normal that can lead to sexual harassment. When it comes to sexual harassment, the corporate culture has to be examined and all members have to be educated as to what is acceptable and what is not. Members also need to know why certain behaviours are unacceptable and why something that may seem harmless to some could, in actual fact, lead to an unfortunate trend. This is a very serious problem that must be viewed in global terms. The accused must not simply be transferred and moved from one location to another.

If we want to restore the public's confidence in public safety institutions, and also the confidence of RCMP members, especially women, in their workplace, it is very important to propose changes to the internal operations of the RCMP and to complaint procedures. All hon. members in this House agree that we cannot do without the skills of women working in a workplace such as the RCMP. If women are not interested in joining the RCMP, the organization will not benefit from the talent of thousands of Canadians who could make an exceptional contribution. For that reason alone, it is very important to take this issue seriously and to restore public confidence. We want to ensure that the RCMP is not deprived of the talent of Canadian women who, with everything that is going on, could choose another career given the risks or their lack of confidence in this institution.

• (1120)

They may no longer have confidence and believe if they decide to work for the RCMP, that they may not be protected. They may wonder if anything will be done for them if they experience difficulties. It is very important to restore this trust.

The status quo is unacceptable and we must take action. We will support this bill to ensure that it is sent to committee to be improved, to truly meet women's needs, and to prevent sexual harassment.

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Although my remarks today have focused on women, I would like to state that victims of intimidation or harassment, whether or not it is sexual harassment, are not just women. This type of misconduct must be taken very seriously.

I have obviously spoken primarily about women because of the 200 women who have launched a class action suit. However, I realize that men probably face the same problems of harassment and intimidation and are unable to do their jobs in normal conditions. That is also worrisome. We need to take action to resolve this problem.

This bill is a step in this direction because it reforms the disciplinary process. However, I think it is unfortunate and damaging that the government is not proposing that we work specifically on an internal harassment policy in order to clearly define acceptable and unacceptable practices and behaviours, particularly when it comes to sexual harassment, misconduct and intimidation.

I also wanted to point out that the disciplinary reforms the RCMP needs because of the length and complexity of the disciplinary process should not be decided on lightly or be overly simplistic. The RCMP is non-unionized. I think it is important to find a balance in the disciplinary process, since the staff does not have an organization to defend them individually.

As I was saying, members of the RCMP dedicate their careers to helping and serving Canadians. It would be unacceptable for them to be subject to arbitrary dismissals. We must reform the disciplinary process so that it works better and serves victims as much as possible, but we must not go too far the other way.

For example, the bill adds new provisions to the clauses regarding labour relations and gives the RCMP commissioner the authority to appoint and dismiss members.

However, the bill gives the RCMP commissioner the ability to create a more effective process to address sexual harassment complaints, and I support that.

For months, the NDP has been pressuring the government to prioritize the issue of sexual harassment and poor practices within the RCMP. Bill C-42 does not directly address the systematic problems entrenched in RCMP culture, and we want to be clear that this bill alone will not change the existing climate within the RCMP.

However, I think that we must continue trying. We must send this bill to committee to find the best solutions possible.

I also hope that when this bill is in committee, my hon. colleagues will agree to amendments and will be open to discussion. When we are talking about such a serious, systemic problem that involves corporate culture, simplistic solutions are not enough. There are no magical solutions. The problem has become so complex that we need to take the time to consider how to address it.

I know that it is very difficult to introduce a perfect bill on the first go-around. That is what the committee is there for. The committee will get to hear from witnesses and discuss the bill to improve it and make it functional.

●(1125)

The goal of this is not to make political gains, but to enable an institution like the RCMP, which truly represents tradition and history, to restore its image, win back its members and engage people who see the RCMP as a problem. This will also make it appealing to young people who want to contribute to this institution.

All hon. members must work together and discuss this bill with an open mind and try to improve it as best they can in order to restore this remarkable institution to its former glory. I really hope that our colleagues will show such openness when the bill is studied in committee.

[*English*]

Hon. Judy Sgro (York West, Lib.): Congratulations, Mr. Speaker. I am thrilled to see you in the chair. You have many years experience in the House and have shared many concerns about the conduct members of Parliament. I know you will firmly use the skills you have to ensure this place is a little more civil in this particular term, not that your predecessor did not do everything she possibly could as well. Your years of time here will serve us all well, at least on this side of the House.

I congratulate my colleague on her comments in regard to Bill C-42 when it comes to the RCMP and accountability. I think we are all immensely proud of what the RCMP's image was. I think we are also concerned with the fact that it has been severely tainted in the last few years.

Status of Women Canada is showing some real leadership. In the fall we will deal with the sexual harassment policies of a variety of different departments in the Government of Canada. The RCMP is number one on that review. We will look at what the harassment policies are and what can be done to improve them. It is an area that as a Canadian and as a female is of great concern to me, with respect to some of the things that have been in the media. I have real concerns when we talk about accountability, how far and where the teeth will be in the bill that will allow people to feel confident to come forward and raise issues without the fear of reprisal.

I would like to hear some comments from my colleague on that.

[*Translation*]

Ms. Christine Moore: Mr. Speaker, obviously one of the main points for resolving the problem of sexual harassment is that we need to ensure that members who decide to file a sexual harassment complaint are protected from retaliation, which is under-reported. It is a problem that is not always obvious and is not necessarily documented. Retaliation can crop up in the work environment and in little, everyday gestures. Individuals might be ignored, making them feel like they are no longer a part of the team. It is something that is not tangible.

This is something that will have to be looked at in more detail when it is studied in committee to ensure that no retaliation occurs against people who file a complaint. During the study in committee, witnesses will be able to suggest improvements to the bill and to work more on sexual harassment.

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●(1130)

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I would like to congratulate my colleague on her speech.

As she pointed out, the NDP will support this bill. Nevertheless, as we have said, this bill does not go far enough. That is why we will be proposing amendments.

I would like to ask her about the limitations of this bill with respect to governance and cultural change within the RCMP. What limitations does she see in this bill?

Ms. Christine Moore: Mr. Speaker, with respect to organizational culture, one of the limitations of this bill is that it focuses too much on repression, on what happens after incidents happen. During the committee's study of this bill, it would be interesting to discuss the possibility of requiring team leaders to adopt an anti-harassment policy.

Is the government really doing everything it can to prevent harassment, and how? We can talk about these things in committee because right now, it seems that there is a lot more emphasis on what happens afterward than on what happens before, when the emphasis should be on preventing such incidents.

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I would like to thank my colleague from Abitibi—Témiscamingue for her excellent speech on Bill C-42. I know that my colleague was once a member of the Canadian armed forces. So she knows what it is like for a woman to carve out a place in a man's world, and she knows how important it is to be protected and to have rights.

The government introduced this bill in June after many opposition questions and in response to sexual harassment scandals that surfaced. However, in its present form, the bill does not go far enough to punish those who engage in sexual harassment in the RCMP.

I am curious about whether my colleague is disappointed in this bill as it stands now. Does she think that the government should have taken the opportunity to go farther?

Ms. Christine Moore: Mr. Speaker, in reply to my colleague, I would say yes, I am a little disappointed. The government has not approached the issue of sexual harassment from a systemic viewpoint. It has not really tried to identify all the implications of sexual harassment and it has not tried to address all the different factors that lead to sexual harassment or that will ensure that it stops happening.

By refusing to take a systemic approach, by refusing to take more of an interest in the corporate culture, the government has missed worthwhile aspects that could have been added directly to the bill at first reading in order to improve it. That is unfortunate. We hope that the committee will address this shortcoming when it studies the bill and that it will make improvements so that the bill is right for the RCMP.

As I said earlier, it must be understood that the bill must be designed not for a political party, but for an institution that bears the maple leaf on its insignia and that is very representative of Canadian culture. I hope that the committee will truly be open to improving the bill.

●(1135)

[English]

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, I agree with much of what my colleague said in her speech, which I thought was well-articulated.

Does the member feel that it is truly the job of Parliament to conscript the RCMP so tightly into how it develops policies, procedures and mechanisms of conduct, or is it just the job of Parliament to develop a framework for the commissioner, the deputy commissioners or even detachment commanders to deal with both policies and procedures of conduct for their members and then to deal with the corrective actions that might be required?

I would guide my hon. colleague quickly to the sections that talk about the commissioner's authority to determine the learning, training, development requirements of members and to fix the terms on which the learning, training and development may be carried out.

The commissioner would be able to make rules around respecting the performance by members of their duties, establishing basic requirements for carrying out members' duties and respecting the conduct of members. That is developing a framework for the RCMP to improve the culture about which we have talked.

Does the member see that as the job of the organization or the job of Parliament to conscript those things?

[Translation]

Ms. Christine Moore: Mr. Speaker, first of all, I would like to take the time to thank my distinguished colleague for his service in the RCMP.

On the question of whether or not Parliament should take action, I would first like to explain that when we speak publicly about the problems of sexual harassment within the RCMP, it tarnishes the reputation not only of the RCMP, but of the country. In fact, in my humble opinion, the RCMP represents Canada, and when the RCMP's reputation is tarnished, so is Canada's. Yes, I do believe that Parliament has the mandate to take action to prevent situations from tarnishing the RCMP's reputation. Of course, logic does apply: for example, if Parliament passes legislation that requires organizations to put in place an anti-harassment policy—which would make sense—Parliament will not spell out what the policy must contain and what the specific measures are to be. That is the job of the organization. There will be a general framework. Parliament will not specify internal policies; it will take a more general approach.

In my opinion, the logic is simple and it makes sense to act in this way.

Government Orders

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is a pleasure to provide a few comments on this important piece of legislation. In fact, the Liberal Party is quite supportive of it going to committee. When the government decided to bring in this legislation back in June, it should hardly have been credited for bringing it forward as one of its own personal initiatives, because the reality is that it was a result of Commissioner Paulson's persistence in trying to get some changes because of the limitations within that particular office. It was when the letter became public that the government started to listen to some of these concerns. We recognize the important role that the commissioner has played in allowing us to have this debate.

After having used the word "debate" and bringing in Bill C-42 yesterday, one of the first things the government did after introducing the bill was move a motion that the question be now put. As a result, we are now in a situation where the member for Yukon posed a question and has raised some points and an interesting perspective. The Conservative caucus has members who have served in the RCMP. It would be interesting to hear what its members' perspective might be on the issue, but that has been limited primarily because the government has decided to limit the amount of debate on Bill C-42. It is somewhat disappointing. It is not surprising. We have seen a different attitude and style of government since the Conservatives have achieved a majority. It is not a pleasant style that we have witnessed over the last number of months.

The conduct of our police officers, whether the RCMP or any other local police agency, is of critical public importance. It is a question of how we deal with these complaints. This is the core of the bill.

I will start by reflecting on some questions for other members because it is something I passionately believe in. I have had the opportunity to serve in the Canadian Forces, where I took a great sense of pride from the role it plays throughout the world. However, we must acknowledge at the end of the day that we have to do so much to continue that perception and reality of how wonderful a force we were and still are today, but it takes a great effort by many to do that.

It only takes a few people to make the entire force look bad in the eyes of the public. There is a great deal of scrutiny given to the Canadian Forces. If something occurs that is wrong and not supported by the vast majority of members of the force, the minority involved unfortunately has far too much influence on public perceptions because of the way in which the media will quite often blow up a particular incident or raise that issue before the public.

The same principle applies to the RCMP. In the questions I have put forward in the past, I have often talked about the important role that our RCMP officers play in our society.

• (1140)

I have attended many citizenship courts where an RCMP officer will stand there in a red stetson. After the service is complete, new Canadians will want to have their pictures taken with the RCMP officers. Yesterday I made reference to RCMP officers being on the Hill and tourists wanting to stand beside them and have their pictures taken.

On the whole, the RCMP as a police agency and force has received all sorts of acclamations worldwide. Many police agencies throughout the world have seen the RCMP as a model agency, something they strive to achieve within their own countries. This is because Canada has done quite well with its national police force. We need to acknowledge that up front because at the end of the day, even though this legislation before us deals with the conduct of its members, I believe it is important to highlight how wonderful a job the RCMP has done for decades, since the birth of our country.

I can talk about isolated cases in which I have had the privilege of working with members of the RCMP, whether in the days I served in the forces to the days I was a member of the Manitoba legislature. There was one individual in particular, retired RCMP officer Al Pasquini, who lived in the community of Spruce Grove and contributed immensely to that community. He expressed a great deal of goodwill, participating in things such as the youth justice committee in a volunteer capacity so he could work with the young people who live in the community. He left a very positive impression. Al also volunteered with many other organizations. I would get a call saying that he was going to be at restaurant X, which was trying to raise money for cancer.

If we take a look at the lives of the vast majority of RCMP officers, we will find that they are absolutely outstanding Canadians and are very proud to be members of the RCMP. These are the types of stories that need to be told. I do not believe that Al was unique. People will find that the majority of RCMP officers play very active roles going beyond the salaries they are paid, and that they are excellent ambassadors. Because of the efforts of those individuals, at the end of day Canadians as a whole have a wide, deep-rooted respect for the RCMP. Realizing that is in fact the case is why I have started my comments recognizing that.

The conduct, as I said, of police officers is taken very seriously. It is not just with the RCMP, but applies to all police agencies. When I was the justice critic in the province of Manitoba, there was a great deal of discussion about police agencies, including the RCMP, I must say, with regard to the city of Winnipeg. We talked about the few who actually caused the problems in terms of public perceptions and the issues that arise and cause a great deal of controversy and lower the morale of the police service itself. These same sorts of things apply with regard to the RCMP.

• (1145)

Sexual harassment has not taken place overnight. It is an issue that has existed for a number of years, and I believe that the vast majority of RCMP officers serving today would like to have seen the government take action a whole lot quicker than it has. It is unfortunate that the government has taken so long to bring forward some sort of answer on the issue of sexual harassment. Why did the government drag its feet on important issues such as sexual harassment and the whole issue of morale within the RCMP?

Nonetheless, I think it is a positive thing to give additional power to the commissioner, as it will allow the commissioner to deal with many of the issues that come before him and our agencies.

Government Orders

On the issue of sexual harassment and the profound impact it has had on the service, we can talk about the impact that people have endured throughout their careers. Even if it is a one-time incident, it is very serious.

People serving in the RCMP should feel comfortable knowing that if they have a concern of this nature they have a place where they can make a complaint. They should feel confident that once a complaint is made it will be resolved in a way that makes them feel comfortable remaining in the force and continuing on and being treated equally. At the end of the day, they should be eligible for promotion just as much as anyone else. Therefore, we must have a structure in place that would allow people to feel comfortable expressing their concerns in their working environment. Moreover, we need to know that there will be consequences, and that these could range significantly.

Over the years we have heard of reported consequences in the form of disciplinary action. I have heard of everything from fines to a reduction of rank, to officers being put on probation and outright dismissals being made. These are the types of disciplinary actions that are there and do take place. I would suggest that we have to ensure that there is confidence in the system so that a person who is putting forward a complaint, whether a member of the force or the public, is confident that the issue will be addressed in a fair, transparent and accountable fashion.

I think that Bill C-42 is an attempt to change the system so that there will be more transparency and accountability. We see that as a good thing, as there are many departments within the federal government, and it could be expanded to include the private sector.

An incident occurring within a government department or the private sector often does not generate the interest of an incident occurring within a police force, and we do hear about it. In the RCMP, the Canadian Forces, and I would suggest even within the chamber here, if something of significance occurs, there is a great deal more attention given to it.

● (1150)

Personally, I do not have a problem with that but I believe we need to be aware of it. As such, we need to have a process in place that allows for relatively quick decisions to be made, so at the end of the day we are able to determine very clearly if something has gone wrong. If something has gone wrong, we need to feel comfortable in knowing that there is going to be a decision to resolve the matter as quickly as possible.

The idea of providing more power to the provinces is something that I believe has a great deal of merit because it goes beyond just the issue of perception, even though perception is critically important. Decisions have to be made where, as much as possible, outside organizations investigate the internal incidents that occur in an organization. The RCMP is no different. Much like when a serious incident occurs in a local police force, it will often turn to the RCMP as a third party to investigate and provide some ideas as to how the issue should be resolved.

My understanding of the proposed legislation is that provincial governments would be afforded the opportunity to play a stronger role when serious incidents occur, which could include such things

as the timing of an investigation. It would be interesting to hear in the committee stage from the different provinces, maybe from a provincial minister of justice or other stakeholders, what they believe would be important in ensuring that the role of independent review is taken under consideration. At the end of the day, whether it is the expanded roles of the provinces or looking at giving more powers to the commissioner, these things could help facilitate better decisions and, most importantly, the ability to deal with morale, which at times gets low within the RCMP because of the sense of frustration that grievances or complaints are not being addressed appropriately.

I emphasize its importance in two ways. First, this bill is important to ensure that there is a sense of justice for those who have grievances so they can feel comfortable putting forward their complaint. I believe that this bill would assist us in moving in that direction. The second issue is in regard to public perception and taking the necessary actions to reinforce how important it is that the public not lose confidence with regard to the RCMP because of a few isolated cases. It is important to recognize that we are talking about a very small percentage of RCMP officers who, ultimately, one would classify as the bad apples that spoil it for the rest. The vast majority of RCMP officers do an outstanding job while they are on duty and while they are off duty, as well.

● (1155)

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I congratulate my hon. colleague on covering off so many issues that are of concern for all of us.

The government refers to this as a comprehensive piece of legislation. I have to suggest that there is a lot missing from this piece of legislation to be able to call it comprehensive and so on.

There have been a variety of members who come out in public when there is a lawsuit against the RCMP for sexual abuse and harassment. Most of them are women, but not all of them. Many of the 135 or so who have made these charges are women. However, there are men, as well, who are complaining about harassment and their inability to come forward with issues.

Does my colleague really feel that the bill would, if it passes through the House the way it is tabled and framed, give the commissioner, the head of the RCMP, the ability to deal with some of these individuals who clearly are not reflective of the image of the RCMP we all want to see?

● (1200)

Mr. Kevin Lamoureux: Mr. Speaker, I do believe the issue of harassment is ultimately what led the commissioner to go public, in terms of his limited abilities to deal with issues such as harassment. As a result, the government has brought forward this bill.

I suspect that once we get into the committee stage, we will likely hear some ideas and some thoughts in terms of how we would be able to improve the legislation so that those individuals who are victims of harassment would feel more comfortable in knowing that they would be able to go forward, and would feel that they could do that without becoming a victim all over again.

The issue is the degree to which the government is going to be prepared to listen and to act on some of those ideas that would be brought forward at the committee stage.

Government Orders

Mr. Tarik Brahma (Saint-Jean, NDP): Mr. Speaker, I listened carefully to the speech from my colleague from Winnipeg North. He asked why the government has been dragging its feet and why did it take so long to put forward a piece of legislation concerning this very serious issue; that is, the sexual harassment at the RCMP. I agree with him. It is very serious. The government should have acted long before.

Why does he believe that the Liberal government, when it was in power before 2006, did not act and propose some piece of legislation concerning this very serious issue?

Mr. Kevin Lamoureux: Mr. Speaker, I cannot help but notice that often the NDP will raise a question when we try to address an important issue and its members will say, “Why did the Liberals not address it?”

I suspect that if we were to do a *Hansard* check, we could be critical of the NDP. Why did it not raise it as an important issue in its capacity as an opposition party? Is it because it was a failure as an opposition party back then?

Issues come to the surface.

I can tell the member that, at the end of the day, if the Liberal Party were in government, whether it is today or in 2015, we would treat this issue as a priority because it is a priority for Canadians, not only for today but for the last few years since the commissioner highlighted the issue. We would be taking the action necessary to deal with the issue head-on, because we recognize the importance of sexual harassment. All in all, the Liberal Party has done its best in terms of trying to resolve it. Is it perfect? No. However, I can tell members that the NDP is no more perfect than the Liberal Party. That much I can guarantee.

At the end of the day, let us hope that the bill gets to committee and we are able to see some amendments brought forward that could enhance the bill. We owe it, I believe, to the victims of sexual harassment and to improve the image of our RCMP.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, this bill is a long time coming and certainly we need improvements in RCMP accountability. These changes are welcome. I am particularly mindful, not just of the individual transgressions that come to light too late or that are sometimes put under the carpet, but of some rather high profile ones where the failure of the rights and powers of the public inquiry into the RCMP, when it was headed by Paul Kennedy, made it unable to put forward subpoena powers. In that way, former commissioner Zaccardelli refused to appear to explain why he put out a press release naming an hon. member of this House for something in which he had no involvement whatsoever. We needed to get to the bottom of that. It affected an election. We were unable to because the Commission for Public Complaints Against the RCMP had no subpoena powers.

I would like to ask my hon. friend if he would join me and urge the committee to call the former head of the Commission for Public Complaints Against the RCMP, Paul Kennedy, to provide his expertise on whether this is good enough or whether we need more improvements to this proposed law.

●(1205)

Mr. Kevin Lamoureux: Mr. Speaker, one of the things that I tried to emphasize during my comments was the fact that we have been afforded an opportunity by having the bill brought forward because of an RCMP commissioner. If the government really wanted to improve the system the best thing it could do is to approach the committee with an open mind so that there could be amendments brought forward, whether at the committee stage or perhaps at third reading. Those amendments could be given attention and listened to as to what people have to say about them. I suspect that there are likely a number of amendments that would improve the legislation.

I do not have any problem looking at good ideas, listening to why a member might feel it should pass and then voting accordingly. That is something the Liberal caucus has done in the past and will continue to do in the future. At the end of the day, we want to have and continue to promote the best police service in the world, the RCMP.

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I would like to thank the hon. member for Winnipeg North for his speech and for his interest in Bill C-42.

I believe that all members of the House agree that we need to examine this bill more thoroughly in committee to ensure that the amendments that need to be made to strengthen this bill are actually made.

I noted that, in his speech, my colleague criticized the Conservative government for taking so long to act. I agree with him. It took a very long time for this bill to be introduced, and our questions were being answered very evasively.

However, I still have more questions because we have been hearing about sexual harassment within the RCMP for years. We had already heard about it when the Liberal government was in power.

I do not know if my colleague can explain to me why the Liberals did not do anything to address these issues when they had the opportunity to do so before 2006.

[*English*]

Mr. Kevin Lamoureux: Mr. Speaker, I suspect that if we go back in *Hansard* what we would find is that the NDP in opposition rarely, if ever, raised the issue of sexual harassment within the RCMP. If I am wrong, I would challenge the member to show me where the NDP actually raised that specific issue.

Over the last number of years, the Commissioner of the RCMP has raised the profile of that particular issue. It has been debated more within the public over the last few years. The government did have a responsibility. If there was a Liberal government today we would have dealt with it a whole lot sooner.

I suspect that the member might not necessarily be satisfied with the answer, but I look forward to her providing me quotes from *Hansard* where the NDP raised the issue before 2010.

Government Orders

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, I am happy to see you back in the chair again in this session after a summer of working hard for your constituents. I say that not to get extra time for my comments here, but to let you know that we are very pleased that you are here.

I will be supporting Bill C-42 at second reading because, while it falls short on a number of accounts, it is still a step in the right direction and should, hopefully, help the membership of the RCMP receive better personal protection in its workplace and could help restore public confidence in this institution. I say that because police officers like other first responders put their lives at risk every day when they are on the job and Canadians are very grateful for their sacrifices. It only makes sense that while they are busy protecting Canadians, the members of our RCMP staff can go to work knowing that they, themselves, are protected in their own workplace.

In a majority government the government has an opportunity to make a real difference and has an opportunity to take real action. Unfortunately the bill does not far enough. I will support it going to committee because I think in committee we can make this a bill that everyone in the House can be proud of as well as in the RCMP.

We can go further on these issues as there needs to be a clear anti-harassment policy in the RCMP, one which contains specific standards for behaviour and specific criteria for evaluating the performance of all employees. Such a policy is needed to serve as a basis for a fair, disciplined process, but will not be guaranteed, unfortunately, with the passage of Bill C-42 as it now stands.

Also, Bill C-42 does not go far enough in directly addressing the concerns of women serving in the RCMP. New Democrats are calling for urgent action to foster a more inclusive and safe environment for women in the RCMP. This bill has been introduced without the benefit of the findings of an internal gender audit of the RCMP, ordered by the commission that is currently under way but not yet completed. The Conservatives' approach does not make women in the RCMP a priority.

Another criticism I have heard from members of the public, who are affected and concerned about the implications of Bill C-42, is that the proposed new civilian complaints commission looks remarkably like the current RCMP public complaints commission, especially in that it would not be a fully independent commission reporting to the House of Commons. Instead, it would continue to report to the Minister of Public Safety.

The new commission would also have serious restrictions on its ability to undertake independent investigations and its findings would be presented only in the form of non-binding recommendations to the commissioner and to the minister. Removing these restrictions, allowing truly independent investigations and making those recommendations binding is needed. Removing these restrictions on the independence of the new commission will be a major issue for us at the committee stage.

The proposal also fails to create an agency with any teeth since primary investigations into accidents of death or serious bodily harm will largely be contracted out to municipal or provincial police forces, even though some of those police forces have no civilian investigation body or are still conducted by the RCMP itself.

Bill C-42 is a step in the right direction, so I will be supporting the bill at second reading in the hope of improving it at committee.

I believe our RCMP personnel deserve better and with some improvement I am certain that public trust will once again be restored in this most important national institution.

● (1210)

My hon. friend from Esquimalt—Juan de Fuca made some very interesting comments yesterday, and I would like to further some of the things he had to say.

The first is that we really should have had this legislation much sooner. There is an urgency for the public in terms of confidence in the RCMP. There is an issue where RCMP rank and file members are working in a workplace climate that is not always supportive of the difficult and the very dangerous work they do. Of course it is important to the RCMP leadership, which is charged with the task of making those necessary changes, but, first and foremost, I believe there is a necessity to restore the confidence of Canadians in our international police force.

The RCMP has long provided excellent service to Canadians coast to coast to coast, but over the previous years, dating back to the Liberal government, we have had increasing questions about incidents involving use of force where public confidence has waned in the RCMP. That is a problem, not just for the public, but also for serving members of the RCMP.

The bill's second purpose, as stated, is to promote transparency and public accountability in law enforcement. We could not agree more that this is essential if we are to meet the first objective, which is to restore public confidence in the RCMP. The only way to do that is through enhanced transparency and public accountability.

The third reason for reforming the RCMP Act, which is stated in the bill's preamble, deals with the relationship with provincial, regional and municipal governments that hold contracts with the RCMP. They have entered into those contracts in good faith, but often feel they do not have adequate input into the policing of their jurisdictions, or adequate accountability measures for the RCMP when they have questions about what has happened in those jurisdictions.

Government Orders

A fourth measure, also as stated in the preamble of the bill, is to promote the highest levels of conduct within the RCMP. This, of course, is a goal that is shared by governments, RCMP members and the public at large. Day in and day out the vast majority, virtually all of the RCMP members, strive to meet those levels of conduct. However, we need clear statements of what happens when those levels of conduct are not met, with clear consequences and procedures that would also protect the rights of RCMP members who have dedicated themselves to the service of Canadians so they do not find themselves subject to arbitrary procedures as part of discipline.

Finally, the bill's preamble states that we need to reform the legislation to create a framework for ongoing reform so we do not find ourselves in this situation again 25 years later, since government after government have failed to address these questions and failed to provide leadership on these issues.

We in the official opposition can agree on the goals expressed in the legislation and I believe we can go further. We can even agree on the key areas for action identified in the summary of the bill. Although the bill's summary counts the areas of action as only two vital areas, I would count three.

First, we agree that there needs to be action to strengthen the RCMP review and complaints body. The RCMP Public Complaints Commission has provided a valuable service, but we have concerns about its full independence and its ability to oversee independent investigations.

Second, we believe there needs to be a framework to handle investigation of serious incidents involving members, incidents that involve death or serious injury, which will help enhance transparency. In this day and age the public has said very clearly that it does not accept that the police forces investigate themselves in very serious incidents. We believe an independent investigation would not only benefit public confidence, but it would also benefit those who serve in the RCMP by guaranteeing the public would understand the outcome of those investigations and where their names are cleared, they would be cleared once and for all.

• (1215)

Finally, there needs to be action in the area to modernize discipline, grievance and human resource management processes.

The minister has cited anecdotal evidence of things that take way too long, and we all know that is true. However, what is lacking is that clear guidance for RCMP members of what those standards are and how a failure of those standards would be dealt with in a judicious and fair manner.

In addition, when RCMP members have grievances, they need to have the understanding that their concerns can be brought forward in a timely manner and that those grievances can be resolved and not drag on for many years.

Therefore, we do agree on the areas in which we need to make reforms to the RCMP Act.

In particular, we believe it is crucial to allow the RCMP commissioner reforms in the area of discipline to deal with the climate of sexual harassment that exists in the RCMP. We would like

to see leadership from the government in mandating the commissioner to bring in a clear anti-harassment policy and a clear process, which would contain specific standards of behaviour with regard to sexual harassment and specific criteria for evaluating the performance of all employees in this important area.

However, having said how much we agree with the objectives of the legislation and with the areas that need to be reformed, I am not standing today in the House simply to present bouquets to the minister. We in the opposition have our concerns both about government inaction by Liberals and Conservatives and government inaction in particular in the areas of transparency and accountability.

The government has been in power since 2006. Yes, it inherited a record of inaction, but it has been six years, three ministers and two RCMP commissioners and we are just now embarking on the process to reform this legislation so we can get measures which would make a real difference in the performance and the work lives of RCMP members now in 2012.

In the meantime, more than 200 women members of the RCMP have joined lawsuits alleging sexual harassment within the RCMP. There has been an ongoing series of problems with loss of public confidence in the RCMP in investigations of serious incidents.

We have wasted valuable time. Numerous studies have presented solutions to these problems. I give the government credit for appointing a task force, which reported back in 2007, nearly five years ago. It reported back with important proposals for reforming the culture of the RCMP, discipline of the RCMP and important recommendations to the Public Complaints Commission.

An internal review was completed in 2008 of the process of using independent observers in police investigations of themselves.

In 2006 Mr. Justice O'Connor made recommendations in the Maher Arar inquiry with regard to the national security activities of the RCMP.

Most recently former public complaints commissioner Paul Kennedy made recommendations both on investigations of serious incidents, which was tabled in 2009, and also when he appeared before the justice committee in January of last year to give recommendations on increasing the independence of the job that he used to hold.

There is no shortage of advice available.

However, in a question that was asked earlier of the minister, it is unclear why the government chose to pick only certain recommendations and a certain piece of all of those reports. It is hard to see the overall theme that guides this legislation.

• (1220)

We have said that government leadership is required, and that means more than just legislation. Therefore, I cannot let this opportunity go by without pointing out some of what the government has done in the area of the RCMP and the Public Complaints Commission.

Government Orders

Just this past week, the government issued layoff notices to two staff members of the RCMP Public Complaints Commission when we are in the midst of reforming it and the commission is in the midst of a massive study of the sexual harassment complaints that have taken place in the RCMP. Why has the government chosen to lay off staff members at the complaints commission in the midst of this crisis over sexual harassment that the commission is trying to address?

Also in the last week, we saw layoff notices given to 149 support staff members of the RCMP across the country, including 42 support staff in British Columbia alone. These are people who provide important services to help the RCMP do its job on a daily basis. These were not uniform members who received layoff notices but people who work everywhere from the forensic labs to personnel recruiting and in all the other very important functions that support the basic duties of the RCMP.

When it comes to the Public Complaints Commission in the RCMP, the government has been following a peculiar practice. When Mr. Kennedy produced his strong recommendations on investigations, the response of the government was to fail to reappoint him to the job. Having appointed him in 2005 and giving him annual reappointments every year, when his very strong recommendations came out suddenly he was no longer the government's first choice for the job of public complaints commissioner.

Ian McPhail, the new interim commissioner, was initially given a one-year term as interim chair and has now been appointed for another year. I am emphasizing one year because we are talking about someone who should have independence from the government to do the job of providing civilian oversight for the RCMP. How can someone do that job with any confidence when at the end of every year he or she could lose his or her job?

While I am encouraged to see that the new legislation talks about terms of up to five years for the new chair of the civilian review agency, I am concerned that the government will continue its practice in making only annual appointments, which gives it far too much power over what should be an independent commission.

Those are just some of the concerns that I have outlined with respect to Bill C-42. However, I am happy to be part of the committee that will deal with these issues should it pass second reading.

• (1225)

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, in view of recent incidents, one would reasonably conclude that the RCMP is a bit of a troubled institution. We have the Maher Arar incident and the difficulties with respect to Judge O'Connor criticizing the RCMP's conduct. We have David Brown commenting on the pension fund. We have the taser-related death of Mr. Dziekanski, the sexual harassment charges, et cetera.

My question has to do with this initiative by the government which, on the face of it, appears to be a good initiative. On the other hand, it may be just the appearance of something rather than a reality. I am wondering whether the hon. member has thought about these incidents in relation to this bill and has asked himself the fundamental question of whether the bill would enhance account-

ability, discipline and reaction to what are a demonstrable series of incidents that reflect poorly on our national police force?

Mr. John Rafferty: Mr. Speaker, one of the situations we must deal with in this place day in and day out, month after month is where legislation comes forward and in most cases it seems, at least recently, the legislation has the background of a good idea. Unfortunately, however, the legislation does not go forward to create a situation where there is real action.

To speak specifically to my friend's question, it is beyond me why in a majority situation we would not have a government that was bolder and willing to present the kinds of bills where we would have real action, a real change and a real opportunity for change for all Canadians.

I hope the bill will go to committee where we will see if we can make it the legislation that we need in this country right now.

• (1230)

Hon. John McKay: Mr. Speaker, in the spirit of carrying on this important conversation, which I think is important for the member who will be sitting on the committee and going through the bill, I will take, for example, the sexual harassment issues. The summary of the bill says that it will modernize discipline, grievance and human resource management processes for members. However, in this morning's papers we read that certain female members of the RCMP are unwilling to have their lives exposed to this kind of process. When we put the bill through that lens, how will the bill help those who are most fearful of exposing themselves to this particular process?

Mr. John Rafferty: Mr. Speaker, it is important to note that there are many things missing from the bill. If the bill were to pass in its present form, I would be very hard pressed to support it. In fact, in its present form I would not support it at third reading.

We have an opportunity here to ensure that, in the case of sexual harassment and members of the RCMP coming forward, there is whistleblower protection and elements in the bill where individual RCMP members could have the confidence in their ability to come forward and deal with these issues.

I can assure my friend from Scarborough—Guildwood that if the bill were to pass in its present form I would not be supporting it.

Mr. Kevin Lamoureux: Mr. Speaker, before I pose a question I would ask what the required number is for quorum in the House of Commons?

The Acting Speaker (Mr. Bruce Stanton): Is the member asking to seek quorum? I see quorum, so the hon. member may continue.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I understand that the government has made the decision to bring the bill forward when there is a great deal of criticism as to why it has taken so long over the last couple of years since the commissioner of the RCMP has raised the profile by saying that he does not have the authority to deal with the issue of harassment to the degree that he believes would be appropriate and which I think most parliamentarians would agree with.

Would the member provide some comment in regard to the role that the commissioner played in terms of us having the bill before us today?

Government Orders

Mr. John Rafferty: Mr. Speaker, there has been some movement in the last couple of years, which the commissioner has been an important part of, but there has also been an increase in awareness, not only in this place but also in the general public in terms of the kinds of jobs that we ask RCMP members to do and the kinds of obstacles they have in performing their jobs to the best of their abilities.

I believe, as I said in my speech, that we are on the right path. Bill C-42 is a step forward but it is not a giant step forward. As we deal with this in the public safety committee, we in the New Democrats will ensure as much as possible that this bill gets changed for the better and we will work to ensure that happens so we can come back to the House with an amended bill that takes a giant step forward.

● (1235)

Hon. John McKay: Mr. Speaker, it is not as if the hon. member and I are having a dialogue with each other but I want to discuss this a bit more in depth. What is it in structures of the commissioner and/or the management of the RCMP that do not enable it at this time to be able to provide a system of human resource control and justice particularly for the complainants in these sexual harassment cases?

Mr. John Rafferty: Mr. Speaker, it is important to note that with a long-standing institution like the RCMP that has not had a lot of change, relatively speaking, in the course of its history, when it comes to reform it is always a big shock. It is a big shock to most of us in Canada and certainly within the RCMP.

The process is on its way but it is important that these reforms not be a one-time shot. It is important to ensure in this bill that there are ongoing reforms. This organization, like any other organization, is a living organism that continually changes. With some of the issues that we have been dealing with in the last few years with the RCMP, it is quite clear that this organization has been slow to change. With Bill C-42, we need to ensure that the mechanism exists to ensure that reform can happen on the basis that it is needed over the next 20, 30, 40 or 50 years so we do not have to revisit this and it can act as a body the way Canadians expect it to act.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am pleased to have an opportunity today to speak at second reading of Bill C-42. It is called An Act to amend the Royal Canadian Mounted Police Act and to make related and consequential amendments to other Acts, but the government has chosen to call it by its short title, the enhancing Royal Canadian Mounted Police accountability act. The government is fond of naming these bills in some sort of public relations move. This is intended to cover everything that is included in the act but also to respond to public concerns.

It is fair to say that the Royal Canadian Mounted Police was an institution that, up until recent years, had a great deal of respect among Canadians, whether they be members of the policing field or members of the general public who looked to the RCMP as the embodiment of a system of justice that had high standards of professionalism and respect from the public and from other police officers.

I started practising law in 1980 and in my early days the RCMP was known by other police forces as the senior police force in Canada. The police forces in my jurisdiction and others would look to the RCMP in terms of standards, whether they be of training,

establishment of procedures and investigative procedures or standards of ethics and conduct, and this went on for many years.

I am only saying what many others have said before me, including members of the RCMP, many of whom I have spoken to over the last few years. There is a great deal of concern about the institution itself and about its ability to ensure the level of trust and respect that a police force demands. Others have rightly spoken about the high regard in which the RCMP is held throughout the world in terms of its effectiveness, its investigative ability and the forensic and technical expertise it has and lends to other forces throughout the world. In terms of training in other nations under various international agreements and United Nations efforts, we have made a significant contribution through the RCMP.

However, we have seen, at sometimes very senior levels of the RCMP, a failing that needs to be corrected. The most recent controversy has been about complaints of sexual harassment and, more importantly I suppose, the failure to adequately respond to the question of sexual harassment. Although we do have incidents of sexual harassment, as the report published today pointed out based on a survey of 426 members of the RCMP in British Columbia, the majority of respondents did not feel that the harassment was rampant inside the force. However, they expressed frustration at the handling of existing cases and the high number of unreported cases.

That is not saying it is rampant throughout the force, so we are not condemning the RCMP when we talk about the existence of sexual harassment cases. However, we are condemning the institution both for failing to respond properly to those incidents that have been reported and for failing to provide an atmosphere in which reporting can take place and—because primarily we are talking 99% of the time about women who are subject to such sexual harassment—in which they actually have a safe place to bring forth their complaints knowing it is the complaint that will be dealt with and not them.

● (1240)

That is important. It is important that the public have a clear understanding, belief, trust and faith in our senior police force representing the nation in symbolic ways, whether it be on our coins or through the musical ride. The RCMP is well known as a symbol of Canada and of respect. Even the ancient comment, which I suppose is praise, that the RCMP is the force that always gets its man or woman as the case may be, is emblematic of the esteem in which this organization is held in the popular culture of Canada. However it has to be fixed.

The question here is whether or not Bill C-42 is that fix. We know that the RCMP and the authorities within the RCMP need to be able to deal with bad behaviour. We know we need to have effective civilian oversight, and this has been commented on in various speeches here for many years. We also need a fair grievance procedure, one that ensures that grievances, whether they be about sexual harassment, pay and benefits or the conduct of some officer towards an individual, are dealt with fairly and in a timely manner. These are things that have to be done.

Government Orders

In this atmosphere, where we are talking about one of the principal recent reasons—the issue of sexual harassment—for the public outcry for accountability of RCMP officers and the force itself, what I find surprising is that in this bill we do not have a standard or even a statement with regard to sexual harassment and the unacceptability of it in an organization and in employment relationships. It may be a matter of policy in some organizations. In an institution of this nature, which is regarded as quasi-militaristic and has a hierarchy of authority where officers are expected to listen to and obey the commands of senior officers, more particularly there is a need to ensure that officers who have authority over others are prohibited and exhorted in a specific way not to abuse that authority, especially when it comes to the serious issue of sexual harassment.

Today's news, as mentioned by the previous speaker, is of the release of a survey done five or six months ago, interviewing a fairly large number of British Columbia members of the RCMP, and an internal report that found female members do not trust the force's system to deal with harassment complaints and frequently avoid reporting instances of perceived wrongdoing:

Participants strongly expressed that they were fearful of coming forward to report harassment as it could hinder promotional opportunities, have a negative impact on their careers, and possibly cause them to become a scapegoat for anything supervisors wanted to find fault with.

● (1245)

The opinion was also expressed that the RCMP is known for moving the complainant rather than dealing with the problem. In that context, I have to challenge the minister's statement in his speech yesterday that all we need to do is give the front-line managers power to make decisions, in fact, give them more power to deal with circumstances in situations.

We are supporting the bill at second reading and our public safety critic, the member for Esquimalt—Juan de Fuca, spoke very eloquently yesterday on it. We are supporting it because we do know there is a need to fix some of the problems in the RCMP and provide for a greater accountability and an ability to deal with these problems. However, we want to ensure we do not see merely a pendulum swinging one way and then the other, giving more authority and power to those at the top without ensuring that the job that needs to be done gets done. This is what I see and fear about this legislation.

We need timelines to deal with grievances. We need timelines to deal with situations. We need standards, particularly around conduct and behaviour. In that respect, a code of conduct is a good thing. However, we also have to make sure there would be due process.

I have a worry that the checks and balances are not there when I see a grievance procedure that gives the commissioner final and binding decision-making authority that he can delegate to somebody else, who in turn can delegate it to somebody else below him or her. It would be a final and binding decision without any reference to third parties, civilians outside or standards that may exist in other elements of public life.

This is a concern that has been raised within the military where there are similar circumstances. The grievance boards do not have sufficient outside involvement and it is all done within the context of the military circumstances, just as with this bill, where there would

be an internal grievance procedure that would not have the checks and balances we would want.

Many of the matters that are dealt with are not specifically policing matters but rather of compensation, fair treatment or whether a dinner allowance was properly awarded. Yes, these things should be dealt with quickly, but with fairness and not arbitrarily.

We need due process in terms of grievances and conduct that may result in dismissal without powers arbitrarily set with the commissioner. The proposed legislation would give the commissioner the absolute right to appoint or discharge members, but it could be subject to a conduct board, which is probably a good thing.

If we are going to have a code of conduct, we have to have someone able to interpret and apply it. However, from my opportunity to peruse it, it is not clear in this proposed legislation who would actually do that or who the members on the conduct board would be. This is something that the committee would look closely at. We would like to see a code of conduct that specifically prohibits and explains what sexual harassment is, for example.

We do have codes of conduct with respect to the use of force. Clearly, the conduct of the RCMP and policing communities in the use of force in certain circumstances is another issue that has brought about concerns from many people. We had the Dziekanski investigation and hearing in British Columbia and there are other instances throughout the country that question the behaviour of RCMP members and police officers on other forces. It is not an exclusive issue to the RCMP, but behaviour, standards and conduct are brought into question and challenged.

● (1250)

These are the subject of lawsuits in some cases, and inquiries and other investigations. There has to be a proper code of conduct for that. There has to be a disciplinary procedure when it is necessary to impose discipline. There has to be due process to ensure that officers themselves are protected when they find themselves accused of certain breaches of conduct. It has to be fair. I believe the word used yesterday by my colleague from Esquimalt—Juan de Fuca was “balance”. There has to be a balance struck that does not simply let the pendulum swing one way because there is a perception that there is insufficient authority being exercised.

I want to talk about something else that others have mentioned, namely that legislation alone is not going to change the culture within the RCMP. It has to come from leadership and education. It perhaps also has to come by involving people from outside the force, that is by having them come in to help in solving some of these problems. The RCMP internally has been aware of these problems; they are not new. There has been report after report expressing concerns about the structure of the RCMP and the problems there, yet we do not see solutions. They are not all going to come from the top. The leadership has to come from the top but other people can be brought in to solve the problems.

Government Orders

This is an internal report that was commissioned after Commissioner Paulson was appointed. The commissioner himself has vowed to root out so-called dark hearted behaviour in the RCMP. Rooting things out is one thing, but changing the culture is another. It is a little harder job. It is not simply a matter of passing legislation. It is a matter of replacing the culture with a new culture based on respect: respect for each other, respect for women, respect for citizens and respect for the fact that police officers are given significant authority to use force in keeping the peace. That is something that has to be used with great care. It is a big responsibility that we give to police officers. From those to whom that responsibility is given, much is expected.

What is interesting in the response to the internal report, a pretty damning report referred to in today's *Globe and Mail*, is that the majority of the respondents in the report said they had no faith in the current reporting process. That is why we have unreported cases of sexual harassment and other forms of harassment. That is a fairly damning conclusion by individual members of the RCMP in this internal report. This results in severe morale problems and also a lack of faith in senior officers and the structure itself.

One response by Deputy Commissioner Callens, who is the commanding officer of the B.C. RCMP, was to send more than a hundred officers for training to ensure greater timeliness and follow-up to complaint investigations. Indeed, this is what the RCMP said in a statement. Well, follow-up and timeliness is one thing, but there are also other aspects to this whole notion of how does sexual harassment exist in the first place. Why is it tolerated? Is there a culture of toleration? Is there something more deep seated that has to be dealt with outside of legislation but internally within the RCMP? It is a big job and they may need outside help to do that.

●(1255)

Therefore, I realize this is a big task and that the legislature cannot fix everything by legislation. Nonetheless, the legislation itself is a step in the right direction. We support the notion of having more authority to deal with problems and having things dealt with in a more timely fashion.

We are concerned about some of the measures here. There need to be a lot of changes in the bill before it will be acceptable to the official opposition. We will work assiduously in committee to help make that happen.

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I want to pick up on the last few minutes of the thoughtful speech by the hon. member, particularly the softer elements of the speech and the cultural issues around the RCMP.

Reading the report in the *Globe and Mail* quoted by the member, it is pretty obvious that any reporting of a sexual harassment issue by any female RCMP officer is a career killer. That is a well-entrenched view.

My colleague and I shared defence critic responsibilities a few months ago. He will know that the ombudsman has reported on the issue of the mental health of soldiers. One of the issues he and I talked about was stigmatization, which I want to relate to this particular issue, in this case the stigmatization of those who report and the impact it has on their career.

I wonder whether the hon. member has any thoughts or contributions to make with respect to what is essentially an inherent conflict between the person who might report and the person who might be in a position of authority to receive a report. What would the member like to see in the legislation to handle those kinds of almost structural conflicts?

●(1300)

Mr. Jack Harris: Mr. Speaker, regarding the comment by the member for Scarborough—Guildwood, I think it is very difficult.

I will talk about one thing I came across early in my career as a lawyer back in the eighties, the whole issue of domestic violence and how it was handled by police officers. It was a live issue.

In our jurisdiction, the police, in a rather enlightened way, invited members of the women's shelter and the women's movement to talk to police officers about domestic violence and how it worked.

Up until then it was very common for police to ignore violence against women, seeing it simply as a domestic matter that they would not interfere with. It took almost an education process by people outside of the police force, because the police culture had been such that the police would not get involved with domestic matters. It was seen as something they did not deal with. Even though it was assault or assault causing bodily harm, or intimidation, unlawful confinement and all kinds of other crimes, they did not deal with it. It took a long time to address that, with the assistance of the women's movement talking about what all of that meant.

From the reports we read and at least from what we see as the tip of the iceberg, it seems that within the RCMP there is almost a lack of understanding about what sexual harassment is, why it is wrong, and why it cannot be engaged in and why the culture has to change.

Maybe they have to bring in someone else from outside to help with that process. Maybe they have to have a separate process. If we are to go through a process of dealing with sexual harassment, instead of going directly up the line, maybe there should be another body dealing with that, one that has more understanding of what happens and is able to find a way, not just through discipline but also through—

The Acting Speaker (Mr. Bruce Stanton): Order, please. I would remind hon. members to watch the chair from time to time. I realize that members want to address other members in the chamber, which is perfectly acceptable, but they should watch the chair on occasion so that the chair can indicate how the time is going.

Questions and comments. The hon. member for Esquimalt—Juan de Fuca.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I, too, have benefited from the very thoughtful speech by my colleague from St. John's East on this topic.

I wonder if he has any reflections on the amount of time it has taken the government, which has been in power since 2006, to act on these issues, which we have all known exist in the RCMP.

Government Orders

Even after appointing its own task force, which tabled a report in 2007 called “Rebuilding the Trust”, here we are five years later and the government has brought in legislation that the minister himself admits has errors in its translation and text and appears to have been hurried at this point.

Does the member have any reflections on why it has taken the government so long to address these issues?

Mr. Jack Harris: Mr. Speaker, why does it take the government so long? I do not know how serious it is. There have been issues with the RCMP and the government seems to be well aware of them, but it is not prepared to take them head on. The government seems to be so bent on one idea of law and order and being tough on criminals that it is not moving fast enough to make sure the system is working right.

The fact that the bill is not really ready for prime time is clear evidence of that. The fact that the RCMP complaints commissioner, who was trying to be effective, was not reappointed, and that the government did not deal effectively with the recommendations of the O'Connor commission and others calling for a purely independent external review body with teeth all point to the fact that the government is not really serious. We are going to have to work hard to change that. Whether we will be successful or not, frankly I am not sure.

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I just want to pick up on the member's response to my earlier question, which I thought was a good analogy between the cultural change in the way police handled complaints about what was then called “wife beating” and now, at a time when this insight has not been translated into how the RCMP handles its own internal issues.

I wonder whether the hon. member could expand his thoughts on what we used to call in law Chinese walls, the ways in which matters that would have been inherently in internal conflict in a law firm would be handled so that the resolution of the dispute would not negatively impact on a career, relationships, and on a whole range of things that probably are beyond our understanding, and whether this bill could be shaped in that way. Will the member be making inquiries at committee on how the larger cultural context would be changed?

•(1305)

Mr. Jack Harris: Mr. Speaker, the member is on the right track. We can prohibit reprisals, but to make that effective is a different matter. As I am not a member of the committee, I would urge committee members to seek advice on that from people who know about these things. The legislation does not adequately address it right now. The mere fact of what it prohibits shows the many ways in which someone who complains might encounter reprisals of one form or another.

Again, perhaps there has to be someone very senior in the force who should be designated to be proactive on this, someone whose job would be to make sure that a complainant were not treated negatively as a result of a complaint. Having a specific officer or a specific division in charge of that might be one way.

As for Chinese walls, we cannot get around the fact that it is known that someone complained. Therefore, someone may need to

have proactive role of taking on that responsibility. I would look to advice from experts perhaps to tell us how that could be done.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I listened to my colleague's speech and heard his ideas about why we should support the bill at second reading and the other things that we should consider at committee when looking at this legislation.

It is important to listen, to debate, to exchange ideas. Here I note the utterly absent contribution to this debate by the Conservatives. We have heard from Liberals and New Democrats, but there have been no speeches, no questions by the Conservatives. There is absolute silence on this issue.

I wonder if my colleague has a comment to make about the failure to engage in real debate on this issue in the House.

Mr. Jack Harris: Mr. Speaker, I could just shrug and say I do not know, but I have my suspicions that the Conservatives do not really want to express their thoughts and views on this subject, even though it demands and requires a good, vigorous public debate because this is something that has to be fixed. Do we want to help fix the RCMP? Yes we do. Is this the way we want to do it? We have other ideas. We think there are better ways. Why are we not hearing from Conservative members? Maybe it is because they are not really serious about trying to find the best way to fix this.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, it is my privilege to rise to debate Bill C-42. As we all know, the bill was tabled just days before Parliament recessed for the summer. It was introduced in light of the many challenges the RCMP had faced over the last number of years, with the numerous struggles, scandals around sexual harassment and the internal processes and a feeling of a lack of trust in one of our most iconic institutions, the RCMP.

I will speak in support of the bill getting to the committee stage so major issues can be addressed. However, I cannot proceed without echoing the concern of my colleague who spoke before me about the lack of debate from one part of the House.

Parliamentary democracy is a treasured institution, of which we are very proud. My experience as a member of Parliament, since the very short time I have been in the House, has been the lack of respect for our parliamentary democracy. I have seen it through the movement of closure, time allocations and all kinds of ways to muzzle debate.

In parliamentary democracy, the government proposes and the opposition critiques, not with the idea of just simple opposition, but with the idea that through debate, the initial debate and then the committee stage, we end up with legislation that best serves Canadians and that has been chiseled, questioned and put under the microscope.

Government Orders

We saw how our voices were silenced in June, May and April, all those months, but today I am experiencing a different kind of eery feeling in the House where the government has brought forward significant legislation for debate. Debate does not mean a few people having a conversation. This debate, to be truly effective, has to be with people from government who will respond to issues we raise, answer questions and explain some of the elements of the legislation. That is what debate is. Then we examine it on its merits.

I will echo my colleague who spoke earlier who has said that lack of debate and that lack of response from one end of the House seems very disrespectful of our parliamentary democracy and of the role we play as elected parliamentarians who are here to debate, not to just sit in silence, in this very well-respected institution.

I am very proud of the work done by the RCMP. In my riding of Newton—North Delta, on the Surrey side, we are served by the RCMP and I have always been truly impressed by its professionalism, dedication and the way it carries out its work.

The government has presented legislation to enhance trust and restore accountability in the RCMP. It takes more than some words on paper to enhance accountability in the RCMP.

• (1310)

We ask our men and women in uniform to carry out some pretty serious responsibilities, which is the protection of our citizenry, and they do that. However, we also have to give them the resources to ensure the staffing exists and they have the tools and resources so they can carry out their tasks, whether their tasks are in their duties as RCMP officers, the investigation processes, the forensic processes or the internal workings of the RCMP. The government is cutting 149 positions from the RCMP, the same government that talks constantly about increasing our community safety and security, greater policing and vigilance and all of those issues. The cutting of those positions seems a little at odds with those positions.

I also want to bring to the attention of members that 42 of those positions will be cut are in B.C. The positions being cut across the country include cuts from the investigation branch and the forensic's area. I wonder how much trust people can have in the RCMP when we do not give it the tools to do its job. Only when RCMP members carry out their jobs and the functions we ask them to do people build trust in our iconic institution. However, we are denying them access to some of those basic tools.

I want to talk about a major driver behind this legislation, which has been the litany of sexual harassment allegations within the RCMP. No one in the House supports sexual harassment anywhere and when it happens in one of our iconic institutions, which is there to protect citizens, it gives us a great deal of concern. We have to remember that the vast majority of members in the RCMP is not implicated in these allegations. However, even one allegation is one too many. There have been many and this needs to be addressed.

I know we cannot address an issue like sexual harassment and the culture that I would not say facilitated but allowed it to happen. We cannot change that culture or stop sexual harassment simply by passing legislation. When we talk about the major elements, we have heard that the culture has to be changed, the hierarchical and accountability culture. Yes, we need legislation and processes in

place, but they need to be clear, transparent and independent processes so the investigations and consequences are not determined by those who are part of the institution. However, as a teacher and counsellor, in order to bring about cultural change within any institution, one cannot impose things from Parliament or the commissioner. In order to bring about cultural change within the RCMP or any other institution, there has to be a great deal of buy-in. The way to get buy-in is by engaging the community and the RCMP in a very meaningful way, as well as ensuring the RCMP is part of the end solution.

One of the concerns I had when I read this bill was about the amount of power that would be given to the minister. This seems to be a new trend. When it comes to immigration, every piece of legislation that has come forward recently seems to put even more power in the hands of the immigration minister. This is not against any individual, but I do not believe we need to give ministers that kind of centralization of power or that much control.

• (1315)

We have to look at putting in place a process that involves the police, the communities and the different agencies to have structures in place so there is a great deal of independence. If we have an independent commission looking at this, to whom should it report? It should be Parliament. This is the body that needs to take this on.

On the issue of sexual harassment, the commissioner had started an investigation and report into gender balance and other issues. That report has not been released yet. In many ways there are elements in the bill that are very premature, but also elements which should have been acted on a long time ago to address the immediate issue of sexual harassment. Issues of sexual harassment cannot wait one, two, three or four years. We all know the kind of damage that does not only to the individuals involved, but to the whole institution of the RCMP. I have a great deal of concern with the way this process is playing out.

Giving so much power to the minister and centralizing quite arbitrary powers in the hands of the commissioner should also give us some concern. One of the things I have learned over the years is that Canadians believe in the rule of law. They also believe in due process. If individuals are charged with something, we want them to have due process. That does not mean we want to be tied up in the courts for years and years. It means we need a very clear process where the rights of the individuals who have allegations against them are respected as well. If we do not have that, we are in danger of moving toward omnipotence being placed in the hands of a few who then believe they can take action without any recourse by others. That is not the Canadian way of doing things. We have to absolutely ensure we do that.

I do not think anyone believes there should not be oversight of our RCMP and other institutions, but we need the kind of oversight that actually moves us forward and not have people digging trenches and making things worse.

Government Orders

I have had a number of conversations with RCMP officers in my riding. Summer is when we get to be in our ridings and we meet with our constituents at barbecues or on the street. Others come to meet with us individually. I was very impressed by the conversations I have had with RCMP officers. It is a group which is feeling oppressed right now. There is a lot of insecurity and a feeling of what is happening, of the unknown and the feeling that a hammer will fall on them, that they will be expected to do more with less. They do not even know what kind of due process and rights they will have in the new systems that come into play.

When people with years and years of experience, people who serve our community as valiantly as these officers do, raise those concerns, we have to pay attention. Legislation that is as unclear and convoluted as this helps to create more confusion and does not really take into account the short-term actions that we spoke about last May and June. We need to take those actions immediately. We also need to put some independent but fair processes in place for everyone.

● (1320)

I do not think anybody wants fairness for themselves at the expense of other people. As a government, we want to ensure that the legislation we bring forward and passes in the House provides our men and women in uniform that due process they so need and deserve.

Putting power in the hands of ministers also sends a different kind of message. It takes away the independence and professional service we expect from policing. If the minister has extraordinary powers to overrule, direct and delegate here, there and everywhere, that actually creates more instability not only in the force but also in the communities because they are not clear as to who is making the decisions, who is finally responsible and who will be held accountable for those actions.

I went into teaching because I am hopeful and always expect situations to improve. I am hopeful that when we get to committee stage opposition committee members, including our critic, will be given the time they need in order to make the kinds of amendments that will make this legislation more palatable to the opposition and also move us forward in a more positive way.

The one thing I have learned over the years, whether it was dealing with kids or adults, is that if we want them to change their behaviour, hitting them on the head does not make it happen. Therefore, having more legislation with more of this will not do it.

I would urge that the RCMP be more actively engaged. Its members are very concerned about the damage to their image. The RCMP officers who I have talked to are just as outraged and upset by the sexual harassment cases and other scandals as we are. They want to be part of the solution. I would say that if we put them outside of the solution, outside of that circle that is coming up with a solution, we are not acting smartly or strategically and I would question how serious we are about addressing the issues that exist within the RCMP that require our attention.

Once again I urge the government to reconsider centralizing the powers to ministers in a way that does not serve our democracy well. I also urge the government to get engaged in debate. This is the House of Commons where debate happens between different parties.

If I were sitting on the government side, I would want to actually engage in a discussion about a piece of legislation if I were serious about it. To just sit quietly is a waste of taxpayer dollars and goes against parliamentary democracy because taxpayers send us here to play an active role in Parliament. That is what we are here to do.

There are many other issues that I could speak to but I see I am out of time. I will finish off with the idea that we cannot bring about cultural change and build trust and accountability by just words on paper but rather by actions and how we engage people in a meaningful and respectful way.

● (1325)

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I thank my colleague across the way for making a somewhat pleasant speech about certain things that our officers do across the country.

However, I would like to note that there are 13 police officers on this side of not only the House but in the Senate. The Conservatives have 13 police officers who now sit among all parliamentarians and who have worked very hard on this legislation. The fact that we do not stand to debate is not disrespectful. We have made our point very clearly through the legislation, legislation that the NDP has, quite frankly, said that it will support. We do not just stand to hear ourselves speak. We stand when we are going to actually dispute something that is said. The NDP have been fairly clear that it supports the legislation that has been put forward and that there will be some tweaking.

I am standing because what was said by my colleague when she addressed the ministerial powers that she claims are being put in this bill is not true. In fact, there are no new powers. I would like the member to cite the clauses within the bill that give those powers, because this bill gives power to the commissioner. It gives powers to civilian oversight. It gives the tools that police officers have asked for.

I would like the member to cite exactly where this bill provides the minister with more powers. The clause would be great. Again, I thank her for suggesting that the RCMP do a good job. We believe that as well. It is unfortunate the NDP has no police officers on their side. However, on our side, we have RCMP and municipal police officers and we support everything that our members do as they fight for our safety and security.

● (1330)

Ms. Jinny Jogindera Sims: Mr. Speaker, I was pleased to see many of my colleagues across the way actually stand to ask me a question. That sort of encouraged me that maybe we are here to debate something.

The purpose of having legislation at second reading in this House is for us to debate. If it were just for us to say yea or nay, it would be different. I think the opposition has been very clear that what we are planning to do is not just tweak this legislation at the committee stage. We have some major amendments and some very serious concerns that we will be addressing at the committee stage.

Government Orders

We take that work that we will be doing, going through clause by clause and making our amendments, very seriously. I do not want to leave this House with the idea that we support this bill as it is. I was very clear, as were other speakers, that we are supporting this bill at second reading for the purpose of it going to committee where we will have some serious amendments to address the shortfalls.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I congratulate the member for Newton—North Delta on her remarks and especially that she was able to touch a nerve on the other side and actually get them on their feet in this House. That is quite something. They must have gotten their orders at caucus yesterday not to say anything in debate in the House to try to speed this through.

My question for the member is on what the member for Saint Boniface said. She said that the bill would give power to the commissioner of the RCMP, and that is true. However, having been there, I believe one of the problems with the RCMP is that there is too much power in that office. When it comes to the complaints commission, for complaints against the RCMP and the new civilian body that would be put forward in this bill, although there is talk about accountability in the bill, to date we have not seen that from the government in anything it has done.

I am just wondering what the member thinks about having the new civilian agency really no different than the previous commission for public complaints against the RCMP and the fact that all the power still rests with the commissioner of the RCMP.

Ms. Jinny Jogindera Sims: Mr. Speaker, I can remember what was said in June, as quoted here, and one of the reasons behind this bill was to increase the trust and accountability within the RCMP. When there is that much power vested in the commissioner who can delegate it to other people, that should give us some serious concern. We need more independence and that independent commission needs to be reporting to Parliament rather than to ministers, to commissioners or to anybody else.

When we get into denying things too much, I want to go back to the idea of the lack of debate and the almost silence from the government side is to be noted. If the idea of second reading is just that we say yes and send it to the second stage, why call us all back into the House and not just do that? This is a debate stage and I have not noticed speakers being nominated from the other side.

• (1335)

The Acting Speaker (Mr. Bruce Stanton): Before we take the next question, I just have an observation to hon. members. I know we are back after a summer recess but, when we are in questions and comments, if there are quite a number of members standing who wish to pose a question to the hon. member who has just spoken, generally, if there are many members, we will try to shorten the time available. So, if you can design your question around the minute and responses in the same light, I am sure more members will have the opportunity to pose questions. If there are only one or two members standing, generally the Speaker will afford a bit more latitude in terms of time.

Questions and comments. The hon. member for Parkdale—High Park.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I agree with my colleague about the importance of debate and

discussion and I want to join with her in encouraging all members of this House to fully participate in this important discussion. I want to acknowledge that it was a number of my NDP colleagues who, with repeated questions in this House about conduct in the RCMP, prompted the other side to come forward with this bill and a previous bill. We do believe this bill needs work and I thank my colleague for her recommendations.

I want to pick up on one particular point which is about changing the culture of an organization. I have worked with and in organizations that were dominated by one gender as opposed to another. It is a difficult transition. It is a cultural change to try to broaden and diversify that kind of a work setting. There are many organizations that have successfully made that kind of transition and there have been recommendations to the RCMP that this is exactly the kind of cultural change that needs to happen. Could the member elaborate on what exactly needs to be included in this bill?

Ms. Jinny Jogindera Sims: Mr. Speaker, one of the hardest things to do is to bring about cultural change in an organization. It does not happen without developing a strategic plan. It also does not happen without a framework and committing some resources. However, it certainly will never take place if the cultural change forces are on the outside only. We know that within the RCMP significant numbers of RCMP officers want to address this cultural change but unless we engage them and make them part of that process, this will be a very slow and painful, and I do not want to think so, but an unsuccessful venture.

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, in the spirit of honouring the debate, our hon. colleague has asked for so much. However, also part of having effective debate is answering questions when one is asked them. Our fantastic parliamentary secretary asked the member directly if she could name the sections in the bill that specifically gave direct and additional authority to the minister. The member did a marvellous job of spinning that and not answering the question.

Therefore, in the spirit of debate, I will give her one more opportunity to actually answer the question that she was asked earlier by our members on this side of the House.

Ms. Jinny Jogindera Sims: Mr. Speaker, in the spirit of debate and answering questions that are asked, I will also go on to say that a question was asked: Did my colleagues across the aisle receive orders not to speak, not to ask questions and not to take part in debate?

I still believe the minister has too much power when all the reporting from the commissioner goes directly to the minister and does not come back to the House. It is this House that needs to be receiving the reports from the commissioners.

• (1340)

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, before I begin my comments I have to acknowledge the comments from my colleague from Newton—North Delta. Clearly we are talking about trying to engage in getting a piece of legislation to the best that it can be. On this side of the House, in the Senate and elsewhere, we have lots of people who have various backgrounds and who could be very helpful.

Government Orders

If the goal is to strengthen a piece of legislation then it should be taken up by all of us in open debate and discussion, which is what is supposed to happen in the House. The government side seems to feel it has done all its work already and is prepared to move forward on this piece of legislation. It is clearly our intent to do what we were elected to do, which is to look at a piece of legislation, offer our comments and hope to improve on it. With the many smart people that we have in the House, on all sides, I am quite confident that would happen if we would just allow democracy to do what it is supposed to do, which is to allow us all to participate in a proper manner.

As the Liberal Party critic for the status of women I am particularly pleased to be able to speak to the bill. I had been working on this issue for well over a year now when I started getting many calls about sexual harassment from other members of the RCMP. I am pleased to see that the government has responded to the issue and the pleas from Commissioner Paulson and others to start to make some legislative improvements and untie the commissioner's hands.

Is it enough? In its present form, I do not think so, but that is exactly what we are going to do between the House and the committee.

As most members will know, the issue surrounding sexual harassment and workplace bullying within the RCMP is one that many of us have been hearing about and getting involved in. It is unfortunate, however, that it took so much to finally get the government to reluctantly take the step forward to reform the RCMP. However, it is a first step. Let us take it one step at a time.

From the outset I want to make it very clear that I, and I believe everybody else in the House, have nothing but the utmost respect for the RCMP and all of the officers in various divisions and cities who work so much to keep us all safe. Over the years the force has been an honourable, proud and iconic symbol for our country. When asked what they think of Canada, one of the first things people say is the RCMP and their red uniforms. We are very proud of them. I would hope that, as a result of some of the changes that are coming forward and the work of Commissioner Paulson and others, we will see those changes happen.

Despite its legacy, in more recent years the force has received a very black eye due primarily to a failure to address certain internal cultural realities that unfortunately cast the RCMP in a very negative light. Bill C-42 is perhaps the first step down the road toward addressing some of these issues. I say some of these issues because I am not convinced that this legislation is going to address all of the issues at hand. I fear it will miss the mark if the government is not prepared to hear from those affected. This is not just a problem with process. It goes much deeper than that.

A short time ago I was speaking to Senator Roméo Dallaire, who all of us know. We are familiar with the heroic deeds of Senator Dallaire in the military context. During that conversation the senator made connections between the military of the early 90s and the RCMP of today. We all remember some of the challenges faced by DND in the early 90s. Most of these problems revolved around a culture that had not changed or kept pace with the times. There were terrible headlines and terrible comments coming from a variety of

different quarters. As a result, the public confidence in the military was again shaken and real change was demanded. The culture of the military at that time needed to be modernized.

Much of what we are talking about in Bill C-42 is an attempt to move forward. It is about modernization. It is about things that were not acceptable 20 years ago but have managed to continue on. Women, in many cases, are the victims of sexual harassment in a variety of different avenues. Especially when we get into places like the military or policing, somehow there seems to be an opportunity for more bullying and sexual harassment.

• (1345)

The Liberal government had a problem on its hands in trying to deal with the outcome of what was very negative publicity in and around our armed forces. The Liberal government at the time made those changes. It modernized DND and the military. It put in place a senior management team that instituted far-reaching change in the Canadian military. It was put in place specifically to change the military culture of how people treated each other, how they treated people at different levels, how they needed to respect each other, and that harassment should not exist in that kind of culture. That was real leadership and that kind of leadership is again needed in the context of the sexual harassment and workplace bullying that we are hearing about within the RCMP.

Even the commissioner is asking for this. Commissioner Paulson was at the Standing Committee on the Status of Women. He effectively said that he needed changes to the legislation that would untie his hands so that he would be able to deal effectively with those he knows are not following the rules as they should be followed. I want to be optimistic but I am not seeing that level of leadership as much as I am seeing a careful response based in a public relations strategy.

That is part of the reason why it is so important for there to be a debate in the House and for this legislation to go to committee, where it will have a true opportunity to be debated and strengthened so that this is not a public relations strategy and we really will attempt to fix the problems that we all know exist in the organization.

It is a serious move for 138 people to file harassment charges against the RCMP. It certainly is a career ending move, but it should not be that. Those people who came forward know that their careers are effectively over, but they felt strongly enough about their belief in the RCMP that they wanted to see a change come about anyway.

Government Orders

It should not have taken a public appeal from the Commissioner of the RCMP, either, to prompt a government response to the problems within the RCMP. That was reckless on the part of the government. Clearly the commissioner felt the only way to say this publicly was at the Standing Committee on the Status of Women. He felt that was necessary. If we were going to see change, that was the only way for him to come out and make such a statement. Even now, according to the *The Hill Times*, government MPs on the Standing Committee on the Status of Women are reluctant to really deal with this matter in an open and transparent manner.

I give credit to the standing committee, of which I am also a vice-chair, for dealing with the whole issue of harassment and sexual harassment. Rather than focusing strictly on the RCMP, as I would have preferred us to do, we are broadening that and looking at a dozen different Government of Canada departments. We are looking at what the policies are when it comes to sexual harassment. Some departments have them and some do not. They should all have them. I want to applaud the committee for taking a leadership role in doing that. A serious look at harassment would benefit not only government departments and employees of the Government of Canada but we would be showing effective leadership for the provinces and many other people across Canada. That is the kind of thing that I would like to see the committee do. I want to applaud it for dealing with that issue. It took a lot of pushing to get it there but it is there. We are going to work together this fall on that study.

The reluctance by the government to deal with the changes needed in the RCMP is really an affront to people like Jamie Hanlon, Nancy Arias and Catherine Galliford. These are dedicated people who dreamed of being part of the RCMP but found their dream to be a nightmare once confronted by a system that allowed, and even encouraged at times, harassment according to some of the comments that have come forward.

These issues must be resolved. Abuse, sexual intimidation or workplace bullying should never be acceptable. These issues should never flourish in any agency or organization in Canada, least of all the RCMP.

• (1350)

To put it into perspective, I would like to read from an email my office received from one of the women who faced sexual harassment within the force. She said, in reference to Bill C-42:

Bill C-42 is an important step towards the future. However, it in no way addresses the serious issues of violence in the workplace at the RCMP that has been around for more than 20 years, and it is for this very reason that it is extremely important and imperative that the victims of these crimes be heard and that accountability prevails. Only then can we all move collectively into the future.

That is a very important statement from someone who has been part of this, who has experienced that kind of harassment, who wants to see the RCMP improve and go forward.

Whatever happens, there will very much be watched by many of the police services throughout our great country, no doubt, because there is an awful lot that goes on that is not reported for a whole lot of reasons.

No one wants to lose their job. They know that it could clearly impede their opportunity for advancement, but these are very serious issues. I hope that at the Standing Committee on the Status of

Women we will be able to give these women an opportunity to speak, and men are part of this as well, but an opportunity to be heard because they are in it for the right reasons. They want to see changes and improvements happen. I agree and I am truly hopeful that the government will get serious about tackling this issue when Bill C-42 arrives at committee.

Further to this, in May of this year, RCMP Commissioner Paulson wrote an open letter outlining his current limitations in weeding out the so-called bad apples in the force. Never in the 13 years I have been here have I ever seen a department head, a deputy minister or a commissioner write an open letter in the newspaper appealing for help to make change in his organization. It took a tremendous amount of courage on his part to do that. The Minister of Public Safety took that very seriously, went to work and created Bill C-42.

This letter added to his testimony before the Standing Committee on the Status of Women. He said his officers did not have the confidence in the ability of the force to resolve these matters. I did not say that. Commissioner Paulson, head of the RCMP, said that.

When we go back to how the Liberals dealt with the issue in the military, it would set up a separate group of people outside of the RCMP who would deal with all of those issues and come forward with some recommendations. Over and above the work we are doing on Bill C-42, there should be a separate team of people, experts in the field, that would really make those differences.

In essence, an exasperated commissioner was begging for help. Only then did the government step in.

The minister would say that he is addressing the matter at hand, but I fail to see how reworking the force's bureaucratic grievance system and giving increased power to the commissioner would address cases such as the one involving the infamous Sergeant Don Ray. Sergeant Ray admitted that over a three year period of time he had sex with subordinates, drank with them at work and sexually harassed them. He was also found to have used his position to favour female potential employees.

Those are very damning things for a member of the RCMP to do. What happened to him? In return, rather than facing charges, Sergeant Ray was docked 10 days' pay. He intimidated and harassed women in the service, and all of that went on over a period of years. Women would get fired and dismissed and all kinds of things, but what happened to Sergeant Ray? He got a 10-day suspension and was transferred to another detachment.

I have to wonder where that other detachment is. If a woman in Edmonton or Manitoba has difficulty getting home one night, will Sergeant Ray, on a dark night, be the one to help her fix her car, or whatever has happened, when she is stranded? I would not feel safe having him out there. It is absolutely unbelievable that he would be allowed to be out there with a 10-day suspension.

• (1355)

However, I think we can agree that this is not an administrative failing. This runs far deeper than that.

Statements by Members

This is precisely why I think Bill C-42 would not be enough to address these cultural matters without real debate, which is what we should be having in the House, open dialogue and several amendments at committee.

I certainly hope the committee will be able to do that, that the committee will not be hamstrung and will be able to hear from all the individuals who are part of a variety of different positions in the RCMP, whether they are part of a lawsuit or whatever it is, that they will be encouraged and allowed to come to committee. In that way the committee will have a full picture of what is going on and can make the amendments necessary and can make a recommendation to put a leadership team together to ensure that the changes needed in the RCMP happen and that this is simply not a bunch of paper and another bill that would have no teeth and no real ability to do anything.

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, as a retired member of the RCMP, I do agree that the Royal Canadian Mounted Police Act does need to be overhauled, and as it is an act of Parliament, it must be done in this House.

The one thing I will say with respect to the part of her speech regarding the sergeant is that, as she well knows, under the Royal Canadian Mounted Police Act right now, the commissioner has no authority to remove members of the RCMP, whether they be male or female. There is nothing for that in the Royal Canadian Mounted Police Act.

My question for the hon. member is this. Does she believe that Bill C-42, which would empower the commissioner of the RCMP to dismiss members for dereliction of duty—which would include harassment, in my opinion—would be a good start for the commissioner to move forward with such things as dealing with sexual harassment in the workplace?

Hon. Judy Sgro: Mr. Speaker, I think that is all it is, a start, and that is not enough. These complaints are very serious.

The fact that the commissioner indicated to us that he could not fire someone is part of what pushed, really, all of us and the government to introduce that legislation. However, it is not enough to simply say, “Well, I couldn't do it”.

Somehow, most of the women involved in all of these cases over the last 20 years lost their jobs. How come it was possible to deal with the women? They were dismissed one way or the other. How come they could not dismiss Sergeant Ray?

So, as much as the commissioner indicated to me the exact same comments that my hon. colleague did, all I know is that the women all ended up losing their jobs, that is, under sexual harassment, but Sergeant Ray is still working somewhere out in the west.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, the member is vice-chair of the status of women committee, and I think what she has illustrated is a kind of rebuke to the Parliamentary Secretary to the Minister of Finance who cited the number of police on the Conservative side to speak on this. It is the very diversity of this chamber and the backgrounds from all parts of Canadian life that we are drawing on in order to improve the bill.

I would like to ask the member why she believes it has taken both the former Liberal government and the Conservative government so long to address this issue of sexual harassment.

Hon. Judy Sgro: Mr. Speaker, it is not an easy issue to deal with. Clearly, it has never been enough of a priority for anyone beforehand. It is now clearly on the radar screen, as a result of the work of the thousands of women out there who have been the victims of sexual harassment. That is the reason it made the front pages. Otherwise, we would probably still not be dealing with it.

The Speaker: There will be seven minutes left for questions and comments after question period.

STATEMENTS BY MEMBERS

[English]

AGRICULTURAL FAIRS

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, I am pleased to welcome hon. members back to the House after a busy and seemingly quick summer recess.

As the season is upon us, I would like to pay tribute to the grand tradition of agricultural fairs across Canada and the literally thousands of volunteers who put them on each autumn. Agricultural fairs came to Canada with the first British colonists. They were organized by agricultural societies, farm families who understood the benefits to be gained by sharing experiences and advancing farm technology in their communities.

Today, these celebrations of our agriculture and rural way of life help connect Canadians with a greater appreciation for what farming and farm families contribute as producers of safe, high-quality food, as stewards of our soil and water and who, together with our agrifood industries across Canada, generate fully 8.1% of our GDP. I encourage all hon. members to visit a fall fair in their region this season and help celebrate Canada's agricultural tradition.

* * *

● (1400)

SENIORS

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, every September before Parliament resumes, I meet with the seniors at Chelsea Park to seek their input and advice on what they think our federal government should be doing. These folks come from all walks of life and have a deep well of experience and knowledge. They have a strong love of Canada and a desire to see a nation that works for every Canadian.

*Statements by Members***WAR OF 1812**

Here is what they want us to work on this session. They want us to build a strong public health care system and expand coverage for dental prescriptions and extended care. They care deeply about the environment and want sustainable economic development that preserves our natural bounty. They want to see us focus on creating good, well-paying jobs here in Canada that people can raise their families on, just as they did; and they want a government that acts respectfully and ethically.

New Democrats stand squarely with the Chelsea Park seniors and will work diligently to follow their sage advice, and I encourage the government to heed that advice. Special thanks to Rose Weber for organizing this meeting and for her hard work on behalf of seniors and the community.

* * *

2012 OLYMPIC GAMES

Mr. Andrew Saxton (North Vancouver, CPC): Mr. Speaker, today I am honoured to rise and both recognize and congratulate the incredible participants of the 2012 London Summer Olympic Games from my constituency of North Vancouver.

Three Canadians, Jessica Smith who competed in the athletics women's 800 metres, Michael Wilkinson who competed in the men's rowing four and Lauren Wilkinson who won a silver medal in the women's rowing eight, have done Canada proud. Their hard work, dedication and commitment to do their best deserves special recognition. They serve as role models and inspire all Canadians, young and old, to strive for excellence.

It is an honour just to be selected to represent Canada at the Olympics, and I stand in the House proud to represent these Canadians. Congratulations. Well done.

* * *

CANADA POST

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, the Pointe-Claire village is not only a hub of local economic activity; its charming village-scape attracts visitors from all over the greater Montreal area.

A key feature of the village is its historic post office, built in 1937. Canada Post has announced it will close this small but essential postal outlet. Merchants and residents are rightly upset, especially as the decision was cloaked in faux public consultation. More than 1,000 individuals have signed a petition to keep the post office open, and Pointe-Claire city council unanimously supports this objective.

[*Translation*]

We understand that Canada Post operates using a profit-based model. However, as a crown corporation, its decisions must take into account other factors, such as the need to support communities.

The closure of the village's post office will leave a void in the community and will deprive many seniors in the village of postal services that are accessible by foot.

[*English*]

I call on the minister to reverse this decision with all the means at his disposal.

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, last weekend thousands of people attended a festival commemorating the 200th anniversary of the War of 1812 in Streetsville Memorial Park. This fantastic event was a great partnership among the Streetsville Founders' Bread & Honey Festival committee, Heritage Mississauga and the City of Mississauga and was made possible through a grant from the Department of Canadian Heritage. Attendees enjoyed three re-enactment events, many displays, activities and fireworks and learned much more about the importance of this period in Canada's great history.

Although the event had many volunteers, I want to express my thanks to Councillor George Carlson, Duncan Willock, Jayme Gaspar, Matthew Wilkinson, Heather Coupey, Robert Chestnut, Sandra Pitts, Anthony Shuttleworth, Christine Simundson, David Mosley and Chris Hobson, in particular.

Streetsville has once again shown its great pride in Canada. The War of 1812 was won.

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NEW DEMOCRATIC PARTY OF CANADA

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, the entire New Democratic caucus went to my home province of Newfoundland and Labrador earlier this month for a caucus retreat, and they all got the T-shirts, not just any T-shirts. These T-shirts were designed by a local artist and sold at a shop on Water Street in downtown St. John's, and they are reminiscent of old war posters. The shirts carry slogans like "Come on Canada, fight the Conservatives".

The shop owner cannot keep them on the shelves. There is a rising in the east, a rising against the Conservatives, a rising for the New Democrats. NDP MPs from every corner of Canada felt that energy. They saw first-hand the attack on the outports, on rural Canada. They saw first-hand the blatant disregard for our culture. They saw first-hand the effects of muzzling our scientists and bullying public sector workers.

My favourite T-shirt has a young child asking parents what they did to fight the Conservatives. New Democrats have an answer to that question. Every Canadian needs an answer to that question.

Statements by Members

●(1405)

FAMILIES

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, our government is committed to supporting hard-working families. Last month, we proposed a new EI special benefit for parents caring for critically ill or injured children. This would ease emotional and financial challenges and help parents focus on what is important, their own families. This new benefit is a part of our continued action to help parents balance work and family responsibilities.

Past initiatives included improvements in the registered disability savings plan to ensure the long-term financial security of children with severe disabilities; tax credits for children's fitness and arts programs; and the universal childcare benefit, which offers families more choice in childcare.

Our Conservative government is providing over \$5 billion annually in support of early learning and childcare through transfers, direct spending and tax measures.

Our government recognizes that families are the foundation of our society, and we are committed to keeping families a priority.

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DAVE BATTERS MEMORIAL GOLF TOURNAMENT

Mr. Rick Dykstra (St. Catharines, CPC): Mr. Speaker, as I know you are aware, the Dave Batters Memorial Golf Tournament was held yesterday on a sunny day in Regina, raising \$21,000 for the Canadian Mental Health Association toward the cause of suicide prevention.

Dave Batters served the riding of Palliser from 2004-08 and worked hard in the House for the safety of his community and the health of his constituents. Dave did not run again in 2008, fighting to regain his health in a battle with anxiety and depression. We lost our friend less than a year later.

Dave's death was a great loss for anyone who ever knew him. But it reminded us that depression and suicide are serious public health issues that affect all of us.

Making sure that those suffering from mental illness get the help they need is the best way to honour the memory of Dave.

I commend Dave's wife, Denise Batters, for her strength in promoting this cause and never giving up.

Mr. Speaker, the work you have done personally and the commitment you have had to Dave's cause and his friendship I know meant a lot to him and to his family.

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100TH ANNIVERSARY OF THE TOWNSHIP OF ESQUIMALT

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, 2012 marks the 100th anniversary of the Township of Esquimalt in my riding of Esquimalt—Juan de Fuca. From the initial European and Chinese settlers in the 1850s to the arrival of the navy in 1865 and the establishment of the naval dockyard in 1887, Esquimalt has continued to grow as a diverse and vibrant

community. I am proud to be the MP representing Esquimalt and to have called Esquimalt home for 25 years.

I want to congratulate the mayor, Barb Desjardins, her council and the many committed community volunteers, especially Janet Jones, chair of the centennial committee, as they have organized a whole year of centennial events in our community.

At the celebrations held at Esquimalt Gorge Park last weekend, there were two symbols of the small steps we have taken as a community toward meeting the critical challenges for the next 100 years.

One was the presence on the stage of Chief Andy Thomas and Elder Mary Anne Thomas of the Esquimalt First Nation. This is an important first step in rebuilding the reconciliation between the broader community and the Esquimalt and Songhees First Nations.

The other was the recent swim in the gorge, which marked the successful cleanup that made it swimmable again, as it was 100 years ago. These celebrations are a clear reminder of the challenges to restore and protect our local environment for generations to come.

Happy birthday, Esquimalt.

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FOOD SAFETY

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Mr. Speaker, our Conservative government is committed to keeping Canadian food safe. That is why we are proud to announce today that Canada has a new chief food safety officer and a new chief veterinarian officer.

I am confident that Dr. Martine Dubuc and Dr. Ian Alexander will fulfill their new roles according to the highest standards and ensure that Canada continues to have a world-class food safety system.

I would also like to thank the outgoing chief veterinarian officer, Dr. Brian Evans, for his outstanding 14 years of service with the CFIA.

In the last two budgets alone we have invested over \$150 million to improve food safety. And what do NDP members do? They vote against this funding and against safer food for Canadians.

Likewise, what will NDP members do when the safe food for Canadians act comes to the House from the Senate? They intend to vote against it. They are also promising to raise the price of food by introducing a carbon tax.

It is clear that for the NDP safe food is not important but that expensive food is its priority.

•(1410)

[Translation]

PROSTATE CANCER AWARENESS WEEK

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, this is Prostate Cancer Awareness Week, so let us take a moment to think about the men who have this terrible disease, those who have died from it or who will die this year. In 2012, 26,500 Canadians will be diagnosed with prostate cancer and 4,000 men will die from it. That means 11 Canadians a day will be lost.

We in the NDP can never forget the loss of our leader, Jack Layton, on August 22, 2011, after his fight against the disease. We salute his courage in sharing his battle with the public, since it helped to increase awareness.

Awareness is crucial, because this form of cancer is treatable if it is caught early. A man can have the disease for 10 years without knowing it or showing any symptoms. I encourage all men over 40 to check with their doctor. Early detection can save lives.

* * *

[English]

JOHN DIEFENBAKER

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, I rise today to pay tribute to the Right Honourable John Diefenbaker.

It was on this day in 1895 that Mr. Diefenbaker was born. I am very proud to say that Mr. Diefenbaker was born in the beautiful town of Neustadt, Ontario, in my riding of Bruce—Grey—Owen Sound.

Canadians of all political viewpoints continue to celebrate and recognize his legacy: his cherished bill of rights; the battles within the Commonwealth that he led against apartheid in South Africa; his devotion to Canadian citizens wherever they came from, unhyphe-nated Canadians as he called them; his love of Parliament and the cut and thrust of debate that he enjoyed in this chamber; and, of course, Mr. Diefenbaker's love of Canada itself.

I ask all hon. members to join with me in saluting the Right Honourable John Diefenbaker on his birthday. He was a great prime minister and a truly great Canadian.

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PETER LOUGHEED

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, I first met Peter Lougheed in 1997. His civility and humility put this newly elected 30-year-old MP at ease. A few years later I sought his advice on a speech I was about to give. He told me it was too partisan and too negative. He took a pen and proceeded to cross out the words that were beneath the kind of politics that he believed in. I was reminded of that yesterday as I listened to members' thoughtful statements paying tribute to Mr. Lougheed as well as to some other statements in the House that engaged in the kind of petty partisan politics that Mr. Lougheed rejected.

Peter Lougheed said that he was a Canadian first, an Albertan second and a partisan third. In this House we should all be Canadians

Statements by Members

first and partisan second. There would be no better tribute to Peter Lougheed than to follow his example of decency and civility in public service by raising the bar of debate in this House and throughout Canadian politics.

* * *

[Translation]

NEW DEMOCRATUC PARTY OF CANADA

Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC): Mr. Speaker, the NDP leader's carbon tax would be bad for Canada's middle class. The NDP's carbon tax would result in job losses and higher costs for gas, electricity and pretty much everything else.

The NDP leader himself said that a carbon tax would be regressive and that it would affect everyone. Canadians agree with him. That is why Canadians elected a Conservative government that is fighting for the middle class. Our government campaigned against the NDP's carbon tax in 2011, and we campaigned against the Liberals' carbon tax in 2008.

Members on this side of the House will continue to focus on the economy, jobs and long-term prosperity while keeping taxes low for families and job creators.

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[English]

THE ENVIRONMENT

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, journalists are having a field day with the Conservatives' questionable relationship with the facts in question period.

Aaron Wherry of Maclean's called it "nuancing the farce". CTV's Don Martin called it "utter bovine-enhanced fertilizer". The Canadian Press, well it reported Conservatives fired away "disregarding the facts". In an editorial, the Ottawa Citizen made fun of the way Conservatives were trying to pass off fiction as fact and asked the government "Just how stupid do they think Canadians are?"

New Democrats respect the public. Our leader got up and asked five questions about the economy, while the Prime Minister kept making stuff up about the NDP. The fact is that when it comes to the price of gas under the Conservatives' watch, the price at the pumps has gone up from 91¢ to over \$1.25 on average, a 36% increase.

It has often been said that the guy who auditions for the role of opposition leader will get the job. If so, the Prime Minister is sure to win that interview for Stornoway.

Oral Questions

● (1415)

LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, after we pointed out his dangerous policy yesterday, the NDP leader has not backed down from his job-killing carbon tax scheme, a scheme that would raise the price of gas, a scheme that would raise the price of groceries and a scheme that would raise the price of electricity.

Not only will he not defend his own policy, he expects Canadian journalists to defend it for him. As he briefed the media after question period, he said, “I have confidence in Canadian journalists' ability to do this”.

It is a sad fact that the NDP leader thinks the media will protect his economic policies from media scrutiny.

Conservatives will not hesitate to tell Canadians about the dangers of his job-killing carbon tax, even if the NDP leader hopes he can avoid the media scrutiny that the economic program of the Leader of the Opposition ought to incur.

ORAL QUESTIONS*[English]***INTERNATIONAL TRADE**

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, when the Conservatives took office, Canada had a \$26 billion trade surplus. Today, Canada has a \$50 billion trade deficit, which is an all-time high.

How can the Prime Minister explain this failure to Canadians?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the reasons that trade balances fluctuate are extremely complex.

What I will say is this. This government is committed to expanding Canadian exports, which allow us to pay for our imports. That is why we have pursued trade deals around the world and signed trade deals with nine new countries. I know that in almost every case the New Democratic Party opposes these trade deals. The New Democratic Party even opposed the NAFTA trade deal. That trade is vital for the Canadian economy.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, we will not accept any lessons on trade from a government with a record \$50 billion trade deficit.

With hundreds of thousands of manufacturing jobs lost, productivity growth at an all-time low, Canadian businesses sitting on over half a trillion dollars in dead money because they see no place to invest and the record trade deficit, does the Prime Minister really expect Canadians to believe everything is going just fine?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, we all know that we live in a challenging global environment.

What all serious analysts also understand is that the Canadian economy continues to outperform our peers, both in growth and employment, with some of the best records in the developed worlds. Those are the facts.

What the leader of the NDP asks me to do, cancel NAFTA, block all kinds of trade and he even sent a trade mission to Washington to argue against Canadian exports, are the things that destroy Canadian jobs. This government is committed to continuing to create Canadian jobs.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, I know the Prime Minister prefers making things up about the NDP instead of answering the questions, but Canadians deserve better.

[Translation]

This morning, economists at TD Bank are issuing a serious warning: Canada's economy is stuck in a soft patch. Exporters continue to feel the impact of an artificially high Canadian dollar; families are seeing the value of their homes drop as a result of a decline in the housing market; economic growth will remain anemic; and unemployment will remain high.

How can the Prime Minister be satisfied with these poor results?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, we are well aware of the fact that the global economy is very fragile and uncertain. At the same time, when it comes to job creation and economic growth, Canada has a better track record than the other developed countries, and Canadians respect that.

● (1420)

[English]

Also, since the leader of the NDP wants to talk about the facts, on his party's policies, it is very clear in the NDP platform that it calls for \$20 billion in carbon taxes on the Canadian economy.

Manufacturers and consumers are saying that this will destroy job creation and destroy their economic prospects. We will not endorse and adopt such foolish policies.

[Translation]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the Prime Minister is making things up and people deserve better.

We are talking about real people here: from Montreal to Toronto, from Newfoundland to the British Columbia's northern coast. The unemployment rate is over 8%. It is 15% among young Canadians. The industries are suffering and so the regions are suffering.

I would therefore like to once again ask the Prime Minister a very simple question that he avoided yesterday: can he name one specific thing he has done for the 1.4 million Canadians who are unemployed other than cutting off their employment insurance?

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government has made job creation its main priority in its economic action plan. That is why, despite the remaining challenges, Canada has a superior track record.

With regard to the facts, what does the NDP suggest we do differently? It is clear from the party's election platform: the NDP is suggesting a \$20 billion carbon tax for consumers and manufacturers. These policies will cost Canadians jobs, and we do not intend to do any such thing.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, this is the magic that the Conservatives are working. They took a trade surplus of \$26 billion and transformed it into a trade deficit of \$50 billion. The Conservatives took a budget surplus of \$14 billion and transformed it into a budget deficit of \$56 billion.

Meanwhile, the Conservatives have overseen the loss of hundreds of thousands of good manufacturing jobs, and all the Prime Minister can think to do is blame the NDP? People deserve better. The Prime Minister needs to open his eyes, see the problems that he is causing and take responsibility for once.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, Canadians are well aware that the global economy is very uncertain and that there are many difficulties. Despite this fact, Canada's track record in terms of job creation, economic growth, debt and deficits is much better than those of other countries.

[*English*]

The Leader of the Opposition asked me to name some specific things we have done on these measures. Even just recently, there was the extension of the accelerated capital cost allowances, the extension of the temporary hiring credits for small businesses, industrial research and development internships, temporary foreign worker program opportunities, the youth employment strategy, the apprenticeship incentive grant, the apprenticeship completion grant, expenditure of—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Westmount—Ville-Marie.

* * *

EMPLOYMENT

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, yesterday, we witnessed the very sad spectacle of the Conservatives and the NDP trading insults over their cap and trade plans. Is this what Canadians want at a time when the economy is suffering, when 165,000 young people have given up and have stopped looking for work and when youth unemployment is at almost 15%?

What does it take to get the government to focus on the priority of jobs instead of trying to switch the channel?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, obviously, at a time of global economic challenge and continuing challenge in terms of job creation, Canadians expect that their government and their political parties will be focused on the issue of job creation. This party, this government, has put forward its ideas and has implemented them over the past few years which has

given Canada one of the best job creation records in the developed world.

The NDP, while I disagree with its policies, has put a few of those things, carbon tax protectionism, on the table.

The Liberal Party says, "Look at us, we're not either of them". That is not a policy. People expect to have some idea why the Liberal Party still exists down there.

• (1425)

[*Translation*]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, when youth unemployment is at almost 15% and 165,000 young people have given up and stopped looking for work, how can the Conservatives be arguing with the NDP about their carbon policy? Where are their priorities? Why are they not addressing this country's real needs: young people who are unemployed, the future of our country?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government has a clear job-creation record that is better than in other developed countries. In addition, we have a strategy focused on young people, where a lot of work remains to be done.

I know very well why the Liberal Party does not want to talk about the carbon tax: the father of that tax is behind the Liberal member who just spoke.

[*English*]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, the Prime Minister himself has said that the global fragile economy is really the new normal and that it will be with us for years to come. Those are very serious words but what is he doing about it apart from vacuous sentences? Growth is slowing. Unemployment is seriously stubborn. Our trade balance is getting worse. Canadians are worried about their jobs and their financial stability.

I have some suggestions: roll back the payroll tax increases; give low-income Canadians refundable tax credits; and give low-income Canadians help to get their kids into university.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it is interesting that when we brought in these various tax credits and tax reductions for Canadians and Canadian families the Liberal Party voted against every one of them.

What we are doing to keep the Canadian economy creating jobs and ensuring it continues to have a superior job creation performance is by ensuring we keep taxes low, ensuring we free up our labour markets, ensuring we keep our deficit down and falling, ensuring we are investing in science and education and ensuring that we are expanding our trade. These are actions the government is taking across the board and we will have hundreds of pages of new proposals for the member very shortly.

*Oral Questions***FOREIGN INVESTMENT**

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, it is 25 days until the review deadline for the proposed takeover of Nexen by CNOOC. Yesterday, when we asked the minister what steps he would be taking to clarify the net benefit to us there was no answer. We asked what they would be doing for public consultations but there was dead silence and no answer at all. Now, even the Conservative MPs are raising concerns about this inaction.

With only a few weeks left for the review, will the minister stop stonewalling and agree to hold public consultations on the Nexen takeover deal?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, this transaction will be scrutinized very closely. I must remind my colleague that we have targeted amendments to the Canada Investment Act that provide greater transparency to the public, more flexibility in enforcement and an alternative to costly and time consuming litigation.

However, we do not need to take lessons from the NDP. Its policy would deter any form of investment here in Canada. It would impact jobs. It would kill the jobs and impact Canadian families. We will not go down that path.

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, Conservative ministers and backbenchers are worried about the takeover of Nexen.

The Minister of State for Finance said that he had heard many concerns: concerns about the resource industry and concerns about a foreign company investing in Canada.

This is an important strategic issue, but the Conservatives have yet to define what is a net benefit for Canada.

Why are the Conservatives consulting CNOOC and Nexen lobbyists, but refusing to consult the public?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, there is a process for examining this transaction, which will be given the attention it deserves. We will then see whether the transaction provides a net benefit for Canada.

I remind members that there are targeted investments in the Investment Canada Act that will make its enforcement more transparent to the public and more flexible, in order to avoid complex litigation.

We will not take lessons from the NDP. Its policy would eliminate all forms of investment in the country, which would have a negative impact on jobs and Canadian families. That is not the direction we will take.

• (1430)

[*English*]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, a lesson we can give them is that instead of making stuff up in the House they should be consulting with Canadians outside of the House of Commons.

Today, the Minister of State for Finance said this about the Nexen takeover, "I've heard many concerns, varying concerns, from my constituents". The government is even ignoring Conservative members.

This takeover opens up serious questions about ownership of Canada's energy resources. We know the minister is consulting thoroughly with lobbyists from CNOOC and Nexen. Why will he not agree to consult the Canadian public?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, there is a process in place to review this transaction and determine whether it provides a net benefit for Canada. This transaction will be scrutinized very closely.

I must remind my colleagues that we all know the NDP is against all trade. It is even opposed to free trade with the United States. We will not go down that path. We are a responsible government and we will do whatever we need to do to ensure we have economic growth and job creation in the country.

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INTERNATIONAL TRADE

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, the New Democrats and Canadians believe that we should strengthen our trade relations with the European Union. This week, European negotiators are back in Ottawa for another round of talks. However, because these negotiations are shrouded in secrecy, Canadians in local communities are worried about what the Conservatives may be trading away, like making prescription drugs more expensive by keeping generic drugs off the market for longer.

Could the minister assure the House that any agreement with Europe will not increase the price of prescription drugs for Canadians?

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, the negotiations with the European Union on a free trade agreement have been the most open, transparent and consultative in our history. Each step along the way we have kept Canadians involved. We consulted with stakeholders such as business, industry, civil society and municipalities. In fact, the Canadian Federation of Municipalities has applauded our government for its consultation.

As in all of our negotiations, the standard that we will set is that we will only sign an agreement that is in the best interests of Canadians.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, leaked documents is not a way to conduct transparency.

Under the Conservative watch, our trade deficit has skyrocketed. Canada hit a record \$2.3 billion trade deficit in July alone and Canadian exports keep falling. This trade deal could hit Canadians hard. Some studies have estimated that it will cost Canadian drug plans and provinces, employers and citizens almost \$3 billion a year.

Will the minister come clean and tell us if he plans to cave in to European drug companies?

Oral Questions

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, it is this Conservative government that has embarked upon the most ambitious free trade plan in Canada's history.

Why have the NDP members opposed our free trade agenda almost every step along the way? They have opposed free trade agreements with countries such as Norway, Iceland and Switzerland. They have opposed a free trade agreement with Lichtenstein. The NDP is anti-trade.

On this side of the House, we will continue to represent the interests of Canadians, not just special interests represented by the NDP.

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NATIONAL DEFENCE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the Department of National Defence ombudsman released a damning report yesterday on how the Conservatives are failing to take care of members of our Canadian Forces suffering from mental health injuries. There are chronic problems. An extreme example is the case of Stuart Langridge. It was revealed last week that military superiors edited and cut the report on Corporal Langridge's death. Shades of Somalia indeed.

Why is the minister still refusing to hand over documents after the Military Police Complaints Commission repeatedly asked for them?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, the case of Corporal Langridge's death is very much a tragedy. That has been expressed numerous times. I have met with his mother to express those sentiments.

The Military Police Complaints Commission is investigating the matter. It has sat for some 40 days and heard from some 80 witnesses. We have made additional funds available to the commission to do this important work. I wish the hon. member would respect that process and let the commission complete that work.

• (1435)

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the minister has already commented many times on matters before the Military Police Complaints Commission.

Last June, I asked about how Corporal Langridge self-admitted to hospital and how he needed to be on suicide watch but was not given that protection. The response by the Minister of National Defence in the House was, "none of that is actually true". Of course, it was true.

Will the minister at least commit to fixing the problems that have been identified in the ombudsman report that was released yesterday?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, as I have said a number of times, including just now, our government continues to support and work with the Military Police Complaints Commission. We do so within its mandate. We do so within the law. We do so respecting solicitor-client privilege. We do so with respect to working within its mandate.

The hon. member is a lawyer and he should know the law. What the hon. member is doing is trying to re-argue the case on the floor of the House of Commons, which is totally inappropriate.

[*Translation*]

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, when will the government stop sticking its head in the sand when it comes to health care for our Canadian Forces?

The ombudsman's report is clear. The Canadian Forces do not have an adequate number of mental health professionals. They have a very heavy workload and work in a very difficult environment. Some information even shows a chronic shortage in Petawawa.

Why has there been no increase in the number of mental health professionals within the Canadian Forces since 2010?

[*English*]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, giving the member opposite the benefit of the doubt, she may have missed the fact that last week we invested an additional \$11.4 million specific to the issue of increasing the number of mental health professionals in the country. In so doing, we will almost reach our goal of doubling the number of mental health professionals within the employment of the Canadian Forces and made available to those in need of counselling and of support for mental health injuries. We have received praise from psychiatric associations across the country, as well as in the ombudsman's report, recognizing there is more to do. There is always more to do given the shortage of mental health professionals in the country available to the civilian population.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, there is a lot more to do and we on this side of the House believe that supporting our troops means, above everything else, caring for the men and women who serve in our forces, especially those harmed in that service. It is not measured by how many billions the government is prepared to waste on the F-35. Even the Americans have said that enough is enough to this trillion dollar project. The Pentagon has made it clear that there are no more handouts for Lockheed Martin.

When will the Conservative government finally hold an open competition?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, the hon. member knows full well that we have accepted the recommendations of the Auditor General and have created a procurement secretariat to ensure that there is due diligence and transparency when we make the decision to replace our CF-18s. No money, at this point, has been spent and no money will be spent until the secretariat independently verifies the costs of the F-35s, and also the requirements necessary to replace the CF-18s.

*Oral Questions***EMPLOYMENT INSURANCE**

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, yesterday, I asked the Minister of Human Resources and Skills Development about the clawback disincentives she has recently introduced to the working while on claim provisions. Predictably, we got talking points that everyone was going to benefit.

Gordon Arsenault from Cheticamp in my riding works twice weekly as a cleaner and makes \$79. Under the new rules, he will lose \$38.

I have his phone number here if the minister would like to call him and explain to him how losing half of the income from his minimum wage job will actually be of benefit to him and his family.

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, what we have heard across this country is that our government is working to create jobs and grow the economy, and employers are telling us that they need workers.

We are also hearing from employees who say they want to work but that the EI system is getting in the way.

That is why we changed the rules, so that when someone works two or three days a week while they are on EI, they will now get to keep 50% of every dollar they make, instead of having every dollar clawed back on their EI.

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• (1440)

ABORIGINAL AFFAIRS

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, Canadians believe in equality of opportunity. They know that education is the key to success. Appallingly, only one in three first nation students graduates high school, and under the current government the rate is getting worse.

First nations receive only two-thirds of the per student per year funding as non-aboriginal students in the provincial systems do. School is back and not one penny of the government's new funding is targeted to close this \$3,500 gap.

Why does the government think that an aboriginal student is worth less than a non-aboriginal student?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, our government has been consistently delivering concrete results for first nation students. In fact, since 2006 we have built 33 new schools in first nations communities across Canada and carried out renovations in 22 more. We are not only building schools in first nation communities, we are laying the groundwork for healthier and more self-sufficient first nations communities.

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THE ENVIRONMENT

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, the environment minister misled Canadians when he stated that the World Ozone and Ultraviolet Radiation Data Centre would continue to provide world-class services.

Scientists are telling me that it is in disarray.

An Environment Canada representative has informed international authorities that the centre cannot continue to provide scientific oversight, despite a commitment to Parliament by the assistant deputy minister that the data centre will continue.

Why did the minister kill the ozone science group?

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, my colleague's assertion is incorrect. I would suggest that she speak to better-informed scientists.

Canada has been a world leader in ozone science for more than 50 years. We still hold that position.

Environment Canada will continue to monitor ozone and will continue to host the World Ozone and Ultraviolet Radiation Data Centre.

* * *

[Translation]

ETHICS

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, yesterday the Conservatives announced that they will be making some changes to the Lobbying Act. Of course, those changes do not resolve anything. Even the Prime Minister's former chief of staff, Guy Giorno, said it is unfortunate that the Conservatives are dismissing the recommendations. And lobbyists are celebrating today, because nothing will change.

Can the President of the Treasury Board explain why he did not implement all of the committee's recommendations?

[English]

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, it was an all-party report. We have received that report. We have not rejected a single recommendation. We have approved certain recommendations. There are certain recommendations that need further study because of legal implications, among other things.

One of the recommendations we are most keen on would add thousands of public servants to scrutiny, to accountability.

I thought the hon. member would be doing a tickertape parade for me.

[Translation]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, conducting studies will not solve problems. We need action. The lobbyists' code of conduct needs to be changed immediately. Of course the Conservatives have been caught red-handed so many times that we can understand why they want to protect themselves and their cronies.

The Conflict of Interest Act, which passed five years ago, expired in July and the Conservatives are in no hurry to review it.

Will the President of the Treasury Board support the NDP motion calling for a review of that legislation?

Oral Questions

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, regarding the review of that legislation, of course the hon. member is right.

[*English*]

We are in fact examining that act. Some aspects of the committee's recommendations on the Lobbying Act also have an impact on the Conflict of Interest Act, so we are viewing those pieces of legislation simultaneously, and I certainly would welcome the hon. member's views as well.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, let us start off with a quote that lobbyists across Ottawa are partying because of the government's refusal to close the loopholes in the Lobbying Act. Who said that? Guy Giorno, the former right hand to the Prime Minister.

It is interesting that Mr. Giorno is also fed up with the Conservatives' failure to set an ethical bar when their own present adviser to the Prime Minister is neck deep in another conflict of interest scandal.

Why did the President of the Treasury Board refuse to close the loopholes, and does he think it is okay that Nigel Wright was lobbied not once, not twice, but three times by his friends at Barrick Gold?

• (1445)

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I will not be commenting on any specific case that may or may not be under investigation, but I can tell this place that we agree with the all-party committee report that the Lobbying Act is basically working well and that there has been a great improvement in accountability since we first introduced those changes over six years ago.

There were some recommendations made to improve accountability, to improve transparency. We have accepted many of those recommendations. We study other recommendations that have been made as well.

We are working in spirit with the committee and I believe we are making things better for accountability for Canadians.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, it sounds like a re-run of *Fantasy Island*.

I would like to take the minister at his word that the Conservatives are serious about this, but they have ignored all the clear areas where the loopholes would have been closed, and so the backroom dealing with their buddies continues to go on.

I will not make this overly complex. I just want to get a clear picture of this nudge, nudge, wink, wink response of the minister to backroom dealings.

I have simple questions. Who at Barrick lobbied Nigel Wright? What did they ask him to do? Why on two occasions did Mr. Wright not have other staffers with him when he was negotiating with Barrick Gold? Those are simple question.

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the

Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. Parliamentary Secretary to the Minister of Transport.

Mr. Pierre Poilievre: Mr. Speaker, I see we are getting another comedy routine from the member across the way.

I appreciate the fact that he needs a sense of humour to ask ridiculous questions like those he rises to pose day after day. He must be joking to attack the impeccable reputation of the Prime Minister's chief of staff at the same time as his own party was not only caught accepting \$340,000 worth of illegal donations, but also went on to hide the actual amount for months when asked pointed questions.

I appreciate that the member does not take himself very seriously, and that is good, because we do not take him seriously either.

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AGRICULTURE AND AGRI-FOOD

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, according to the *Globe and Mail*, the president of Shell Canada has endorsed the NDP's carbon tax, presumably because it will let Shell charge more at the pumps.

However, a carbon tax will not just raise gas prices; putting a price on carbon will also raise the price of food.

Could the Minister of Agriculture and Agri-Food please explain to this House why this government would never implement a carbon tax like the NDP proposes?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the member for Prince Albert is absolutely right: an NDP carbon tax would certainly hurt farmers and raise the price of food for all Canadians.

Production and transportation costs would have to go up. That would mean higher prices on our store shelves, higher prices for meat, bread, vegetables and other fundamentals.

The leader of the NDP openly admits that a carbon tax is regressive and would raise the price of groceries. He does not care. Why does he insist that this get imposed on Canadians?

* * *

[*Translation*]

FIREARMS REGISTRY

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, yesterday the Minister of State for Small Business and Tourism stated that he was proud of interfering in areas under provincial jurisdiction; proud of using taxpayers' money to drag the Government of Quebec into the Court of Appeal because the Conservatives' ideological obstinacy trumps their respect for asymmetrical, cooperative federalism; proud of adding insult to injury for the families of victims that sought and received support from the Government of Quebec.

Oral Questions

Can the minister tell us why he is so proud of his government's insistence on wasting public funds to destroy the registry data pertaining to Quebec?

Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, I would like to point out to my honourable colleague that, unlike the NDP, when we make promises to Canadians and Quebecers, we keep them. That is what makes me proud.

Also, as we said during the election campaign, hunters and farmers are not potential criminals. Canadians support our proposal, especially Canadians in the regions.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, how can the government be so petty about an issue that matters to so many victims?

Apparently the Conservatives have written Quebec off. As we have seen, they refuse to abide by the National Assembly's decisions. Both federalist and sovereignist members of the National Assembly adopted a motion about the gun registry. The Quebec government asked the courts to give it the data that Quebecers paid for. The Superior Court ruled in favour of the Government of Quebec.

Can the minister tell us why the Conservatives are so determined to confiscate what does not belong to them?

• (1450)

Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, unlike the NDP, it is our philosophy to work with all of the provinces in the spirit of open federalism.

Jurisdiction means nothing to the NDP. For example, it wants the federal government to impose conditions on health transfers even though the provinces are responsible for health care and are in a much better position to decide what to do with federal health transfers. That is what respecting provincial jurisdiction means.

As for the registry, it falls under federal jurisdiction, under the Criminal Code.

* * *

[English]

PUBLIC SAFETY

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, again the Conservatives would rather make things up than defend the interests of Canadians.

For a government that talks so much about crime, the minister seems pretty keen to make it easier for criminals to smuggle drugs and guns across the border. This summer he even ordered the CBSA to stop searching for drugs headed for the U.S. at border crossing. Organized crime must be sending a note of thanks because these drugs come back to Canada as other drugs, guns and money.

Why does the minister think that public safety is better achieved by press conferences than actually doing real work on the border?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, it is astounding that that member would even have the courage to stand up and talk about crime, given his party's record of consistently opposing every single issue when it comes to cracking down on organized crime and those who would victimize our citizens.

We have made it clear with the CBSA. We have increased front-line resources under our government by 26%, all over the objections of that member and the NDP.

[Translation]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, the Conservatives can make up all the stories they like, but this does not change the fact that the minister clearly does not know what is going on in his own department.

The fact is that their cuts to resources and jobs are going to make things easier for criminals trying to smuggle guns and drugs into Canada. Maybe the minister does not care, but Canadians definitely do.

Will the Conservatives reverse their careless decision to slash front-line customs services?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, only a New Democrat could say that our increase in front-line border officers by 26% is a decrease.

I wish that member would sit down and actually talk with the people in her riding and others in Canada who are victimized by organized crime and violent individuals, and support us in respect of the measures we are taking to ensure that violent criminals do not victimize her constituents.

* * *

FISHERIES AND OCEANS

Hon. Lawrence MacAulay (Cardigan, Lib.): Mr. Speaker, the current Minister of Fisheries and Oceans is the first and only minister to issue a DFO discussion document that does not support the owner-operator fleet separation policy. Practically every fisher on the east coast of this country wants this policy to remain in place.

Will the minister stand in his place today and commit to the owner-operator fleet separation policy, or will he stand with his corporate friends and destroy the over 30,000 jobs and the communities where these fishers live?

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, we on this side of the House recognize the important role that the fishery plays in Canada's economy. We entered into an engagement process with fishermen and interested people across Canada as to how we may improve the fishery and we got a lot of advice and input from that process.

Our government will continue to listen, advocate and deliver for fishermen across the country.

[Translation]

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, all of the fishers of Quebec and the Atlantic provinces are very worried about the future of their industry because of the minister's refusal to drop his plan to destroy coastal fisheries and the communities that depend on them.

Will the minister rise here today and promise that he will not change the fleet separation policy and the owner-operator principle?

He did not do so in response to my colleague's question. His refusal to do so here today makes this a very sad day for our coastal fisheries.

[*English*]

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, as I said earlier, our government will continue to advocate and listen to fishers across the country.

I will point out some of the investments that we have made. We have repaired and improved well over 100 small craft harbours in coastal communities across the country. We reduced the tax burden for fishermen by eliminating tax liabilities when fishermen transfer assets and licences to family members. We opened new markets for seafood products.

Perhaps if the party opposite had spent more time listening and consulting they would not be where they are.

* * *

•(1455)

PENSIONS

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, once again, Canadians are very worried about their pension security. Clearly, the Conservative government is not willing to protect those hard-earned pensions. In fact, it has actually led the attack against OAS.

The government abandoned Nortel workers, showed indifference to the attacks on defined benefit pensions and made unwarranted changes to the eligibility age for OAS from 65 to 67.

When will the government do its job and protect the seniors of this country?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, our government has done exactly that. In fact, we have taken several initiatives to help seniors, especially to help them cope with the financial challenges they face.

For example, we raised the exemption under the guaranteed income supplement from \$500 to \$3,500 a year so seniors could keep more of their own money. We introduced pension income splitting so seniors could again keep more of their own money. We appointed a minister for seniors to specifically deal with their issues. Ministers have done that very successfully. Unfortunately, the NDP, the member included, have voted against every one of those initiatives to help our seniors.

[*Translation*]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, we have reason to doubt what the minister is saying, especially when she speaks about protecting seniors and pensions.

Last spring, she stated that old age security was not sustainable even though many experts and economists said the opposite. Old age security is sustainable.

Now it seems that the Conservatives want to meddle in pensions and old age security. They are threatening to increase the retirement

age everywhere. This time, they are taking aim at public service pensions.

Why attack workers and why attack their pensions?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, on the contrary, it is our government that is going to maintain the old age security system because if we do nothing, which is what the NDP wants, there will not be enough money for the old age security system.

It is a fact that Canada's population is aging and people are living much longer. That means that the cost of the system will increase significantly.

We must protect this system.

* * *

[*English*]

VETERANS AFFAIRS

Mr. Bryan Hayes (Sault Ste. Marie, CPC): Mr. Speaker, our Conservative government recognizes the importance of helping Canada's veterans smoothly transition to civilian life. That is why in January the Prime Minister announced a contribution of up to \$150,000 to support Helmets to Hardhats Canada. This program is designed to assist Canada's men and women in uniform to find employment opportunities in the construction industry as they transition to civilian life.

Would the minister provide the House with an update on the status of Helmets to Hardhats Canada?

[*Translation*]

Hon. Steven Blaney (Minister of Veterans Affairs, CPC): Mr. Speaker, I would first like to thank the member for Sault Ste. Marie for his interest in a successful Canadian initiative for our veterans.

[*English*]

This morning we will launch helmetstohardhats.ca. It is a win-win situation with governments, with businesses and with unions. Yes, we are providing job opportunities in the construction industry for our men and women in uniform as they transition to civilian life.

[*Translation*]

Helmets to Hardhats is an initiative that allows our veterans to smoothly transition to jobs in the construction sector.

[*English*]

Helmets to Hardhats is open for business.

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INTERNATIONAL COOPERATION

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, here we go again, another international embarrassment. We have gone from a high-roller CIDA minister who orders \$16 orange juice to a minister who does not have a clue.

Oral Questions

At a recent conference in Africa, the new minister claimed that there were no cuts to foreign aid. That is not true. The truth is that \$380 million have been cut and most of that aid is from Africa.

There is a drought in the sub-Saharan and millions of lives are at stake. Could the Prime Minister not do better than this and start by telling the truth?

• (1500)

Hon. Julian Fantino (Minister of International Cooperation, CPC): Mr. Speaker, while the member and his party are exploiting a human tragedy, we are maintaining our ability to provide international assistance around the world in a timely and fulsome manner. Canadian taxpayer investments are more focused, effective and accountable. We are committed to making a real difference in the lives of people most in need, children and women.

It was this government that doubled our aid to Africa and it was the Liberal government and the member's party that failed to meet their own annual food targets.

* * *

ABORIGINAL AFFAIRS

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, aboriginal affairs has announced more funding cuts to key aboriginal organizations. These include band advisory services for most first nations, including technical advisors for water systems. Over 100 first nations communities across Canada are under boil water advisories. That is one in five communities.

How can the minister think that the best way to solve this crisis is to cut critical funding? How much longer will he continue to mismanage relationships with first nations?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, on the contrary, our government is actually continuing to take concrete steps to create conditions for healthier and more self-sufficient aboriginal communities. That is why we want to ensure that funding for aboriginal organizations is focused and targeted on the delivery of essential services and programs in key areas such as education, economic development and community infrastructure. We will continue to do that in partnership with our first nations.

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FOREIGN AFFAIRS

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, my constituents, like most Canadians, overwhelmingly support our government's recent principled decision to expel accredited Iranian diplomats and the Syrian ones before that.

Could the Minister of Foreign Affairs confirm for the House that, contrary to a report published today, these diplomats have in fact left Canada?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, I thank my colleague for his hard work on behalf of Iranian Canadians and human rights. It should be applauded.

I can indeed confirm that, based on information from officials, all 17 Iranian diplomats accredited to Canada as of September 7 have left the country.

* * *

CITIZENSHIP AND IMMIGRATION

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, a new report shows that migrant workers face systemic exploitation. Temporary foreign workers are particularly vulnerable to abuse. They have no access to permanent residency and there is little oversight. To make life even more difficult, new government changes mean employers can now pay migrant workers 15% less than the average Canadian worker.

Why is the government failing to protect migrant workers from abuse?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I reject the premise of the question entirely. First, our government has introduced a policy that allows us to essentially blacklist bad employers of temporary foreign workers. It is up to the provinces, of course, to regulate the workplace and temporary foreign workers have the same rights as all Canadians in that respect.

She is wrong in characterizing the 15% rule. No employer can pay 15% less unless it is a skilled worker and Canadians are getting paid the same wage.

Finally, I find it peculiar that the NDP and the Liberals opposed our effort to bring in statutory authority allowing us to deny visas to people, typically women, who will face humiliating and degrading treatment, for example, in the sex industry.

* * *

[Translation]

EMPLOYMENT INSURANCE

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, the federal government is pillaging billions of dollars from the employment insurance fund. It is reducing workers' coverage to almost nothing. It is no longer an insurance; it is a tax.

The Conseil national des chômeurs et chômeuses is in Matane today, and tomorrow it will be in Rimouski as part of a major tour to urge Quebecers to contribute to their own pension plan. The Parti Québécois, which is now in power, is asking that the program be transferred back to Quebec so that it can be used for the purpose it was created: to help workers who lose their jobs.

Is the government open to a discussion in good faith about transferring the employment insurance program back to Quebec?

Government Orders

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, as a government, our priority is economic growth and job creation. The employment insurance program has been under federal jurisdiction since 1940. We would like to continue working with the provinces and territories on the setbacks that we have in common.

GOVERNMENT ORDERS

• (1505)

[*Translation*]

INCREASING OFFENDERS' ACCOUNTABILITY FOR VICTIMS ACT

The House resumed from September 17 consideration of the motion that Bill C-37, An Act to amend the Criminal Code, be read the second time and referred to a committee, and of the motion that this question be now put.

Mr. François Pilon (Laval—Les Îles, NDP): Mr. Speaker, I am pleased to rise in the House today, first of all, to wish all members from all political parties a warm welcome back for the fall 2012 session.

More importantly, I rise here today to speak to Bill C-37, An Act to amend the Criminal Code. This bill proposes changes to the provisions of section 737 of the Criminal Code on victim surcharges. The change would double the amount offenders must pay when they receive their sentence, while, more importantly, making the surcharge mandatory for all offenders.

First of all, it is important to explain exactly what a victim surcharge is. It is an additional sanction imposed when an offender who has been found guilty is sentenced. The surcharge is collected and kept by provincial and territorial governments and serves to fund programs and services for victims of crime in the province or territory where the crime was committed.

Bill C-37 proposes to double the amount of the victim surcharge from 15% to 30% of any fine imposed on the offender. The amount would also double for offenders who are not fined. Therefore, the surcharge for an offence punishable by summary conviction would increase from \$50 to \$100, and for an offence punishable by indictment, from \$100 to \$200.

Bill C-37 also eliminates the possibility of having a court waive the surcharge if the offender proves that it causes, or would cause, undue hardship. However, judges would have the option, or the discretion, to order the payment of a higher surcharge if they believed it was warranted under the circumstances and if the offender had the means to pay the victim surcharge.

In cases where offenders are unable to pay the surcharge, under Bill C-37 they may be able to participate in a provincial fine option program, where such programs exist.

This type of program would allow offenders to pay off their fines by earning credits for work done in the province or territory where the criminal offence was committed. That is a summary of Bill C-37.

Now, what is the NDP position on this bill? As you certainly are aware, the NDP supported several of the recommendations of the Federal Ombudsman for Victims of Crime, especially the recommendation that gave rise to Bill C-37. We obviously support better funding for programs for victims of crime.

However, we have some reservations. Some minor changes are needed to improve this bill. That is why we are supporting the bill in order to be able to discuss these amendments in committee.

What are these changes? We mainly have concerns about reducing the discretion of judges to the point that they would no longer be able to decide if payment of a victim surcharge would constitute undue hardship. We are strong supporters of the discretion of the Canadian judiciary and we believe that their autonomy is being curtailed by this bill.

The other major reservation concerns the fine option program mentioned earlier in my speech. Eliminating the paragraph on “undue hardship” and introducing a provision to double the amount of the surcharge will inevitably result in more offenders using the program in question.

• (1510)

There are no objections to this in the provinces where this type of program exists. However, in the provinces where this type of program does not exist, this would create a much more complicated situation. There would be an imbalance that would prevent the provisions of the bill from being equal across the country.

We think that we should discuss solutions, programs and appropriate measures in committee to create some uniformity, which would make this bill applicable with the same measures, same justifications and, in particular, same rules across the country, instead of having to proceed on a case by case basis.

A number of Canadian organizations agree with us and we believe that hearing from them in committee or, at the very least, bringing their opinions into the debate, would only benefit the bill. Among the organizations that have expressed concerns is the Elizabeth Fry Society, which is concerned about the effect of additional surcharges on low-income Aboriginals, who will certainly not have the means to pay them. There is also the John Howard Society, which is not bothered by the monetary penalties, but which is concerned that with this system, the surcharges will be disproportionate to the crimes committed.

In conclusion, we will support this bill at second reading, so that it can be examined more carefully in committee. However, Bill C-37 needs a number of adjustments in order to be complete. A number of people have questions, so we urge our colleagues to act in good faith when the bill gets to committee and, especially, for once, to listen to Canadians.

Government Orders

[English]

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP): Mr. Speaker, I listened intently to the discussion on Bill C-37. Having worked in probation and parole services for about 13 years, I recognize the impact this has on those people with low incomes.

By removing the discretionary powers of the judges, could my colleague enlighten me on the concerns this would create with respect to low-income people, especially the fact that a majority of first nations people would actually be impacted by this as well? Could my colleague can enlighten me as to the impact this would have on those who have very little money to begin with?

• (1515)

[Translation]

Mr. François Pilon: Mr. Speaker, if we take away the discretionary power of judges, surely the most disadvantaged will be the hardest hit, especially aboriginals because they very often do not have programs in their communities. In addition to having to pay the surcharge, which the judge cannot reduce, they will not be able to do community work. In the end, they will be the ones to pay the price. Where will they find the money? I have no idea.

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I would like to thank the hon. member for Laval—Les Îles for his speech.

I am reminded of a conversation I had with a correctional officer. He interacted with inmates at a detention centre and said that they too have a future. When a surcharge is imposed on a convicted individual and that person's personal situation is not taken into account, are we not extinguishing hope? I would like to hear what my colleague has to say about that.

Mr. François Pilon: Mr. Speaker, as I said before, for the individuals who must pay a fine when they do not have the means, imposing a surcharge is almost like criminalizing them, in some situations. Where will they find the money? We know very well that some of them will have to turn to petty theft to pay the fine.

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, I would like to congratulate my colleague.

I would like to ask him why it would be important to send this bill to committee to study the fact that not every province or territory necessarily has community work programs.

Why is it important to have standardized programs in this specific case?

Mr. François Pilon: Mr. Speaker, I thank the hon. member for Beauharnois—Salaberry for her question.

In committee, territories or provinces where these programs do not exist could be discussed. The federal government could perhaps create the programs or give the provinces and territories money to create these programs. However, it would be up to them to decide how to proceed. What is important is that this be standardized across Canada.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is with pleasure that I rise to speak to Bill C-37. It is a bill that we in

the Liberal Party are greatly concerned about, and we are a bit surprised by the amount of support the New Democratic Party has decided to give it.

It was interesting listening to the debates and to some of the questions and answers yesterday. I believe it is a fairly simple message that the government is trying to communicate with this particular bill, as it has done with other justice-type bills, and that is that the government wants to start getting tough on crime. It is a message that the government consistently states.

The first thing that comes to my mind is that just because the government said it does not necessarily make it true, and just because it is passing the type of legislation that it is passing, does not necessarily mean that our streets are going to be safer at the end of the day.

I think that if the Prime Minister really wants to get a sense of how the population feels about the issue of crime and safety, he would be best advised to start meeting and talking to people, maybe attend an actual town hall meeting. He should go out to some of our larger cities and smaller communities and get a sense of what people are thinking about in regard to crime.

I would like to make reference to the people I represent, the people of Winnipeg North. Crime is a very serious issue. My constituents want to feel safe in their communities. I would argue that they have a right to feel safe in their communities. I love my city. It is a great place to live, and I would recommend that all people visit, maybe spend a little bit and enjoy the beautiful city of Winnipeg. Having said that, there is a significant crime rate there. It is very real. It is tangible.

What the people I represent want to see is a government that is more inclined to prevent crime from happening. I do not believe the government is doing a good job on this. At the end of the day, there are initiatives that the government could take that would have a very real and tangible impact in terms of preventing crime.

Interestingly, the member for Kootenay—Columbia, in British Columbia, posed a question yesterday. I actually printed out the question. I just want to read a small part of it because it is so relevant to what I am trying to highlight here. The member stated:

The way I look at it is that if offenders do not want to pay the victim surcharge, maybe they should not commit crimes.

Even though I would ultimately argue that one of the biggest priorities of my constituents is to get the government to prevent crimes from taking place, I can assure everyone inside this chamber that increasing a surcharge is not going to prevent any crimes from taking place. Whether it is in a remote area or an urban centre, it is not going to reduce the crime rate.

Anyone who tries to imply that is just wrong. No one is going to think, "If I have to pay x number of dollars more because of a surcharge the court is going to give me, I am not going to commit that crime". I do not believe that would happen. It is not going to address that particular issue.

Government Orders

That is what this bill is all about, increasing the surcharge for individuals who commit a crime. There is nothing new about that. This is something that has been talked about. Legislation was brought in. I believe it was in the late 80s, possibly the early 90s, when it was decided that we should have some sort of surcharge or a financial penalty for those individuals who commit crime. It was the Chrétien government that went as far as to say it should be applied to individuals who commit crimes, but we have to enable a judge with the judicial discretion as to whether or not to apply the surcharge. That makes a whole lot of sense to me.

● (1520)

Not everyone is in the same position. Not everyone is able to facilitate the payment of a surcharge, and quite often it works at odds. I talked to a constituent yesterday about this particular bill, and what I was thinking of right offhand was someone who commits an illegal act in order to provide food on the table. I have had presentations on this. Many individuals are involved in the sex trade not because there is a desire to be there or a desire to feed their drug abuse and so forth, but because it is a source of income. Individuals who find themselves in that position and are ultimately fined are, at the end of the day, going to have to pay more for the food on their table.

Maybe there are other ways, such as social services, that we could be assisting people, but unfortunately that is not happening. Certain individuals within our communities do not have the luxury that many of us have in terms of disposable income in order to be able to pay the type of fines that might be levied. If the individuals do not pay the fine, they could end up being put in jail as a direct result. I would suggest that is not in society's best interest. Ultimately one could argue that there is always a way in which they could deal with it through working. Manitoba has the fine option program. Under the fine option program if an individual cannot pay a fine, there are certain places to go and work where minimum wage is paid in order to pay the fine. Not all jurisdictions have similar programs so that might not necessarily be an option for everyone.

The point is that the current system provides our judges with the opportunity to make an evaluation if someone who has committed a crime is able to convince the court that he or she is not in a position to pay the fine. That should suffice in this situation. It is not in the best interests of the public to assume that our judges do not know what they are doing when it comes to using the waiver they have in legislation. That waiver enables them to say to someone convicted of a crime that given their hardship or their circumstances there will be no surcharge. A judge has the expertise to make a good judgment on that issue. If the government lacks confidence in our judges then maybe it should be having discussions with ministers of justice across Canada on that particular issue. Nothing prevents the Crown from being able to raise the issue.

The government had other options as opposed to bringing in this particular legislation, taking the responsibility away from a judge and just arbitrarily making the decision to dramatically increase the surcharge on crimes or fines.

● (1525)

Ultimately the government would say that the reason for this legislation is to support victims. I am exceptionally sympathetic and

I like to think that all my caucus colleagues understand and appreciate the need to support victims of crime in all of our communities. That issue does need to be addressed.

However, I do not believe that we should be totally reliant on a charge that is given to individuals who commit crimes to finance the programs necessary to assist victims of crime. There is a responsibility of government to be at the table through general revenues and more, in terms of supporting victims of crime. There are many different ways in which we can do that.

To deepen the reliance on a judge to penalize individuals, who may not be able to pay anyway, is not the best way to finance the programs that should be put in place to support victims of crime. Yes, it could supplement it. I do not know the percentages, but there is absolutely nothing wrong with surcharges supplementing programs. I am quite comfortable with that.

What I am not comfortable with is when the government gives the message that it is sympathetic to victims, but demonstrates that sympathy by taking away the responsibility of judges to use their discretion on whether or not there is a hardship case, and applying the surcharge to everyone. I do believe there could be circumstances that would justify a waiving and it would be inappropriate for the government to take that away. I believe that we have more confidence in the judicial system than the government does. I also believe that the government does have a role to play in standing up for the victims of crime, and there are different ways in which we can support that.

Over the years I have met with hundreds of individuals who have shared their stories with me as victims of crime. I myself have had the unfortunate incident of my home being broken into and property stolen. I felt that there was little support, for example, to provide information, and in many ways, that is what it is.

If someone breaks into my or my neighbour's house, I want to have an understanding of what happens next. Victim services could provide that type of education or a phone number that an individual could call if their home was broken into or there was an incident at their workplace or if they witnessed something and allegations were made. There is a wide variety of incidents and I have only mentioned the less severe ones.

I was present when a good friend received the news that one of her children was murdered in cold blood. I witnessed the impact it had on her. What type of services were there? She was a victim but she was not alone. There are a number of individuals out there with horror stories. I can appreciate the need for victim services.

● (1530)

I believe most, if not all, members of the House of Commons would recognize the importance of victim services and would encourage all governments to provide some form of those services. It is amazing that now with the Internet, people can go, for example, to the Manitoba department of justice and can access web pages that talk all about victim services. We have made some significant strides over the years.

Government Orders

However, at the end of the day, we really need to work toward, and the government needs to focus more attention on, preventing crimes from taking place. The emphasis of the government should be on that. This is a bill which I question the value of bringing forward because in government it is all about priorities. What are the priorities of the government when it comes to dealing with crime in our communities? Obviously, it has put this bill as a very high priority.

When I first was elected, it was during the by-election. The Conservatives, the New Democrats and Liberals all had a wonderful opportunity to go to Winnipeg North and get a sense of the important issues. Because it was a by-election, the individual caucuses would have been aware of what was happening in Winnipeg North and in the other two areas where there were by-elections and would have known that the number one issue was crime and safety.

I was very honoured and privileged that the people of Winnipeg North chose me, but I went right from the by-election into the chamber. One of the first things I raised was the government's cutback on gang initiatives, on alternatives to gang lives, on assisting refugees and others in not becoming attached to gangs and to be more productive citizens. I know how critically important it is that we provide those types of alternatives to gang lives.

As I made reference to earlier, when I was the justice critic, we had a huge problem with automobile thefts. During 2000, 2005 and 2006, 14,000 vehicles were stolen in the province of Manitoba. For months I argued that the issue had to be dealt with. We found out that a relatively small number of individuals were causing half the problem, roughly 300 individuals. A high-risk program was developed where these individuals were monitored and as a result automobile theft decreased by half, from 14,000 down to 7,000 over a couple of years, so there were fewer victims.

This is the type of thing governments need to demonstrate more. When I asked a question of the parliamentary secretary, I suggested that she should look at the national government's important leadership role in what happened in other provinces and bring provinces together to look at which programs worked well in the different provinces and get a consensus, more like best practices, and promote and encourage those good ideas in other jurisdictions.

● (1535)

Ottawa has a responsibility in preventing crime. The bill will not prevent a crime from taking place. The bill is not necessary in the sense that the judge has discretionary authority. It is already mandatory. In terms of the amount of the fine, we are open to that discussion. We will wait and see what happens at committee.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, before I address the hon. member for Winnipeg North, I would like to congratulate you on your appointment as Deputy Speaker. This is twice as nice for me because I am now the justice critic, and I find myself in this position because you trained me well. I will try to do my best. We will try not to be too annoying so that your job will be as pleasant as possible when you are in the chair.

I would like to tell the hon. member for Winnipeg North that I really appreciated his speech on Bill C-37, which he delivered with

deep conviction. I think we share many concerns because, as he said so well, it is not all black and it is not all white. With the Conservatives, beyond the headlines and the front page, it not always clear whether the measure that has been put down on paper will actually achieve the desired objectives. We can work on all that in committee.

Bill C-37 duplicates Bill C-350, which deals mainly with the order of collection of fines. This could affect Bill C-37. I am wondering whether the members of the Liberal Party considered this issue and whether we are going to be able to work on this in the Standing Committee on Justice and Human Rights if the bill is passed at second reading.

● (1540)

[*English*]

Mr. Kevin Lamoureux: Mr. Speaker, I am not as familiar with the other bill, but I am somewhat familiar with the way in which fines can have a profound impact in the size of the fine and a person's ability to pay the fine. We need to ensure that in all locations in Canada, where there are opportunities to have ideally a uniform approach to dealing with fine options and work toward that. We need to look at the bigger picture of where fines might come from and allow it to be funnelled in such a way that it is dealt with at one time as much as possible. By doing it that way through the courts or whoever might be ultimately responsible for the collecting of a fine, there is a standard procedure that allows for individuals to claim they do not have the financial means or maybe they can afford to pay a certain percentage and are prepared to work out some sort of a fine option where they would go to a community facility and work perhaps for the minimum wage instead of paying 100% of a fine.

I do not know how accurate I was in answering the member's specific question, but I do appreciate the thought on fines.

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, there is a lot of discussion around fines and whether the offenders would have to make application or why the offender would be predetermined to have a victim fine surcharge and that it should be up to the judge's discretion.

Judges are ultimately still deciding the fines and the fine amount. Fines are an alternative to jail, which is positive and allows offenders to remain in the community to contribute to their families and social and economic development. However, the point of accountability is that when a victim fine surcharge is assessed automatically, the offender still has the option of presenting undue hardships or mitigating circumstances where a judge could consider reducing the fine option or fine generally. To be accountable for that, it is up to the offender to present that case. It should not be up to the taxpayer or the crown and it should not be up to the victims or non-government organizations to present to the judge why a victim fine surcharge should be imposed. For accountability to work, it should be up to the offenders to present a case why they cannot manage the fine or how the fine should be managed so they can pay it and not the reverse.

Would my hon. colleague not agree with that being an important part of accountability?

Government Orders

Mr. Kevin Lamoureux: Mr. Speaker, in good part, that is in fact the way it works currently. If a criminal is told he or she will not go to jail but will have to pay off a \$2,500 fine and the criminal can afford to do it, which many individuals would not be in a financial position to do, the judge has the discretion today to take that into consideration. If a person does not have the ability to pay a \$2,500 or \$5,000 fine, as opposed to putting the individual in jail, a judge has the discretion today to make a decision in that situation. Quite often, it will still include a fine and possibly something that would allow for an individual to work it off within the community. The bottom line is a judge has the discretionary authority to make the decision.

My understanding of the legislation that the government proposes to pass will take that discretion away from a judge. At the end of the day, that goes against what the member has just advocated for. If the member reads the legislation, he might be surprised at what the legislation actually proposes to do. It is taking authority away from judges. On the basis of his question, he seemed to think that the judge should have the authority.

• (1545)

[Translation]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, let me congratulate you on your appointment as Deputy Speaker of the House. That shows how highly regarded you are in this House.

I would like to thank the hon. member for his very interesting speech. Actually, he has raised a number of questions that deserve to be addressed in the Standing Committee on Justice and Human Rights.

Getting back to our topic, I am going to refer to the title of the bill: Increasing Offenders' Accountability for Victims Act. In response to the question from the hon. member for Yukon, my colleague just talked about the loss of discretionary power. It is a major responsibility for judges to establish the preponderance of evidence and to paint the full picture when they have to make a ruling in a criminal case.

Could the hon. member for Winnipeg North comment on this loss of responsibility for judges, which is a bit ironic when we think about the goal of the bill, based on its title?

[English]

Mr. Kevin Lamoureux: Mr. Speaker, I have had the opportunity to sit on a quasi-judicial body, a youth justice committee. When sitting on a youth justice committee and dealing with young offenders, one thing people like to do is have some discretion with regard to what sort of a disposition they want to give. There is no doubt more of that discretion is being taken away from judges. Generally speaking, our judges are fairly well educated. They have come to the table with a great deal of experience and it is a question of whether we trust judges to make good decisions.

We should work within the system to try to effect more positive change and maybe meet with the ministers of justice across the country to hear what they have to say. With teamwork in dealing with stakeholders, they could maybe achieve some of the things they are hoping to achieve.

[Translation]

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, let me first say that I will be sharing my time with the hon. member for Beauport—Limoilou.

I would also like to congratulate you. I am very pleased to see you in the Speaker's chair. It must be a very interesting experience and a great challenge for you.

[English]

It is a pleasure to stand once again to support, in part, with some reservation, Bill C-37 on behalf of my constituents.

In any modern liberal democracy, the presence of a trustworthy legal system and judiciary is essential in maintaining the confidence of the population. It is the responsibility of all elected officials to respect the constitutional separation of powers between the executive, legislative and judiciary branches of good government. A fundamental respect must be had by members of the government and opposition alike for the legal system, its procedures, customs, practices and powers. This, of course, also includes respect for its magistrates and judges.

Recently, I had, in my functions as Treasury Board critic for the official opposition, a delegation from an African country that is just developing its democratic institutions, those institutions necessary to have good government for its citizens. Though we spoke primarily about how a government can be more accountable and transparent to its citizens with regard to the budgetary processes and presenting public accounts, our more general conversation underscored to me how fragile our democratic institutions can be and how much they depend on a just, equitable and fair legal system. It also underscored to me how fundamental culture dedicated to this respect is.

My hon. colleagues will no doubt agree a basic fundamental belief and respect for the rule of law is an essential characteristic of any democratic society, but at the same time this respect from the people must be earned. The reality is that it has taken several hundred years for us to develop our system. It was not perfect from the beginning and open to all sorts of machinations, corruption and elitism. No, respect of the population must be gained and it must be preserved.

Our legal system and those labouring in it must inspire confidence to be legitimate. Sadly, the reality is that many Canadians, particularly marginalized and racialized Canadians, do not view our legal system and its enforcement as legitimate. In fact, many communities across our country have a deep suspicion about the fairness of our legal system. There is no doubt if we were to ask a Jamaican in Toronto or an aboriginal person in Winnipeg or Vancouver how legitimate our legal system is, we would get a completely different opinion from that of someone on Bay Street or in Rockcliffe Park. For too many Canadians, our legal system is simply there to protect the property of the most well-to-do in our society. It is up to us to prove that things can be different. This is our burden as legislators. It is also one of the reasons that I support this bill.

Government Orders

Though I doubt very much the government of high finance is motivated by such questions as fundamental equality before the law, we must take the good where we can find it. On one principle at least the government and I see eye to eye. At the core of the skepticism of many Canadians toward our judiciary system, the issue of appropriate punishment of criminals and just compensation for victims is at the core.

I will take a moment to tell Canadians who are watching now and who deeply care about this issue that this issue is by no means a monopoly of the Conservative Party of Canada. For decades, the New Democratic Party has been calling for greater respect and compensation for victims of crime. We have at every occasion possible supported well crafted legislation that helps the victims of crime and their families. We have respected and continue to respect the recommendations of the Federal Ombudsman for Victims of Crime.

The reality is that this is a non-partisan issue. It is not a left or right issue. Crime is wrong, from whatever political perspective we look at it, Conservative, Social Democrat or Liberal. We may disagree on the solutions in eliminating crime but the goal of reducing crime is shared by all of us. I will offer the hand of peace therefore and give credit where credit is due. I think of many of the bills on crime that the Conservative government has come forward with, this particular bill is well justified and constructed.

● (1550)

[Translation]

This bill is based on one of the Conservatives' election promises in the last election, that they would double the amount paid to victims and make the surcharge mandatory in all cases, with no exceptions, in order to make offenders more accountable to victims of crime, which is not necessarily a bad thing.

The Office of the Federal Ombudsman for Victims of Crime has been fighting for better funding for victim services for a long time, and the facts support those recommendations. In 2003, for example, crime cost roughly \$70 billion, \$47 billion of which was the cost borne by victims. That represents 70%, which is far too much.

The effect of this is to create an image of our judicial system as not doing a good job of representing the interests of law-abiding citizens. As well, a 2004 study estimated the cost of the pain and suffering experienced by victims as being in the neighbourhood of \$36 billion. In addition, many eligible victims do not even seek compensation, often because they do not know they are entitled to it, and that is completely unacceptable.

So the principle of better funding for victims is based on solid facts and a fundamental principle of justice. I recognize that, and I acknowledge it. But I still have a few reservations, so I cannot give this bill my unconditional support. We have a number of questions on this side, things that my colleagues on the government side may be able to reassure us about.

One has to do with respect for federal and provincial jurisdictions—a fundamental question in my province, Quebec. Technically, the surcharge money has to be used by the provinces to fund services for victims of crime. So will victims benefit directly from the increase in victim surcharges or not? Also, are the provincial fine option

programs standardized? Not to my knowledge. So how will the government ensure that the money from this surcharge will really reach the victims' groups that need it, particularly if their funding remains the same?

A second is that Bill C-37 overlaps with another private member's bill, Bill C-350, which is also meant to make offenders accountable to victims. How are these bills going to affect each other? That is another question.

And third, and more fundamentally, is the reservation I have about the role of judges in our system. Judges are independent for excellent reasons. It is up to them to interpret the law justly and fairly. That is their burden to carry, not ours. This government seems to have trouble understanding that principle and respecting the important role that judges play in this country.

Is Bill C-37 an example of that lack of respect? Well, by taking away judges' discretion to waive the surcharge, does this measure not fetter the good judgment of our judges? There are many situations in which punishment should be mitigated, and there are exceptional cases, in particular low-income offenders or offenders who have mental health problems.

Nonetheless, this bill has my conditional support, because, like my party, I support victims of crime and their families. I want to help build Canadians' confidence in our judicial system.

● (1555)

[English]

The Deputy Speaker: Before we proceed to questions and comments, we will have an intervention from the government House leader.

* * *

BUSINESS OF SUPPLY

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I would like to designate Tuesday, September 25, 2012, as the second allotted day of the supply period.

* * *

[Translation]

INCREASING OFFENDERS' ACCOUNTABILITY FOR VICTIMS ACT

The House resumed consideration of the motion that Bill C-37, An Act to amend the Criminal Code, be read the second time, and of the motion that this question be now put.

Mr. Jean-François Larose (Repentigny, NDP): Mr. Speaker, congratulations on your appointment.

My question will be simple. My colleague mentioned that, in various sectors, we often tend to just slap a number on the back of each citizen and establish an excessively rigid system. This always leads to high costs and serious consequences. So we always end up giving discretionary power to various sectors. I think that this is essential for judges, given how a court works.

Government Orders

I myself have worked in the correctional sector, and I have seen how important it is for each case to be handled individually and just how important the human relationship is.

Could the hon. member comment further on the fact that we need to help judges, not hinder them?

Mr. Mathieu Ravignat: Mr. Speaker, I thank the hon. member for his question.

What concerns me is the, shall we say, healthy relationship that must exist between a majority government and the judicial system. We need to ask ourselves why there is a separation between politics and law in Canada. There is a very good reason for that: we do not want to manipulate the judicial system. That is not what the government is there to do.

What concerns me, and we see it almost every day with every new justice-related bill, is that the government wants to impose minimum sentences and to tell judges how to interpret the law. That goes against the very principle of an independent judicial system.

• (1600)

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I want to build on the comments or the line of questioning that I just witnessed from my colleagues with regard to the notion that so much of the legislation dealing with the criminal justice system that we have been dealing with in this 41st Parliament has really amounted to members of Parliament interfering with the discretionary judgment of the justice system, even up to and including prescribing sentences.

I am a carpenter by trade. I do not know enough about the criminal justice system to dictate what should be the sentence for certain crimes. That is why we appoint competent and capable people to the bench, so they can make that determination free of political interference.

While I am aware that the particular bill we have before us is perhaps not in that category, could the member speak to the folly associated with and perhaps, just as a precautionary tale for subsequent legislators, the danger of that kind of tampering and interference by political influences into the judiciary and the crossover of those three pillars of how we govern ourselves as a nation?

Mr. Mathieu Ravignat: Mr. Speaker, here is the danger that justice is not done because what winds up happening is that instead of the peculiarities or particularities of a case that is in front of a judge being taken into consideration, what is taken into consideration is the opinion of a government on sentencing, an opinion which, of course, is backed by certain values. The whole point of the judiciary system is objectivity and independence.

If we impose upon our legal system the values of a particular political party, a particular lobby group or a particular interest group through this type of legislation, although I am not saying that is the case for Bill C-37 but it certainly was the case for certain parts of Bill C-10, then we are on a slippery slope indeed.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I would like the hon. member for Pontiac to continue because I know that there is a very high unemployment rate and a lot of poverty in his constituency. This type of provision affecting discretion often has an even worse effect on the people who are least able to pay, such as people with mental health problems, for example.

How does he see this in his constituency?

Mr. Mathieu Ravignat: Mr. Speaker, I would like to thank the hon. member for Gatineau for her question.

For some populations, such as the aboriginals in my riding or people in precarious financial situations, we have to take the socio-economic situation of the offenders into account. That is part of the solution for reducing crime in our country.

Mr. Raymond Côté (Beauport—Limoulu, NDP): Mr. Speaker, I am very honoured to have the opportunity to rise in the House and speak to this government bill that seeks to amend the Criminal Code and increase offenders' accountability to victims. At least, that is what it says in the title, but it is a whole different story in practical terms. I hope that we will be able to look into that in the Standing Committee on Justice and Human Rights, on which I have the honour of sitting.

Let us get something straight from the start: the members of the New Democratic Party and all members in the House agree wholeheartedly to fully support victims of crime and their families. The question is figuring out what resources we are going to use to do so.

A bill is a perfectly valid tool to address some needs and to deal with these types of situations. Hon. members will agree that a bill alone, without the means for being implemented, is totally inadequate. I have said the same thing about other bills. I am going to continue to defend this position, over and over again.

We may ask ourselves what the goal of this bill is. From the outset, the title is somewhat misleading. It actually takes us down a path that might get us lost. This summer I took the opportunity to visit many organizations and to make appointments and go meet with them. One of the organizations I had the honour of meeting with, as a member of the Standing Committee on Justice and Human Rights, is the organization *Autre Avenue*, which has been operating in the greater Quebec City area for a long time to provide an alternative to the systematic referral to courts that some support.

L'Autre Avenue has been around for a few decades. It provides people in a dispute, such as a neighbourhood dispute, a way to find a basis of agreement. It is a very interesting option because it makes it possible to avoid a trial that is lengthy, costly and frustrating for both parties, even if justice is served. *L'Autre Avenue* has explored alternative options to prosecuting young offenders arrested for petty crime, which sometimes evolves into more significant problems. Think about the phenomenon of criminal gangs.

Government Orders

It is very interesting to note that L'Autre Avenue tried to explore the option of restorative justice without involving a judge. It was truly fascinating to hear about the successes and, especially, to what extent this met a need of the victims of crime. The crimes could range from a shopkeeper's broken window, a destroyed flower garden or a vandalized car belonging to a private citizen.

One of the interesting, if not fascinating, things that L'Autre Avenue noted was that the victims of crime did not systematically seek financial compensation. Above all, the victims did not want to be forgotten after the judicial process was over, or to lash out at the young offender.

• (1605)

Many people have said that they are happy simply to get information about the case they were involved in as victims and that they absolutely do not want to seek vengeance or get money. In many cases, simple apologies may be enough. But it is still something that is very important. Which brings us to the following question: does systematically giving fines or prison sentences, in the case of crimes, truly meet the needs of victims of crime? This is far from obvious to me, despite what the government claims. No doubt it is an option that we will look at and study in committee.

I have spoken a number of times in the House on another aspect, a serious concern, and I will continue to speak up about it in committee, as well. I am talking about restricting the power of judges to assess each case. It is a very important power, which reflects both the responsibility and the role of judges in our society.

Let me come back to the title of the bill. How are we going to promote offenders' accountability if we systematically and indiscriminately apply a sentence, a measure? Can we give the judge the freedom to make offenders accountable for their actions in other ways? This question is not being answered and it will certainly have to be studied because we really can offer very worthwhile options.

Let me come back to the fascinating meetings I had last year with Correctional Service of Canada officers. A correctional officer told me straight out that inmates also had a future, just like everyone else. There comes a time at the end of their sentence, when they must be released, get support, and reintegrate into society. They must certainly not be driven into situations that are so difficult for them that they will go back to a life of crime in order to make up for their exclusion and their inability to become ordinary law-abiding citizens. It is very important to keep that hope alive without threatening it with measures that are too drastic or too systematic. Therein lies one of my major concerns.

There is a great danger not only in terms of the amendments to the Criminal Code, but in terms of all the measures taken by this government. At the end of the day, do we want Canada to appeal only to rich and healthy people, or do we want this country to be a place for all of its citizens, regardless of their conditions, their origins or limitations, be they cultural, physical or intellectual? It is really important not to give up on any of our people; in other words, it is important to make sure that we do not commit more injustices than we think we are correcting. Committing so many injustices is counterproductive. That is one of the issues with this bill that we are going to have to examine.

Mr. Speaker, thank you very much for this opportunity.

• (1610)

[*English*]

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, the vein of my colleague's speech would lead everybody to believe that we would impose tremendous fines on offenders.

One of the changes we should tell Canadians about is really just upping one of the fines for a summary conviction from \$50 to \$100, which is still less than the average speeding ticket in this country. The other fine, for an indictable offence, which is a serious offence under the Criminal Code, is up from \$100 to \$200. The purpose of that, based on a judge's discretion or view of the case, is to make the offenders accountable for the actions they have taken and to contribute to the victims' programs, some of which end up benefiting offenders.

That is a positive step. Those kinds of measures help offenders work toward reparation for victims, who are continually forgotten by the NDP. The NDP members talk about how poor and under-privileged offenders are, as though there is no rich offender on the planet, and how they should not be accountable for anything they have done to Canadian victims.

[*Translation*]

Mr. Raymond Côté: Mr. Speaker, I would like to thank the hon. member for Yukon for his question and comments. I would certainly not want the hon. member to think that we are against the surcharge system.

In fact, it is worth debating and looking at the effects and consequences of increasing the fine. We are completely open to looking into this issue.

But all the other measures in the bill that make the surcharges systematic and that limit the discretionary power of judges raise concern. In my view, that is a major concern because it goes back to a cookie-cutter approach where the same standard is applied to many different cases, which can be dangerous.

• (1615)

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, I would like to take this opportunity to extend my heartfelt congratulations to you on your appointment. We are all thrilled to have you in the Chair.

I would first like to congratulate the hon. member for his excellent presentation. I know that he briefly touched on the matter of eliminating judicial discretion.

I would like him to elaborate a little further on this issue, because this feature is at the very foundation of our current justice system, meaning a fair and equitable system. Could he expand on this?

Mr. Raymond Côté: Mr. Speaker, I thank the hon. member for his question. This is, in fact, something truly fundamental. I am going to take my colleague down another path.

Government Orders

I remember that when we were in committee studying the bill on wearing masks during demonstrations, we very amicably recommended amendments and justified them fully. In the case of this bill, as in other cases, the Conservative government is trying to impose minimum standards to restrict not just a tradition, but an entire system that has been around for practically thousands of years. We can go back to England and King John or even to the Roman Empire to see that these social and legal practices have been passed down to us and reflect social realities. So why go against that and make judges nothing more than technicians, if we want to engage in a little caricature?

This is of particular concern to me. It amounts to giving ourselves, as members of this House, greater authority than we should have, to the detriment of the independence of our justice system, ultimately.

[*English*]

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, may I offer my congratulations to you on your election to the chair? I want to go a step further and say I speak for the whole House, I bet. Certainly anyone who has been around here any length of time would appreciate the values you bring to this position. Without an effective speaker or deputy speakers, this place cannot function, especially for us in opposition. We need our rights upheld. Yet the government has rights too. This is not about stifling the government's right to govern. I think you are the perfect choice to make that judgment, and you certainly have my respect and the respect of this entire House as you go about this difficult job.

In the short time I have been in the House today, I have been pleasantly surprised and pleased by the lack of “we care more about victims than you do” or “you are soft on crime”. There has been none of that rhetoric, at least not while I have been here. Maybe it happened before and it may happen as soon as I sit down, but so far I have not heard it, and it is a breath of fresh air for everyone, particularly Canadians who follow this place, to see that there really are some places where we can set aside partisanship and talk about ideas, constructive ideas and even constructive criticism. When we talk about our precious criminal justice system, is there anything more important to which we could possibly bring the notion of rolling up our sleeves as MPs and doing as good a job as we possibly can collectively?

I say to my colleagues, to government members, members of the third party and the independents that, if we can hold this kind tenor through most of our debates, we will actually increase the way all of us are viewed and the way politics is viewed because right now the slippery slope of politics being seen as dirty, underhanded and not positive is not healthy. But we are the ones who set the image people watch to make those determinations.

Our caucus will be supporting the bill going to committee. We are okay with the notion of increasing the victim surcharge. It was almost 20 years ago to the day that I became a provincial minister responsible for part of the justice system, so not only do I know how important this issue is in terms of identifying the rights of victims and the need for government to step in and be there for victims to the degree that it can, but it also made me very much aware of the respect Canada has around the world in terms of its criminal justice system.

It is not perfect, and there are headlines almost every day that remind us it is not perfect. It cannot be perfect because it has human beings involved. However, given how bad some criminal justice systems are—the word “justice” ought not even be in there—we should remind ourselves and take pride in the fact that we do have one of the finest, if not the finest, most respected, effective criminal justice systems in the world. Although we see in the newspaper where it fails, we do not see the literally hundreds and thousands of cases where the system does do what it is supposed to do, fairly and even-handedly.

One of our concerns is not with the doubling of the surcharge, because we believe it is an important concept. Again, 20 years ago I was part of a provincial government, and the parliamentary secretary referenced Ontario, New Brunswick and Saskatchewan as examples of provinces that have made this an issue and have made a success of it. However, everything needs increased money because costs go up, so we are good with that. It is the notion of taking away the discretionary powers, especially since they are already there. That really troubles me and will cause many Canadians to scratch their heads and not quite get it.

• (1620)

I am not a lawyer, but the government is proposing that, in addition to doubling the fines, the judge would retain the discretion to increase the surcharge, if he or she believed it was warranted and that the convicted person had the means to pay it and that it was the right thing to do. The government wants to leave that in there. It is not a question of really taking away discretion, because it is leaving it in there. It is just that the judges could only use discretion to increase it. The government is taking away the discretion that now exists for a judge to say, “It's one step beyond for me, in terms of applying a fair criminal justice system, to now add this surcharge and, therefore, I am going to exercise my rights to waive that”.

I do not have the time nor do I think I need to go through all of the examples where a rational ordinary person would look at a case and say that he or she deserved a break. Therefore, we think that ought to remain.

I am glad the bill is going to committee. I would hope witnesses will be brought in and we will go through it. If the government is right that we should change it, hopefully that will become self-explanatory as the meeting unfolds. However if not, I hope the government would be willing to stay open-minded on that issue, again in the spirit of the kind of debate and discussion we are having here now.

I know my time is rapidly expiring, so with those few remarks I shall conclude.

• (1625)

[*Translation*]

Mr. Jean-François Larose (Repentigny, NDP): Mr. Speaker, I used to be a correctional officer and I wore the uniform for a good portion of my life. I had the opportunity on a number of occasions to see the victims, at the prisons. I do not need to be lectured on the emotional connection we may feel towards victims.

Government Orders

Having said that, we have to ask ourselves some major questions. There are two types of people who go to jail: those who have a lot of money and those who do not. Very few of them have a lot of money. I find it interesting that we are saying that the way to help victims is to give them some money. It is a step in the right direction, but I take issue with interfering in how judges do their work. You have to build a relationship of trust with victims.

I am a father and I know family members who have been victims. It is good to have compensation. From my experience as a correctional officer, I know that \$200, \$300 or \$1,000 is no punishment for those who have the means and it is no solution for those who do not. People are in jail because they do not have the money to pay the government back. That does not get us any further ahead.

I have a suggestion. Instead of buying planes that cost billions of dollars, perhaps we should take some of that money and give it to victims. One thing is certain: if we want to take a positive step forward, we have to seek constructive solutions, not introduce flawed legislation. This may be a step forward, but there are still some gaps.

[English]

Mr. David Christopherson: Mr. Speaker, I will now fall back on the good will I hope I generated when I spoke to you earlier. I would ask you to recognize that I neglected to say at the beginning of my remarks that I will be splitting my time with the member for La Pointe-de-l'Île. I hope you will accept that now.

Let me just say that one of the unsung jobs in our country is that of a correctional officer. It just as difficult a job in its own way as those of police officers and people who put on other uniforms. It is not an easy place to work. It is not necessarily a fun place to work. I just want to tip my hat to all those who perform that function for us. It is not something we want to need, but we do, and let me just say that individuals like my hon. friend and others do commendable work for Canadians every day, while we are off doing other things, to make sure that sentences are carried out and that people are treated humanely. Again, that is why our criminal justice system stands out. It is so easy to be the other way, to be hard about it, to turn our mind to say, "Well, this is a clear case so we'll just lock the door and throw away the key". That might feel good for a few moments, but that is not where the real world is.

To directly answer the member's question, I would hope the committee could take the time to explore other options beyond just a fine because, when a punishment is based on a fine, are the rich really being fined?

[Translation]

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, let me begin, as many others have done, by congratulating you on your appointment as Deputy Speaker. I am very proud to see you in the Chair and I congratulate you.

[English]

In his remarks, my colleague from Hamilton Centre correctly referred to the tendency the government has to remove judicial discretion in much of Canada's criminal law.

From my perspective, victim surcharges are often very appropriate, and certainly supporting victims and initiatives that support victims of crime has a lot of merit in our justice system.

Does he agree that the knee-jerk reaction of the government is always to tie judges' hands by imposing mandatory minimum sentences, pretending that somehow that is getting tough on crime, often creating unintended consequences? Does he agree that the solution in the case of a judicial sentence that appears inappropriate or does not respect the principles of sentencing is to go to the court of appeal to seek to have that sentence changed instead of consistently taking away judicial discretion, as it is seeking to do in this bill?

• (1630)

The Deputy Speaker: In 30 seconds, the member for Hamilton Centre, please.

Mr. David Christopherson: Mr. Speaker, that is not fair. It takes me that long to clear my throat.

Let me just quickly say that I agree with almost everything my friend said. I cannot answer the last part. That really is kind of a legal procedural question as to where its next step ought to be in the system.

However, let me just say that I do think, in this particular case, it is going to be very difficult for the government to argue that discretion should be removed in one part and yet remain in a piece of legislation where it is already there.

[Translation]

The Deputy Speaker: It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Saint-Hyacinthe—Bagot, Housing; the hon. member for Charlesbourg—Haute-Saint-Charles, Housing; the hon. member for Terrebonne—Blainville, Youth.

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I would also like to tell you how proud I am to see you in front of the House today and to be making my first speech with you in the chair.

I am going to begin by saying that I am very pleased to be back here today. I would like to greet all my colleagues and just say to the people in my riding how happy I was to spend so much time with them this summer in La Pointe-de-l'Île. I will be back soon, on the weekend.

And now let us talk about Bill C-37. More than ever, Canadians need a government that thinks about their interests and is focused on enacting legislation to help them. I would very much like to add my voice to that of my colleague from Gatineau and say that regardless of our ideology and the party we belong to in the House of Commons, we are here to pass bills that will improve the situation of Canadians and make our society a better one for our children and for us all.

Government Orders

Working together is a fundamental principle for the team in the NDP. It would be nice to have a government that wants to listen to us and try to improve its own bills. That is how a parliament operates. There has to be co-operation among the parties. I would like to say that I am very disappointed in the attitude of the government members who have sat silent in their chairs for several days while the opposition extends a hand to work with them. But they refuse, if only to ask us questions, to rise in the House to show their interest. If this bill was so important to them, why do they sit silent in their chairs, staring stone-faced at their computers and their BlackBerrys? Why are they not even looking up to listen to what I am saying to them now?

I appeal to them today to do this. I am going to make a speech now, and I would like the government members to listen to me. Perhaps they will take some of my recommendations and go back to their leader's office with them, to look at the bill again. It would be something for us today, to see the Conservative government, which has been in power for six years now, act like a government, listen to the opposition, and learn some lessons from it.

Let us move on to Bill C-37, the Increasing Offenders' Accountability for Victims Act, which amends the Criminal Code. This is a fine example of a bill that calls for all-party participation. As my colleague said earlier, we have one of the best judicial systems in the world; it is recognized everywhere. It is important that this be said.

It will be my pleasure to table the articles I have read in a number of American criminal law journals, where even Republican senators and governors of Texas criticized the Conservative government, saying this was not the way to go. They tried it; they adopted the same policy as the Conservatives, and it cost them millions of dollars. Their prison population exploded and they were unable to handle the situation. The government of Texas is even in the process of revising its policy to try to imitate the policy that Canada has so valued for years.

This is my first question for the government: why does it want to destroy our criminal justice system, a system that every other country would like to have?

My second question is about the principle of doubling the surcharge. The principle of imposing a surcharge on an offender to fund justice programs such as crime victim assistance programs is an honourable one, and we are not disputing it.

•(1635)

However, the government should perhaps take another look at some of the provisions of the bill. For example, there is an order in which an offender's debts are paid. Support payments come first, the money paid to victims under a restitution order second, and the surcharge third.

If a judge loses the discretion to determine whether a criminal has the ability to pay, someone is going to be sent into debt. I understand that the intention is to fund programs because we do not have enough funds, but could the government not reach into the billions of dollars in tax credits it gives companies to fund these programs, instead of sending more Canadians into debt?

My second question is for the government. Are offenders, who are Canadian citizens, born in Canada, with Canadian parents, considered to be Canadians? Are they in a different class? Is the government telling us that there are two classes of citizens now, one composed of victims and the other of offenders?

Forgive me; I know the Conservatives are probably outraged at my comments, but to my mind, victims are the priority. A victim is someone we should take care of, but it is the government that should look after that. We should not be shifting the burden onto other people, who have probably been the victims of their social situation, of their poverty. We can talk about aboriginal people. In some ridings, there are no rehabilitation programs and no money to combat poverty. They do not even have police or the chance to have a system like ours.

My third question is: are we creating another class of citizens? Are there Canadians that the Conservatives are willing to recognize as Canadians, and aboriginal people, victims and criminals? The government is dividing Canada, the better to rule it, so that people are confused about its policies. That is not what we need now. We need a government that lives up to its responsibilities today and helps not just victims, but also the people who may be victims of their social situation, of their poverty.

Some of my colleagues have said how widely poverty is recognized, internationally, as a causal factor in crime. If the government wants to lower the crime rate and make our streets safe, why not tackle the problem at the source and help the people who are living in extreme poverty? That would be a good lesson to learn for the people in the government sitting in front of their computers and reading who knows what articles making who knows what claims.

We are here to work together to help Canadians. I refuse to have the government tell me that victims, offenders, aboriginal people and women are not all in the same class. We have been hearing this same thing for six years. Aboriginal people, offenders, victims, women, whoever: they are all Canadians. They all deserve to have every one of the government members stand up for their interests. We are not here to judge; we are here to solve problems and make our society a better one. We are not here to divide people and create classes; we are here to unite people.

I can see some of the government members laughing at my speech. Apparently, they think that what I am telling them today is a laughing matter. They are laughing at my speech. I can hardly wait to see if any Conservatives will have the nerve to stand up and ask me a question, if only for the purpose of showing that they care about Canadians. I would be more than happy to answer.

I will close by pointing out that what the government is trying to do is download the burden to the provinces by telling them that if they do not have a program to help offenders pay the surcharge, they should come up with one because the federal government is not about to give them any money. I am ready for questions from my colleagues, particularly my government colleagues.

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•(1640)

[English]

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, the record needs to be really clear. We have heard this rhetoric now a dozen times today, that members of the Conservative Party, the government side, are not standing up and commenting in debate.

If my hon. colleague, who I have tremendous respect for, would check *Hansard*, she will see that I spoke for 20 minutes yesterday and have been up multiple times today, as have other members of the party. Their rhetoric just needs to end. We are tired of hearing it. It does not serve any purpose.

What we have heard from members on the opposition side every time they lead debate is 5 to 10 minutes of discussion about lack of debate, and parliamentary process discussions and lessons on how to debate properly. They attacked a Liberal government of years past for its inaction. They have completely dodged the issue. We have had members of the opposition not even answer questions that have been asked.

I would urge the opposition members when they engage in debate to actually use good, common sense and debate the topic at hand and not spin this into some kind of parliamentary lesson or refuse to answer the questions. It is no wonder we are not engaging in fruitful debate; it is because they are not answering the questions. They have not done so at all today.

The opposition members are the ones pretending they have the high ground here and being holier than thou every time they get up to speak. Quite frankly, on behalf of all Conservatives, we are tired of it and I think most Canadians are tired of it too. I thank the opposition members for wasting everyone's time. We appreciate it.

[Translation]

Ms. Ève Pécelet: Mr. Speaker, I will repeat what I said because some people did not hear me. I would like to tell my colleague that I have plenty of respect for him and that he is an excellent soccer player. I enjoy playing soccer with him.

However, I have to point out that the member did not ask me a question. How can he claim that members of my party do not want to answer questions when the government has not asked us any actual questions?

The ball is in his court: if the member is absolutely certain the government has information, we would sure like to see it. To date, the government has provided no facts, no studies, no research that would give us reason to support this legislation.

Is there a proven connection between imposing a surcharge on someone who is probably already living in poverty and lower crime rates?

If the government has information, please, do share. To date, no government member has provided any information that would answer the questions.

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, I congratulate my colleague from La Pointe-de-l'Île on her speech. I agree that the government is often uninterested in parliamentary debates. However, it may be interested in the question I have for my colleague or my suggestion for her.

In her speech she referred to some of the failures of the Republican policy on criminal justice. I share her concerns about the fact that the government is basing programs, policies and bills on ones that have proven to be failures in certain U.S. states, such as California and Texas.

Could my colleague elaborate, for the benefit of everyone, on her concerns that the government seems to be inspired by policies that have failed in certain U.S. states?

What are her concerns for the future of the Canadian justice system in light of the Conservative government's blind faith in its American idols?

•(1645)

Ms. Ève Pécelet: Mr. Speaker, I thank my hon. colleague from Beauséjour for the question.

I remember passing an article on to him regarding some Republican governors and senators who had shared their opinions with criminal law journals.

I would go even further and say that, for the Conservatives, national defence is a secret, criminal justice is an ideology, and poverty is an invention of the opposition. In fact, for the Conservatives, everything they believe is real, but they never want to share the facts with us. The Conservatives were found in contempt of Parliament, because they refused to hand over budgetary information in relation to their criminal justice policy.

They are worse than the Republicans, because at least the Republicans will co-operate with the Democrats. Since the Conservatives have a majority, they do not care what the opposition thinks or what Canadians think. The Conservatives seem to think that criminals, victims, women, families, children and aboriginal people are not Canadians and are second-class citizens. The Conservatives have chosen their cause: to defend their cronies. I can assure this House that their choice is not in the best interest of Canada or Canadians.

Mr. Alex Atamanenko (British Columbia Southern Interior, NDP): Mr. Speaker, I would like to say that I will be sharing my time with the member for Nanaimo—Cowichan. Before I begin, I also want to congratulate you. I am very glad that you are there. Your wisdom and experience in the House will serve you well as you guide all us members from all parties.

As you know, the NDP supports this bill at second reading so that it can be sent to committee. Bill C-37 amends provisions of the Criminal Code to double the amount of victim surcharges. The government is trying to take an existing surcharge and double it, to increase what victims will receive. We support the principle of this bill, and as I just said, we want it to be sent to committee.

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In light of what my colleague just said about what goes on in committee, I hope that once this bill makes it to committee, the members from each party will listen to the witnesses and will consider their concerns and everything they have to say and use what they hear in order to amend the bill. I say that because, with this majority government, the Conservatives sometimes do not want to listen to what witnesses have to say and it becomes an exercise in futility. So I hope, since everyone more or less agrees on what this bill entails, that we will truly be able to study it and find the best solutions for victims.

I would like to give a little context. What does this mean? A victim surcharge is an additional sanction imposed during sentencing on an offender who is found guilty. It is collected and retained by provincial and territorial governments, and helps fund programs and services for victims of crime in the province or territory where the crime was committed. We are asking those responsible to financially support victims. That is fair and good. This bill seeks to increase how much money is raised.

First, Bill C-37 would amend Criminal Code provisions governing the amount of the victim surcharge, doubling it from 15% to 30% of any fine imposed on the offender. If no fine is imposed, the victim surcharge will be \$100 instead of \$50.

This bill also removes the court's ability to waive the victim surcharge if the offender demonstrates that it would cause him or his dependents undue hardship. Judges will still have the freedom to order a higher victim surcharge if they believe that doing so is justified under the circumstances and if the offender is able to pay. Also, Bill C-37 would make it possible for offenders who are unable to pay the surcharge to participate in a provincial fine option program.

All of the pieces are in place. For example, we supported several recommendations from the Federal Ombudsman for Victims of Crime, such as this one, and we are in favour of enhanced funding for programs for victims of crime. That being said, we have some concerns about this bill that should be reviewed in committee—the committee's study is very important—particularly with respect to removing judges' discretionary power to decide whether paying the surcharge would cause undue hardship.

• (1650)

The NDP believes that this bill restricts judicial discretionary power and independence.

Even though this does not have anything to do with the bill, I want to emphasize the fact that this Conservative bill would limit judges' power. That means that any decisions made would be political decisions instead of practical decisions made by judges every day of the week. That is one of our concerns. When the committee begins its study of this bill, I hope that it will give judges that discretionary power because they should have it.

That is something we want to talk about. We also want to talk about repealing the undue hardship clause and about the clause to double the amount of the surcharge, which could be a problem for low-income offenders.

For example, members have already pointed out that some offenders have no or low income. How will we solve that problem?

However, this is offset by the fact that the bill gives people the option of paying off their fine by working through the various fine option programs offered by several provinces. The balance provided in this bill needs to be examined further in committee hearings in order to ensure that the bill is indeed appropriate, particularly for the provinces and territories that do not yet have such programs in place.

The provinces' and territories' requirements must be taken into account. Even though this legislation is federal, given that it is administered in the provinces and territories, the wishes and requirements of provincial and territorial governments must be taken into account. I hope this aspect will be examined carefully at committee.

Some of the organizations that support our position include the Office of the Federal Ombudsman for Victims of Crime, Elizabeth Fry Societies and the John Howard Society.

It is perhaps worth mentioning that the Office of the Federal Ombudsman for Victims of Crime has been fighting for quite some time for better funding of services for victims of crime.

In 2003, crime cost about \$70 billion. Victims paid for about \$47 billion of that, or 70%. A 2004 study estimated the pain and suffering of victims at \$36 billion. In addition, a significant number of eligible victims do not claim compensation, often because they do not even know that they are entitled to it.

Once the bill is enacted, it is essential that victims know that they are entitled to compensation. I will stop here. I am ready for questions.

• (1655)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I would like to get the member's thoughts about taking away judges' discretion as to whether an individual is able to pay the type of fine that would be applied through this particular bill. Does the member believe that it is best to leave that discretion with the judicial system? In his opinion, is that in the best interests of our communities?

Mr. Alex Atamanenko: Mr. Speaker, yes it is very important that we leave that discretion to judges. I also mentioned earlier in my speech that lately, with all this legislation, we have been slowly taking away this discretion.

It is interesting, Mr. Speaker, that you are in the chair now, that in your former capacity as justice critic how many times over the past years I have talked to you about this, and the message I got from you, an experienced lawyer and critic, is that it is very important that judges retain this discretion. If I retain anything from you in all our years of contact, it is that judges need to have this discretion.

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Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, we have heard a bit of discussion around the discretion being taken away from the judges. To be accurate, what is being presented is the victim fine surcharge being levied at 30% of the fine but the fine amount would still be determined by the judge and at the discretion of the judge. Is that the member's understanding of this legislation?

Mr. Alex Atamanenko: Mr. Speaker, I wish the member for Yukon well over in that corner. He used to sit over here and now he cannot follow my lead on standing up for votes anymore.

Yes, that is how I understand it. However, the point I am trying to make is that it is important that we allow judges to retain that discretion and this should be discussed in committee. It is my hope that when the bill is polished and it becomes law, there will be this discretion for judges to ensure they have that final say in what happens to these folks.

[Translation]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, a big thank you to my colleague for his very thoughtful speech. My comments are for him. He pointed out some problems with this bill. We will vote in favour of the bill to send it to committee.

The member for Yukon repeated a few times that judges still had discretionary power. I would like to bring him back to that topic. With Bill C-37, judges will no longer have any discretion regarding the surcharge, as it was set out in subsection 737(5). This provision enabled a judge to not impose a surcharge if the offender had shown, for very specific reasons, that he would be unable to pay it.

Unless they have a completely different bill, that is what this bill will do. That is one of the fundamental questions we will ask in committee. I encourage the members opposite to reread their own bill. I would like to hear from the member who just spoke about this issue.

• (1700)

Mr. Alex Atamanenko: Mr. Speaker, first, I thank my colleague for all of the work she has done on the justice file. It is not an easy file and I respect what she has to say about the nuances of these bills. I thank her for her comments. I have not carefully studied this bill. I am very happy that she had the opportunity to clarify this bill. I thank her very much.

[English]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I want to add my congratulations to you for assuming the chair. I have been fortunate enough to work with you over the past eight years and I always appreciated the even-handedness and fairness you brought to the work we have done in the House.

I want to thank the member for British Columbia Southern Interior for splitting his time with me. He is a tough act to follow, but I have a couple of points I would like to make in addition to what he raised.

I also want to acknowledge the very good work that the member for Gatineau has done in providing us with the analysis on the bill.

As other members in the House have pointed out, Bill C-37 proposes to amend the provisions of the Criminal Code on victim surcharge, article 737, in order to double the amount that offenders

must pay when they receive their sentence, and make that surcharge mandatory for all offenders.

As a number of other speakers in the House have pointed out, the bill also proposes to limit some of the discretion that judges have by removing the ability of a court to weigh the victim surcharge if the offender can show that paying the surcharge would result in undue hardship to either himself or herself or his or her dependants, which is the repeal of article 737(5). However, as others have pointed out, the judges would retain the discretionary power to increase the victim surcharge if they believed that circumstances so warranted and that the offender were able to pay. This is article 737(3).

I will focus on the particular aspect of limiting judicial discretion. Our critic from Gatineau has recommended that we send the bill to committee for further review and possible amendment. It is this section of the legislation that is troubling.

I am the aboriginal affairs critic for the NDP and I will focus on the impact on aboriginal offenders. I will be quoting from a report called "Good Intentions, Disappointing Results: A Progress Report on Federal Aboriginal Corrections". The reason I quote from that report is not only that it comes from the Office of the Correctional Investigator, but it has very good statistics about why we should be concerned about limiting judicial discretion in imposing this surcharge.

Most of us in the House recognize that First Nations, Métis and Inuit are some of the poorest of the poor in our country and they are seriously overrepresented in the correctional system at the federal level and also at the provincial and territorial level. Of course, my focus is on the federal level.

In the executive summary of this report it outlines some of the challenges for aboriginal offenders. It indicates:

A young and rapidly growing aboriginal population presents important challenges and opportunities for Canada. Should they not be taken up however, the impacts will be felt throughout the youth and criminal justice system, including corrections.

With the Aboriginal population much younger than the overall Canadian population and experiencing a higher growth rate, the problem of aboriginal overrepresentation in corrections continues to worsen rather than improve.

The offending circumstances of Aboriginal offenders are often related to substance abuse, intergenerational abuse and residential schools, low levels of education, employment and income, substandard housing and health care, among other factors. Aboriginal offenders tend to be younger; to be more likely to have served previous youth and/or adult sentences; to be incarcerated more often for a violent offence; to have higher risk ratings, to have higher need ratings, to be more inclined to have gang affiliations, and to have more health problems, including fetal alcohol spectrum disorder (FASD) and mental health issues.

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The last part is particularly important in the context of the bill, because we have a population that first has had a history, and I have some other statistics, of reoffending. We would have First Nations, Métis and Inuit coming into the system and constantly being reassessed a surcharge.

We often have people coming into the system from severely disadvantaged backgrounds, so their ability to even pay this surcharge comes into question. The point around judicial discretion was that in the past, a judge could take into account some of these circumstances I just outlined.

The report goes on to talk about some of the statistics. It says that the aboriginal population is growing quickly, representing a greater percentage of the Canadian populace, increasing by 20.1% from 2001 to 2006. The aboriginal population is also much younger than the overall Canadian population. It says that in 2006, the median age of the total aboriginal population was 27 years, which was 13 years lower than the median age of non-aboriginals.

• (1705)

It says that Statistics Canada predicts that the aboriginal population aged zero to 14 will grow from 6% of all children in Canada, in 2001, to over 7.4%, in 2017. Similarly, by 2017, the population of aboriginal youth adults aged 20 to 29 years will have increased from 4.1% to 5.3%.

It goes on to say that with the aboriginal population much younger than the overall Canadian population and experiencing a higher growth rate, the problem of aboriginal overrepresentation in corrections continues to worsen rather than improve and that aboriginal overrepresentation has grown in recent years. Between 1998 and 2008, the federal aboriginal population increased by 19.7%. Moreover, the number of federally-incarcerated aboriginal women increased by a staggering 131% over this period.

In 2007 to 2008, it says that 17.3% of the total federal offender population was aboriginal, compared with being 4% of the Canadian adult population.

We can see from those numbers about this very serious overrepresentation of first nations, Métis and Inuit in the federal correctional system. It says that they represented 19.6% of those incarcerated and 13.6% of those on conditional release, or parole and for women, this overrepresentation is even more dramatic. Thirty-three per cent, that is one-third, of women in federal penitentiaries were aboriginal.

I have some other statistics if I can get to them and talk about the fact that many times aboriginal women are imprisoned because of domestic violence. They end up reacting to a situation where they are in very unsafe homes and then they end up in prison. By removing judicial discretion, we are penalizing these women further who often are the sole providers of their young children and so on.

It says that of those offenders admitted to federal jurisdiction in 2007-8, 49.4% of aboriginal offenders were under the age of 30, compared with 38.6% of non-aboriginal offenders and that the median age of aboriginal offenders in prison was 30 compared with the median of 33 for non-aboriginal offenders and so on.

Part of the reason that these statistics are important is not only do we have an overrepresentation in the correctional system, but we also have young offenders who often have not had an opportunity to establish themselves in their community. Therefore, they often have not got a strong track record of employment.

I heard a member say it was only \$50.00. In many cases, for young aboriginal offenders, \$50.00 is an enormous amount of money. Often times they are supporting young children at home as well because the birth rate is very high for our young aboriginal people.

I just want to reiterate the fact that I have been talking numbers and data, but we have to continue to look at the context.

I mentioned earlier the intergenerational trauma, residential school abuse, the ongoing poverty, lack of housing, lack of education, fetal alcohol spectrum disorder and so on. These are all really important issues to consider.

I had mentioned earlier that there were some interesting statistics, in terms of aboriginal people who were incarcerated and whether they were serving their first sentence in federal correctional system. In fact, the percentage of aboriginal people with no previous convictions between 2001 and 2006 ranged between 3% and 5%. Therefore, only 3% to 5% of the people admitted to the federal correctional system had no previous offences.

I talked about that revolving door and about the fact that people would continue to have to pay every time they were readmitted to a federal correctional system.

The final point I want to make is this. Were first nations, Métis and Inuit consulted in the development of this bill?

The Teslin Tlingit is one example of a first nation that has a self-governing agreement. It has a justice agreement in place. It has the authority under its self-government agreement around administrative of justice. Therefore, what would be the impact of limiting judicial discretion on some of the first nations that have these self-governing agreements? This has been answered anywhere. That is important when we continue to negotiate these self-government agreements and encourage first nations to take the authority, to take the ground on administering their own justice agreements.

I look forward to further conversations on this bill when it gets referred to committee and, hopefully, some of these issues will be remedied.

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• (1710)

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, my colleague's speech was very informative. What I think it underlines is the difference in visions between that side of the House and ours with regard to the importance of social determinants of crime. The other side of the House has a simplistic idea about choice and context in crime. Members on that side think somehow bigger sentences will solve crime. There has been long-standing literature that points to the opposite and that socio-economic determinants of crime need to be addressed.

My question is with regard to the discretionary power of judges and the link between that power and social determinants.

Ms. Jean Crowder: Mr. Speaker, we need an approach that looks at victims' rights, ensuring that victims are protected and have compensation and why people commit crimes in the first place.

There was a meeting earlier today in which someone was talking about fetal alcohol spectrum disorder. A question I posed to people in the correctional service was what kind of testing actually took place on people in prison who may have FASD, and there was no testing. We talk about social determinants of health. We talk about a significant percentage of the population that people suspect are in the federal penitentiary system. What programs and services are we offering in order to prevent people from getting into a life of crime? What are we doing to work with people and their families who may have FASD?

On this whole issue around social determinants and health, one would expect we would have a comprehensive approach that looks at preventing people from going to prison to begin with, dealing with them while they are in prison so they are rehabilitated when they come out the other end and also working with victims and their families to ensure they are adequately supported when a crime is committed.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, I appreciated the words of my colleague from Nanaimo—Cowichan, who spoke very eloquently about the limiting of judicial discretion not being a principle that she supported and that aboriginal overrepresentation was something about which she was concerned. There is no evidence the bill would deter crime or reduce aboriginal overrepresentation. We heard her colleague make the point that this represented a different vision than the NDP Party's vision with respect to prevention and the social determinants of crime.

Given that the NDP is planning to send the bill to committee, which essentially means agreement to the principle of the bill, though some changes are being asked for, I would like to know from the member what the basic foundational principles are of the bill that she is in agreement with to allow her to vote for sending it to committee.

• (1715)

Ms. Jean Crowder: Mr. Speaker, recognizing it is important to look at how victims are impacted and how we can support victims and their families is the kind of principle of which New Democrats have spoken in support. We have encouraged the government to invest more in programs and services for victims and their families.

I suggest there are probably not many people in the House who, in some way or other, have not been touched by people who have been victims of crime, whether it was a break and enter or something far more serious. Our hearts go out to those families. We know the pain and suffering they have to go through in order to recover from whatever crimes have been committed against them. It is a very serious question.

This is not a black and white question. The question is how we support victims and their families and prevent people from going into the criminal justice system to begin with. If we bring those two things together, we will probably have a much more holistic approach to the criminal justice system.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I join with others in congratulating you on your elevation to the chair as deputy speaker. It is appropriate, and I congratulate you and your party, the official opposition, for putting you there. For all of us, I guess it is overwhelming that you are up there for all the right reasons.

Today we are talking about Bill C-37. This debate has been going on now for a few months, and we have picked it up after the summer constituency break.

On April 24, the Minister of Justice introduced Bill C-37, an act to amend the Criminal Code, increasing offenders' accountability for victims act, in the House of Commons and it has been given first reading.

The summary, as handed out by the Library of Parliament, states that a victim surcharge is an additional penalty imposed on convicted offenders at the time of sentencing. Bill C-37 would amend the Criminal Code to change the rules concerning victim surcharges. The surcharge would be 30% of any fine imposed on the offender. Where no fine is imposed, the surcharge would be \$100 for offences punishable by summary conviction and \$200 for offences punishable by indictment. In addition, the judge would retain the discretion to impose an increased surcharge where the circumstances warrant and the offender has the ability to pay. Some of those I will touch on in just a few moments.

Let us talk about many aspects of this legislation. We have talked quite a bit about some of the root elements of crime in this House. A lot of people think we talk about the economy, but we have probably talked as much if not more about crime during the last three years, and I have voted for some of the bills proposed to us. I felt they were reasonable and that the amendments to the Criminal Code were justified for reasons and circumstances we have before us today.

However, in looking at the situation, the base root of all crime, poverty, is one of the major issues. My colleague from Charlottetown was quite eloquent in his speech yesterday and he brought some of these factors out. I would like to reiterate some of those factors because I believe they bear repeating.

In times past, we confronted great challenges, not with slogans and silly appellations for parliamentary bills but by deploying our best and brightest in search of facts that would lead to meaningful and realistic solutions.

The growing gap between those who have and those who have not, the persistence of poverty and its relation to crime are real and present danger to social cohesiveness in Canada.

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We cannot afford to stand aside and do what we are doing, which is little.

He also came up with a recommendation that I support.

We cannot dismissively say that poverty is a provincial matter...

This is something that has been brought out quite a bit in the House, and I believe it to be right. Although some areas of concern, most notably health care, education and housing, are dealt with mostly by the province, that does not mean we cannot further a national dialogue on how we go about dealing with issues such as poverty.

In Newfoundland and Labrador, the current government has a poverty reduction strategy that is being held up as a solid example of how we can reduce elements of poverty within our society. It has been carried out over many years in Newfoundland. It started with a strategic social policy and now we have this poverty reduction strategy, which is a strong element in reducing poverty rates within the province of Newfoundland and Labrador.

Many elements brought out in this poverty reduction strategy deal with specific instances where people find themselves wrapped up in elements of crime and in front of courts and judges. In many cases, the judges are given discretion as to what to do. In some cases, some of the laws we have need to be reformed to give the right sentence to a particular crime.

● (1720)

When we take all these elements of reforming our laws, whether it is through the Criminal Code or others, we have to encapsulate it into the narrative, and the narrative is about poverty reduction. That is the first part of it.

The second part of it is aid to victims of crime. The element we are talking about here tries to address that. Principally, it was a good start, but we sort of went off the rails as we proceeded further. Some of the circumstances that brought the legislation forward may have been justified at the time, but the end results will dictate that it will not be the case. The main thrust of the bill will not be fulfilled in many cases just by imposing these particular fines or fees.

Therefore, as my hon. colleague from Charlottetown mentioned yesterday, we should strike a royal commission on poverty in Canada. Elements of that should include addressing causes of crime and how we address victims of crime, as well as those who perpetrate the crimes. This should be done through the lens of reducing poverty, such as the poverty reduction strategy we currently have in Newfoundland and Labrador.

With the greatest respect to my colleagues on the other side, it is not right or just for any prime minister from any political party to suggest, as our current Prime Minister does, that poverty is a provincial problem, end of story. That is a very strong argument to be made in this House because it furthers the dialogue. Certainly we cannot just extricate ourselves from a particular debate because it has to do with health care and health care is a provincial issue. As a matter of fact, we are the authors, and we certainly are the enforcers, of what is called the Canada Health Act. The same goes for child care as well as aspects of education, whether secondary or post-secondary.

We certainly can further the dialogue when it comes to these elements of provincial jurisdiction. For example, I have been a strong advocate for stronger sentences and stronger action to reduce human smuggling. We certainly have made attempts in the House to come down heavily on people who perpetrate the crime of human smuggling, and rightly so. However, let us look at the other aspect of human smuggling, the victims. We do not address that in the House. Why? It is because many people say it is provincial jurisdiction. It is, because of one of the elements that was brought in many years ago. The Conservative minister of the day said he would make it easier for victims of human trafficking from outside of Canada to remain in Canada to deal with their situation. However, unless we create a dialogue among the provinces and territories about health care providers, because they provide the ultimate care to victims of human trafficking, we become ineffective in dealing with victims of international human trafficking. The provinces would not recognize these people because they do not have a particular health card. We have to look at that element of aiding people who are victims of human trafficking, but it is not discussed and it should be, as another part of it.

I do not mean to derail from the topic we have right now, but I just wanted to point that out under the narrative of why we need to further a national dialogue that may place itself into provincial jurisdictions. That is a strong element that we should deal with in the House and I do not think we are doing it. The authors of this bill may have wanted it to be that way, but from the dialogue we are receiving in the House, and seeing the debate in the House, that is not happening.

Going back to poverty, that is the particular issue. Homelessness was talked about today. Many people would ask why we should deal with that, because the provinces do. We should all deal with it, to further that dialogue.

There are many causes, but the root cause of many of crimes do deal with poverty, and the numbers would dictate that. I will get to that in just a moment.

In a recent article in one of our leading newspapers, anti-poverty advocate and Conservative senator Hugh Segal said the following:

● (1725)

While all those Canadians who live beneath the poverty line are by no means associated with criminal activity, almost all those in Canada's prisons come from beneath the poverty line. Less than 10 per cent of Canadians live beneath the poverty line but almost 100 per cent of our prison inmates come from that 10 per cent. There is no political ideology, on the right or left, that would make the case that people living in poverty belong in jail.

These are strong words from a Conservative senator with a vast amount of experience as a former clerk of the Privy Council and so on and so forth, and author of many articles about this and other issues that concern Canadians. I think these words are crystal clear and certainly his assertions are correct.

More than 70% of those who enter prisons have not completed high school; 70% of offenders entering prisons have unstable job histories. Four of every five arrive with serious substance abuse problems. Sending more people to prison, appearing tough on crime, or enacting legislation that is punitive at its core is not going to solve the problem of crime in Canada.

Adjournment Proceedings

Again, the intentions are to look after the safety and security of victims, or certainly the well-being of victims in this particular case, and principally it may have started out that way. Some of the ideas put out there by some of the Conservative speakers made a lot of sense.

No one has any less compassion for a victim of crime than anyone else in this House. I do not think it is germane to this debate who has more or less compassion for a victim of crime. However, it has to be done effectively and it has to be done so that it counts.

In closing, I have one other quote from Senator Segal:

In a modern, competitive and compassionate society like ours, these numbers are unacceptable.

In this particular case there are many reasons why supporting these particular measures would not find be effective. Provincial and territorial victims services are funded in part by a federal victims surcharge under the proposed amendments to the Criminal Code. The surcharge would be 30% of any fine, and \$100 on a summary conviction.

Currently offenders who can demonstrate undue hardship may request that the victim surcharge be waived. The proposed amendments to the Criminal Code would make a victim surcharge mandatory for all offenders. That is what the government is trying to do. However, the removal of the undue hardship defence signals a lack of concern for the particular situation of individual offenders and a lack of faith in judges or our justice system, as other speakers brought out.

Therefore, the effectiveness of this is called into question, despite the government's efforts to be true and certainly to rectify the situation for victims.

The Deputy Speaker: If the member wishes to complete his speech, he will have approximately seven minutes when the debate resumes.

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

PRIVATE MEMBERS' BUSINESS

PREVENTING PERSONS FROM CONCEALING THEIR IDENTITY DURING RIOTS AND UNLAWFUL ASSEMBLIES ACT

The House proceeded to the consideration of Bill C-309, An Act to amend the Criminal Code (concealment of identity), as reported with amendment from the committee.

* * *

• (1730)

[English]

SPEAKER'S RULING

The Deputy Speaker: There are nine motions in amendment standing on the notice paper for the report stage of Bill C-309.

The Chair has been informed by the sponsor of Motions Nos. 1, 2 and 6 that they will not be proceeded with.

Motions Nos. 3 to 5 and 7 to 9 will not be selected by the Chair as they could have been presented in committee.

There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

Mr. Blake Richards (Wild Rose, CPC) moved that the bill, as amended, be concurred in.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the nays have it.

And five or more members having risen:

The Deputy Speaker: Pursuant to Standing Order 98, the recorded division stands deferred until Wednesday, September 19, immediately before the time provided for private members' business.

ADJOURNMENT PROCEEDINGS

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

[Translation]

YOUTH

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, today, I have the opportunity to discuss the minister's dismissive response with regard to the cancellation of the Katimavik program. The Minister of Canadian Heritage and Official Languages said the following: "Ending funding for Katimavik is one of the easiest decisions I have ever made." This is the same minister who described how proud he was to support this program in the organization's 2009-10 annual report, stating that:

[English]

—[Katimavik] encourages our youth to get to better know and understand Canada, its history, its citizens, and its communities. Katimavik prepares the younger generation to demonstrate their civic engagement today in order to ensure a better tomorrow.

[Translation]

This same minister congratulated youth on making such a significant contribution to the vitality of our country.

Adjournment Proceedings

This summer, I travelled across Canada trying to understand why this decision was so “easy” to make. I met with hundreds of organizations and individuals across the country to discuss the impact of the program on their communities and their lives. I saw the extraordinary projects that were carried out and I understand the huge loss that this “easy” decision has caused.

In Whitehorse, youth breathed new life and new energy into a number of organizations that did not have the resources necessary to provide services to members of the community.

In Calgary, Katimavik made a major contribution to helping new immigrants in Alberta whose language was that of the minority by providing them with services in their mother tongue.

In Lethbridge, youth in the Katimavik program created tools for life that were distributed in an employment centre that aboriginal youth and other young people in the region go to in order to obtain services, find jobs and become independent.

In Winnipeg, among other things, volunteers even planted gardens and shared their crops with disadvantaged people in the community.

In Sioux Lookout, this program is at the heart of the town. It helped all the organizations to offer more services. I am thinking in particular of Out of the Cold Sioux Lookout, which helps homeless people and where a young volunteer decided to stay for the summer, after the program had ended, because she saw how desperate the needs were and how little help was available.

In Charlottetown, this “easy” decision meant that Habitat for Humanity was unable to build a house for families that really needed it.

In Moncton, volunteers were true mentors for young people in difficulty.

In Wolfville, this “easy” decision put a stop to projects, including one involving the creation of a “Youth Booth” in the public market and another involving the intergenerational transfer of knowledge through computer training sessions at the library.

Mr. Speaker, there is a lot of noise in the chamber. Could you please ask those who are talking to stop?

• (1735)

[*English*]

The Acting Speaker (Mr. Bruce Stanton): I appreciate that. We will stop the clock momentarily. I would ask the hon. members who may wish to carry on conversations to take those out to the lobby at this point. There is a lot of noise in the chamber.

The hon. member for Terrebonne—Blainville.

[*Translation*]

Ms. Charmaine Borg: Mr. Speaker, in Halifax, it is French language teaching in that community that will suffer as a result of that “easy” decision.

Every single organization has expressed its disappointment. The Katimavik program made the pool of available volunteers more diverse. They became real youth ambassadors by giving up their time during their holidays and they did so in order to organize activities for all Canadians.

The continued pursuit of integration and sharing was also appreciated by the people and communities that were given an opportunity to grow through hard, but rewarding work experiences.

Maybe this decision was “easy” for the minister, but it has not been easy for people to accept. Cancelling the Katimavik program has meant cuts to our future and to the services provided to the public. It also demeans the admirable work done by our community organizations, by refusing to support them and prevents our youth from learning, maturing and becoming engaged citizens for the rest of their lives.

This so-called “easy” decision is quite simply shameful.

[*English*]

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, we are in the midst of one of Canada's economic action plans, and part of that economic action plan has been to invest heavily in youth programs across this country. Talking about the Katimavik program specifically, since its inception in 1977, some 99% of its funding has come from taxpayers. The program costs about \$28,000 for every young person it seeks to assist. One of the big problems with this program is that one-third of the people who participated in the Katimavik program never made it through to the end of the program.

By reducing funding to Katimavik and putting funding into other programs for youth, we ensure that the programs that are available to youth across this country actually work for them. We have to make sure that our youth have access to programs and services that not only give them experiences they can use for their futures but also allow them to see different parts of this country and have experiences throughout this country. That is something that Katimavik was not accomplishing, certainly not at \$28,000 for every single participant in the program.

What we have done is put our resources into other programs, such as the Exchanges Canada program, or the Young Canada Works program, which provides 2,600 youth with work experience and internships across this country. The Department of Canadian Heritage language learning initiatives, work experiences and internships provide 7,900 bursaries and 300 language-monitoring jobs for our youth to learn about Canada's two official languages. We have the arts training fund, which provides contributions to training for the next generation of professional artists and reaches over 5,000 young artists. The Youth Take Charge program reaches 70,000 youth.

As I said, we have taken that \$17 million that was going to Katimavik, which since its inception has cost hundreds of millions of dollars, and we are putting it into programs that actually work for young Canadians across this country. We are going to continue to do that because that is what Canada's economic action plan has said we need to do. We are hearing from young Canadians that these are the programs and services they want. I am very proud of the fact that the government continues to invest in youth programs across this country, and we will continue to do that because we understand how important it is for future generations that they get experiences across this country and in both official languages.

Adjournment Proceedings

[Translation]

Ms. Charmaine Borg: Mr. Speaker, I invite my colleague opposite to speak to the young people who benefited from the Katimavik program. He is saying that it is not effective and that, basically, the kids were not able to experience it the way they should, but I invite him to go and speak to those kids. I did, and I can see the difference it made and the impact it had on their lives.

A former member of my riding had become addicted to drugs and was an alcoholic. He benefited from the Katimavik program and was able to straighten out because he had a choice. What we should be doing is giving kids choices. Countries around the world are doing just that. There are programs like Katimavik in Australia and the European Union. There are programs in the United States like Youth Volunteer Corps, Volunteers of America and Youth Service America.

If we are going to talk about the money spent on Katimavik, let us also talk about the money that has been reinvested in the communities. Let us talk about that. According to Statistics Canada, an average of \$20 million and over one million volunteer hours a year have been invested. We need to take that into account when we talk about a program. Seventeen million dollars is not a huge amount, but the benefits for the communities and the people who went through this program are enormous.

• (1740)

[English]

Mr. Paul Calandra: Mr. Speaker, to be clear, this government is not killing the Katimavik program. We have just reassigned the funds that have been going to Katimavik through taxpayers to other programs and services that are working very well for young Canadians. We expected that after some 30 years Katimavik could stand on its own two feet, and it could go to the people and the students it helped over the years and raise some of its own funding so it could continue to provide services for young Canadians.

In the meantime, the government is going to invest in programs and services that work better for young Canadians, that have less of a drop-out rate and that do not cost \$28,000 per person like Katimavik was costing. That is a heck of a lot of money that can be reinvested and is being reinvested in organizations across this country, such as the YMCA and Encounters with Canada, giving more young people more opportunities to experience all kinds of different things across this country.

It was an easy decision to make because there are so many great programs working for young Canadians across Canada.

[Translation]

HOUSING

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I raised an important question in the House before the summer break, and today I want to revisit a troubling issue that I care deeply about. This issue is very important to my constituents too. The issue is affordable housing and access to home ownership in Canada.

The question I asked in the House was about the Conservatives' failure to do anything about this issue, and I asked the government to explain why Canada still did not have a national housing strategy. We know that some 300,000 Canadians are homeless and that 1.5

million households—that is about one in seven—do not have access to decent, affordable housing.

A report published in the summer of 2011 by the Canadian Housing & Renewal Association showed that the affordable housing shortage hits single-parent families, new immigrants, aboriginals and seniors in Canada hardest. We also know that the mortgage is the single largest expense for most Canadian households, which spend between 35% and 50% of their income on shelter, heating and public services related to housing. In some Canadian cities, such as Vancouver, Toronto, Montreal and even Quebec City, access to home ownership is getting harder and harder.

If we add to this already worrisome picture the fact that the Conservatives' last budget was devoid of any national housing strategy and the recent public statements by the Governor of the Bank of Canada, who is forecasting an increase in Canadians' household debt in 2012-13, the situation is downright alarming.

The last budget did not allocate any money for affordable housing and did not mention a national housing strategy, even though organizations such as the Federation of Canadian Municipalities and FRAPRU have called for one repeatedly. Reducing the amortization period for mortgages from 30 to 25 years was a good government initiative. However, this measure should be part of a broader, more visionary and more concrete plan.

Furthermore, with regard to Canadian household debt, Statistics Canada recently reported that debt as a percentage of disposable income had reached a record 152.98% in the third quarter of 2011, compared to 150% in the second quarter. That is an increase. As recently as this past June, the Governor of the Bank of Canada warned that the country's economic growth cannot depend on household debt, which includes a large amount of mortgage debt.

What is the Conservatives' careful, structured plan for long-term sustainability of affordable housing? What are they doing to give Canadian families some breathing room and to ensure that they do not have to spend half their income to put a roof over their heads?

I would like clarification of another point concerning the end of federal social housing operating agreements. We know that several Quebec non-profit housing organizations will lose federal funding and tenants will face higher rents. The government has not indicated whether it intends to provide new funds. This loss of funds will result in a significant reduction in affordable housing units. We should also note that many of these agreements have been in place for more than 30 years. CMHC will cut more than \$100 million in the 2014-15 fiscal year.

Canada is the only G8 country without a national affordable housing strategy. Why not take action in these tough economic times when Canadians' lives are becoming increasingly difficult?

Adjournment Proceedings

• (1745)

[English]

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I thank the hon. member for once again bringing the issue of affordable housing before the House.

I am pleased to reiterate our government's commitment that Canadians from all walks of life and in all parts of the country have access to safe, suitable and affordable housing, a commitment that has been backed up by helping over 755,000 Canadians with affordable housing since 2006.

Our approach is balanced and sound. Whether through rental housing or home ownership, the vast majority of Canadians are able to meet their housing needs in the marketplace. However, we recognize that this is not possible for all Canadians. That is why we have policies in place to support the full range of housing options: home ownership for those who can afford it; rental housing for those who prefer or need that option; and housing assistance for those who cannot have their needs met in the marketplace, including low-income families, seniors, people with disabilities, first nations and people on reserves.

The government provides strong support for a range of housing options. For example, the Canadian Mortgage and Housing Corporation has a public policy mandate to provide mortgage loan insurance to qualified borrowers in all parts of the country and for all forms of housing.

In addition to offering mortgage loan insurance to a home buyer, CMHC is the only mortgage insurer for large, multi-unit rental purposes, properties, nursing and retirement homes. Mortgage loan insurance from CMHC is critical to ensuring that these housing options continue to be widely available to Canadians. Without it, many projects simply would not get the cost-effective financing they need for viability and affordability.

Additionally, the Government of Canada continues to invest heavily in housing. Since 2006, the government has created 46,000 new affordable housing units.

The 2011 annual report of the CMHC is the most up-to-date information on federal social housing investments. The report was recently tabled in the House and it indicates that the Government of Canada provides \$1.7 billion in funding each year to ensure that almost 605,000 households living in existing social housing can continue to afford their homes. The provinces and territories also contribute annually to the existing housing stock under long-term agreements.

[Translation]

Over and above the \$1.7 billion in annual social housing subsidies, our government and the provinces and territories are making a combined investment of \$1.4 billion over three years in a range of programs to reduce the number of Canadians in housing need.

[English]

In addition, the stimulus phase for Canada's economic action plan included an investment of more than \$2 billion over two years to

build new and renovate existing social housing. This funding supported an estimated 16,500 social housing and first nations housing projects across Canada improving the living conditions for tens of thousands of Canadian families while creating jobs and stimulating local economies.

This government is committed to helping Canadians who need a hand up. We have backed up that commitment with concrete actions and investments in social housing.

• (1750)

[Translation]

Mrs. Anne-Marie Day: Mr. Speaker, the parliamentary secretary can try to lull people with magic numbers, but the reality is that, right now, 300,000 Canadians are homeless and 1.5 million Canadians do not have access to decent and affordable housing.

Balancing the budget on the backs of middle-class families and poor people in our community is not economically viable or humanely possible.

I am asking this government to do more and to do better for Canadians with average and low incomes using a long-term approach.

This government runs on magic numbers. Well then, I would like it to take note of this one: one F-35 is equal to 6,400 affordable housing units. That is a number that the government should take note of.

[English]

Ms. Kellie Leitch: Mr. Speaker, annually the Government of Canada provides ongoing support for 605,000 existing social housing units. The investment in affordable housing framework agreements announced by the federal, provincial and territorial governments' housing ministers last July ensures that we will continue to invest in a range of affordable housing solutions in communities across Canada. Rather than imposing a one-size-fits-all approach, we are giving provinces and territories increased flexibility to design and deliver programs that address local needs and circumstances.

Our overarching goal is to continue to reduce the number of Canadians in housing need.

I would ask the hon. member why her party has voted against increases in support this government has brought forward in social housing. Again and again we ask for their support and do not receive it. I encourage her and ask her to support the government's efforts going forward.

Adjournment Proceedings

The Acting Speaker (Mr. Bruce Stanton): Notice was given earlier today that the hon. member for Saint-Hyacinthe—Bagot would be participating in adjournment proceedings. There is a possibility, with the change in schedule, that this is the reason she is unable to be present. Accordingly, the notice is deemed withdrawn.

[*Translation*]

The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2:00 p.m. pursuant to Standing Order 24(1).

(The House adjourned at 5:52 p.m.).

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