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OFFICIAL REPORT
(HANSARD)

Thursday, December 6, 2012

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Thursday, December 6, 2012

The House met at 10 a.m.

Prayers

• (1005)

[*Translation*]

POINTS OF ORDER

BILL C-377—INCOME TAX ACT—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the point of order raised on November 22, 2012 by the hon. member for Rosemont—La Petite-Patrie regarding the need for a royal recommendation for Bill C-377, An Act to amend the Income Tax Act (requirements for labour organizations), standing in the name of the hon. member for South Surrey—White Rock—Cloverdale.

[*English*]

I would like to thank the member for Rosemont—La Petite-Patrie for having raised the matter; as well as the hon. Parliamentary Secretary to the Leader of the Government in the House of Commons; the hon. House leader of the official opposition; and the members for Saint-Lambert, Cape Breton—Canso and South Surrey—White Rock—Cloverdale for their interventions.

[*Translation*]

In raising this matter, the member for Rosemont—La Petite-Patrie explained that the provisions of clause 1 of the bill would result in expenditures of public funds in a manner and for purposes not currently authorized. Specifically, he claimed that a new entity within the Canada Revenue Agency, CRA, would have to be created to administer and enforce the provisions contained in the bill, and that there would be costs incurred in setting up a new computer system to meet the requirements of the legislation. These, he concluded, would constitute “new and distinct” costs, thereby creating a need for a royal recommendation.

[*English*]

Similarly, the member for Cape Breton—Canso argued that the bill envisioned a new function and purpose within the CRA and as such the terms and conditions of the royal recommendation that authorizes the agency's current spending would be altered. He also suggested that Bill C-377 would regulate the internal affairs of unions and the relationships with their members, thus giving the CRA a new labour relations function.

[*Translation*]

For his part, the Parliamentary Secretary to the Leader of the Government in the House of Commons rejected these arguments, claiming instead that the authority to spend for the purposes set out in the bill would fall under the general authority of existing broader provisions of the Income Tax Act, as well as the agency's general authorities under the Canada Revenue Agency Act. He illustrated this by referring to those portions of the Income Tax Act dealing with reporting requirements for charity organizations. He also stated that, should additional funds be required, the government would seek them from Parliament through an appropriation bill covering operating expenses.

[*English*]

The question before us is whether the implementation of Bill C-377 would constitute a new appropriation requiring a royal recommendation, or whether the costs would be administrative in nature and would fall under the ongoing mandate of the Canada Revenue Agency.

[*Translation*]

I would like to remind the House of the conditions under which a royal recommendation is required. As the member for Rosemont—La Petite-Patrie noted in his presentation, bills which authorize new charges for purposes not anticipated in the estimates require royal recommendations. *House of Commons Procedure and Practice*, Second Edition, at page 833 further states:

The charge imposed by the legislation must be “new and distinct”; in other words, not covered elsewhere by some more general authorization.

[*English*]

The Canada Revenue Agency already has the mandate to administer various tax and benefits regimes and to manage a broad range of other programs and activities. More specifically, section 5 of the Canada Revenue Agency Act mandates the agency to support the administration and enforcement of program legislation. Furthermore, in reviewing the documentation provided by the member for Saint-Lambert, which makes reference to specific cost information provided by the CRA in response to questions from the Standing Committee on Finance, the Chair notes the references made to section 220 of the Income Tax Act, which states:

(1) The Minister shall administer and enforce this Act and the Commissioner of Revenue may exercise all the powers and perform the duties of the Minister under this Act.

(2) Such officers, clerks and employees as are necessary to administer and enforce this Act shall be appointed or employed in the manner authorized by law.

Routine Proceedings

In carefully reviewing this matter, it seems to the Chair that the provisions of the bill, namely the requirements for the agency to administer new filing requirements for labour organizations and making information available to the public, may result in an increased workload or operating costs but do not require spending for a new function per se. In other words, the agency, as part of its ongoing mandate, already administers filing requirements and makes information available to the public. The requirements contained in Bill C-377 can thus be said to fall within the existing spending authorization of the agency.

[Translation]

In a ruling given by Speaker Milliken on February 23, 2007, which can be found at page 7261 of *Debates*, he stated, in relation to the then Bill C-327, An Act to amend the Broadcasting Act (reduction of violence in television broadcasts), that:

[English]

Bill C-327 may or may not result in a greater workload for the CRTC, but the activities being proposed are within its mandate. If additional staff or resources are required to perform these activities then they would be brought forward in a separate appropriation bill for Parliament's consideration.

It appears to the Chair that a similar situation would arise should Bill C-377 be enacted and, thus, that this particular ruling is directly relevant and applicable to the current circumstance.

A second ruling by Speaker Milliken, this one on December 3, 2010, *Debates* page 6803, in reference to then Bill C-568, An Act to amend the Statistics Act (mandatory long-form census), is also helpful. In that ruling it was apparent to the Speaker that the proposed legislation was not adding to or expanding upon the existing mandate of Statistics Canada and, thus, that the bill in question did not require a royal recommendation.

Accordingly, the Chair rules that Bill C-377 in its current form does not require a royal recommendation to proceed through the next stages of the legislative process.

[Translation]

I thank hon. members for their attention.

ROUTINE PROCEEDINGS

[English]

INFORMATION COMMISSIONER

The Speaker: I have the honour to lay upon the table, pursuant to subsection 39(1) of the Access to Information Act a special report from the Information Commissioner entitled, "Report Cards 2011-2012".

[Translation]

This report is deemed permanently referred to the Standing Committee on Access to Information, Privacy and Ethics.

[English]

LABRADOR INUIT LAND CLAIMS AGREEMENT IMPLEMENTATION COMMITTEE

Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, under the provisions of Standing Order 32(2) I have the honour to table, in both official languages, copies of the 2010-11 annual report of the Labrador Inuit Land Claims Agreement Implementation Committee.

* * *

• (1010)

FEDERAL OMBUDSMAN FOR VICTIMS OF CRIME

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, pursuant to Standing Order 32(2) I have the honour to table, in both official languages, the 2010-11 annual report of the Federal Ombudsman for Victims of Crime, as well as the government's response to the report.

* * *

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to five petitions.

* * *

COMMITTEES OF THE HOUSE

NATIONAL DEFENCE

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on National Defence in relation to its study of maintained readiness of the Canadian Forces.

Pursuant to Standing Order 109 of the House of Commons, the committee requests the government to table a comprehensive response to this report.

TRANSPORT, INFRASTRUCTURE AND COMMUNITIES

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, I have the honour to present, in both official languages, the fifth report of the Standing Committee on Transport, Infrastructure and Communities in relation to supplementary estimates (B) 2012-13.

PROCEDURE AND HOUSE AFFAIRS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 34th report of the Standing Committee on Procedure and House Affairs in relation to supplementary estimates (B) 2012-13 under Parliament.

*Routine Proceedings***POINTS OF ORDER**

DECORUM IN THE CHAMBER

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I do not quite know when the appropriate moment would be to say something on this subject, but it is a little hard for us to carry on the normal business of the House without referring to the somewhat unusual transaction that took place on the floor of the House yesterday. I wonder if those who were involved in it would care to perhaps indicate their regret at what took place and the fact that we need to continue for the next several days in the House on the basis of a greater degree, perhaps, of civility and willingness to engage in public discourse without insulting each other.

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I am happy to address that point.

Yesterday I went to speak to the opposition House leader with the intention of discussing my concerns with the point of order that had been raised related to a mistake that had been made by the Deputy Speaker during Tuesday night's vote. I know that mistakes happen. The Deputy Speaker is new and I am sure he is going to do a very good job, but I thought it was inappropriate for the New Democrats to raise a point of order in which they relied on that mistake and somehow suggested it was the responsibility of the government. To do that was inappropriate. It put me in a very difficult position. I did not wish, in defending the government, to be critical of the Deputy Speaker, and I tried very delicately to dance around the point. Mr. Speaker, you ruled appropriately in the circumstances.

I acknowledge that I used an inappropriate word when I was discussing this matter with the opposition House leader. I should not have done that and I apologize for that. I would expect the Leader of the Opposition to do the same, and I hope that at this point we can move forward and get on with the important business that Canadians want us to do.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I thank the member for Toronto Centre for his intervention and some of the words from the government House leader with respect to his apology.

You and I will be having a conversation quite shortly, so any other more official statement coming from the official opposition would be a bit premature until you and I have spoken in private. Then we will be back to the House forthwith.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I trespass on this very tentatively, but recall that the history of the length between these benches was to be two sword lengths. We would like the notion to be figurative. We do not like the notion that someone from one side of the House would march across to the other side.

I can only conclude the hon. government House leader is a sore winner. I hope we will never see this sort of thing again.

The Speaker: I will reserve the right to come back and address the House on this particular subject and appreciate the interventions.

●(1015)

PROHIBITING CLUSTER MUNITIONS ACT

Hon. Peter Van Loan (for the Minister of Foreign Affairs) moved that Bill S-10, An Act to implement the Convention on Cluster Munitions, be read the first time.

(Motion agreed to and bill read the first time)

* * *

COMMITTEES OF THE HOUSE

JUSTICE AND HUMAN RIGHTS

Mr. Jack Harris (St. John's East, NDP) moved:

That the seventh report of the Standing Committee on Justice and Human Rights presented on Wednesday, March 28, 2012, be concurred in.

He said: Mr. Speaker, I am pleased to rise to present the motion that the report be concurred in. Organized crime in Canada is something that has been studied for a number of years by the justice committee. I was not involved at the commencement of it, but I was there in the session last spring for the preparation of the report and the hearing of the final number of witnesses.

My predecessor as justice critic, the hon. member for Windsor—Tecumseh, now the The Deputy Speaker of the House, was very much involved in the organized crime study. We took great interest in trying to find mechanisms that were going to work to take on organized crime and fix some of the issues within the justice system that made it ineffective and difficult to prosecute.

In fact, we had witnesses before the committee who talked about the issues and the difficulties. A prosecutor from Quebec talked about the difficulties with the prosecution of the Hell's Angels in Quebec and the breakup of the Banditos biker gang. They had to take very significant extraordinary measures in order to be able to carry out the prosecution of this very difficult element of organized crime in the province of Quebec.

It included the creation of specialized police task forces and the participation of a variety of different police agencies working together; lengthy police investigations, which targeted the whole criminal organization at all levels; the use of civil infiltration agents, which can be controversial but nevertheless were necessary; the creation of specialized teams of prosecutors such as the proceeds of crime bureau in 1996 and the organized crime bureau in 2000; and the construction of a particular courthouse, a special judicial services centre, in order to be able to have the kind of security that was needed to carry out these special prosecutions. As well, the renovation of several courtrooms around Quebec allowed for the holding of several megatrials in different places at the same time.

On the issue of megatrials, it is important to know that these create enormous difficulties for the judicial system. We have a system that assumes one is innocent until proven guilty and has myriad provisions for the protection of people who are accused of crime because of the consequences of the loss of liberty. These are important safeguards in our criminal justice system. We have our Charter of Rights and a system of justice that depends on the rule of law and not on the fact that someone decides that someone else is a criminal, so we have to prove these things.

Routine Proceedings

In a significant trial such as the biker gang trials, for want of a better name, we have a large number of defendants, complicated procedures, multiple defence counsels acting at the same time, complicated provisions and the difficulty of the judge handling the case having to manage all of that.

As a result, our party co-operated with your suggestion, Mr. Speaker, that there be special legislation brought forward to deal with megatrials during the course of this study so that, at least, changes would be put in place to allow for a more proper and reasonable way to deal with them that would allow the administration of these trials to take place without compromising the rule of law, the presumption of innocence or the other protections that all citizens are entitled to.

We just cannot jump to conclusions in criminal matters, even if we are prosecuting someone we believe, and have evidence to support that belief, is engaged in a criminal activity or a criminal organization. We still have to provide that proof according to law at a fair trial. The shorthand in criminal law is that we have to have proof beyond a reasonable doubt in a trial that takes place in accordance with law.

● (1020)

Before I get too much into the report, I want to say that we need to have some special rules to deal with criminal organizations in Canada, but we have to be careful about what we are doing here. We must make sure that we are not using the notion of the existence of criminal gangs to frighten Canadians into believing that crime is everywhere and that we require extraordinary measures that ignore the rule of law and basic fundamental rights in our society, which could affect everybody. We have to ensure that all citizens have the right to fair treatment by our legal and judicial systems.

It is important to note that Canadians do feel safe. In 2009, a study done under the Statistics Canada rubric determined that 93% of Canadians felt either very satisfied or somewhat satisfied with their personal safety. It indicated they felt as safe as they had when the 2004 study was undertaken five years previously. Of the respondents, 90% said they felt safe when walking alone in their neighbourhood at night. When asked about the perception of crime in their communities, 62% of respondents said they believed the crime rate in their community had not changed over the past five years. There is a general feeling of community safety across the country. There is no fear in the land.

In some respects it is ironic that when we look at the news on the television, particularly local television, a great deal of time is taken up with the reporting of court cases and what happens in the courts. Those types of stories always make the headlines in the local newspapers and television shows. They are easy to report and there are visuals of people being brought before the courts. Also, we have the overlay of American television with its extremely high crime rates and large numbers of homicides. Canadians seem to be able to filter through that and understand the difference between what is on TV and what their reality actually is.

I say that because it does belie the mantra we hear from the government on an ongoing basis, day after day, week after week, about how all these crimes are being committed and we need to take extraordinary measures and go into a whole series of extraordinary

sentencing provisions, mandatory minimums, that fill up prisons. While the government does not like evidence-based decision making and seems to base most of its decisions on ideological approaches, the evidence is that these approaches will not work in terms of prevention.

On the other hand, with so many people in prison, we are now at the point where double-bunking is becoming the norm and will be, according to certain information recently released or leaked. Taking the general disapproval of double-bunking out of Correctional Services Canada's mandate and manual is an indication that the government considers double-bunking in prisons as something that is standard, natural and to be expected.

There have been a number of articles written on the results of that, and one recently, decrying that the provision is not only expensive but it would increase bad behaviour, illnesses and the brutalization of one inmate to another. As a result of overcrowding, it would cause an increase in crime and costs, a lack of rehabilitation programs, an increase in recidivism, et cetera. Those are some of the negatives of that.

It is worthwhile saying that, on the whole, Canadians are not buying the notion that we have a major crime wave happening and that we need to be protected by extraordinary provisions and by being tough on criminals, while not necessarily doing what needs to be done to actually prevent the crime.

● (1025)

According to the Criminal Intelligence Service of Canada, we have approximately between 700 and 900 criminal organizations in Canada. We have to be careful when we say that, because a criminal organization is not the same as a gang. It does not have to be a major organization. For the purpose of the law, any three people who work together with the purpose of committing ongoing criminal activity can be considered a criminal organization.

There was a concern among defence counsel over the years about calling three people who committed a crime together a criminal organization was an extraordinary measure, but that concern has been looked after.

In 2002 the number of people required to constitute a criminal organization was reduced from five down to three. The requirement that at least one of the members be involved in committing crimes for the organization within the past five years was also removed. There was also a broadening of the scope of offences that defined a criminal organization, which was previously limited to indictable offences punishable by five years. The term criminal organization does not mean a group of people who form randomly for the immediate commission of a single offence. Again, that is still on the edge of what ordinary people would consider a criminal organization.

Routine Proceedings

There are three specific offences in relation to criminal organizations. The first has to do with the participation in the activities of a criminal organization, which is punishable by a term of imprisonment not exceeding five years. The second one is the commission of an offence for a criminal organization. The third is instructing the commission of an offence for the criminal organization. These offences are aimed at people working together in a criminal organization. Participating in that organization is deemed to be a crime, and it would have to be shown that the organization is engaged in committing crime. These are the basics of having a criminal organization, and the activities and offences that are designed to cut down on the number of criminal offences.

In Canada in terms of the criminal market that takes place with groups, the Criminal Intelligence Service of Canada in 2001 reported that financial crime accounted for approximately 11% of that activity. We are talking about things such as payment card fraud, which is the largest part of that market and continues to expand, card thefts, fraudulent card applications, fake deposits and so on. Securities and mortgage fraud is another area of the financial crime market in which organized crime has an interest.

Thirty-two per cent of criminal market activity is taken up with other illicit goods and services including theft, contraband such as alcohol and tobacco, the sex trade and human trafficking. Legislation often mentions foreigners engaged in human trafficking or bringing people into the country. The committee was told that by far the largest amount of human trafficking that takes place in Canada is actually domestic, that is Canadian girls being trafficked within Canada, and it is done through organized crime networks. Street gangs facilitate the recruitment, control, movement and exploitation of Canadian-born females in the domestic sex trade primarily in strip bars in several cities across the country.

We do have an important and crucial role to play in trying to prevent the exploitation and trafficking of young women in particular through criminal activity. We need to take special measures to ensure that the people engaged in that criminal activity can be prosecuted and punished and deterred.

● (1030)

The official opposition provided a supplementary report to the report tabled on March 12 in which we indicated that, while we supported the majority of the recommendations in the report and worked collaboratively with the other parties on the Standing Committee on Justice and Human Rights with the objective of recommending new strategies for the government in the fight against criminal activity and criminal organizations, we promoted an effective and balanced approach to combatting organized crime. Some of the measures that are in the report we do not support.

Our approach has involved the emphasis on three pillars: prevention, policing and prosecution. It is founded on the conviction that the fight against organized crime must be taken to its root in the recruitment of youth into street gangs and into this kind of criminal activity.

Obviously, there is a need for some of the measures that have been implemented here. In terms of prosecution and having a proper foundation for megatrials, we worked with the government to pass Bill C-2 in June 2011 in order to do that. We wanted to ensure that

the judiciary had the necessary tools to make an effective prosecution when dealing with megatrials. Through this balanced and effective approach, we supported the majority of the recommendations.

Unfortunately, the government fell back to its knee-jerk reaction, to the things that it wants, to paint in one corner, by using mandatory minimum sentences. We have opposed that consistently.

We also found objectionable the first recommendation following paragraph 100 recommending the amendment of the Criminal Code to impose mandatory minimum sentences for criminal organization offences. We do not believe that is necessary. Judges across the land share the concern that all of us have, which is that organized criminal activity is a scourge on communities and that significant sentences are being imposed and will continue to be imposed to provide the kind of deterrence that is necessary to help persuade and ensure that we do not have large numbers of people engaged in criminal activity. In fact, some of the offences, for example, members of criminal organizations who instruct individuals to commit an offence, in other words, carrying out in an organized way and actually telling people to do criminal acts, they are already liable to life imprisonment under section 467.13 of the Criminal Code of Canada. They are already taken extremely seriously by the law and by the judges.

We are concerned about the proposed disclosure model, which could potentially require defence counsel to disclose its plan of defence to the crown. It is not adequate to avoid that. We are concerned about the change recommended here that would allow electronic eavesdropping without proper judicial oversight and the need for warrants in all cases. It is an unnecessary expansion of powers. We have fought against this and will continue to fight against it.

● (1035)

One of the serious problems is that not enough attention is being paid to legal aid, so we end up having people defending themselves, which slows down prosecutions and makes it more difficult to do so.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I find this to be a fascinating issue in the sense that from my perspective we could not spend enough time debating this issue inside the House of Commons.

As many members might recall, I was elected during a byelection a couple of years ago in which the issue was about crime, safety and people wanting to feel safe in their own homes.

Winnipeg North is a beautiful community with lots of wonderful attributes but it has a relative small but very harmful group of individuals who cause serious concerns for many, if not most, residents in the city of Winnipeg. I hope to address this in more detail at a later point.

Routine Proceedings

As coincidence would have it, I have a petition, which I was hoping to table a little later this morning. I circulated the petition in Winnipeg North and now I have individuals responding to it. The residents of Winnipeg North are sending a very clear, strong message to the Prime Minister saying that the Government of Canada needs to do more to prevent crime from happening and that one of the best ways to do that would be to provide programming that is an alternative for young people, as opposed to them getting involved and engaged in gangs. Our young people need to have more creative activities, especially after school, and for those youths in particular who are dropping out of school. We need to start getting tough on some of the causes that allow too many young people to get involved in gangs.

I wonder if the member might want to provide comment on that.

Mr. Jack Harris: Mr. Speaker, I could not agree more with the hon. member for Winnipeg North. When a city like Winnipeg is affected by young people being attracted to gangs, getting involved in criminal activity, doing harm to ordinary citizens and invoking fear, people become extremely concerned, not only about what is happening to their community but that young people are attracted to that and do not have any other alternatives.

The street gangs play a role within the prison system. When they are caught, whether it be for some petty crime or some serious crime and they end up in prison, they become part of the gangs that operate in prisons as well.

One of the major focuses needs to be prevention. We should place our first line of attack against organized crime into prevention by ensuring we have good programs for young people and that young people have opportunities, whether it be to complete their education, finish school or get some trade, occupation or educational experience that gives them hope in their lives.

Unfortunately, the government has actually failed to continue to promote this type of activity in our cities and communities. We are quite unhappy about that, as it does lead to this type of activity.

• (1040)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, none of us on this side of the House would dispute the vital importance of tackling the issue of organized crime, especially when it brings higher murder rates to cities like Winnipeg, which the member for St. John's East just mentioned, and Halifax and Edmonton. We all regret that those rates are higher than elsewhere in Canada and higher than they should be.

The member and I worked together on the national defence committee. He well knows there are almost 100,000 regular force members and reserve members who are waiting for their justice system to be updated and brought into the 21st century on the basis of recommendations made by former chief justice Antonio Lamer.

We were scheduled to discuss Bill C-15 in this House this morning. We, on this side, hope to get back to that debate.

Will the hon. member not agree with me that, in light of the importance of our justice system and the importance of keeping it modern, after 18 months of waiting for that bill to get to committee, now is the time to get it there where it can be amended?

We have discussed and agreed on some amendments that can be made but those amendments are best made in committee. It would be expeditious, wise and in the spirit of the points he has just made for the bill to be sent to committee at the earliest possible date, preferably today.

Mr. Jack Harris: Mr. Speaker, I waited in vain for some relevance to the issue of organized crime. I think the kind of discussion that my friend refers to is something that should take place between he and I and not on the floor of this House. We, obviously, would want to see a vigorous modernization of the legislation to which he speaks but, unfortunately, we have not seen the commitment to get that to this point.

There are two types of organized crime that are of most concern. One is the street gangs that my colleague for Winnipeg North talked about. The other is the organized criminal activity of the drug trade, the sex trade and the human trafficking, the biker gang type of activities. These gangs not only engage in significant organized crime but they also intimidate people and engage in serious criminal activity. We also hear from time to time about corruption.

There are several categories of organized crime but the one that people are most affected by is the kind of street gang crime in which mainly young people or younger people are involved. A diversion to get them away from that activity and providing significant preventive work is an important way to diminish that. The tools in the Criminal Code can be used and the prosecutorial efforts need to be there but the prevention side is key to keeping our communities safe.

[Translation]

Ms. Nicole Turmel (Hull—Aylmer, NDP): Mr. Speaker, I would like to thank my colleague for his presentation about our position on organized crime. On this day, December 6, I believe it is very important to speak about what is happening in particular to women. I am referring to human trafficking, which primarily affects women. In Canada, these women are victims of sexual exploitation and they are also forced to work as domestics. We are unaware of their situation, and often these women have no way out.

I would like my colleague to talk a little more about prevention. What can we do in Canada about this? As parliamentary leaders, what can we do to prevent such situations? We cannot just dole out punishment. This government is always talking about punishment instead of prevention and justice for the people who are exploited.

[English]

Mr. Jack Harris: Mr. Speaker, outside of education and a change in the attitude of society, I think it is difficult to prevent all domestic violence. We need to have substantial tools and support for women who are in those circumstances to be able to take another path, get out of those circumstances and be safe. Support for women's shelters and alternative means of support is desperately necessary.

The equality of women is a continuing struggle in terms of being able to exist in our society on an equal footing with men. I think that support, encouragement and raising their independence to the same level is a very big key. I think focusing on prevention is a longer term task. Obviously, having the right criminal justice tools to deal with domestic violence is extremely important.

In acknowledging today as a day on which we all seek to remember and be concerned about violence against women, it is a very timely intervention by my colleague.

• (1045)

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I must say that I have to agree with my colleague, the Parliamentary Secretary to the Minister of National Defence. What we are seeing here this morning is a continuation of a one-man filibuster from the member for St. John's East. He does not want to continue debate on Bill C-15, strengthening military justice in the defence of Canada act and does want to send it to committee. I do not know why. It is beyond the grasp of most of us in this House.

Therefore, regrettably, I must move, seconded by the member for Kitchener—Conestoga:

That the debate be now adjourned.

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The 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 yeas have it.

And five or more members having risen:

The Deputy Speaker: Call in the members.

• (1125)

[*Translation*]

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

(*Division No. 577*)

YEAS

Members

Adams
Albas
Alexander
Allison
Ambrose
Anderson
Aspin
Bateman
Benoit
Bernier
Blaney

Adler
Albrecht
Allen (Tobique—Mactaquac)
Ambler
Anders
Andrews
Baird
Bélangier
Bergen
Bezan
Block

Boughen
Breitkreuz
Brown (Leeds—Grenville)
Brown (Barrie)
Byrne
Calkins
Carmichael
Casey
Chong
Clement
Cotler
Daniel
Del Mastro
Dion
Duncan (Vancouver Island North)
Dykstra
Eyking
Fast
Finley (Haldimand—Norfolk)
Fletcher
Galipeau
Gameau
Glover
Goodale
Gourde
Harper
Hawn
Hiebert
Hsu
James
Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)
Komarnicki
Lake
Lauzon
LeBlanc (Beauséjour)
Leitch
Leung
Lobb
Lunney
MacKay (Central Nova)
Mayes
McColeman
McKay (Scarborough—Guildwood)
Menegakis
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)
Nicholson
Obhrai
Oliver
Opitz
Payne
Poilievre
Rae
Rajotte
Reid
Richards
Saxton
Schellenberger
Sgro
Shiple
Simms (Bonavista—Gander—Grand Falls—Windsor)
Smith
Sopuck
Stanton
Storseth
Sweet
Toet
Trost
Truppe
Uppal
Valeriote
Van Loan
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)
Wilks
Woodworth
Young (Vancouver South)

Braid
Brison
Brown (Newmarket—Aurora)
Butt
Calandra
Cannan
Carrie
Chisu
Clarke
Coderre
Cuzner
Davidson
Devolin
Dreeshen
Duncan (Etobicoke North)
Easter
Fantino
Findlay (Delta—Richmond East)
Flaherty
Foote
Gallant
Gill
Goguen
Goodyear
Grewal
Harris (Cariboo—Prince George)
Hayes
Holder
Hyer
Jean
Karygiannis
Kerr
Kramp (Prince Edward—Hastings)
Lamoureux
Lebel
Leaf
Lemieux
Lizon
Lukiwski
MacAulay
MacKenzie
McCallum
McGuinity
McLeod
Menzies
Miller
Norlock
O'Connor
O'Neill Gordon
Paradis
Penashue
Preston
Raiitt
Rathgeber
Rempel
Rickford
Scarpaleggia
Seeback
Shea
Shory
Sorenson
St-Denis
Strahl
Tilson
Toews
Trottier
Tweed
Valcourt
Van Kesteren
Vellacott
Warawa
Watson
Williamson
Young (Oakville)
Zimmer — 178

Routine Proceedings

NAYS

Members

Allen (Weland)	Angus
Ashton	Atamanenko
Aubin	Ayala
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boulerice	Boutin-Sweet
Caron	Cash
Charlton	Chicoine
Choquette	Chow
Christopherson	Côté
Crowder	Cullen
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dewar
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Edmonton—Strathcona)	Dusseault
Fortin	Freeman
Garrison	Genest
Genest-Jourdain	Giguère
Gravelle	Groguhé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hassainia	Hughes
Jacob	Julian
Kellway	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (LaSalle—Émard)
Liu	Marston
Martin	Mathysen
May	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mulcair
Nantel	Nash
Nicholls	Nunez-Melo
Papillon	Patry
Péclet	Perreault
Pilon	Quach
Raynault	Rousseau
Sandhu	Scott
Sims (Newton—North Delta)	Sitsabaiesan
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Turmel— 85	

PAIRED

Nil

The Deputy Speaker: I declare the motion carried.

• (1130)

[*English*]

Mr. Dave MacKenzie: Mr. Speaker, could I have the consent of the House to return to presenting reports from committees? I inadvertently missed the opportunity earlier today.

The Deputy Speaker: Does the member have unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

* * *

PETITIONS

JUSTICE

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have signatures from numerous constituents of Winnipeg North who are asking the government to take seriously the issue of preventing youth from participating in gangs. The petitioners are asking for support for effective crime prevention programs that would prevent

crimes from happening, like programs that would focus on steering young children away from associating with gangs or gang activities.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, I rise in the House today to present two petitions on behalf of the Kalmring family and many constituents in my riding of Okanagan—Coquihalla.

Lynn Kalmring was a loving mother, sister, daughter and friend to all who loved her. Lynn's life was tragically taken from her in a senseless and brutal act of domestic violence.

These petitions call for action and changes to the Victims' Bill of Rights and for procedural changes to processing and bail proceedings. These petitions remind us of the need to take action against gender-based violence and to put the interests of the victim and of the victim's family before those who commit such heinous acts. Let us have justice for Lynn.

[*Translation*]

GATINEAU PARK

Ms. Nicole Turmel (Hull—Aylmer, NDP): Mr. Speaker, I have a petition signed by many of my constituents, asking that my bill on the national capital park be passed. As I mentioned, I have a number of petitions and I hope that the House will support my bill.

[*English*]

INTERNATIONAL CO-OPERATION

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, pursuant to Standing Order 36 I rise today to table a petition on behalf of many Ottawa residents.

The petitioners are deeply concerned about and call on the government to direct aid to support girls' education in Pakistan.

I am pleased to table this petition on their behalf.

RIGHTS OF THE UNBORN

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, it is a pleasure for me to table a petition from constituents in my riding of Selkirk—Interlake.

The petitioners ask the House of Commons to amend section 223 of the Criminal Code to ensure that the definition of when a fetus becomes a human reflects 21st century medical science.

[*Translation*]

GATINEAU PARK

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, this morning I have the honour to present a petition from many people in support of legislation giving Gatineau Park the necessary legal protection to preserve it for future generations.

[*English*]

ABORIGINAL AFFAIRS

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, I have two sets of petitions to table this morning.

The first set of petitions include literally hundreds of signatures primarily from first nations people across Saskatchewan. The petitioners protest the provisions in Bill C-45 that specifically discriminate against aboriginal people.

They call upon Parliament to change its mind with respect to the aboriginal provisions contained, they believe wrongly, in Bill C-45.

• (1135)

HISTORICAL SITES

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the second group of petitions, 22 of them, come from literally thousands of people mostly across Saskatchewan and some from outside of the province.

The petitioners protest the downsizing of the Motherwell Homestead National Historic Site. They believe that site, which stretches back to the early agricultural history of Saskatchewan, is absolutely fundamental to the province and Canada.

They call upon the Government of Canada to maintain full funding for the Motherwell Homestead National Historic Site.

KAIROS

Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.): Mr. Speaker, I have two petitions today. The first is a petition on behalf of residents of Peterborough and other parts of Ontario.

The petitioners implore the government to restore funding to the group KAIROS, as KAIROS is renowned worldwide as Canada's most respected faith-based development and human rights group and has received funding from CIDA for over 35 years and that funding should continue.

EXPERIMENTAL LAKES AREA

Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.): Mr. Speaker, the second petition is with regard to the Experimental Lakes Area. Petitions continue to pour in on this issue.

The petitioners from Winnipeg and across Manitoba ask the government to restore the funding cuts for the Experimental Lakes Area, the most famous and important ecosystem research station in the world.

RIGHTS OF THE UNBORN

Mr. Jim Hillyer (Lethbridge, CPC): Mr. Speaker, I have two petitions.

The first petitions call on Parliament to re-examine the definition of when human life begins.

SEX SELECTION

Mr. Jim Hillyer (Lethbridge, CPC): Mr. Speaker, the second petition calls on Parliament to condemn the practice of discrimination through sex selective abortions.

THE ENVIRONMENT

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

The first is from a number of concerned Canadian citizens who want the Government of Canada to re-evaluate the northern gateway pipeline. The petitioners feel that it threatens the well-being of communities of people and habitats of animals. The pipeline would go through over 1,000 rivers and streams, which are key to the survival of salmon and the unique spirit bears and other species.

Routine Proceedings

The petitioners therefore request that the Government of Canada not approve the Enbridge northern gateway pipeline, not allow it to be built and make stricter environmental regulations in regard to such pipeline.

OLD AGE SECURITY

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, the second petition is from a number of citizens who are very concerned about the changes to old age security because the change from age 65 to 67 hurts the poorest seniors in this country. It effectively removes \$12,000 from the pockets of the average senior and contributes to senior poverty.

The petitioners call upon the Government of Canada to therefore maintain the age of eligibility for OAS at 65 and make the required investments in the guaranteed income supplement to lift every Canadian senior out of poverty.

TRENT-SEVERN WATERWAY

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, it is my pleasure to present a petition on behalf of residents of the province of Ontario.

The petitioners wish to draw the attention of the House to the fact that financial cuts to the Trent-Severn Waterway will have several adverse effects on the system that include: reduced recreational boating; drinking water systems being affected by lower and higher water levels; important first nations archeological discoveries being lost; fish populations being affected by the new development and possibly more invasive species entering the ecosystem, just to name a few.

They therefore ask that no cuts be made to this important water system.

SEX SELECTION

Mr. Kyle Seebach (Brampton West, CPC): Mr. Speaker, I am proud today to rise and present a petition on behalf of members of St. Anne's Catholic Church in my riding of Brampton West.

The petitioners state that preventing the birth of baby girls through sex selective abortions is an affront to the dignity and the equality of women and girls.

The petitioners therefore call upon the House of Commons to condemn discrimination against girls through sex selective abortion and to do all it can to prevent sex selective abortions from being carried out in Canada.

PUBLIC TRANSIT

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, I stand today to present a petition on behalf of many residents of my riding of Scarborough—Rouge River. The petitioners call upon the government to create a national public transit strategy.

Routine Proceedings

Canada is the only OECD country that does not have a national public transit strategy. It is estimated that over the next five years there will be a gap of \$18 billion in transit infrastructure needs. Residents of my community spend over two hours commuting to and from work by public transit because the location of most of the jobs is in downtown Toronto and in the northeast end of Scarborough.

The petitioners therefore call upon the Government of Canada to enact a Canada public transit strategy that would seek to provide a permanent investment plan to support public transit, establish federal funding mechanisms for public transit and establish an accountability measure to ensure that all levels of government work together to increase access to public transit.

• (1140)

SHARK FINNING

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, I have two sets of petitions today. The first is signed by hundreds of people from Guelph.

The petitioners call on the Government of Canada to immediately ban the possession, trade, distribution, or offer for sale of shark fins in Canada, understanding that shark fins, raw, dried and otherwise processed, are detached fins from living sharks.

ACCESS TO MEDICINES

Mr. Frank Valeriote (Guelph, Lib.): The other set of petitions calls on the Government of Canada to amend the Canada Access to Medications Regime, which would therefore enable easier access to generic drugs, particularly for people in countries like sub-Saharan Africa, in order to fight AIDS, tuberculosis and malaria.

It is a terrible tragedy. The act needs to be amended and the people of Guelph call on the government to revisit the issue.

SEARCH AND RESCUE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I have the honour today to present five petitions from hundreds of residents from places such as St. John's East, the adjoining riding of St. John's South—Mount Pearl and the riding of Avalon.

The petitioners are part of a continuing urging by people from my province, asking the Government of Canada to reverse the decision it made to close the Canadian Coast Guard maritime search and rescue centre in St. John's, Newfoundland and Labrador, to reinstate its staff and restore its full services.

As we know, the centre looks after a huge area of coastline, some 29,000 kilometres, and a huge area of ocean, populated by many people who earn their living from the sea, transport over it, or work offshore. It is extremely important that this service be reinstated.

The petitioners urge the government to recognize its mistake and reinstate the service.

[*Translation*]

PUBLIC HEALTH

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, I have the honour to present a petition signed by my constituents from Argenteuil—Papineau—Mirabel. They are calling on the House to support my Motion No. 400, in the interests of protecting water and public health in rural communities.

In rural areas, a large number of septic systems in isolated homes are outdated and require significant, urgent and costly work to be brought up to standard. This situation poses a serious potential risk to our water quality. Furthermore, because of the high cost of this work, some individuals are delaying updating their systems.

My constituents and I are urging the House to support this petition and my motion.

[*English*]

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to present two petitions. The first is from residents of British Columbia, including some from within my own riding in Sidney as well as as far away as Vernon.

The petitioners call upon the Conservative government to stop promoting the northern gateway pipeline and to look at the evidence and decline its approval.

FOREIGN INVESTMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is primarily from residents in the Parksville area of British Columbia but also from residents in Nanaimo.

With respect to a Privy Council decision, the petitioners ask that the government decline to ratify the Canada-China investment treaty as it is lopsided and would provide more markets to China than our Canadian businesses would have access to. This treaty would lock us in for up to 31 years and allow Chinese state-owned enterprises to sue Canada.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, the following questions will be answered today: Nos. 995, 996, 997, 998, 1000, 1012, 1013 and 1015.

[*Text*]

Question No. 995—**Mrs. Maria Mourani:**

With regard to Aéroports de Montréal (ADM), from 2005 to 2012: (a) what has been the relationship between ADM and the company Construction Gastier inc., (i) does ADM lease any kind of space to it on its airport sites, (ii) if so, since when, (iii) what is the lease cost, (iv) is there a security protocol between ADM and Construction Gastier inc. regarding this occupation of airport space; and (b) what has been the relationship between ADM and the company Construction Gastier international, (i) does ADM lease any kind of space to it on its airport sites, (ii) if so, since when, (iii) what is the lease cost, (iv) is there a security protocol between ADM and Construction Gastier international regarding this occupation of airport space?

Routine Proceedings

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, Aéroports de Montréal, ADM, a not-for-profit corporation without share capital, is responsible for managing, operating and developing Montreal-Trudeau and Montreal-Mirabel airports under a long-term lease with Transport Canada. ADM has full responsibility for managing business, contracts, tenders and leases of its airports, in compliance with the provisions of the lease and the applicable regulations. ADM operates independently, and Transport Canada does not interfere with the management of the corporation's day-to-day business.

Question No. 996—**Mrs. Maria Mourani:**

With regard to the business relationships maintained by Aéroports de Montréal (ADM): (a) with the company Construction Gastier inc., from 2005 to 2012, (i) did it receive contracts from ADM, (ii) what was the value of the contracts, (iii) were the contracts tendered or was a ministerial exemption required, (iv) if there was a ministerial exemption, what were the grounds for it, (v) is there a security protocol between ADM and Construction Gastier inc. on all contracts awarded; and (b) with the company Construction Gastier international, from 2005 to 2012, (i) did it receive contracts from ADM, (ii) what was the value of the contracts, (iii) were the contracts tendered or was a ministerial exemption required, (iv) if there was a ministerial exemption, what were the grounds for it, (v) is there a security protocol between ADM and Construction Gastier international on all contracts awarded?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, Aéroports de Montréal, ADM, a not-for-profit corporation without share capital, is responsible for managing, operating and developing Montreal-Trudeau and Montreal-Mirabel airports under a long-term lease with Transport Canada. ADM has full responsibility for managing business, contracts, tenders and leases of its airports, in compliance with the provisions of the lease and the applicable regulations. ADM operates independently, and Transport Canada does not interfere with the management of the corporation's day-to-day business.

Question No. 997—**Mrs. Maria Mourani:**

With regard to the public tendering of renovation and construction work at the Montréal-Trudeau Airport and any other public tendering at the Montréal-Trudeau Airport, from 2000 to 2012, for each public tender: (a) which companies submitted bids; (b) which companies were awarded the contract and carried out the work; (c) what documentation was made available to the companies in the public tender; (d) what costs did the airport charge companies in order to have access to the public tender; (e) are there security protocols between the airport and the companies that submitted bids and did not receive contracts; and (f) are there security protocols between the airport and the companies that submitted bids and were awarded contracts?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, Aéroports de Montréal, ADM, a not-for-profit corporation without share capital, is responsible for managing, operating and developing Montreal-Trudeau and Montreal-Mirabel airports under a long-term lease with Transport Canada. ADM has full responsibility for managing business, contracts, tenders and leases of its airports, in compliance with the provisions of the lease and the applicable regulations. ADM operates independently, and Transport Canada does not interfere with the management of the corporation's day-to-day business.

Question No. 998—**Mrs. Maria Mourani:**

With regard to untendered renovation and construction contracts at the Montréal-Trudeau Airport for which the airport requested a ministerial exemption, from 2000 to 2012, for each contract awarded: (a) which companies were awarded the contract and carried out the work; (b) what documentation was made available to these companies; (c) what costs did the airport charge these companies; (d) are there security protocols between the airport and these companies; (e) what are these security protocols; and (f) what justifications did the airport provide the department to be entitled to an exemption from the requirement to issue a call for tenders?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, Aéroports de Montréal, ADM, a not-for-profit corporation without share capital, is responsible for managing, operating and developing the Montreal-Trudeau and Montreal-Mirabel international airports under a long-term lease with Transport Canada. ADM has full responsibility for managing the business, contracts, tenders and leases of its airports, in compliance with the provisions of the lease and the applicable regulations. ADM operates independently, and Transport Canada does not interfere with the management of the corporation's day-to-day business.

Question No. 1000—**Ms. Irene Mathysen:**

With regard to the Department of Finance report titled "Economic and Fiscal Implications of Canada's Aging Population" released October 23, 2012: (a) which senior officials or outside consultants made recommendations regarding this report, including, (i) their names, (ii) their duties; (b) what was the total cost of the report; and (c) what portion of that cost was paid to outside consultants?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, the report titled "Economic and Fiscal Implications of Canada's Aging Population" was prepared by officials at the Department of Finance, economic and fiscal policy branch. There were no incremental costs associated with the report and no fees were paid to outside consultants.

Question No. 1012—**Hon. Wayne Easter:**

With regard to Transport Canada, how many requests for information, made pursuant to section 4 of the Access to Information Act, is the department currently processing, reviewing, or considering, and for each such request: (a) what is the file number; (b) what is the date on which the application was made; (c) what is the date on which the application was received; (d) what are the details of any extensions of time limits made pursuant to section 9 of the Act; and (e) what are the details of any complaint which has been made to the department in respect of the request?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, the access to information and privacy electronic database does not have the capability to generate the requested information in both official languages.

Question No. 1013—**Ms. Joyce Murray:**

With regard to foreign affairs: (a) did Canada vote in the October 2012 vote to ratify the membership of Rwanda in the United Nations Security Council and, if so, how did Canada vote; and (b) what was the foreign policy rationale which governed Canada's vote or abstention from the vote?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, given the secret nature of the ballot, Canada does not make public its voting decisions for membership in the United Nations Security Council. In the case of the Africa group, there was only one candidate.

Routine Proceedings

Question No. 1015—Hon. Hedy Fry:

With regard to Aboriginal affairs, how many persons have been registered on the Indian Register on or after November 20, 2002, as members of (i) the Sheshatshiu Innu First Nation, and (ii) the Mushuau Innu First Nation, distinguishing the number of persons so added who were born before November 20, 2002, and those who were born on or after November 20, 2002?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, the two first nations were created by order in council on November 21, 2002. At that point, there were 691 people on the founding list for the Sheshatshiu Innu First Nation, and 491 people on the founding list for the Mushuau Innu First Nation.

Additionally, there was a follow-up list on August 22, 2003, which added 158 members to the Sheshatshiu Innu First Nation list and 94 members to the Mushuau Innu First Nation list.

Since that time, an additional 585 persons were added to the Sheshatshiu Innu First Nation list, with 322 of those individuals being born before November 20, 2002, and 263 individuals being born after that date.

Three hundred persons were added to the Mushuau Innu First Nation list, with 96 of those individuals being born before November 20, 2002, and 204 individuals being born after that date.

* * *

• (1145)

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, if the supplementary response to Question No. 984, originally tabled on November 30, as well as Questions Nos. 988, 1003, 1005, 1006, 1010, 1016 and 1022 could be made orders for returns, these returns would be tabled immediately.

[Text]

Question No. 984—Mr. Pierre Nantel:

With regard to Canadian missions abroad (embassies, consulates and delegations within international and regional organizations) and for each of these missions and for fiscal years 2005-2006 to 2012-2013, inclusively: (a) how many positions were related to culture; (b) what were the titles of these positions; (c) where were they located in the mission's hierarchy; (d) what were the duties of these positions; (e) how many artistic or cultural projects received support from the people occupying these positions; (f) what form of support did these projects receive; (g) to what art form are these projects linked to; (h) how many Canadian works of art were on display in the rooms of the mission; (i) how many public activities promoting Canadian culture took place and what were these activities; (j) how many private activities promoting Canadian culture took place and what were these activities; and (k) how much of the mission's budget was allocated to cultural activities or programs, (i) what were the names of these programs, (ii) how much funding was allocated to each of these programs?

(Return tabled)

Question No. 988—Mr. Pierre Nantel:

With regard to the Minister of Canadian Heritage, for each year between 2008 and 2012, on what dates were meetings held with the following individuals and what subjects were discussed: (a) President and Chief Executive Officer, CBC/Radio-Canada; (b) Chairman, Canadian Radio-television and Telecommunications Commission; (c) Librarian and Archivist of Canada; (d) Chairperson, National Film Board; (e) Executive Director, Telefilm Canada; (f) Director and Chief Executive

Officer, Canada Council for the Arts; (g) Chair, National Battlefields Commission; (h) Director, National Gallery of Canada; (i) Chairperson, National Gallery of Canada (j) President and Chief Executive Officer, Canadian Museum of Nature; (k) President, National Arts Centre; (l) Executive Chef, National Arts Centre; (m) President, Canadian Museum of Civilization; (n) Chairman, Canadian Museum of Civilization; (o) President and Chief Executive Officer, Canadian Museum for Human Rights; (p) Chairperson, Canadian Museum of Immigration at Pier 21; (q) Director, Canadian Museum of Immigration at Pier 21; (r) Director, Canada Science and Technology Museum; and (s) Chair, Canada Science and Technology Museum?

(Return tabled)

Question No. 1003—Mr. Scott Andrews:

With regard to the Department of Fisheries and Oceans (DFO): (a) how many applications for License and Authorization for Port Activity and Exclusive Economic Zone (EEZ) Entry by a Foreign Vessel have been received from January 1, 2007, to October 19, 2012; and (b) what are the details for each application in (a), including (i) the name of the vessel, (ii) the type of vessel, (iii) the country and port of registry, (iv) the owner's name, (v) the designated representative in Canada, (vi) the Canadian port for which access is requested, (vii) the reason for the visit to port or EEZ access, (viii) the area fished, (ix) the date of entry, (x) the actual date of departure, (xi) whether the application was approved, approved with conditions, or rejected?

(Return tabled)

Question No. 1005—Ms. Joyce Murray:

With regard to national historic sites and the response given by the government to Order Paper question No. 773 of the current session of Parliament which states, "The majority of national historic sites have maintained similar opening and closing dates for 2012; however, some sites opened on June 1 and closed on the Labour Day weekend": (a) what is the exact number of national historic sites that have maintained similar opening and closing dates for 2012; (b) what is the exact number of national historic sites which opened on June 1 and closed on Labour Day weekend; and (c) for each individual historic site, what were the opening and closing dates in 2011 and in 2012?

(Return tabled)

Question No. 1006—Ms. Joyce Murray:

With regard to the ocean fertilization experiment conducted by the Haida Salmon Restoration Corporation in the Pacific Coast waters around Haida Gwaii during the summer of 2012: (a) when and how was the government made aware of the experiment; (b) what specific requests were made of the government and how did the government reply to those requests; (c) what impact does the government anticipate the experiment will have on the local marine ecosystem; and (d) is the experiment in violation or contravention of any international agreement or moratorium, including the U.N. Convention on Biological Diversity or the London Convention on Dumping of Waste at Sea?

(Return tabled)

Question No. 1010—Hon. Bob Rae:

With regard to the Canada Employment Insurance Financing Board: (a) what are the details of all costs associated with its establishment, operation and oversight, broken down by fiscal year, for each fiscal year since its establishment; and (b) what are the anticipated costs of the dissolution of the Board?

(Return tabled)

Question No. 1016—Hon. Hedy Fry:

With regard to Health Canada, what grants and contributions under \$25,000 did it award from January 1, 2011, to the present, including the recipient's name, the date, the amount and the description?

(Return tabled)

Question No. 1022—Mr. Francis Scarpaleggia:

With regard to FedNor, what grants and contributions under \$25,000 did it award from January 1, 2011, to the present, including the recipient's name, the date, the amount and the description?

(Return tabled)

[English]

Mr. Tom Lukiwski: Mr. Speaker, I ask that the remaining questions be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

STRENGTHENING MILITARY JUSTICE IN THE DEFENCE OF CANADA ACT

The House resumed from October 23 consideration of the motion that Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts, be read the second time and referred to a committee, and of the motion that the question be now put.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am pleased to have a second opportunity to address the bill. Earlier today, I was referred to as being a one-man filibuster. I do not know how that could be. I think I spoke to the bill for 20 minutes back in March or May. If the members opposite want to see a filibuster, they should read the transcript of the justice committee meeting that took place last March on Bill C-10 where it was necessary for me to speak for at least six or seven hours in order to get some sense brought to the members opposite in terms of ensuring that at least some discussion would take place on the massive justice bill that the government put before the House. Bill C-10 was the omnibus justice bill that brought together seven, eight or nine pieces of legislation with over 200 amendments that it sought to get through committee in one day. When members opposite talk about getting a bill to committee, they are talking about a committee where they have the hammer and they can control procedure in any way they want.

I am not opposed to the bill going to committee because it needs to go to a committee. We have a new committee and, as with all committees, there is a majority of members opposite on that committee. There are new members, both from our side as well as from the other side, who were not part of the debate in the last session. However, what we are seeing in the chamber on this bill is a tremendous amount of interest by members in our party to talk about the concerns we have with respect to military justice.

I only have a few minutes but I will outline some of the principal ones. One concern is with the function of summary trial procedures before military tribunals. A summary trial takes place without a great deal of formality, as opposed to a court martial which is a much more significant judicial procedure. The reality is that more than 93% of offences that members of the military are charged with are dealt with in a summary trial proceeding. They appear before their commanding officer who listens to what they have to say, hears witnesses, makes a determination and imposes a penalty, which could be anything from incarceration, loss of rank or a fine equal to a month's pay. Many of these penalties are in breach of the Criminal Code. If I had a lot of time I would get into that. However, some of the offences are as simple as being absent without leave or being drunk

Government Orders

in a facility which could result in a criminal offence. The nub here is that a procedure of a summary nature could result in a criminal offence.

What is wrong with that is that people do not have access to a lawyer nor do they have a lawyer present for these hearings. It is not an independent tribunal. The CO knows the person, the witnesses and probably a bit of the history of the case because he or she may have heard about it before the person appears before him or her but there are no rules of procedure or evidence. Therefore, it is very unlike the kind of trial that people would have in a civilian court if they are charged with an offence by the police. As there is no transcript, it makes it impossible to appeal under the law and yet the decision could still result in criminal record. That is wrong and it offends our sense of justice in this country.

In the committee in the last Parliament, we sought to make some significant changes to that. In the end, there was an amendment made principally to clause 75 of Bill C-41 which took a series of offences away from the criminal record circumstance. It was not enough, in our view, but some progress was made in the last Parliament. The bill came back to the House and there was a willingness to pass it in the dying days of the last Parliament.

• (1150)

Despite the Conservatives' alleged anxiety today and over the last number of weeks to have this bill passed and sent to committee, even though it was in the last Parliament and had reached various stages, they did not, for some reason, call it before the House. We were ready to see it passed through Parliament because there was an anxiety to have these measures put forward. We were co-operative even though it was a minority Parliament but the government did not see fit to call the bill for debate and have it passed.

Now we are back again and the Conservatives have a majority. A whole series of amendments were brought forward in the last Parliament. Were they in the new bill? No. They were stripped out after having deliberations at committee, listening to all the witnesses, having debate and passing reasonable amendments, although not all the ones we wanted. The Conservatives say that want to make progress. If they want to make progress, why did they not put back the bill that was ready to be voted on in Parliament? It is because they decided that they wanted to remove the progress that had been made in the last Parliament.

Mr. Chris Alexander: Why did you force an election?

Mr. Jack Harris: Mr. Speaker, I hear some noise from across the way. I know the member for Ajax—Pickering wants to participate in the debate. If so, I would encourage him to stand when I finish and give a speech and let us hear what he has to say about this.

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The principal problem is that the government has gone back on the progress that was made and yet continues to say that it is trying to make progress. It is not making enough progress and we want to assure the people of Canada and the military that we intend to try to have a better system of military justice. There is a whole series of clauses that were amended in the last Parliament that are missing from this.

The other principal area that we have concern with, although there are several others, is the grievance procedure. The grievance procedure is unwieldy. Some improvements have been made. The military people who file grievances have the right to grieve. We put forth amendments to have civilian representation on the grievance board. Most of the grievances are really of an employment nature as opposed to a military nature and could be properly handled with the right kind of civilian oversight and participation. However, the government continues to fill the military board with military personnel, mostly of the officer class, and it is a long and unwieldy procedure.

The CDS, in the end, has the final say, except there is one major problem. The CDS can say that he or she agrees with an individual's grievance but then, if the individual is complaining that the \$1,500 moving allowance that he or she was supposed to get was denied to him or her, the CDS, who is the final authority, may agree that the person is entitled to the money but the \$1,500 cannot be awarded. What happens then? The grievance then has to go to lawyers at the Department of Justice to determine whether the person has a legal case against the Crown for the \$1,500. What do we have that for? It makes no sense.

A good example that has been going on for some time is the home equity allowance that military members are entitled to. If they move from one place to another and lose money on the sale of their home, they are entitled to have that reimbursed from the military. Guess what? Somebody in Treasury Board has decided there is no such thing as a depressed market for real estate in Canada and people who have lost between \$70,000 and \$80,000 on the resale of their home can only get a maximum of \$1,500. Despite the Chief of the Defence Staff agreeing with the grievors and saying that it is wrong and that they should get the money, it is no dice. It cannot happen because, despite the final say going to the Chief of the Defence Staff, we have the lawyers, the Treasury Board and others holding this up.

● (1155)

Those are some of the things wrong with the bill. We want a fulsome debate and a willingness on the part of the government to try to change those things.

[*Translation*]

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

He mentioned, obviously, that this bill contained a number of flaws, including the use of summary procedures resulting in a criminal record. In these cases, the accused cannot even consult with counsel, and there is no appeal and no transcript.

Could my colleague talk about the negative and harmful impact this will have on individuals transitioning from military to civilian life?

[*English*]

Mr. Jack Harris: Mr. Speaker, the problem is twofold. We do not have any objection to a summary procedure. Most people may want to plead guilty, get it over with and recognize that they will not necessarily be treated terribly harshly. That is all well and good, and military discipline requires the availability of a summary procedure. What I object to and what I think most people object to is that if an individual ends up with a criminal record after that, it can interfere with the person's future life.

People cannot even get a pardon anymore because the government has changed the Criminal Records Act so that there are no more pardons unless they have a cabinet pardon. The royal prerogative of the Crown can still grant them a pardon. Somebody famous might be able to get a pardon from the cabinet if they are important enough, but there are no pardons for ordinary citizens, including ex-military.

The government would call it a record suspension, whatever that means in the minds of Canadians. Therefore, when people have a criminal record and cannot have access to a pardon, it can affect their employment status and their travel to other countries. It could affect any number of opportunities they might have, and we think that is very detrimental.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the member opposite once again alternates between regretting that amendments have not been included in the bill, which can only be made, discussed and brought forward in committee, where he refuses to allow the bill to go, and regretting that an election took place, which his party helped to force in 2011.

I understand that he may regret that members, like myself, elected for the first time in 2011, are here. I am sorry but he will just have to live with that. Time does move on. However, when it comes to amendments, he has heard our Minister of National Defence and he has heard our side say that we are prepared to introduce at least one of those amendments and to discuss the others that he has raised today.

We have had this discussion repeatedly in this House on this issue. His statement comes very close to being dilatory because we have heard all those points before. However, there was one flash of insight, of potential for progress in his speech. He said that he has no objection to moving the bill to committee. Would he not agree with all of us on this side that now is the time for the bill to go committee? As Chief Justice Antonio Lamer said in his report:

These soldiers who risk their lives for our country deserve a military justice system that protects their rights in accordance with our Charter, while maintaining the necessary discipline for achieving successful missions.

They do not have that at the moment until the member for St. John's East releases his grip on our process and allows the bill to go to committee.

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● (1200)

Mr. Jack Harris: Mr. Speaker, I find my colleague's remarks somewhat amusing. I do not regret his presence in this House. I welcome his presence in this House. What I regret is the fact that some of his views are rather surprising given his experience, education and obvious intelligence. I am surprised he is not sitting on the front benches, in the cabinet, given the background he brought to this House. However, I do regret some of the partisan things that he says.

We do want to see the bill debated at an appropriate time in committee. We have been seeking to get some indication from him, other than the fact that he is prepared to talk in the committee, that some progress will be made. We have made a tiny bit of progress. The Conservatives have agreed to put one of the amendments back on to where it was before. That is a start. I look forward to having some other discussions with him before we pass this forward.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I am very pleased to rise on Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts.

I do want to take just a moment to acknowledge that today, being December 6, is our National Day of Remembrance and Action on Violence Against Women. It is a day etched in Canadian history because of the shooting deaths of 14 women in 1989 in Montreal. They were shot by a man who deliberately targeted them on that day, on a busy Montreal campus.

It is a day when we remember those women, but we also recommit to taking action to end violence against women and girls in Canada. It is a very important day for us today.

I also want to deal with the bill at hand. As my colleague, the previous speaker, just reported, we acknowledge that this bill does take some steps forward, but it falls far short of where it needs to go. It is a bill that amends the National Defence Act to strengthen military justice. It is something that has been a long time coming. We remember the 2003 report of the Chief Justice of the Supreme Court, the Right Hon. Antonio Lamer, and his recommendations.

Basically what we are dealing with is the right to basic fairness, for those who serve in our military, when it comes to their rights in a judicial system within the military. Certainly on this side of the House, in the NDP, we believe in bringing more fairness to the Canadian military justice system, for men and women who put on a uniform and therefore put their lives at risk for the people of Canada. We believe they need to be treated fairly.

I trust a lot of Canadians would be shocked to learn that the people who bravely serve our country can get a criminal record from a justice system that lacks the basic due process that is required in Canadian civilian criminal courts. That is what we are dealing with here today.

We believe that the Canadian Forces are held to an extremely high standard of discipline. That is as it should be, but they in turn deserve a judicial system that is held to a comparable standard.

I will talk for a moment about the ease with which military personnel can get a criminal record, which makes life very difficult for them after their military service. It can affect everything from

getting a job to renting an apartment to making travel very difficult. We recognize the serious challenges this can provide.

While we recognize that Bill C-15 does provide greater flexibility in sentencing, greater sentencing options, and this is a positive step in the right direction, this bill falls far short in reforming the summary trial system, in reforming the grievance system and in strengthening the Military Police Complaints Commission.

I want to say that an earlier version of this bill, in the last Parliament, had similar problems, but the government at the time was willing to accept a number of amendments from the NDP. The government adopted those amendments and the committee recommended the amended bill. It strengthened the bill and made it acceptable.

Yet, when the government brought in this bill in this new Parliament, it is back to the old provisions. The government has abandoned addressing many of the recommendations pertaining to military justice that the Lamer report proposed, and it has not included in this bill many of the substantive amendments that New Democrats had proposed.

● (1205)

I want to just go over these briefly for those who are not familiar with this system.

First, I will address the summary trial system, where the vast majority of charges that come forward are dealt with. It is meant to deal less formally with problems, and it deals usually with minor offences. That includes such offences as insubordination, absence without leave, quarrels, frictions that happen in daily life. These are matters that can be important to military discipline, so we understand that it is important they be dealt with, but through the current system they can result in a criminal record. Through this complaints procedure, military personnel are held without the ability to consult with counsel, there are no appeals or transcripts and often the person who is the "judge" is the person's commanding officer. So personnel can be found guilty of some very minor offence and that can result in a criminal record, which can follow them in post-military life. The government was willing to accept an amendment on this in March 2011, and now it has seemingly abandoned that openness.

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Next, I will talk about the grievance system. At present, the grievance committee does not provide a means of external review. It is usually staffed by retired Canadian Forces officers. It is our belief that members of this board should be drawn from civil society and not exclusively be military personnel. Our proposal is that 60% of the members of this grievance system be people who are not and have never been non-commissioned members of the Canadian Forces. Again, the government did accept this in the former Bill C-41 and now is refusing to do that. In terms of resolutions of complaints, another problem we have with the grievance process is that the Chief of the Defence Staff lacks the ability and authority to resolve any financial settlements or aspects arising and resulting from a grievance. We believe this is also a problem. It was a recommendation of the Lamer report to include this. We did have an amendment accepted earlier and we would like to see that back in here. We will fight to have this included again.

The last point is on strengthening the Military Police Complaints Commission. Bill C-15 would amend the National Defence Act to establish a timeline within which the Canadian Forces Provost Marshal would be required to resolve conduct complaints, as well as protect complainants from being penalized for submitting a complaint in good faith. This would be a step forward, but we think more needs to be done to empower the commission. This commission is not provided with the necessary powers to act as an oversight body. The Military Police Complaints Commission must be empowered by a legislative provision that would allow it to rightfully investigate and report to Parliament.

The concerns we are raising have been raised by civil liberties organizations and by members and retired members of the armed forces, and I could cite at length from their statements about this bill. However, we believe there are serious concerns that should be addressed, and we will work to defend the rights of our armed forces to a fair judicial system.

• (1210)

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I thank my colleague for her speech. She spoke about how strict the summary trial system is.

The United Kingdom, Australia, New Zealand and Ireland have found it helpful to change the summary trial process. Why does the member think Canada is lagging behind on this issue?

Ms. Peggy Nash: Mr. Speaker, I thank my colleague for her question.

Many other countries have changed their trial system for members of the military. Canada is behind in terms of changing its military trial system. It is really unfair to those who serve in our military and who are prepared to give their life for their country. We owe them a fair and equitable military trial system, and that is what we are proposing with an amendment to this bill.

[*English*]

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, in her speech on this bill, the hon. member linked it to a number of initiatives this government has been taking and that all Canadians want us to take to improve the justice system in many areas. These include improving protection for

victims, preventing them from becoming victims in the first place, which is at the core of our justice agenda, and above all dealing with the very urgent problem of violence against women, which we are thinking deeply about this week because of today's anniversary and the scale of the challenge it presents, which we know is still too great in this country.

However, Bill C-15 is about improving the justice system for military members of the Canadian Forces to ensure that the punishments handed down at summary trials and courts martial are appropriate to the gravity and type of offence, and to make the sentences broadly comparable to those existing in the civil system.

Does the member opposite agree that these are important measures that should be implemented? Does she also agree that it is time to move this bill to committee where witnesses can be called and these measures and others can be debated at length, so that we can implement these modernizing proposals for the military justice system, which have, to be very frank, been before this House in successive Parliaments for far too long?

Ms. Peggy Nash: Mr. Speaker, first, I would ask the member why his government did not pass the bill in the last Parliament. An improved bill could already have been law.

It is one thing to say that the government is taking some baby steps forward, but let us be frank here that there are basic planks of judicial fairness in the criminal justice system that are not present for our military personnel. That is a disgrace.

I will say one other thing about the Conservative government and how it has treated people who have come here as war resisters. There are people who have come here as conscientious objectors having served in the U.S. military in a way that Canada and 82% of Canadians have not supported. People like Kimberly Rivera from my riding, a mother of four children, in all good conscience realized that they were in Iraq for the wrong reason. However, she was not allowed to stay here. She has been sent back to the U.S. where she is facing a court martial and is separated from her four small children and husband. That is the kind of justice the Conservative government believes in, and it is unacceptable.

• (1215)

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I would appreciate it if you could let me know when I have one minute left.

I am pleased to rise in this House to speak to Bill C-15. We have to make sure, first and foremost, that the men and women who work to defend us are able to represent us in the armed forces and have the tools to avoid putting their lives at risk unnecessarily. We also have a responsibility to provide them with an operational framework that is appropriate and fair.

And that is what Bill C-15 on the military justice system, which is now before us, claims to do. This bill originates in the responsibility of the Minister of National Defence to arrange for an independent review of the amendments to the National Defence Act every five years. That requirement is set out in clause 96 of Bill C-25 which was assented to in 1998.

In 2003, Justice Antonio Lamer was instructed to examine the provisions and application of Bill C-25. He concluded that "Canada's military justice system generally works very well, subject to a few changes". Justice Lamer proposed those few changes in the form of 88 recommendations, some of which were addressed in Bill C-7, which became Bill C-45, and then C-60.

After Bill C-60 was passed and assented to, it too was the subject of a review, this time by the Standing Senate Committee on Legal and Constitutional Affairs of the House of Commons. That report was released in 2009 and is entitled "Equal Justice: Reforming Canada's System of Courts Martial". Bill C-41, which is now Bill C-15, was to act upon the nine recommendations in that report, which addressed both the Lamer report and Bill C-60.

The justification for having a separate justice system for the armed forces has been repeatedly demonstrated, and in 1992 the Supreme Court of Canada did so very eloquently in *R. v. Généreux*. One piece of tangible evidence of the importance of having a system that is specific to the military, as Justice Lamer himself admitted, is the fact that certain offences in the Code of Service Discipline do not have the same importance in the civilian justice system, and sometimes there is no equivalent for those offences: for example, disobeying an order of a superior officer.

The Minister of National Defence referred in committee to the old adage that our justice system is a living tree, meaning that the military justice system has to evolve. The Senate committee summarized that very well when it said that "the military, as an organization, benefits when the rules that govern it largely reflect those that apply to Canadian society in general".

However, we must be careful not to fall into the other extreme, and make sure that, notwithstanding this overriding disciplinary aspect, people who work in the armed forces do not lose their rights that are guaranteed by the Canadian Charter of Rights and Freedoms.

The Senate committee also stated that "with the exception of section 11(f) of the Charter, the rights enumerated in the Charter do not distinguish between proceedings under the military and civilian justice systems".

As well, the Supreme Court of Canada has held that this separate justice system does not violate the individual's rights since it is still able to guarantee the individual "the right to equality before the law and to be tried by an independent and impartial tribunal". It is therefore essential to ensure that the actors in the military system are effective, independent and impartial.

Let us now come back to the crux of this bill, which, I must say, has become weaker with every version. Although, according to a Supreme Court justice, Bill C-45 did not resolve the problem it was created to address, Bill C-15, which we are currently discussing, does not take into account all the work done in committee during the examination of the previous version of the bill, Bill C-41.

Government Orders

In fact, some amendments that were adopted in the past were not included in this new version of the bill. Yet, these amendments changed practices that did not fit with the desired evolution of the military justice framework.

I hope I have enough time left to talk about the three main amendments proposed by the NDP, which were adopted in the past but excluded from Bill C-15.

The first is the reform of the summary trial system, so that a conviction at a summary trial in the Canadian Forces no longer automatically results in a criminal record. During hearings before the Senate committee, many witnesses expressed their disagreement with this practice. There is even more cause for concern given that most offences are dealt with in this manner.

Michel Drapeau, one of the witnesses, said:

There is currently nothing more important for Parliament to focus on than fixing a system that affects the legal rights of a significant number of Canadian citizens every year....

From where I stand, I find it very odd that those who put their lives at risk to protect the rights of Canadians are themselves deprived of some of those charter rights when facing a summary trial.

● (1220)

At committee in March of the previous year, the amendments to Bill C-41 proposed by the NDP called for the list of offences that could be considered to be minor, and not merit a criminal record if a minor sentence were imposed for the offence in question, to be increased from five to 27. The amendment also adds to the list of penalties a tribunal may impose without them being entered on the record, for example, a severe reprimand, a reprimand, a fine equal to one month's salary and other minor sentences. That was significant progress in terms of summary trials, but since that amendment was not included in Bill C-15, we want it to be included now.

The second amendment concerns the military grievances external review committee. Currently, the grievance board does not allow reviews by people outside of the military system. It is made up of retired members of the Canadian Forces. We would like the committee to be perceived as an independent, external civilian body. There is a problem with the makeup of the committee and the appointment process if the armed forces want to maintain that reputation. Committee membership should therefore include individuals from civilian society.

The NDP's amendment suggested that at least 60% of the members of the grievance committee should never have been a Canadian Forces member or officer. This amendment was agreed to in March 2011 for Bill C-41, but it was not included in Bill C-15. It must be put back in the bill.

Government Orders

One major flaw in the current military grievance system is the fact that the Chief of Defence Staff can resolve certain financial matters arising from grievances. That goes against a recommendation in the Lamer report. Despite the fact that the Minister of National Defence supported the recommendation, the government has failed to act on it for the past eight years. The NDP proposed an amendment to do with this at committee stage of Bill C-41. Even though it was agreed to in March 2011, it was not included in Bill C-15, and the NDP will fight to put it back in the bill.

The third amendment that I would like to talk about would strengthen the Military Police Complaints Commission. Bill C-15 amends the National Defence Act to establish the time required for the Canadian Forces Provost Marshal to resolve complaints and protect complainants from being penalized for having filed a complaint in good faith.

Giving the Military Police Complaints Commission more power, effectively turning it into a watchdog, was virtually ignored. There should be a legislative provision to give the commission more power so that it can be authorized to investigate and report to Parliament.

In conclusion, the fact that the Conservatives deliberately botched the bill and removed some of the key elements that resulted from the hard work done by the members of the House of Commons committee and all parliamentarians in this House is further proof of this government's lack of respect and consideration for the parliamentary process.

Why did the Conservatives not keep the amendments proposed by the NDP and adopted at committee stage last spring, when Bill C-41 was studied, after long hours of debate that seemed to have moved the bill in the right direction?

By not including these amendments in Bill C-15, the Conservatives are undermining the important work done by all members of the Standing Committee on National Defence and also the recommendations made by Canadian Forces representatives during the last session of Parliament. The Parliamentary Secretary to the Minister of National Defence rose in the House to give the first speech at second reading. He said:

...the government, the Supreme Court of Canada and even the Constitution recognized the importance of maintaining a robust military justice system.

This government also recognizes, as did Chief Justice Lamer in his 2003 report, that there is room for improvement.

If the parliamentary secretary really meant what he said, why did he ignore all the improvements made by this Parliament in committee? Although truly unfortunate, that is the Conservative government's approach. Not only has it dropped the amendments agreed to in committee, but it has ignored a number of recommendations, picked the ones it wants and rejected the rest.

The official opposition will oppose the bill at second reading, knowing that the bill will be referred to committee. And we truly hope that the amendments agreed to when the committee studied the issue will be included in order to make this a more balanced bill.

• (1225)

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I had the privilege of serving in the Canadian Forces. I was posted to

Lancaster Park, just north of Edmonton. The military jail was out there. Periodically we would get into discussions about military justice. There are different needs for one who is in the service that sometimes go a bit beyond the needs of a civilian, if I may put it that way.

I had the opportunity to speak to Bill C-15 previously. From the Liberal Party of Canada's perspective there is always room for improvement. We see the merit in trying to improve the legislation. We would also like to see the bill ultimately get through the system.

Could my colleague tell me if the NDP is going to accommodate the passage of the legislation this year, so that it could go to committee where we could hear from some of the stakeholders? Maybe he could shed a bit of light on that point.

[Translation]

Mr. Guy Caron: Mr. Speaker, clearly, we are eventually going to vote at second reading. The bill is very important to the members of the official opposition, the NDP, here in the House. Many of them have expressed their desire to talk about their disappointment with regard to the fact that the amendments adopted by the committee were not included in the bill. That is why we will oppose the bill when we vote on it at second reading.

I would like to point out that, if this bill were important to the government, then it would have been discussed in the House a long time ago. I would like to remind hon. members that right now we are talking about Bill C-15, and we just voted on Bill C-45. It therefore seems that certain issues are more important to the government than others. Unfortunately, this bill does not seem to be one of the government's priorities, since the government waited so long to bring it forward for us to discuss.

Eventually, we will vote on this bill, but I would not want to see the official opposition deprived of their opportunity to speak about it at second reading, because that is their right.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I must right away correct the hon. member for Rimouski-Neigette—Témiscouata—Les Basques because, from the beginning, the government has been very determined when it comes to this bill.

We introduced this bill in the House in 2011. If almost all of 2012 has passed without this bill even being sent to committee, it is not our fault but, rather, that of the NDP. Now, even the Liberals are calling for the NDP to send the bill to committee as quickly as possible.

I have a question for the hon. member about the substance of his speech. He and a number of his colleagues complained about summary trials, which are an important aspect of the military justice system. He quoted Colonel Drapeau, who is now retired. I would like to quote what Mr. Lamer said in the report itself. He said that the summary trial process is likely to survive a court challenge as to its constitutional validity.

Is the hon. member aware that former Chief Justice Lamer has already said this about summary trials?

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• (1230)

Mr. Guy Caron: Mr. Speaker, I would like to thank the hon. member for Ajax—Pickering for pronouncing the name of my riding correctly, which rarely happens in the House.

Regarding the member's first intervention, I hope he does not want to take away the right of duly elected members on both sides of the House to speak, as is their right at second reading and as we are doing right now. Since the government has a majority, the member knows very well that the bill will go to committee and will be examined in committee.

Our point here is simply that we need to focus on the fact that the committee adopted some of the amendments proposed by the NDP—three, to be specific—yet those amendments did not survive Bill C-45. They were not included in the bill currently before us, Bill C-15. We really want to emphasize that point. We want the government to understand the importance of those issues.

With regard to summary trials, I would remind the hon. member that we heard testimony from retired Colonel Drapeau. We found his testimony to be very powerful. I would remind the House that in 2008-09, some 1,865 cases were dealt with by summary trial, and only 67 cases were tried through court martial. We think this is an extremely important issue. I hope the government will eventually take the NDP's arguments into account and consider our amendments.

[*English*]

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, I truly appreciate this opportunity to speak to Bill C-15.

In October 2011, the Minister of National Defence introduced the bill, which amends the National Defence Act in order to strengthen military justice. This, of course, follows the 2003 report from former chief justice the Right Hon. Antonio Lamer and the report of the Standing Committee on Legal and Constitutional Affairs.

As members will know, Bill C-15 had earlier incarnations. We have spoken briefly of Bill C-7, which died on the order paper due to prorogation. Members will remember the prorogation, when the government saw fit to escape the House because there were certain allegations in regard to the appropriate behaviour of the government. Again, we saw Bill C-45, another earlier incarnation, disappear during the election of 2008.

In 2010, Bill C-41 was introduced, again in response to Justice Lamer's report. It outlined provisions related to military justice, such as sentencing reform, military judges and committees, summary trials, court martial panels, the provost marshal, and limited provisions related to the grievance and military police complaints process, which of course brings us to Bill C-15.

I believe it is important for me to speak to the bill, because justice is more than just a system of laws and regulations. It is also a fundamental value for me, for my NDP colleagues and certainly for the military and Canadians across this land.

The bill is a step in the right direction. We have heard that a number of times, but it does not address the key issues related to reforming the summary trial system, the grievance system and for

strengthening the Military Police Complaints Commission. These are key objectives that cannot be ignored.

While the bill's primary objective is laudable, it does not satisfy our objectives. Much needs to be done to bring the military justice system more in line with the civilian justice system. We on this side of the House want a comprehensive bill that adequately addresses the problem. No justice system is perfect. We have seen that over the years. However, that should not stop us from trying to improve our system as much as possible. Key elements have been left out of Bill C-15: reforming the summary trial system, reforming the grievance system and strengthening the Military Police Complaints Commission.

In fact, the NDP included these three elements in amendments to the previous version of Bill C-15, which of course was Bill C-41. Oddly, and I do say oddly, these amendments are now absent. It is a strange coincidence.

As I said, the NDP is not opposed to the spirit of the bill. What we want is to work with the government to get it right, in order to ensure that the bill is relevant and that its scope is broad enough. I am at a loss to understand why the government did not include the three elements I referred to in Bill C-15. They are important for consistent military justice reform.

Let us look specifically at the grievance system. We will start with that one. We must understand it in order to appreciate the importance of the improvements proposed by the NDP. I would like to quote the directive on military grievances, which can be found on the Department of National Defence's website. It indicates that:

The DND and the [Canadian Forces] shall manage all grievances through the Canadian Forces Grievance System...and ensure that: all grievances are processed as efficiently and expeditiously as possible; a CF member is not penalized for submitting a grievance; and assistance is made available to a CF member in the preparation of a grievance.

The last point is very important. The Canadian Forces has the responsibility to help its members because they do not have a union-type association to defend them. This lack of counterbalance is another reason why it is important to ensure that we have an effective and impartial system.

• (1235)

The NDP proposed two improvements. First, we proposed that at least 60% of grievance board members be civilians who have never been officers or members of the Canadian Forces; and second, that the Chief of Defence Staff be given more authority to resolve the financial aspect of grievances.

The first improvement, namely that the grievance board strike a balance between military and civilian membership, is important to ensure that this process be perceived as external and independent. When it comes to the military, it is critical that everyone in the country is able to see that the system is independent and fair. Members of the military have a great deal of experience in managing such situations, so it is rather important that they be truly involved in the process. However, the presence of civilians is also essential to dispel any idea that members of the military are subject to a different kind of justice than ordinary Canadians.

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It is also essential that Canadian Forces Grievance Board be effective and absolutely beyond reproach. The NDP believes that a significant civilian presence on the board would help maintain this perception. When we look at how to strengthen the Military Police Complaints Commission, the merit of this idea and our position is quite obvious. Police officers, as an example, are agents of social control and play a key role in our society based on the rule of law. They are effective not only because they have the equipment, the manpower and the authority, but also because they are perceived as legitimate by the public.

The military police is no exception. For a police force to operate properly, whether it be military or civilian, it must have the approval of those under its authority. A police force gains legitimacy through its perceived integrity. This perception is built on the actions of the police force and the perception of fairness and justice in its operations.

There is no better way to prove the integrity of a police force than by having a strong monitoring body. A Military Police Complaints Commission that is legitimate and reports to Parliament is the best way to ensure fairness in the actions of military police and, just as importantly, the perception of fairness and justice by Canadians.

We on this side of the House also recommended that the Chief of Defence Staff have more authority to resolve financial aspects related to grievances. This is a simple requirement to ensure that the grievance system is consistent. If the Chief of Defence Staff does not have the ability to resolve financial aspects, it calls into question the relevance of the grievance process.

I would point out that Canada is not the only country reviewing its military justice system. Australia, the United Kingdom, New Zealand and Ireland have recently done the same. We are in an excellent position to pass comprehensive and effective legislation while taking into account what has been done in other countries. Unfortunately, that is not the case with the bill as it stands. As I have already said, the NDP proposed amendments to the bill in its previous form, but those amendments are no longer part of the current bill. We would like to see these important and constructive changes incorporated.

We think that our Canadian Forces personnel deserve that. They put themselves on the line each and every day. They have been a source of great pride to this country in their behaviour and conduct in arenas around the world. We owe them a sense of security regarding the justice that is meted out within the military.

I would sincerely ask the government to reconsider the recommendations the NDP has made because we want to strengthen the bill. We want it to be fair and balanced. We want it to work.

● (1240)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I rise again to set the record straight in the House regarding our current military justice system and what it can and should be after the amendments proposed in the bill.

There were several references made in the previous speech to what other countries have done with military justice. Let us be clear that Canada has been a model through many decades of its history with

its military justice system. The amendment we are proposing and the ones we discussed in previous parliaments would keep us at the forefront of developments, for which other countries have looked to Canada for leadership.

Is the hon. member aware that there are significant differences? For example, the United Kingdom and Ireland are bound by the European Convention on Human Rights. Australia is bound by its constitution.

Would my colleague not agree that the reviews conducted by esteemed jurists, like former Chief Justices Dickson and Lamer and, more recently, Chief Justice LeSage of Ontario, all concluded that Canada's military justice system was fair and strikes the necessary balance? Would she not agree that theirs are more compelling arguments than any we have heard so far from her side by members who would rather see us pick and choose pieces from military justice systems in other parts of the world?

There is a holistic approach to Canada's military justice system, which we are continuing with the bill and other countries should follow—

The Acting Speaker (Mr. Barry Devolin): Order, please. The hon. member for London—Fanshawe.

Ms. Irene Mathysen: Mr. Speaker, I understand the essence of my colleague's question, but I would suggest that there is a certain arrogance in insisting that we cannot learn from others. If there is a better way of approaching a bill or changing a law, then I think it behooves all of us to listen carefully. That is why the NDP proposed three amendments to Bill C-41, because we believe it is important to learn from each other and do the best we can.

In regard to Justice Lamer, I would also point out that he made 80 recommendations, representing a very significant body of work by that former Chief Justice. Only 28 of those recommendations were taken up by the government. It seems to me that a great deal is missing, and that is the whole point behind this discussion and debate, that a great deal is missing.

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, I think most Canadians would be surprised to learn that our heroes, those in the Canadian Forces who bravely serve our country, get a criminal record from a system lacking due process.

Given that our Canadian Forces members are required to follow extremely high standards of discipline, does my colleague not think they deserve a fair judicial system? Does she not also think that while the military knows best how to handle its own affairs, there should be civilians appointed to the grievance board?

● (1245)

Ms. Irene Mathysen: Mr. Speaker, I thank my colleague for her question, her expertise and the work she has done in previous debates with regard to this particular bill.

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I find it very disturbing that members of the Canadian Forces can receive criminal records for very minor incidents, minor crimes, because those criminal records follow them all of their lives. They impede employment opportunities and perhaps also educational opportunities, and they are certainly detrimental to the person concerned establishing a clear and purposeful future.

I would say that if one looks at the authorities in this country, whether they be civilian police forces or military forces, one will see that they all serve the public. They are all there with the specific and direct purpose of serving Canadians. Therefore, in that service, I think it is only fair that Canadians have a voice in making sure that they are meted the kind of fair justice they deserve.

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, I have the privilege today to rise to speak to Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts.

I, along with my NDP colleagues, hold the utmost respect for the women and men serving our country under the Canadian flag in the Canadian uniform. It is this respect that drives the NDP to fight to bring more fairness to the Canadian military justice system for the men and women who serve in uniform and put their lives on the line for the service of our country. The NDP believes Bill C-15 is a step in the right direction to bring the military justice system more in line with the civilian justice system.

The Liberals were in power in 2003 when the Lamer report came out. They responded positively to the report, but then simply sat on it and failed to act upon the recommendations in Justice Lamer's report at that time.

Even though it is a step in the right direction, Bill C-15 falls short on key issues when it comes to reforming the summary trial and grievance systems and strengthening the Military Police Complaints Commission. For this reason, I stand today to raise my opposition to the bill and highlight some important shortcomings, which, should the bill pass second reading, I hope will be addressed in committee.

I will give a bit of background on the bill. The bill comes as a response to the report of former chief justice Antonio Lamer of the Supreme Court presented on the independent review of the National Defence Act in 2003. The report included 88 recommendations pertaining to military justice, the Military Police Complaints Commission, the grievance process and the provost marshal. Thus far, however, only 28 of those recommendations have been implemented.

We have seen Bill C-15 before in various forms, first Bills C-7 and C-45, which died on the order paper due to prorogation in 2007 and the election in 2008. Then, in 2010, Bill C-41 was introduced to respond to the 2003 Lamer report and a report by the Senate Standing Committee on Legal and Constitutional Affairs. It outlined provisions related to military justice, such as sentencing reform, military judges and committees, summary trials, court martial panels, the provost marshal unlimited provisions related to the grievance and military police complaints process.

Bill C-15 is quite similar to the version of Bill C-41 that came out of committee in the previous Parliament. However, sadly, regrettably, disappointingly, whatever adverb we want to use, what is

important is that the amendments that were passed at committee stage at the end of the last Parliament are not included in the current version, Bill C-15. Important and necessary amendments that would alleviate some women and men of our armed forces of undue hardship in their lives after the military are excluded in this version.

These include the following NDP amendments concerning: the authority of the Chief of the Defence Staff in the grievance process, amended clause 6 in Bill C-41, responding directly to Justice Lamer's recommendation; changes to the composition of the grievance committee to include a 60% civilian membership, amended clause 11 in Bill C-41; and a provision ensuring that a person who is convicted of an offence during a summary trial is not unfairly subjected to a criminal record, amended clause 75 in Bill C-41. The NDP's position is that it supports the long overdue update to the military justice system.

While there are important reforms in this bill, it, however, does not go far enough and falls short on key issues. Members of the Canadian Forces are held to an extremely high standard of discipline and they, in return, deserve a judicial system that is held to a comparable standard. Should Bill C-15 pass second reading, I would hope to see the shortfalls fixed.

First, the amendments in Bill C-15 do not adequately address the unfairness of summary trials. I, for one, think that a lot of Canadians would be shocked to learn that the people who have bravely served our country can actually get a criminal record from a system that lacks the due process we see in civilian criminal courts. Currently, conviction of a service offence from a summary trial in the Canadian Forces may result in a criminal record. While matters including subordination, disturbances and absences without leave may be extremely important to military discipline, they are certainly not worthy of a criminal offence.

• (1250)

Moreover, summary trials are held without the ability of the accused to consult counsel. There are no appeals or transcripts of the trial and the judge is actually the accused person's commanding officer. This causes an undue hardship on certain members of the Canadian Forces who are convicted for very minor service offences.

Bill C-15 does make an exemption for a select number of offences, if they carry a minor punishment, so they no longer result in a criminal record. While once again, a positive step, in our opinion it does not go far enough.

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At committee stage in March of the previous year, the NDP amendments to Bill C-41 were carried to address this issue by expanding the list of offences from 5 to 27 that could be considered minor and not worthy of a criminal record if the offence in question received a minor punishment. The amendment also extended the list of punishments that might be imposed by a tribunal without an offender incurring a criminal record. This was a major step forward for summary trials. However, this amendment was not retained by the Conservative government in Bill C-15. We believe it needs to be included.

A criminal record can make life after the military very difficult. Criminal records can make getting a job, renting an apartment and travelling very difficult. Britain, Australia, New Zealand and Ireland have all seen fit to change the summary trial process. Why is Canada lagging behind?

It is curious why the minister is not accepting the fact that the summary trial system is tainted with undue harshness, sentences that result in criminal records for minor offences, and ignoring the need for greater reform.

Another shortcoming in the bill is that the grievance committee would not provide a means of external review as it is staffed entirely by retired CF officers. If the CF Grievance Board is to be perceived as an external and independent oversight civilian body, as it was designed to be, then some members of the board should actually be drawn from civil society.

The NDP amendment provided that at least 60% of the grievance committee members must never have been an officer or a non-commissioned member of the Canadian Forces. This amendment was passed in March 2011 in Bill C-41, but it also was not been retained in this version of Bill C-15. We believe it is important to see this amendment re-included in the bill.

Another major flaw in Bill C-15 is the military grievance system. The Chief of the Defence Staff lacks the authority to resolve financial aspects arising from a grievance, contrary to a recommendation in the Lamer report. Despite the fact that the Minister of National Defence at the time agreed to this recommendation, there has been no concrete steps over the past eight years to implement this recommendation.

The NDP proposed an amendment to this effect at the committee stage on Bill C-41. Although it had passed in March 2011, this amendment, once again, was not retained by the government in Bill C-15. We will fight to have it included yet once again.

Bill C-15 would amend the National Defence Act to establish a timeline within which the Canadian Forces Provost Marshal would be required to resolve conduct complaints as well as protect complainants from being penalized for submitting a complaint in good faith. Although a step forward, the NDP believes more needs to be done to empower the commission.

The Military Police Complaints Commission needs the legislation to strengthen its ability to act as an oversight body. It must be empowered by a legislative provision that would allow it to rightfully investigate and report to Parliament. These amendments would bring more fairness to the Canadian military justice system.

Justice and fairness for the women and men in our uniform is essential. However, Bill C-15 just does not cut it. Our Canadian military justice system needs more fairness and the NDP will continue to stand and fight for it.

I would like to reaffirm my commitment and the New Democratic Party's commitment to work for justice and fairness.

Today, December 6, marks the National Day of Remembrance and Action on Violence Against Women. Today, we reflect on the loss of 14 young women who were killed on this day just because they were women. Sadly, the violence against women still continues. The end of violence against women is everybody's responsibility. Today, we remember and reflect and then speak out and pledge to turn this remembrance into action to end violence committed against women and girls in our communities, our country and around the world.

● (1255)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I express some exasperation with respect to the speech by the member opposite on this issue. She seems not to have heard the Minister of National Defence when he said that he and all of us from this party were on the national defence committee would be prepared to see an amendment introduced to deal with the imposition of a criminal record for minor summary offences. That would cause the current bill to reflect the committee version of the bill that came out of the last Parliament by amending clause 75 accordingly. Is the member aware of that intention?

Is the member also aware that by keeping the bill in the House, we are merely postponing the day when those improvements can be made, such as victim impact statements being added as a requirement of military justice? A number of improvements were made, most of which were recommended by Chief Justice Lamer.

Ms. Rathika Sitsabaiesan: Mr. Speaker, I find it quite entertaining that the parliamentary secretary is now questioning the NDP as to why we do not trust the Conservatives. That is because every time we or Canadians are led to trust them we all get burned. We know that whenever we propose amendments at committee or make friendly arrangements, they get voted down because of the strong stable majority the Conservatives have in Parliament and committee. We know they will just do what they want. They do not care to listen to what the NDP, duly elected members of the House, victims and scientists have to say. I can continue, but I am sure my point has been made clearly.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, in addressing the issue, the member made reference to minor offences such as not showing up for work. Could the member explain the difference between when a civilian does not show up for work and when a member of the military does not show up for work?

In essence, that is one reason we have a military justice system as a second system that is quite different than the civilian courts.

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Ms. Rathika Sitsabaiesan: Mr. Speaker, as a labour specialist, I know what happens in the world of labour and employment. Employees or workers who miss work or are disciplined for insubordination can go through multiple stages of the disciplinary process, which can eventually lead to their termination of employment as civilians.

However, my understanding from what I have read is that in the forces minor offences like tardiness, insubordination or missing work can be deemed a criminal offence, which does not seem to make any sense.

I understand our men and women in the forces are held to extremely high standards. They outperform many around the world. We should not be thanking them by imposing a criminal record for a minor offence whereby they are unable to get a job or rent an apartment. Life should not be made more difficult for them after serving in the forces.

• (1300)

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker I am very pleased to rise today to debate Bill C-15.

I will echo the question the hon. member just asked my colleague: what is the difference between when a civilian does not show up for work and when a member of the military does not show up for work?

The difference does not lie in the person or the action, but in the job. That is exactly why there is one justice system for civilians and another for the military. No one in the House is denying the fact that the military justice system exists because military life must have different rules than civilian life. And yet, the discipline, ethics and morals military personnel are expected to live up to should not have consequences outside the military framework. Consequently, the fact that a member of the military might have a criminal record in civilian life does not recognize the difference between civilians and the military.

It is entirely legitimate that the military wants a separate justice system that respects potentially different values. Still the fact that these consequences, that is, a criminal record, can be extended to a soldier's civilian life is not justifiable. For example, during a summary trial—a serious flaw in this bill—no lawyer is present. It is proper for any justice system to develop its own procedures. We do not contest the existence of summary trials. It is fine that military justice is different from civilian justice. But the consequences should also be different.

During a summary trial, the accused is not entitled to a lawyer and cannot consult counsel. There is no transcript of the trial. These procedures exist in a civilian trial, but not in a summary trial.

Even more important, this is not an independent trial. The person who acts as judge in the trial is usually a commanding officer who knows the accused, perhaps personally, who certainly knows the situation that led to the trial, and who knows all the circumstances. We understand that the definition of an independent tribunal is also different. During a civilian trial, the judge does not know the accused personally, and if the judge does know the accused, he or she must withdraw from the case to avoid a conflict of interest.

It is understandable that military justice will be different. Still, once again, the Conservatives ought to have respected the amendments we proposed to this bill, because that would have made it possible to respect the difference.

We do not wish to be unfair. There must be one justice system for civilians, with its own consequences and procedures, and another for the military, with its own consequences and procedures, and they will not be the same. That is clear and logical.

All members of the House should find it acceptable that a soldier, judged through different procedures, would not suffer consequences that have effects outside the military sphere. For example, a former member of the military with a criminal record will find it very hard to find work after he or she retires.

• (1305)

Everyone here knows that employers always ask potential employees to fill in a form that asks, "Do you have a criminal record?" Clearly, this can harm a person's chances of finding a job. For a government that wants to create jobs and help Canadians find work, this measure is rather hypocritical, since it pushes the military aside. That is just a little remark that occurred to me.

In a summary trial, the procedures are different. That is, the procedures are not like those in the House of Commons. They are rather invisible. Here in the House we often see that the procedures are strict and we must follow them. In a summary trial, on the other hand, regulations or procedures of that kind do not exist. Thus, a member of the military should not be considered a criminal after such a trial.

I will give an example. A member of the military can be found guilty of insubordination, quarrels and disturbances, misconduct, absence without leave and disobeying a lawful command. That is proper because, as I already said, military justice has its own morals and ethics. That is as it should be. However, these procedures should not create a criminal record, since they are minor convictions and not serious crimes. Moreover, only certain offences are included. I do not see why we should tell military personnel that in civilian life they will be considered criminals and have a criminal record, when that should not happen.

In my civilian life I cannot be accused of quarrelling or insubordination, except perhaps if I were in school and showed disrespect for my teacher. In such cases I would be sent to the principal's office, but I would not be found guilty of insubordination and wind up with a criminal record. We must see and understand the wall that exists and the difference between the civilian and military worlds. They must not be mixed together.

The NDP had proposed amendments that would make it possible to expand the list of offences that are exempt and could be considered minor offences. Under those amendments, a person who was found guilty would not have a criminal record. Once again, that amendment was rejected by the Conservatives.

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We also proposed an amendment to expand the list of punishments that could be imposed by a tribunal without leading to a criminal record, for example, a severe reprimand. That amendment was not accepted either.

We have to admit that the criminal, military and civilian justice systems are different. No one here disputes that. We understand that the military has different ethics, morals and operating rules. But the consequences of such rules should not reach beyond the military sphere and should not have repercussions on the civilian life of a military member. We are simply asking the government to amend Bill C-15 to respect that difference.

• (1310)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, yet another NDP member is not aware of our proposal to adopt the amendment as it was for the previous bill on criminal records. Why are we spending more time here discussing something all the parties agreed on? Let us move on.

Does the hon. member not realize that with the Canadian Forces, we are not just talking about absences from work? Our national defence is at stake here.

Does she not agree with former Chief Justice Dickson, who said in his report that without discipline, the Canadian Forces, or any other military force, would not be able to operate effectively and could become a danger, not only to themselves, but also to others?

Ms. Ève Pécelet: Mr. Speaker, that is exactly what I said in my speech. We are talking about crimes that are different from crimes with which a civilian could be charged. I mentioned absences, but also insubordination, quarrels, misconduct, drunkenness, disobedience, absence without leave and severe reprimand. Those are military offences. I gave an example: a civilian would never be found guilty of insubordination, so he could not have a criminal record for that crime.

That is the difference between a military justice system and a civilian system, and it is a legitimate difference. The consequences should not be the same. The consequences should not have a negative effect or impact on the civilian life of a member of our military.

Before I finish, I would like to read a quote:

[English]

The military justice system does not only exist to punish wrongdoers, it is an essential part of command, discipline and morale.

[Translation]

It is respectful of morals and ethics.

[English]

Ours is a voluntary military and if the military justice system is not seen as equitable and fair, we will not only have a justice problem, but we could also have an operational problem.

[Translation]

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, I wish to thank my hon. colleague for her excellent speech, which clarified the NDP's position and explained the difference between the Canadian justice system and the military justice system.

Military personnel, like police officers, are authority figures in our society, as the parliamentary secretary said. Since we are talking about defending our country and our laws, these individuals need to have that authority in Canadians' eyes. That is why the NDP wants to make sure the bill is balanced.

I wonder if my colleague could elaborate on what is expected of this bill. I would also like her to try to explain why the amendments proposed during the previous Parliament were not included in Bill C-15. Lastly, I would like to know why the government seems to be ignoring the recommendations of the Lamer report.

Ms. Ève Pécelet: Mr. Speaker, it is important to understand what the opposition's job is. I thank my hon. colleague for the opportunity to answer the question.

In my opinion, the opposition has a role to play in any democratic system. Its role is not necessarily to oppose the government, but rather to hold it to account for Canadians and ensure that it respects their rights.

It is really important to emphasize that when the government prevents the opposition from doing its job, this clearly demonstrates the government's contempt and arrogance with regard to our democratic system. It must make the Conservatives very happy to know that this is a British system.

It is also important to point out that we are willing to work with the Conservatives to improve this legislation. They simply have to listen to us and work with us. We want to pass bills that respect the rights of Canadian military personnel and civilians alike.

• (1315)

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I would like to begin by thanking my colleagues for having so brilliantly stated their stance on Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to another act. This bill has appeared in several forms.

First of all, bills C-7 and C-45 died on the order paper because of the 2007 prorogation of Parliament and the 2008 election. In July 2008, Bill C-60 charged back, simplifying the court martial structure and establishing a method for determining which type of court martial would be most consistent with the civilian justice system. In 2009, the Senate Standing Committee on Legal and Constitutional Affairs studied Bill C-60 and made nine recommendations to amend the National Defence Act.

Before moving on, it is very interesting to note that there is nothing new about how the Conservatives go about their business when they want to push through more complex bills. Bill C-60, which was the version studied in the Senate report, was introduced in Parliament by the Hon. Minister of National Defence on June 6, 2008, towards the end of the second session of the 39th Parliament, and passed on June 18, 2008.

Bill C-60 was intended among other things to make the National Defence Act consistent with the decision of the Court Martial Appeal Court of Canada in *R. v. Trépanier*. In this decision, the court acknowledged that some provisions of the National Defence Act and the Queen's Regulations and Orders contravened section 7 and paragraph 11(d) of the Canadian Charter of Rights and Freedoms.

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These provisions were declared unconstitutional. They enabled the director military prosecutions to decide, when charges were being laid, on the kind of court martial that would try the accused, and for the court martial administrator to convene the court martial in accordance with the decision of the director of military prosecutions. This court decision became effective immediately, and led to some uncertainty about the possibility of being able to continue to convene courts martial under the National Defence Act unless Bill C-60 could be passed quickly.

However, this view was dismissed at hearings of the Senate committee on the evidence of Michel Drapeau, a retired colonel, who maintained that this view was inaccurate. He said that the Court Martial Appeal Court of Canada, in *R. v. Trépanier*, had come up with a straightforward and useful approach to getting rid of the clause that was violating the accused's rights.

Nevertheless, there is also a practical interim solution that could easily be implemented. For charges laid under section 130, the accused could be given the option to choose his or her trier of facts. There is no legal obstacle to this approach because section 165.14, which gives this right to the prosecution, does not apply to these offences.

We would like to clarify that there is no danger of creating a legal void during the interim period that would result in failure to apply the law for want of prosecution. Offences under section 130 of the National Defence Act can also be prosecuted in civilian courts even if they were committed outside of Canada. That is covered in section 273 of the National Defence Act.

Why did the government rush passage of this bill? Even members of the Senate committee could not help but point this out:

Given the speed with which Bill C-60 was studied in both the House of Commons and the Senate, concern was expressed that it was difficult to thoroughly assess the potential impact of this legislation. Consequently, the bill was amended by the House of Commons Standing Committee on National Defence to add a review clause.

Under false pretences, the government succeeded in pressuring opposition parliamentarians to pass this bill even though, according to the court ruling, it had many years to amend the act but did nothing. In his ruling in *Trépanier*, Justice Létourneau said:

• (1320)

The unanimous concern of this Court in *Nystrom* about the fairness of section 165.14 was expressed more than two years ago, i.e. on December 20, 2005. Since then, there have been five new constitutional challenges to that provision and appeals before this Court are pending. Retired Chief Justice Lamer made a recommendation as early as September 3, 2003 that section 165.14 be amended to give the accused the option to choose his or her trier of facts. As previously mentioned, he also made a recommendation that a working group reviewed the reorganization of the courts martial with a view to improving the fairness of the trial, at the center of which, as an important element of that reorganization, is the right for an accused to choose the trier of facts. Yet, Bill C-45 has been tabled before Parliament and it contains no remedial provision. The authorities have been given more than four and a half (4½) years to address the problem.

This bill contains many important reforms. The NDP has supported the much-needed overhaul of the military justice system for a long time. Members of the Canadian Forces are subject to extremely high standards of discipline and deserve a judicial system with comparable standards.

However, the NDP will oppose Bill C-15 at second reading stage. This bill has a number of flaws that we hope will be discussed in

committee, if passed at second reading. The NDP does not oppose the substance of the bill. However, in its current form, the bill does not take into account all the recommendations of the Lamer report. Moreover, the Conservatives have ignored the amendments the NDP proposed to a virtually identical bill that was introduced in the previous Parliament. Those amendments were originally adopted because we had a minority government at the time. However, the amendments have again been removed from the bill.

In the previous Parliament, the Conservatives admitted that the recommendations had merit. This is no longer the case, now that they have a majority, and it makes us wonder if they are merely engaging in the lowest form of petty politics rather than putting the interests of our soldiers in civil society first.

The bottom line is that the NDP opposes the bill in its current form at this stage of the legislative process. We hope that these amendments will be made in committee.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, there is a difference on the bill that I did not detect from previous presenters, but now am led to believe the NDP does not support its passage, which explains why its members continue to speak to the bill. I respect that.

There was another bill before the House, which the NDP opposed but wanted to see sent to committee. For that bill, Bill C-43, they voted in favour of it being sent to committee with the idea of getting amendments brought forward at committee to make it a better bill.

Does this mean the position of the NDP members is that, even if the bill is sent to committee and they succeed in getting some of those amendments, they still would not support the bill because they are voting against the bill even being sent to committee?

• (1325)

[Translation]

Mrs. Anne-Marie Day: Mr. Speaker, we do hope that this bill will be referred to committee. Unfortunately, I am not familiar with the other bill the member mentioned. I could always consult it later.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, this time, I have a very clear and much shorter question for the member.

It is really a question of principle. She quoted Mr. Drapeau, and all of the assessments done of our military justice system have taken into account Mr. Drapeau's comments and advice. However, we must also consider the opinions and judgments of Justices Lamer, Dickson and LeSage, who said that the system was working well, that it was good and valid.

Does the hon. member think that Canada's military justice system is valid, yes or no?

Mrs. Anne-Marie Day: Mr. Speaker, we are obviously happy that the government has finally tabled Justice LeSage's report. This report supports a number of the NDP's concerns about Bill C-15.

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I will answer the member's question more directly by saying that we have faith in Canada's military system. However, we also believe that soldiers must have ways of defending themselves other than what is available to them in the military justice system, which is a blunt instrument.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I am pleased to ask my colleague a question. I want to know who she thinks should be on the Canadian Forces Grievance Board.

In principle, it should be perceived as an external and independent civilian body. But right now, it is made up of several former Canadian Forces members. No one really comes from the outside. What does the NDP suggest to ensure that the board is more independent and is perceived as a civilian body?

Mrs. Anne-Marie Day: Mr. Speaker, it is always important for a committee to examine the suggestions made by all members of the committee and witnesses. If a committee is independent, its recommendations and what comes out of the committee will be more successful. If it is independent, it has a greater chance of being successful, particularly when we are talking about military justice.

[English]

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, I would like to start with a story to illustrate the kind of men and women we are talking about here today when we talk about military justice. Often in this place we forget that these are living, breathing men and women who give a lot to their country.

When I was 14 and trying to figure out what I was going to do with my life, the cadets were very active in my town and I had Canadian Forces brochures, and for a second I thought that serving in the military might suit me, giving me structure and discipline to my life, and I could serve my country in an honourable way at the same time.

Of course, I did not take that path. I took a different path, and I am now serving my country in a different way, as many members of this House are, including the parliamentary secretary across the way, who has offered many years of service to this country in the Canadian foreign service.

I would like to underline that the men and women who give their lives to us by serving in our military are good, upstanding men and women. I have known many of them. Although I did not take that path, a lot of people I grew up with did take the military path. Sometimes they were from military families, having fathers and grandfathers who had served and whom they followed in that long lineage of service in the Canadian military.

There was another type of person who would serve in the military, the guys in the town who were maybe a bit more disadvantaged and who looked to the military to give them structure and discipline and a more honourable way to live than the path they were currently on. They saw the military as a way of improving their lives. They served Canada to improve their lot.

Basically these men and women give a lot to their country, and it is our duty as representatives in this country to take care of them and to treat them with respect and dignity. I think all of the decisions we make in this place should take that into account.

Some of these men and women have served in theatres of war. I know guys in my community who served in Bosnia and Afghanistan. We all know, and I think we should all know, that serving in the Canadian military, and certainly in places like Bosnia and Afghanistan, is a highly stressful job. It is very stressful to the men and women who serve.

I have spent time with the Royal Montreal Regiment. I visited the barracks on St. Catherine Street West in Montreal. I have spoken to these guys. I want members in this place to remember that these men and women have made a great sacrifice, and they give quite a lot.

I can think of a couple of guys in my community, Colin Robinson, who served in Bosnia, or Megal Johnson, who served in Afghanistan. They have told me about their experiences, which has allowed me to understand what it is like to serve in Canada's military.

As for Bill C-15, we are glad that the government has finally acted on this. It has been nine years since Justice Lamer's report came out, so it has been quite a while. We know that when the report came out in 2003, the Liberals sat on it for two years. I do not know exactly why they did not act more swiftly to implement some of the recommendations in the Lamer report. That is for them to answer. However, I am glad to see that the Liberal members have come around to seeing the New Democrats' position and seem to be supporting the amendments we are putting forward. We are very happy to see that.

I do not just want to negative here, as there are good things in Bill C-15. It does provide a greater flexibility in the sentencing process, which is important. We believe that is a step in the right direction, bringing military justice more in line with the civilian justice system, but the bill falls short on key issues when it comes to reforming the summary trial system, reforming the grievance system and strengthening the military complaints commission.

For the people watching who might not understand a summary trial, I would point out that in the civilian system it tends to be a trial that is set up and the process is gone through. The whole point of a summary trial is to look at where a judgment would go and to make the parties come to an agreement after the summary trial has been completed, so they can settle the trial without going through the whole process of an actual trial with sentencing.

● (1330)

The way the system currently works is that people come out of the summary trial system with a criminal record. In the civilian system, that is not the purpose of the summary trial system, but to try to get the parties to settle things without burdening them with a criminal record. Members who are more versed in the law that I am could maybe add to this during questioning. I would certainly welcome that. However, that is my understanding of the purpose of a summary trial.

Government Orders

The background to Bill C-15 is the recommendations developed by Justice Lamer to change the military justice system to bring it in line with the civilian justice system. My understanding is that Bill C-15 is the legislative response to these recommendations. There were 88 recommendations made, but only 28 of them have been implemented, so we see some 60 recommendations left that have not yet been addressed in legislation. That is part of the reason we feel that Bill C-15 does not go far enough.

On a positive note, Bill C-15 would make an exemption for a select number of offences if they carry a minor punishment, defined in the act as “a fine of \$500 or less”, so that they no longer result in a criminal record. This would be a positive thing.

As I said before, these people sacrifice a lot in serving in our military. In particular, we should enable the disadvantaged people I mentioned to transition back to civilian life when they leave the military, especially after they have taken on this role and the stress of serving in Canada's military and given their years of service. A criminal record makes it very difficult for them to reintegrate into society. Given that these people are serving in theatres such as Bosnia or Afghanistan, if they return and are marginalized in society, a whole range of things can happen to these poor men and women. This ends up costing us money in terms of services that we then have to provide. Therefore, it is in our best interest to transition them in a way that they can re-adapt to Canadian society. All members would agree that a criminal record complicates that process, especially if the person gets a criminal record for things that would be considered minor and not worthy of a criminal record for civilians. I want all members of the House to consider that.

The fact that this bill does not go far enough is why we are opposing it strongly at second reading. We want to deliver a message to the government that changes have to be made, that this bill has to go further, that we would like to see the Conservatives reformulate the bill to include more of Justice Lamer's recommendations and to note that we should be promoting the re-transitioning of service members back into Canadian society. People who have committed small offences such as insubordination or drunkenness, things that would usually be forgiven of civilians, should not carry a criminal record. We should not burden our men and women in the military with a criminal record for small offences like that.

The New Democrats believe that members of the Canadian Forces are held to an extremely high standard of discipline and that they in turn deserve a judicial system that is held to a comparable standard. They should not be treated poorly through a sham process where they end up being saddled with a criminal record. As I said, a criminal record after military life makes those people's lives more difficult. It marginalizes them. Criminal records can make it very difficult to get a job and an apartment and to travel. A lot of Canadians would be shocked to learn that the people who bravely serve our country can get a criminal record from a system that lacks the due process usually required in civilian criminal courts. The New Democrats will fight to bring more fairness to the Canadian military justice system for the men and women in uniform who put their lives on the line in the service of Canada.

People make different decisions in their lives. Some people choose the military to serve their country; some choose the foreign

service, as the parliamentary secretary has; and some choose to represent the people of Canada, as everyone in the House has.

• (1335)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, we all chose to serve in the House and to pass needed legislation, in this case for the military justice system. I think many Canadians would be shocked to know that we are still debating this bill in the House, a bill that would change a number of minor offences that currently lead to criminal records for service members even after they have left the military for civilian life. We are only delaying the process of seeing that change for the better and a modernized system, in only hearing more and more speeches from the other side.

I would ask the hon. member for Vaudreuil-Soulanges to please remind his colleagues before they stand to join the debate that these changes would be made if the bill were sent to committee and passed. Members agree with these changes, which would enact almost all of the recommendations of former Chief Justice Lamer. The sooner we move the bill beyond first reading to committee stage and enact this much needed bill on Canadian military justice, the better.

Does he agree that is the right approach?

• (1340)

Mr. Jamie Nicholls: Mr. Speaker, as policy-makers, there are two paths we can take. We can take a very strong approach, look at the report and implement everything in the report, or we can take an incremental approach and implement a few things now, some things later and other things years down the road. When drafting legislation, we have to judge which road we are going to take. That is evidence of a responsible government.

The government in this case has chosen to take the incremental route. New Democrats are delivering a message and saying no, the government has taken incremental measures in the past but has to go further with this legislation. It must take a more proactive route; it cannot just dribble some reforms now, some later and others down the road. It really has to take a strong stance now, but it has not done so. That is why we are opposing the bill at second reading.

We are asking the government to go back to the drawing table and redraft the legislation, and then New Democrats will pass it if it goes far enough.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is hard to believe that the member started his speech by being somewhat critical of the Liberals not acting quickly enough. He even went as far as to say that former Prime Minister Paul Martin had the report for two years. Yes, Paul Martin, as the former leader of the Liberal Party and Prime Minister of Canada, had this report prepared. There were other agendas, such as the Kelowna accord and child care, which were very high priorities. The NDP and the Conservatives worked against those types of initiatives.

Government Orders

If we fast forward to today, the Liberal Party is already on the record saying that it supports this bill in principle and wants the bill to go to committee. It seems to me that the only thing preventing it from going to committee is the NDP, which wants to continue to debate this. The member is being critical of the Liberal Party not wanting to send this bill to committee. The Liberal Party and Conservative Party are prepared to send it to committee, but it would appear that the New Democrats are the ones preventing it from going to committee, yet the member persists in blaming the Liberal Party. It does not make sense.

Mr. Jamie Nicholls: Mr. Speaker, the member mentioned the government of Paul Martin, yet everyone in the New Democratic Party, and perhaps the Conservative benches as well, can say that the military was not a priority of the Liberal government either under Jean Chrétien or Paul Martin. That has been a weakness of that party and it shows. It sat on the report for two years and the member does not deny that. He said the government had other priorities.

The men and women serving in places like Bosnia, Afghanistan and Cyprus were not a priority for the Liberal Party and I find that tragic. As I said, these people literally give their lives to Canada. When they die, they have given their lives to their country. The member says that it was not a priority of his government, and I find that shameful. I am really disturbed by that.

The Liberal government spent two years sitting on that report and waffled back and forth for the next nine years. I am glad that the Liberals have finally come around to seeing things the way the NDP does and believing that amendments should be made. New Democrats do not think this bill goes far enough. We think the government should go back to the drafting table and redraft this legislation to respond to the Lamer report in a way we can be proud of.

[*Translation*]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, it is with great pleasure that I rise to speak to Bill C-15, which is really very important. Indeed, our men and women in uniform sacrifice a lot. They play a very specific role in our society. They really have a special status in relation to other citizens. That status, that sacrifice, that life which is unquestionably so different does not justify at all the current system of summary trials. In fact, this justice system should be abolished. It is indeed a summary system that essentially bypasses the normal process. More importantly, it is very punitive and it has very serious consequences for our men and women in uniform.

The big problem is that, in its present form, Bill C-15 does not correct the profound and fundamental injustice of summary trials, and it does not deal with it appropriately. I am going to focus on that point. It is important to clearly understand the consequences. Being saddled with a criminal record when one returns to civilian life, or even while still in the military, creates a lot of economic, moral or family problems. It can be really hard to cope with that situation. Given the whole process, it is truly absurd that this is still tolerated in Canada in 2012 and that we are not trying to really correct things. Unfortunately, Bill C-15 does not do that.

I am going to briefly mention the minor offences that may be dealt with by summary trial and lead to a conviction. They include

insubordination, quarrels, misconduct, absence without leave, drunkenness and disobeying a command.

Let us be clear on one thing. Given the military's special status and role, and the need for unity in the Canadian Forces to carry out their missions, it goes without saying that discipline is a fundamental requirement. Everyone agrees and no one is going to challenge that. However, and this is what Bill C-15 does not fundamentally correct, we maintain that this requirement does not justify a criminal record. Of course, within the context of the military service—or outside it—there is no doubt that the offences I just listed are more serious than for a civilian, but in the case of civilians they do not automatically result in a much more serious consequence and in much higher proportions.

This situation is really unfortunate because there is of course another problem. An argument was made, among others, to justify summary trials, namely that they speed up the process, so that the soldier who is accused can reintegrate into his unit more quickly.

Once again, that is debatable. First of all, clearly, relative justification can always be found, for instance, in an intervention or operational context, when the strength of the unit must be maintained at all times. Apart from that, in real life, which is most of the time in a soldier's career, the need for expediency is no more justified than it is in civilian life. So that is one thing that does not make sense.

• (1345)

It would also be very troubling if Canada did not modernize this system by committing to a comprehensive reform of the summary trial process. Other countries that have reformed their own systems—systems directly related to what we do here in Canada—include the United Kingdom, of course—which is more or less the mother country on which many of our institutions are based—as well as Australia, New Zealand and Ireland.

Considering that Justice Lamer released his report in 2003, why has it taken Canada so long to act? Why is the government not going even further and really fixing this?

We will focus on the issue of summary trials and the fact that people could end up with a criminal record for life. Furthermore, with a summary trial, there is no appeal process and there are no transcripts. Thus, there is no paper trail. In addition, the so-called judge is also the accused person's commanding officer. Considering the special hierarchical relationship between the superior and the accused, that is very problematic. This major point must be considered.

We all agree that officers in the Canadian Forces meet strict criteria and must face up to their responsibilities. Nevertheless, regardless of the quality of the commander, this way of doing things creates enormous potential for inequality that is not there in civilian life. In fact, it is almost impossible to find something as big that goes as far as what we find in the Canadian Forces. Just bridging this gap and removing this sort of trial from within the military unit would represent great progress.

Statements by Members

We must not forget the difficulties that this type of trial creates for soldiers who find themselves with a criminal record as a result of a summary trial. I would like to remind hon. members that having a criminal record can create a potential obstacle for these soldiers when they return to civilian life after serving in the Canadian Forces.

As all members of this House know, military careers are usually shorter than most civilian careers because of how demanding military service is and because of the unfortunate unforeseen circumstances that can occur. When a man or woman who served valiantly in the military and made a valuable contribution returns to civilian life, that person has the right to a new life and a place in society. Yet, no matter what some may say, a criminal record is an enormous and even insurmountable obstacle to returning to a so-called normal life.

In light of the fact that soldiers can be excluded or socially stigmatized for making a mistake, such as getting drunk, after they have bravely served our country, carried out missions throughout the world and imposed on their families all the sacrifices that a soldier's loved ones are forced to endure, it would be scandalous if we did not implement a much fairer trial system that is more respectful of our soldiers' status and of the sacrifices they make and the duty they perform.

• (1350)

I urge all my colleagues to think about this and, above all, to show respect for the duty that our soldiers perform. In that way, we can come up with a much more thorough reform than that proposed in Bill C-15.

That is why we are opposed to this bill.

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I congratulate my colleague on his excellent speech.

My question concerns re-entry into the community. The amendments that we proposed seek to ease the process and ensure that the offences committed do not result in a criminal record. These measures are extremely important in a context of economic development, where employers are searching for good employees.

When a soldier or an officer ends his military service, he can bring an invaluable contribution to the workforce. We are talking about honest people who served their country and who want to continue to do so. We therefore must avoid saddling them with a criminal record. I used to work in human resources, and I still do so occasionally as an advisor. When employers see a small black mark, they set aside the file. By doing so, we exclude people who could do good things for Canada.

The Minister of Human Resources and Skills Development is searching for workers, but we are penalizing ourselves by adopting such measures.

• (1355)

Mr. Raymond Côté: Mr. Speaker, I thank my colleague for his very relevant question.

What is unique about military life is that it can provide very worthwhile support. It could be an opportunity to learn a trade, to acquire qualifications, and even to get a university education and

have a career or a role in society that, after one's military service, could be very interesting and rewarding.

So this is a potential workforce that we cannot sacrifice, for the sake of our society's cohesion, the dignity of these people, and economic imperatives. It is quite absurd and even contradictory on the part of the government to refuse to accept our amendments, while a program that we support will allow veterans to enter the construction sector.

We are talking about something that is denied to some members of the military.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I am pleased to ask a question of my colleague, who did a good job of explaining the problem with summary trials.

I get the sense that the government considers members of the Canadian Forces second-class citizens and that they do not have the same rights as other Canadians when it comes to trials. A fair and just trial is a constitutional right. However, because of the nature of summary trials, this right is definitely being flouted.

Can my colleague tell me if, like me, he thinks that the government considers our military personnel to be second-class citizens who do not have the same rights as other Canadians?

Mr. Raymond Côté: Mr. Speaker, I thank my colleague from Sherbrooke for his question.

I hope not. I will not presume to say what the intentions or thoughts of the government members are.

Unfortunately, the Supreme Court has not challenged this justice system. In other words, it is tolerated by the legislative system, which sees the status of members of the Canadian Forces as being on a par with the institution.

This choice was made in the past. It may have made sense in a certain context and in terms of a mindset inherited from a very distant past. Unfortunately, given current knowledge of and progress in the treatment of diseases linked to combat or service situations, this choice demonstrates that we are on the wrong path. We must immediately get back on track.

That is why we are trying to convince the government members of the merits of our opposition to Bill C-15, so that we can go much further instead of making do with half measures, which would be truly deplorable.

STATEMENTS BY MEMBERS

[English]

SRI LANKA

Mr. Patrick Brown (Barrie, CPC): Mr. Speaker, I was troubled to learn of the recent attack in Sri Lanka on the editor of the Tamil-language daily newspaper in the northern city of Jaffna. After being severely beaten with iron bars, this man is now fighting for his life in an intensive care unit.

Statements by Members

Tragically, there have been four murders of journalists in Sri Lanka since 2008. Media reports now highlight that Sri Lanka's chief justice is being forced out of her position for not bowing to the wishes of the Sri Lankan government. The consistent erosion of democracy in Sri Lanka and the ongoing reports of human rights abuses are particularly alarming.

Ever since the Sureshkumar family of Barrie shared with me their concerns a few years ago, I have been particularly concerned about the plight of the Tamil population in Sri Lanka.

I am very proud of our government's unwavering support of human rights, peace and freedom in Sri Lanka. I hope that the international community responds to the latest tragic developments in Sri Lanka.

* * *

• (1400)

[Translation]

VIOLENCE AGAINST WOMEN

Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP): Mr. Speaker, today in my riding, dozens of people gathered at the Place de la paix to mark the National Day of Remembrance and Action on Violence Against Women.

Officially inaugurated on December 6, 2008, the Saint-Jérôme Place de la paix is a unique public space dedicated to quiet contemplation and reflection on universal peace. This year, Amnesty International, together with local partners and women's centres, planted the 14th peace tree during a special ceremony in memory of the massacre of 14 young women at the École Polytechnique.

I would like to thank all of the individuals involved directly and indirectly in this event, which reminded us that we have a duty to remember and that violence against women is a serious social problem that persists in Canada and around the world.

Let us take action and demonstrate real political will to act on the recommendations of the women's movement and put an end to this scourge.

* * *

[English]

HALIFAX HARBOUR

Mr. Greg Kerr (West Nova, CPC): Mr. Speaker, today marks 95 years since the Halifax explosion. On this day in 1917, two ships, the *Imo* and the *Mont Blanc*, loaded with explosives for the war effort, collided in Halifax Harbour causing the largest man-made explosion until the atomic bomb.

The explosion levelled the surrounding area. Shock waves were felt on Prince Edward Island. The blast was so powerful that it created a tsunami and sent the anchor of the *Mont Blanc* 3.2 kilometres inland. The devastation left nearly 2,000 people dead and 9,000 injured.

Despite the tragic destruction and during a major blizzard, a rescue effort resulted that was nothing short of heroic. For example, Boston sent a rescue train immediately with supplies and medical

aid. To this day, Nova Scotia sends a Christmas tree to the city of Boston to commemorate the help it provided.

Let us never forget the impact of this disaster and the compassion of our fellow man.

* * *

[Translation]

VIOLENCE AGAINST WOMEN

Ms. Lise St-Denis (Saint-Maurice—Champlain, Lib.): Mr. Speaker, on December 6, 1989, 14 young women tragically lost their lives at École Polytechnique at the Université de Montreal.

After these young women were shot by a man with a semi-automatic weapon, we swore to never forget. Canadian politicians agreed that the way to move forward was to eliminate gun-related violence. We committed to understanding the source of the pain of women who are victims of violence.

Have we listened to the demands made by some victims and their families? Our daily lives are tainted by this violence from the past and the violence committed every day against women from all ethnic and social backgrounds.

We cannot forget our sisters who disappear amid indifference, whether they are aboriginal, Métis, white or immigrant women. Today, for all of these women who are victims of violence, I remember.

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[English]

QUEEN'S DIAMOND JUBILEE MEDAL

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I want to recognize Jim Stinson of East Selkirk, Manitoba, as a great Canadian who represents the values and principles that help make Canada so great.

For over 30 years, Jim Stinson served as a distinguished RCMP officer. During his time with the RCMP, he spent 15 years specializing in immigration fraud and passport enforcement, and led national and international task forces.

After retiring from the RCMP, Mr. Stinson again answered the call to serve, this time when his community and province needed him the most, battling devastating floods and dangerous ice jams in our riding and right across Manitoba. Jim most notably ran the Emergency Operations Centre in St. Clements and took the municipality to a new level of readiness. Jim was called upon many times to assist regions in need right across the province.

Last week, I was at Jim Stinson's retirement party and I had the honour of presenting him with a Queen's Diamond Jubilee Medal. On behalf of the constituents of Selkirk—Interlake and indeed all Canadians, I want to thank Jim for his unselfish service to our community, province and country for the past 38 years. He did it with honour and distinction.

I also want to thank Jim's wife, Dar, for sharing him with us. I hope Jim enjoys his retirement and I look forward to fishing with him soon.

Statements by Members

● (1405)

[Translation]

VIOLENCE AGAINST WOMEN

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, today I want to honour the 14 women who lost their lives at École Polytechnique in Montreal on this day 23 years ago, simply because they were women. I also want to honour all Canadian women who are victims of gender-based violence every day.

Geneviève Bergeron, Hélène Colgan, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Maud Haviernick, Barbara Klucznik-Widajewicz, Maryse Laganière, Maryse Leclair, Anne-Marie Lemay, Sonia Pelletier, Michèle Richard, Annie St-Arneault, Annie Turcotte.

Let us remember them.

* * *

[English]

TOURISM

Mr. Rick Dykstra (St. Catharines, CPC): Mr. Speaker, last Saturday, Red Bull Crashed Ice was held in Niagara Falls.

Downhill ice cross is an unconventional sport but, as 45,000 people in attendance and another 128,000 watching nationwide can tell us, it is one of the most spectacular.

Niagara's tourism industry is a pillar of the Canadian economy and this event showcased why Niagara is one of the world's premiere tourism destinations.

While no decisions have been made for next year, I am sure that organizers would be hard-pressed to find another location that is as scenic or as capable of hosting world-class international events.

Events like Crashed Ice provide a platform to show Canada to the world, to show the abilities of Canadian athletes, like winners Kyle Croxall and Fannie Deforges, and to show why the Niagara region, with all of its natural beauty, is one of the greatest tourist destinations in the world.

* * *

BERT CHURCH HIGH SCHOOL

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, I rise today to congratulate Bert Church High School for placing as a top three finalist in the Under Armour Finding Undeniable contest.

This national contest saw thousands of students, teachers and parents compete to show off their school spirit.

Through a series of challenges that tested the morale of entire school communities, I am proud to say that Bert Church, home of the Chargers, rose to the top, finishing second in Canada in the preliminary round. I am also proud to report the Chargers' top rival in Airdrie, the George McDougall Mustangs, also finished in the top 15 nationally.

This friendly rivalry brought out the best of both schools and reflected the true character of my home city of Airdrie and of the province of Alberta.

The final round of voting begins December 7 and I encourage all Airdronians and all Albertans to support Bert Church at findingundeniable.ca.

With school spirit like this, I can unequivocally state that the Bert Church Chargers are truly undeniable.

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VIOLENCE AGAINST WOMEN

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, on this National Day of Remembrance and Action on Violence Against Women, we remember the 14 women who were murdered at École Polytechnique because of their gender. We remember that, if it were not for this violent act, these women would now be in full adulthood with careers and families.

We know that as much as our society has worked to achieve gender equality and lives of equal potential, this equality has not yet been achieved while violence against women still exists.

With this knowledge, we must take action and create a society that provides support for women to immediately leave violent situations. We must solve the 500 cases of missing or murdered aboriginal women. We must create social infrastructure to prevent these situations of violence from taking place.

We owe this to the memories of those 14 women. We owe this to the thousands of Canadian women who currently suffer. And, finally, we owe this to our dream of a nation where both women and men can live equally and prosper.

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NEW DEMOCRATIC PARTY OF CANADA

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, with only 20 days left until Christmas, Canadians, myself included, are scrambling around trying to find the perfect gifts for the perfect price. Although it may be a chaotic time, in the end it is well worth it, with the promise of quality time with family and friends.

What we also know about this time of year is that it can be very costly for Canadians. Families will often have to budget strictly and smartly to ensure they have everything they need and still be able to pay the bills.

Unfortunately, the NDP members are not in tune with Canadians. They do not understand that with a \$21 billion carbon tax and a 1% increase in the GST, they would raise the price on everything.

We can imagine a family, already struggling to budget for Christmas, met with the NDP tax hikes on all the gifts, ingredients and supplies they need. The NDP is out of touch with Canadians.

Statements by Members

●(1410)

*[Translation]***VIOLENCE AGAINST WOMEN**

Ms. Francine Raynault (Joliette, NDP): Mr. Speaker, on December 6, 1989, 14 young women died tragically at École Polytechnique, in Montreal. That was 23 years ago and, on this National Day of Remembrance and Action on Violence Against Women, I wish to honour their memory.

Marc Lépine's victims were not feminist activists. They were simply students who had chosen a profession that was once limited to men. Their personal choice was, for all women, a societal choice. I was always very active in the Association féminine d'éducation et d'action sociale. For me, minor and major acts of violence against women, wherever they take place, must be denounced because they hinder true equality between men and women, which includes equal rights, equal pay and equal representation.

For the 14 victims of the Polytechnique, and for all the silent victims across the country, let us continue to work together for a fairer world.

* * *

*[English]***LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA**

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, no matter how mad the leader of the NDP gets, it does not change the fact that his \$20 billion—

The Speaker: Order, please. The hon. member for London North Centre.

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VIOLENCE AGAINST WOMEN

Mrs. Susan Truppe (London North Centre, CPC): Mr. Speaker, today is Canada's National Day of Remembrance and Action on Violence Against Women. On this day, in 1988, tragedy struck as 14 young women were killed simply because they were women. Parliament recognizes this day to remind us that gender based violence is not a thing of the past.

Our government is taking targeted action to end violence against women and girls across Canada. Recently, we issued a call for proposals to address the needs of communities where the risk of violence can be higher and we announced 21 projects nationwide to end violence against women on campus.

Since 2006, we have helped fund over 1,230 projects across the country, with over 6,000 beds under the shelter enhancement program. We have increased support for victims of crime and we have eliminated the use of house arrest for violent crimes, including sexual assault.

Today is not just a day to remember but also one to take action so that we can bring an end to such violence.

*[Translation]***VIOLENCE AGAINST WOMEN**

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, it is a great privilege for me to rise in this House to commemorate the National Day of Remembrance and Action on Violence Against Women. On December 6, 2012, 23 years to the day after the massacre at the École Polytechnique, we would be remiss if we did not remember the 14 students who were killed solely because they were women. It is a day that gives all of us an opportunity to speak out loud and clear against all forms of violence against women.

December 6 also gives us an opportunity to measure how far we have come since then, and to consider what remains to be done. The year 2012 is particularly significant because it was the year during which the firearms registry was scrapped for ideological reasons and the year during which there was a legal battle to deprive Quebec of the information it had requested.

The Bloc Québécois will never refer to measures that contribute to the safety of women, that prevent tragedies and that save lives as a failure. The Bloc Québécois will never stop opposing violence against women.

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*[English]***VIOLENCE AGAINST WOMEN**

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, today, Canadians remember the terrible tragedy at the École Polytechnique in Montreal.

Our first thoughts must always be for the victims of this violence and their families, young women who were cut down in the prime of life with their lives before them, families and loved ones to this day remembering and grieving losses which are truly senseless. All of us need to reach out to the families whose hearts will never mend and for whom closure is never really there.

Beyond our memory and our grief must lie a determination to act, to do what we can to reduce violence and to limit its impact. We may differ in the House as to the most effective ways to achieve that goal but let us all agree at least on the objectives: to save lives and to end violence.

[Translation]

There are always reasons and excuses for arguments, but never for violence. The young women who were killed lost their lives because of a violent man with a semi-automatic weapon. Tragically, they were not the only ones and tragically, they will not be the last ones.

We remember and we are doing something about it.

*Oral Questions**[A moment of silence observed]*

●(1415)

VIOLENCE AGAINST WOMEN

Hon. Thomas Mulcair (Outremont, NDP): Mr. Speaker, 23 years ago today, 14 women were assassinated at the École Polytechnique in Montreal. They died because they were women. This tragedy left an indelible mark in the hearts of Canadians and every year we pause a moment to commemorate the memory of these innocent victims.

[English]

Tragically, violence against women continues today in many forms. In Canada, certain women are particularly at risk, including aboriginal women, immigrant women and seniors, but no woman is free from violence.

The fight to end violence against women is everybody's responsibility.

[Translation]

On this, the National Day of Remembrance, we must ask ourselves what we can do as individuals and as a society to bring an end to violence against women.

Today, let us renew our commitment to make Canada a place where all women can live safely and securely.

[English]

We must work together to build a country that is safe for all Canadians.

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*[Translation]***VIOLENCE AGAINST WOMEN**

Mrs. Shelly Glover (Saint Boniface, CPC): Mr. Speaker, 23 years ago today, on the evening of December 6, 1989, the country was horrified to learn that an armed man had entered the École Polytechnique in Montreal and killed 14 smart, young and promising women, simply because they were women.

Parliament designated this day to remember that gender-based violence is not a thing of the past. By commemorating this day every year, we remember that violence against women exists in our society.

[English]

While we will never be able to make sense of this tragedy, we can work together to move forward. That is why our government is committed to protecting society's most vulnerable and continuing to take a stand in combatting violence against women at home and abroad.

Today, on the National Day of Remembrance and Action on Violence Against Women, let us join the families and the friends of those lost in the Montreal massacre and honour their memory by redoubling efforts to eradicate all violence against women and girls.

[Translation]

The Speaker: I invite hon. members to rise and observe a minute of silence to commemorate the victims of the tragedy that took place 23 years ago at École Polytechnique in Montreal.

ORAL QUESTIONS*[English]***PUBLIC SAFETY**

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the *Toronto Star* informs us this morning that the Conservative government plans to weaken gun control laws even further.

Can the Prime Minister tell Canadians if that is indeed the case?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I am aware of the story. Let me be as clear as I can be. Prohibited weapons exist as a category under the law for essential reasons of public security.

The government has absolutely no intention of weakening that category of protection.

[Translation]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): And yet, Mr. Speaker, the RCMP itself is worried that the Conservatives apparently want to reduce firearms control to just a few lines in the law.

The public has the right to be protected and the police need these tools to protect them. The assistant commissioner, Pierre Perron, has stated that the changes proposed by the Conservatives would limit the police force's ability to do its work.

Why does the Prime Minister now want to limit the police's ability to do its work and protect the public?

●(1420)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I will be very clear.

Prohibited weapons exist as a category under the law for essential reasons of public security. Our government has no intention of changing that category.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, that is very clear for "that category", but he does not mention the others.

On one hand, the Conservatives have, we might say, loaded the Canadian Firearms Advisory Committee with lobbyists and arms dealers, leaving out the victims and women's groups.

On the other hand, they have systematically ignored recommendations from the police and closed the door on the Canadian Association of Chiefs of Police, for example.

The result is that firearms control in this country will soon be nothing but symbolic and the public will not be as well protected.

I implore the Prime Minister to not limit the police any further and, however he can, to stop the dismantling of firearms control in Canada.

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, that document does not represent the government's position.

In fact, our government has listened to the police in many ways.

For example, we have created a mandatory minimum sentence of five years for all serious crimes committed with firearms; we have eliminated house arrest for such offences; we have suppressed drive-by shootings by creating a new criminal offence; in 2010 we invested in strengthening our borders and suppressing arms dealers; and some weapons are still prohibited, as always.

[*English*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, the changes that Conservatives are considering to weaken gun control are dangerous. This could reduce mental health checks for those renewing gun licences.

The tragic events of December 6 teach us that public safety, not divisive politics, must be our guide when it comes to gun control.

Will the minister now reassure Canadians that he will reject these reckless and dangerous changes proposed by his firearms advisory committee?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, I am very pleased to note that the overall incidence of firearms crime is at the lowest rate in 50 years. The homicide rate with firearms is down 30% since 2008 because of the very strong measures that this government has taken against the criminal use of firearms.

I would ask that member to start supporting us on finding ways to prevent the criminal use of firearms.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, the minister's intimate club of firearms lobbyists seems to be more important than the safety of the people, particularly women.

The government's stubborn spending of public funds to fight in court for the right to destroy the data that Quebec's taxpayers paid for does nothing for public safety.

Quite the opposite, in fact: it only slows down the Quebec government's efforts in this matter. This ideological stubbornness must stop.

Will the minister drop this case against Quebec with regard to the firearms data and, for once, stand on the side of prudence and public safety?

[*English*]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, we have made it very clear that we see no benefit to the long gun registry. It was for that reason we ended the long gun registry. However, we have indicated that we must continue to implement measures that, in fact, target the criminal use of firearms.

As the Prime Minister mentioned a moment or so ago, we have taken very strong and clear measures to prevent the criminal use of firearms. I would ask the member to start supporting those measures.

• (1425)

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I wonder if the Prime Minister could perhaps tell us if he would now consider, in light of the recommendations that have come out of this particular committee, adding the chiefs of police to the group of people who will be on the committee, as well as those who are engaged in combatting domestic violence and those who are dealing with suicide prevention.

Would the Prime Minister agree that the perspective of those groups might be helpful in reaching a more balanced approach than the one we appear to have?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, I want to emphasize that the positions in this report do not reflect the positions of the government.

I will take the advice of the leader of the Liberal Party under consideration. Obviously, I am very concerned with some of the recommendations made in that report, and I think the committee does need some re-examination in that light.

[*Translation*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, it is not often that I get to tell the Prime Minister that I appreciate his response. I think this represents a small step forward in the discussions.

I hope he will also consider the possibility of discussing violence against women. Once again, what can we do to ensure that the viewpoints of victims in these situations will be considered during the committee meetings held to come up with advice for the Attorney General?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I think I answered that question. I rarely appreciate this question from the Liberal Party leader.

[*English*]

Let me add that what animates this government in all measures of public security is the safety of Canadian communities and our streets. We have taken a number of measures to help victims; obviously, the establishment of a victims ombudsman and victims strategy. We will continue to move forward in ways that make sure victims' perspectives on these matters are always understood.

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NATIONAL DEFENCE

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, yesterday, during the course of question period, the Minister of Public Works and Government Services made what I thought was an astonishing admission when she stated with respect to the F-35 committee that in fact, after the Auditor General's report, their work was open and transparent, which implies that before the Auditor General's report the opposite was the case.

I would like to ask the Prime Minister if he could explain why the report we have all been waiting for, the KPMG report, is still on the desk of the minister and has not been shared with the House. We have about 10 days to go before the end of the session. Can we have the assurance of the government that we will in fact have this material before the House adjourns in the middle of December?

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I think the leader of the Liberal Party has taken an inference in a particular answer that clearly was not there.

The government has said repeatedly that it is following the seven-point plan in terms of responding to the Auditor General's report, and the government intends to respond to all of those things in full time with full due diligence and in a way that conveys full information.

* * *

[Translation]

STATUS OF WOMEN

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, Canadians will pause for a moment today to think of the 14 women who were killed simply because they were women. We need to pay greater attention to issues related to gender equality, such as the closure of 12 Status of Women Canada offices and the shutting down of dozens of women's organizations across the country, the attacks on pay equity, the cancellation of child care funding and many other measures.

Will the minister commit to putting her words into action when it comes to issues related to gender equality in Canada?

[English]

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, I am very proud of Status of Women's record in dealing with issues, particularly addressing the issue of ending violence against women.

We have now increased our funding for projects to end violence against women to its highest in Canadian history. In fact, since 2007, we have now funded more than 550 projects across Canada. Most recently, just a few weeks ago, we announced 21 projects across the country to deal specifically with violence against women on college and university campuses.

We will continue to work with all parties in the House to end violence against women.

* * *

ABORIGINAL AFFAIRS

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, the government has done nothing but let Canadian women down every step of the way. Violence remains a reality for far too many women in Canada. Every Canadian deserves to be safe. Unfortunately for so many Canadian women, that is not the case. Tragically, more than 600 aboriginal women are missing and murdered in our country.

We can do better and we must do better. Will the government commit to working with aboriginal women to launch a national inquiry into missing and murdered aboriginal women in Canada?

• (1430)

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, this government is showing leadership in taking concrete action on this tragic issue. Unlike the opposition, who are against bills like Bill S-2 to protect aboriginal women from violence, as part of our \$25 million investment over five years into our missing and murdered aboriginal women's strategy, we have taken a number of measures: implemen-

ted recommendations from the January 2012 report; established a national centre for missing persons; enhanced law enforcement; supported pilot projects to reduce vulnerability; supported victim services that are culturally appropriate; and developed a comprehensive list of best practices.

We are working—

The Speaker: Order. The hon. member for Alfred-Pellan.

[Translation]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, we need this inquiry, and these women must not be ignored. Violence against aboriginal women is a serious problem in Canada.

Aboriginal women are three times more likely to be victims of violence than non-aboriginal women. This is an absolute crisis situation. All women should feel safe in a country like ours.

Will the government finally work in partnership with aboriginal organizations to launch a national inquiry into the cases of murdered and missing aboriginal women?

[English]

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am delighted with the question from the opposition because it allows me to go on and on about everything we are doing in this area, such as we have supported the development of public awareness materials.

The truth is that I am proud to be a Canadian woman and part of this government because our record on looking after victims and standing up for law-abiding Canadians, particularly women, has no equal in this House.

* * *

[Translation]

PUBLIC SAFETY

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, too often, violence against women is not considered a threat to public safety when, in fact, a woman is killed by her partner every six days and, every day, an average of 3,000 women have to seek refuge in shelters for abused women.

Will the Minister of Public Safety finally make combatting violence against women a priority?

[English]

Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, all of us are on the same page with respect to violence against women and making our communities safer and stronger. I appreciate the words of the Prime Minister. We have been very clear in regard to firearms. We will not be eliminating the prohibited category of firearms.

Oral Questions

We have heard from the Minister for Status of Women about the good work we have been doing to help stop violence against women. We want to make sure that people do not get guns who should not have guns, and that the people who commit violent acts are in jail. We want to make sure women have shelter.

Together, we want to protect the women in this country.

* * *

ABORIGINAL AFFAIRS

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, it is time to put words into real action. The availability of women's shelters is crucial for reducing violence against women. Of the aboriginal women living in remote areas, 70% do not have access to shelters. Both the Native Women's Association of Canada and the ministerial representative agree that increasing shelter funding should be the first step in creating a matrimonial real property regime, but the government has not acted yet.

Will the minister stand today and commit to raising core funding for on reserve shelters?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we are committed to supporting first nations children and families. We support more than 40 women's shelters across Canada. We have increased child and family services funding by 25% and invested in family violence protection. We have also introduced legislation to protect the rights of women on reserve.

We will continue to work with first nations to ensure that children and families have the support they need.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, violence against aboriginal women is a public health crisis. Shelters provide front-line health services to first nations, Inuit and Métis people. However, overcrowding and limited resources mean that women are not getting the help they need. Shelters struggle to stay afloat and have difficulty navigating the mess of short-term funding programs.

There is no excuse. Will the minister commit to increasing core funding for women's shelter's on reserve, yes or no?

• (1435)

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we believe the best way to ensure first nation children and families get the support and services they need is by working together with first nations, the provinces and the territories. Our commitment to supporting first nation children and families is clear. We have significantly increased funding and partnerships to enable first nation children and families to access the services they need.

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[Translation]

HOUSING

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, access to emergency or permanent housing is essential for women who want to escape violence. Every year, 100,000 women and children are forced out of their homes. Affordable housing is critical.

Yet Canada is the only G8 country that still does not have a national housing strategy.

Will the government finally develop a housing strategy to guarantee women who are trying to escape violence a safe place to live?

The NDP has a bill to this effect. Will the Conservatives support it?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, our government believes that all Canadians deserve safe and affordable housing. That is why we are investing in creating over 600,000 housing units per year across Canada. Unlike the members of the NDP, who just want to talk, we are taking action.

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INTERNATIONAL CO-OPERATION

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, empty promises and hollow words are not enough. We want to see action not only in Canada but also around the world. The Minister of International Cooperation has a very important role to play in promoting gender equality and women's sexual health abroad.

Yet when he appeared before the committee, he said that CIDA would no longer fund projects that promoted all reproductive choices.

Why is the minister trying to put anti-abortion ideology ahead of women's choices regarding their own health?

[English]

Hon. Julian Fantino (Minister of International Cooperation, CPC): Mr. Speaker, that playback is totally out of context with the discussion that was taking place at the time.

Nonetheless, we are committed to newborn child health and it is a matter of priority throughout the needy world. We are as concerned and conscientious about women's health as we are about children. We will continue to do the work on all of these issues, as we are and have been all along.

* * *

[Translation]

STATUS OF WOMEN

Mrs. Sana Hassainia (Verchères—Les Patriotes, NDP): Mr. Speaker, the UN has said that reproductive choices are fundamental rights. Ideology should never take precedence over women's health.

Many were shocked to see the Minister for Status of Women vote in favour of reopening the abortion debate. We know that many women and men wrote to her to let her know that they did not want a rollback of women's rights.

Will the minister change her position and commit today to defending women's rights?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, this government has been very consistent and clear in defending the rights of women and, indeed, all Canadians. I can only point out for the New Democrats that when we had a vote ending house arrest for sexual assault, they voted against that. They voted against tougher penalties for child predators. They even voted against tougher sentences for those who produce, traffic and import date rape drugs. Maybe she should have a discussion among her colleagues over there as to what they are doing in this area.

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PENSIONS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the Conservatives have squandered a \$13 billion surplus and taken the debt to an unprecedented \$600 billion. To cover their own financial incompetence, the Conservatives will force low-income Canadians to wait an extra two years before qualifying for their old age pension. That will cost the lowest-income Canadians, such as elderly widows, at least \$30,000 each.

Why are Canada's most vulnerable being forced to delay their retirement to pay for Conservative financial incompetence?

• (1440)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, let us face it. The population is aging and we want to ensure that the old age security program is there for all Canadians when they reach the age of retirement. The changes to this program do not even start until 2023 and then they will be phased in gradually.

Our government is committed to ensuring that support for our seniors is there when they need it.

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[Translation]

GOVERNMENT SERVICES

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, the Conservatives' financial incompetence has resulted in record debt of \$600 billion. Consequently, the Conservatives are now slashing services that are important to Canadians.

Service Canada cuts are causing significant delays for the most vulnerable, while immigration cuts are making wait times for family reunifications even longer.

Why must Canadians pay for the financial incompetence of the Conservative government?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, Canada's economic action

plan 2012 is our plan for employment, growth and long-term prosperity. An important part of our plan is balancing the budget by implementing fair, balanced and moderate economic measures.

[English]

We have protected services that Canadians expect from the federal government, and we will continue to do so.

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, Conservative financial incompetence created record deficits and gave Canada now a record \$600 billion debt. Now constrained by the debt they created, the Conservatives are slashing services to working-class Canadians. Cuts to Service Canada mean longer wait times for vulnerable Canadians. Cuts to immigration mean longer wait times for family reunification.

Why are these hard-working Canadians losing services and being forced to suffer as a result of Conservative wasteful spending and financial incompetence?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, we understand that balancing the budget is important if we are to create jobs and long-term prosperity, something that former Liberal governments could not understand. At the same time as former Liberal governments were trying to deal with economic pressures, they cut services on health care and education to our provinces. That was their solution, which was no solution at all. We understand what is important to Canadians; they do not.

* * *

[Translation]

FOREIGN INVESTMENT

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, whether it is the new trade agreement with China or the sale of Nexen, the Conservative approach remains the same: no consultation, no debate and no vote.

The Alberta government is calling for a different approach. It wants a public discussion on foreign ownership and its impact on Canadians. That is how serious and democratic governments deal with sensitive issues.

Why are the Conservatives refusing to listen to Albertans and Canadians, who are calling for a serious and transparent evaluation of Nexen's takeover?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, on the contrary, the hon. member is well aware that when a transaction is proposed, Canadians are free to express their views to Industry Canada's transaction evaluation branch. That is what is happening. Of course, for reasons clearly explained in section 36 of the act, this sensitive information cannot be released.

Oral Questions

One thing is certain: Canadians can count on a responsible government that will always makes decisions in their best interests, unlike the NDP which proposes a radical program that would block all forms of foreign investment. That is irresponsible.

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, they may try to cloud the issue with made-up stories, but the reality is that consulting experts would help the government make informed decisions and stop improvising.

The takeover of Nexen and the trade agreement with China are a mess. By suggesting there could be another delay regarding the decision on CNOOC and Nexen, the Conservatives are spreading fear among investors and on the stock markets.

When will the Conservatives stop managing this important file like amateurs?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, if the hon. member knew the legislation as she should, she would see that section 36 provides for a consultation process.

What is really irresponsible is for a political party like the NDP to suggest that it would not allow any form of foreign investment in the country.

That is not how we operate. We are open to foreign investment because it puts our enterprises in the global value chain, provided there is a net benefit to our country. Canadians can count on a responsible government to evaluate each transaction on its merits.

•(1445)

[English]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, what Canadians should be counting on is being consulted by the government. Canadians deserve better than what they are getting from the government.

Yesterday, the convoluted message of the minister sent the stock market spinning yet again. The government has missed deadlines time after time. It has made decisions in the middle of the night. It has confused investors around the world. It has shut down any consultations with the Canadian public. This is no way to run a G8 country. This is not even the way to run a lemonade stand. It is all a mess.

Will the minister clean up the mess that he has created?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, as soon as NDP members open their mouths there is a major investment chill. They are against foreign investment in our country. The Liberals, like they said a couple of weeks ago, would rubber-stamp each form of transaction.

Canadians can count on their responsible government to ensure that each transaction will be evaluated on its own merit.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, under the NDP, we would have clear rules and public consultations. That is why for so many Canadians 2015 cannot come soon enough—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for Burnaby—New Westminster has the floor.

Mr. Peter Julian: Mr. Speaker, those members really cannot bear to hear the truth.

The deadline will apparently be extended again to December 31, New Year's eve. While Canadians are celebrating New Year's, Conservatives will be selling them out. There is no plan to ensure that state company investments benefit Canada, no public review of the Nexen sellout, no rules for the public and investors to have confidence in. It is disrespectful.

Why is the minister showing such disrespect for Canadians?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, the real form of disrespect that we can see is from NDP members. They say that they care about foreign investment when they do not. They are against foreign investment. They are anti-trade. They propose putting a carbon tax of \$21.5 billion on the shoulders of Canadians. That is irresponsible.

Canadians can count on their responsible government, a government that is open to foreign investment as long as it provides a net benefit for Canada. That is exactly what we are reviewing in the best interests of Canadians.

* * *

JUSTICE

Mr. Kyle Seebach (Brampton West, CPC): Mr. Speaker, since we were first elected, our government has consistently and repeatedly put the rights of victims ahead of the rights of criminals. We have created the Office of the Federal Ombudsman for Crime. We have repealed the so-called faint hope clause. We have introduced in the past dozens of justice and public safety bills to help ensure that offenders serve sentences which reflect the severity of their crime.

Given today's anniversary, could the Minister of Justice please update the House on our government's actions to help victims of crime?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, our government has taken action to ensure that victims have a stronger voice in Canada's criminal justice system. Since 2007, when the government announced the federal victims' strategy, we have made significant investments to respond to the needs of victims of crime.

When it comes to legislation, I am proud to say that this government has cracked down on firearm's crime with tougher penalties for violent offenders. A recent study from Statistics Canada shows that homicides committed with a handgun are down 30% since 2008.

Canadians can count on us to continue to stand up for victims, as we always do.

*Oral Questions***RAIL TRANSPORTATION***[Translation]***NATIONAL DEFENCE**

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, in response to an earlier question about transparency in the failed procurement process for the F-35s, the Prime Minister said that the Conservatives were going to be diligent. How can they be trusted? The Auditor General has condemned their practices and the secretariat is now making the same mistakes.

When the Prime Minister talks about diligence, is he referring to the diligence with which he and his government hid the truth about the F-35s?

[English]

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, the National Fighter Procurement Secretariat is in place to ensure transparency and due diligence is done in our decision to replace the CF-18s.

Let me just remind the member what the secretariat is. It is: the deputy minister of Public Works; the deputy minister of the Department of National Defence; the deputy minister of Industry Canada; the deputy secretary of the cabinet; the secretary of the Treasury Board; the associate deputy minister of the Department of Finance; the national security advisor to the Prime Minister, as well as many officials; a respected former Auditor General of Canada; and a respected academic.

These are the people doing the work for the government. They are doing substantive and comprehensive work. I would ask the member to give them the time—

- (1450)

The Speaker: The hon. member for Beaches—East York.

Mr. Matthew Kellway (Beaches—East York, NDP): None of whom are accountable to Canadians, Mr. Speaker.

It would take a giant leap of imagination to swallow that this current secretive process, including sitting on the KPMG report for at least a week now, is somehow open and transparent. From the get-go, the Conservatives have had permanent staff assigned to the JSF office in Washington. For 11 years they have been receiving bilateral cost breakdowns from the U.S. defense department. Since 2006, they have received 15 cost information packages on the F-35.

Will this information be made public? Will it form part of the KPMG report? When can we expect that report?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, the National Fighter Procurement Secretariat and the officials who are in charge of ensuring that the proper due diligence is done leading up to the decision to replace our CF-18s are doing this work. Their mandate is public. It is published on their website. At this point there has been no money spent on the acquisition of new aircraft. Until the secretariat has finished its seven-point plan, no money will be spent.

The KPMG report is obviously an independent validation of the Department of National Defence's cost estimates and the secretariat will release that as well.

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, 8 out of 10 rail freight customers feel that they are getting shoddy service and unacceptable prices. With radical downsizing at CP, services are expected to become less reliable and more expensive. Farmers, mining and forestry companies will hurt even more and our economy will suffer.

The minister keeps making promises while rail customers are getting fleeced. When will the minister finally take action and adopt my rail customer protection act?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, we have said we will introduce the rail freight review during the fall. That is what we will do.

This is another example of the NDP wanting to manage a private company on behalf of the managers who are named to it. The NDP wants to manage everything in the country. CP is a private company. It will continue to manage its own company. We will ensure our country has the best service we can provide with the support of private companies.

[Translation]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, when we return to the House, it will be winter.

This is not very reassuring for consumers, who would like to see concrete action and a little leadership from the minister.

Canadian Pacific is going to cut 4,500 jobs. There will be a fire sale of hundreds of locomotives and cars, and many stations and marshalling yards will be abandoned.

What does the minister have to say about these draconian cuts by Canadian Pacific? He twiddles his thumbs. He said that there would be an answer in the fall, but we do not know in what year.

How many kilometres of railway have to rust out before the minister shoulders his responsibilities?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, a process that began several years ago is about to come to fruition. We said that we would be tabling the railway transportation review in the fall. To the best of my knowledge, fall is over on December 21—assuming he and I are using the same calendar. We will continue to do the work we have been doing for a long time now.

Oral Questions

This is just one more example of why the NDP thinks it can manage every company in Canada and that everything needs to depend exclusively on the government, which is not the case here. We respect the people who are appointed to run private companies. We are making sure that Canadians receive good rail service, just as they receive good services in all transportation-related sectors. That is what we are going to do.

* * *

[English]

HEALTH

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, the U.S. just waded into the OxyContin debate by issuing warnings about the Conservative government's decision to allow generic OxyContin on the market. Officials are afraid it will hit the streets in the U.S. just as they are trying to deal with their own massive OxyContin problem.

The minister refuses to listen to the pleas of provincial health ministers and aboriginal communities to stop generic OxyContin. She obviously does not care about the health of Canadians, but will she at least listen to the U.S. and not precipitate an international public health crisis?

● (1455)

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, our government has implemented tough new controls to help prevent these drugs from being illegally distributed. We have tightened the rules under the non-insured health benefits program and we have seen a 50% reduction in the amount of these drugs provided. However, these are just some of the actions we are taking.

While I am standing, I feel inclined to ask the Liberal Party a question that was asked yesterday and members refused to answer it. OxyContin was approved in 1996 under the Liberal government. Will the Liberals tell us now why they did absolutely nothing to stop its abuse?

* * *

NATIONAL DEFENCE

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, possibly the Prime Minister did not understand the Minister of Public Works yesterday when she said an “open and transparent process started right after the [AG's] report”. Apparently the process was not open and transparent prior to the AG's report and was stonewalled through prorogation, through contempt motions and an election, which were mere potholes on the bumpy road to openness and transparency.

If the minister now has seen the light on her Damascus Road experience of openness and transparency, why is she sitting on the KPMG report?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, as I indicated, the National Fighter Procurement Secretariat is the body that is responsible for these reports. It is ensuring that transparency and due diligence is done. There are several reports. There is substantive work to be done. It will be the one to release it and speak to these reports.

As I indicated, no money has been spent in the acquisition of any aircraft and until all of the seven-point plan has been administered by the secretariat, no decision will be made to replace our CF-18s.

* * *

[Translation]

ASBESTOS

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, yesterday the Conservatives and Bloc Québécois refused to support international efforts to warn importing countries of the hazards related to the use of asbestos. They also refused to guarantee that the \$50 million earmarked for the industrial restructuring plan will be spent in consultation with stakeholders in the community. We have no guarantee that the money invested will give priority to creating jobs for the former asbestos miners.

Can the Minister of Industry tell us exactly how the \$50 million will serve the needs of the former miners and when the Canadian government will clearly support adding asbestos to the Rotterdam Convention list?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, I think my colleague has forgotten part of this parliamentary session. He asked the same question at the beginning of this session and we clearly stated that since the Government of Quebec no longer wished to mine chrysotile asbestos, it was clear that Canada no longer had any reason to oppose including chrysotile asbestos on the Rotterdam Convention list.

In addition, we have allocated \$50 million for economic diversification. Yes, economic diversification. That is what was announced. The terms and conditions of that funding will be announced shortly.

[English]

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, last night Conservative MPs voted to support asbestos, even though they know asbestos kills. Conservatives oppose including asbestos in the Rotterdam convention, which helps protect workers around the world, such as those handling Canadian asbestos in places like India, Pakistan and Sri Lanka. They have voted against efforts to help Canadian asbestos regions transition into other industries.

When will the Conservatives finally put human lives first when it comes to this deadly substance called asbestos?

[Translation]

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, let me be clear: as we have said, Canada will no longer oppose adding chrysotile asbestos to the Rotterdam Convention list. I think I have made this clear.

We also announced \$50 million in funding for economic diversification, in order to help those communities. It is important to understand that the terms and conditions are clearly defined.

Oral Questions

Unlike the NDP, which always wants to avoid responsibility and take credit for things it did not do, we are getting the job done.

* * *

[English]

FOREIGN AFFAIRS

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, we are over a year and a half into the crisis in Syria and the Assad regime continues to prove to the rest of the world its utter disregard for human life. Today we hear reports that the Assad regime in Syria may be preparing to use chemical weapons against the Syrian population.

Would the Minister of Foreign Affairs please comment on these most recent reports?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, I know I speak for all Canadians and all members of the House when I say these reports are deeply disturbing and are absolutely unacceptable. Our government has been very clear that the international community will not tolerate the use of chemical weapons by the Assad regime on the Syrian people. We have called on countries such as Russia and China to use whatever leverage they have to prevent this serious crisis from entering a new disastrous phase. Ultimately, Assad and his supporters will be held accountable. We stand with the Syrian people in their hour of need.

• (1500)

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, on the same point, the reports indicate very clearly that anonymous sources within the U.S. state department are leaking information that Syria may be loading warheads with chemical weapons and there is a report that a possible French attack, joined by others against the Assad regime, could begin very soon.

Obviously I am not asking the Minister of Foreign Affairs to disclose any secrets, but can he tell us whether or not he has been in touch with his colleagues in other capitals with respect to this issue of chemical weapons and whether Canada will be part of any international action that could take place?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, I want to thank the leader of the Liberal Party for the question. It is an important issue. We have for some time been actively talking with our allies. Over the past six months I have had the opportunity to speak with colleagues from the United States, the United Kingdom and from the region. We are obviously deeply concerned. I think President Obama spoke loudly and clearly for the civilized world when he said that these actions, if they did follow through on them, would be absolutely unacceptable and there would be serious consequences to be paid.

* * *

ARCTIC COUNCIL

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, a confidential government document on chairing the Arctic Council makes no mention of issues such as loss of sea ice, oil spill prevention or fisheries management. Instead, it places too much emphasis on resource development in our north.

When is this minister going to understand her new international duties cannot be wasted on a PR exercise for the Conservative big business agenda? Can she explain why is not living up to her duties, and this time without dismissing respected Inuit leader Mary Simon?

Mr. Greg Rickford (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, for the Canadian Northern Economic Development Agency and for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, our commitment to the north is undeniable and unprecedented. We have made investments in things such as northern health care, investments in infrastructure, investments in tourism, investments in business, and the list goes on.

Bill C-47 is at committee right now. It represents one of the best opportunities to expand economic development for the north, in the north, while balancing the interests of environmental protection.

I would ask the member for Western Arctic this. Yesterday, he was asked to explain why he voted against his constituents' wishes, for example, on the Inuvik-Tuk highway, and he responded, "I do not really have to answer any of those things".

I think he will soon, if not by—

The Speaker: The hon. member for Don Valley East.

* * *

INTERNATIONAL CO-OPERATION

Mr. Joe Daniel (Don Valley East, CPC): Mr. Speaker, from assisting in the 2010 Haiti earthquake to creating the Sahel matching fund to helping our friends in the Caribbean post-Hurricane Sandy, Canada has stood ready to help.

Can the Minister of International Cooperation please update the House on how Canada is assisting those affected by Typhoon Bopha in the Philippines?

Hon. Julian Fantino (Minister of International Cooperation, CPC): Mr. Speaker, we extend our deepest sympathies and condolences to the victims of Typhoon Bopha. Canada is a compassionate neighbour that stands ready to help in times of need.

That is why we have committed through the Red Cross to addressing the emergency needs of those affected by the typhoon in the Philippines. Canadians can be proud of the help they are providing to very needy people at this time.

* * *

[Translation]

EMPLOYMENT INSURANCE

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, Quebec municipalities all agree: they oppose the government's employment insurance reform. The UMQ sees the changes as, quite simply, an attack on regional economies that harms both workers and employers. Instead of tackling the problem of unemployment and recognizing the diversity of the Canadian economy, the Conservatives would rather attack unemployed workers and small businesses.

Why is the minister not listening to Canadians and refusing to cancel her devastating employment insurance reform?

Business of the House

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, what we are trying to do is help unemployed workers find new jobs. That is a good idea, is it not? To do that, we are informing them of the jobs that are available in their field and in their region, and we are helping them to get the training they need for these positions.

We are stepping up to help unemployed workers find jobs. It is good for them, their families and our country.

* * *

● (1505)

[English]

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, despite a misleading report on Environment Canada's site that uses per capita emissions, overall, the delegates at Doha heard Canada's greenhouse gas emissions have gone up again. The scientific advice is increasingly clear that the impacts of the climate crisis are coming faster than expected and are more severe than expected: arctic ice, permafrost, sea level rise.

Given that all of these things are occurring faster than anticipated, when was the last time the Prime Minister was briefed on the scientific aspects of this crisis, and who briefed him?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I am very surprised at this question from the leader of the Green Party.

Just last week on behalf of the government and the minister from Newfoundland and Labrador, we announced one of the most important green energy initiatives in the history of this country, an initiative supporting the Lower Churchill and related developments that will take 4.5 megatons of greenhouse gas emissions out of our system.

Yet the Green Party of Canada stood against it. On this side, we are for helping the environment and making sure there is energy security and prosperity—

Some hon. members: Oh, oh!

The Speaker: That concludes question period for today.

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PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of the Hon. Verlyn Olson, Minister of Agriculture and Rural Development for Alberta.

Some hon. members: Hear, hear!

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POINTS OF ORDER

STATEMENTS BY MEMBERS

Mrs. Susan Truppe (London North Centre, CPC): Mr. Speaker, I believe that during my S. O. 31 I incorrectly stated 1988. It should have been 1989, and I apologize. I just want to correct it for the record.

BUSINESS OF THE HOUSE

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is an honour for me to rise on behalf of the opposition. As is practice on page 488 of the *House of Commons Procedure and Practice*, second edition, I now ask, on behalf of the official opposition, what business the government plans to bring forward for the rest of this week and the week following.

[Translation]

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I want to start by thanking everyone involved in supporting us as members of Parliament in Tuesday's voting. Despite all of the amendments at committee and in the House, the balance of the government's 2012 economic action plan will become law shortly.

This afternoon, the House will resume consideration of second reading of Bill C-15, the Strengthening Military Justice in the Defence of Canada Act. Once that has concluded, we will turn to report stage of Bill C-37, the Increasing Offenders' Accountability for Victims Act, Bill C-42, the Enhancing Royal Canadian Mounted Police Accountability Act, and Bill C-43, the Faster Removal of Foreign Criminals Act.

[English]

We will continue working on these bills tomorrow.

[Translation]

Monday shall be the seventh allotted day, which goes to the New Democrats. This gives the official opposition one last opportunity before the new year to lay out its plans and schemes for a \$21.5 billion job-killing carbon tax that will raise the price of everything.

[English]

For the rest of the week, I hope to advance a lot of legislation that continues to sit on the order paper. In addition to the bills I mentioned already, we will also consider Bill C-48, the technical tax amendments act, 2012; Bill S-8, the safe drinking water for first nations act; Bill S-2, the family homes on reserves and matrimonial interests or rights act; Bill S-6, the first nations elections act; Bill S-10, the prohibiting cluster munitions act; Bill C-49, the Canadian museum of history act; Bill C-17, the Air Canada and its associates act; and Bill S-7, the combating terrorism act, once that bill has been reported back from committee next week, which I anticipate.

*Government Orders***GOVERNMENT ORDERS***[Translation]***STRENGTHENING MILITARY JUSTICE IN THE DEFENCE OF CANADA ACT**

The House resumed consideration of the motion that Bill C-15, An Act to amend the National Defence Act and to make 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.

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, this afternoon, I listened to the government MPs' questions. They asked us why we oppose this, that and the other thing. Simply put, as they are in the majority, they can do whatever they want. We cannot stop them, because no amendments are ever adopted in parliamentary committees, and none of our amendments are ever adopted here, ever.

They should instead ask themselves a philosophical question. The government's policy decisions are supposed to be based on human rights and on building a just society in other countries whose society is not based on law and a proper justice system. Some people volunteer to work towards this and put their lives at risk. When they return, they are denied access to an equitable and basically decent justice system. The Conservatives are unable to do what has been done in Great Britain, Australia and New Zealand. Perhaps they prefer the 19th century system of military justice, imported from Great Britain, which probably was called "the Royal something or other".

If we want to build a lawful society in Afghanistan, we should begin by looking into the possibility of having one here.

It is clear that the armed forces need a justice system to deal with problems that occur in the field, in extreme cases where rapid action is required. However, there is no reason why this form of justice should continue to haunt soldiers in their civilian lives for years. They are already dogged by physical injuries and post-traumatic stress, and do not need to be burdened by a criminal record that will handicap them in their everyday lives for the rest of their days.

• (1510)

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I would like to thank my colleague for his intervention. I would like him to say more about being equitable and striking a balance in this bill and harmonizing it with civilian justice, for example. He alluded to that; I would like him to comment further.

Mr. Marc-André Morin: Mr. Speaker, there definitely needs to be a difference between the two justice systems. One ought to be applicable to situations in which soldiers are doing their jobs and putting their lives and health in danger. The difference between these conditions and civilian life afterwards need to be taken into consideration. It is not the same thing, and the distinction must be made; otherwise there is a risk that they will return to society after having been through a justice system that denies them some of the rights to which they would be entitled in civilian society.

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, I thank my colleague from Laurentides—Labelle for his interesting remarks on Bill C-15. Bill C-15 was

studied in committee, and the NDP proposed amendments to the bill, which, surprise surprise, were defeated without any assurance that they were ever truly considered.

I would like to ask my colleague whether, in his experience, he has seen other similar situations and if, on the committees he has sat, he has seen other situations where amendments were defeated similarly without even being properly considered or debated.

I have seen similar situations in the committees on which I have sat. Since my colleague is talking about democracy, perhaps he would like to comment on the process Bill C-15 has undergone to date in committee.

• (1515)

Mr. Marc-André Morin: Mr. Speaker, I sit on the Standing Committee on International Trade. I have, on occasion, sat on many other committees to replace colleagues. Knocking back amendments is the Conservatives' national sport. I have almost never seen an amendment adopted, unless it was something absolutely insignificant, of no importance, and about which everybody cannot help but agree. Amendments are always systematically defeated. Members have barely taken their seats before they hear the words "defeated" ringing in their ears. It has become an automated response.

The Conservatives would now have us believe that the opposition can make a series of proposals about which they will remain open-minded. I certainly have my doubts. If people were aware of how things worked in committee, they would be even more concerned than they are right now about what is going on here.

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, in the reform of the summary trial system, apparently the judge is the commanding officer of the accused. In the case of minor offences, such as insubordination, does my colleague not think there might be other possible conflicts of interest?

Mr. Marc-André Morin: Mr. Speaker, the army is indeed a hierarchy, and everywhere there are hierarchies there are conflicts between the various levels. A commanding officer may not like one of his subordinates or appreciate the way he reacts. That can cause tension. I cannot see why there would not be tension in the army as there is across all society, especially since these people are pushed to their limits when it comes to professional performance. There is certainly great potential for conflict, which may result in injustices being done.

If we do not think about it now, we will have to think about it later. On the other side of the House, they always want to act later and never now.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I have to ask my hon. colleague from Laurentides—Labelle a fairly simple question.

Of course, the NDP is complaining about the fact that we have a majority and how we can do whatever we like in the House or in committees. That is not true, but the member has made that complaint. During this debate, we are seeing what happens when the NDP fails to live up to its own responsibilities. The amendments and modernizations in this bill on the military justice system are all waiting for us in committee. We cannot deal with them without going to committee.

Government Orders

Does the member not agree that by prolonging this debate in the House, he is delaying the achievement of his own goals?

Mr. Marc-André Morin: Mr. Speaker, it is very easy for my colleague to say what he is saying now. I do not want to go back over all the details, but I would point out that the NDP presented amendments at the time Bill C-41 was being considered. They were excellent proposals that provided solutions to real problems that had arisen in another botched bill.

After 2015, we are going to write our own bills, they way they should be written, and we will examine them in committees. We will not come back and try to fix them later.

The opportunity to support the amendments arose in the past when the former incarnations of this bill were introduced. In its present form, these amendments were all presented and not one was adopted. That is why we do not want to go any further. In any event, the Conservatives are going to pass their bill anyway, based on the principle that nothing will go into it that they did not come up with themselves.

● (1520)

[English]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, before I launch into my speech, I will just pick up on a point that my good friend was making about the amendments proposed to the previous incarnation of this bill. As he rightly pointed out, those amendments have not been included in the current version of the legislation.

I will talk about some of the testimony given in regard to the previous bill, which does beg the following question. Here we have witnesses, people who have a tremendous amount of detailed knowledge about some of these issues, coming before committees on this particular bill and its previous incarnation, and yet every single proposal for an amendment is disregarded. Some of these amendments are reasoned amendments. We have seen this in committee after committee. On the aboriginal affairs committee I am involved with, I do not believe we have had a single amendment to the legislation before the committee.

We use our time here in the House to raise these issues because the public pays attention to debate in the House. Bringing forward these important points of view for consideration in legislation is part of our responsibility of due diligence as parliamentarians. I have talked about due diligence a number of times in the House. It is our responsibility to examine the legislation closely, to see where there are potential faults and to see if there are ways that we can improve the legislation. We are being responsible parliamentarians by raising these issues, and if we need to take the time in the House to do that, we will take the time in the House. The government will continue to limit debate, and here it is ironic that we are talking about military justice. Despite our talking about justice here, the government continues to limit debate, forcing time allocation, managing witness lists, and on it goes, all of which are not part of the democratic process.

Turning to Bill C-15, I am sure that others have spoken about this but I just want to read into the record that on October 7, 2011 the Minister of National Defence introduced Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to

other Acts, the strengthening military justice in the defence of Canada act. Just as a little aside, it is about strengthening military justice, and if we want to strengthen military justice in this country the other thing that we have to do is to look after veterans when they come home. If we want to talk about justice, that is justice. I have too many Afghanistan veterans in my riding suffering from PTSD who cannot get access to the education funds they need to resume their lives because of the trauma they have suffered in Afghanistan. Therefore, if we want to talk about military justice, let us also talk about supporting the troops when they come home.

Bill C-15 would amend the National Defence Act to strengthen military justice following the 2003 report by the former Chief Justice of the Supreme Court, the Right Hon. Antonio Lamer, and the May 2009 report of the Standing Senate Committee on Legal and Constitutional Affairs. Among other things, the bill would provide greater flexibility in the sentencing process. It would:

(d) provide for additional sentencing options, including absolute discharges, intermittent sentences and restitution;

(e) modify the composition of a court martial panel according to the rank of the accused person; and

(f) modify the limitation period applicable to summary trials and allow an accused person to waive the limitation periods.

It would also clarify the responsibilities of the Canadian Forces Provost Marshal and make amendments to the delegation of the Chief of Defence Staff's powers as the final authority in the grievance process.

The New Democrats believe that Bill C-15 is a step in the right direction to bring the military justice system more in line with the civilian justice system. However, it falls short on key issues when it comes to reforming the summary trial system, reforming the grievance system and strengthening the military complaints commission.

I will now turn briefly to the legislative summary, because it does bring forward some of the testimony on the previous bill. The legislative summary indicates that the Bill C-15 "largely reproduces the provisions of the former Bill C-41...". That is an important point because the New Democrats did propose amendments to that bill and there were witnesses who came forward and talked about some ways the bill could be improved. Many of us support aspects of the bill but there are some key parts that require further attention.

In summarizing some of the key witness testimony, the legislative summary states:

[They] raised concerns regarding specific clauses in the bill, including:

provisions that would permit the Vice Chief of Defence Staff...to issue instructions in respect of specific military police investigations;

provisions regarding the composition of the Grievance Board and provisions allowing active service members of the Canadian Forces to be appointed to the Grievance Board; and

provisions making the CDS the final authority in relation to grievances submitted by military judges not related to their judicial duties.

Government Orders

A number of submissions to the committee suggested that while the bill was a very positive step, it ought to have gone further by, for example, reforming the summary trial system to include more procedural protections for accused persons or by diminishing the consequences of conviction before such tribunals. The lack of authority of the CDS to provide financial compensation when compensation is found to be due under the grievance process, and the failure to implement certain outstanding recommendations in the Lamer Report relating to the Grievance Board were also raised as concerns during the hearings.

● (1525)

I want to focus on one particular aspect of this and read from the testimony on Bill C-41 by the B.C. Civil Liberties Association. Concerns have been raised about the summary trial aspect of the bill. In its brief called "Supporting the Troops: Fairness for Canada's Soldiers", the B.C. Civil Liberties Association raised a number of issues. I want to talk about summary trials first, because many of us in the House are not lawyers and do not have intimate knowledge of the criminal justice system.

The brief states:

Summary trials are a type of service tribunal used to try members of the Canadian forces who are accused of wrongdoing in an expedient, informal manner. They are the main alternative to courts martial, which more closely match the civilian judicial process and generally require more time and expense to try an accused. Summary trials are the principal method through which individuals in the military are tried. They make up roughly 95% of service tribunals convened each year under the Act, while courts martial are used to try the remaining 5% of cases.

Summary trials can be used to try an accused charged with almost every offence under the Act, aside from particularly serious offences such as mutiny and certain seditious offences, and can also be used to try individuals for offences under other Canadian statutes such as the Criminal Code and the Controlled Drugs and Substances Act. While certain minor offences, such as drunkenness and being away from a post without leave, can only be tried by way of summary trial, in other cases an individual charged with an offence under the Act is given the choice as to whether to be tried by summary trial or court martial. It is to be inferred that individuals charged with an offence may be daunted or intimidated by the more complex nature of proceedings before courts martial. A majority of those charged with disciplinary violations under the Act, especially those charged with minor offences, do not choose to avail themselves of their right to be tried through a court martial...

One of the most serious deficiencies of the summary trial procedure is the fact that most accused lack adequate representation. Individuals being tried by summary trial do not have the right to be represented by a lawyer, and may be prevented from doing so even if they arrange for counsel at their own expense. The Act does require that an accused be provided with an "assisting officer," who can assist with many aspects of the process, including preparing an accused person's case and making submissions on their behalf at the trial. However, assisting officers are not required to have any legal training, or any previous experience with the summary trial process. They are generally other officers in the accused's unit, and are appointed for the role under the authority of the presiding officer at a summary trial, which in itself presents a conflict of interest. Many assisting officers therefore lack sufficient training and experience to provide an accused with effective representation.

It also states:

BCCLA believes that the summary trial process, which is used to try individuals for offences under the Act in an expedited manner, fails to meet minimum standards for procedural fairness. Despite the potential for significant criminal penalties, including imprisonment and stigmatizing criminal records, the summary process deprives Canadian soldiers of basic standards of fundamental justice, including the right to legal representation, the right to be tried according to the standard of guilt beyond reasonable doubt, the presumption of innocence, and the right to an impartial adjudication of one's case. Weak trial procedures and limited mandatory training for decision makers tend to induce poor quality adjudication, false convictions and wrongful imprisonment. During deployment or active combat there may be sufficient reason to justify a departure from basic standards of procedural fairness, but absent such urgency and necessity, the rule of law and the principles of fundamental justice demand more for our soldiers.

There is a lot more in this testimony, but my time is running out.

Given what we require our troops to do, which many of us here would not be prepared to do, these principles of fundamental justice are critical. That is why the NDP is opposing the bill. That is why the former member recommended a number of amendments, which are simply not present in Bill C-15.

● (1530)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I have to correct the record on a number of points. First, the member ought to know that successive former chief justices of the Supreme Court of Canada have upheld the summary trial system as constitutionally valid, as absolutely required and lawful as part of the military justice system under the Constitution of Canada. They include former Chief Justices Lamer and Dickson, and former Justice LeSage.

Second, our government has done more than any other in history for veterans. It must have been feigned outrage by the member opposite when she complained that nothing was being done on PTSD and mental health. All of the measures we have taken in raising support levels to historic highs have been opposed by the other side.

My question is much more serious. The member implied that we are limiting debate on this issue and are not open to amendments, when all of us on this side have stood and made it clear that the absolute opposite is true. The fact the bill has not gone to committee is only because of the extensive and dilatory debate forced by the other side. Does the member not realize that changes to the summary trial system, modernization of the military justice system, can only move forward if, and only if, the bill moves to committee? Her party's obstinacy in keeping this debate open in the House, when we have heard all of the arguments they have, is what is preventing our country from having the military justice system it deserves.

Ms. Jean Crowder: Mr. Speaker, there are a number of points that were made. I will start with the issues around summary trials. I was reading from the B.C. Civil Liberties Association, bringing forward its concerns with the process in the bill. It has a number of valid concerns that need to be addressed by the House.

The member talked about the fact that perhaps they are open to amendments. However, the question then becomes this. Amendments were proposed when Bill C-41 was before committee, but the amendments are not reflected in Bill C-15. Therefore, if they are amenable to amendments why are some of those amendments not included in Bill C-15? It does not sound like good faith when we hear on the one hand that they are willing to look at amendments, and then on the other hand see them not considering any of the amendments before them.

What amendments would they consider then? Maybe they would like to actually talk in the House about the amendments they would consider.

Government Orders

With regard to veterans and my so-called feigned outrage, my outrage is not feigned. I would invite the member to come to my riding in Nanaimo—Cowichan and talk to some of the veterans who are not getting the services they need from the government. We have veterans who are living on the streets because they cannot find housing and do not have the necessary supports. It is not feigned outrage. The Conservatives need to pay attention to what is happening to veterans in the country when they return.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I would like to thank the member for Nanaimo—Cowichan so much for giving that very strong response. Unfortunately, the parliamentary secretary apparently did not hear the response after he asked his question. It totally begs the question that if the issue of summary trials is a problem, why does the bill does not include the NDP amendments included in the previous bill, which we understood would be supported this time around?

The member for Nanaimo—Cowichan hit the nail right on the head. She is absolutely correct that the bill is faulty, that it does not include the provisions required to ensure that those subject to the military justice system actually get a fair deal and a fair trial.

The thing that really bothers me is that when people end up with a criminal record for a minor offence, it is something that can impact their whole lives. I am dealing with constituents today who are facing this situation, and now it will be almost impossible for them to get a pardon for certain offences under the new laws the Conservatives have passed. Therefore, I would like the member to comment on what it means to have a criminal record.

• (1535)

Ms. Jean Crowder: Mr. Speaker, the member for Vancouver East has been a strong defender of human rights and brings up a very valid point in her question.

However, I just want to comment a little on the amendment piece, because the parliamentary secretary accused the NDP of engaging in dilatory debate in the House. Here I return to what the member for Vancouver East said about amendments. I do not consider it dilatory debate in the House to mention the number of good amendments proposed to the previous bill. We now have a bill that was re-introduced in the House without the government having considered those amendments. Why should we have any faith that the government will actually consider those reasonable amendments at committee? There is just no reason to think that would actually happen.

In addition, the member talks about criminal records. We already know that people are having a tough time finding employment in the country. If they are burdened with a criminal record because of the way this process is set up, just think how difficult it will be for them to support themselves and their families.

[*Translation*]

Ms. Éleine Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, I am very pleased to rise today to speak to Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts.

Many of my colleagues have already spoken about this bill, today and during previous days. I am very pleased to join their ranks today.

Despite what we sometimes hear, the NDP has been in favour of making the necessary updates to the military justice system for a long time now, and we have been working to improve and strengthen this system of justice.

Members of the Canadian forces are subject to extremely high standards of discipline and they deserve to have a justice system that is held to the same high standard.

Before going any further in my discussion about Bill C-15, I would like to take a moment to thank my colleague from Nanaimo—Cowichan for her very appropriate comments about military justice for our veterans.

I come from the riding of Portneuf—Jacques-Cartier, where the Valcartier military base is located. A number of troops have been sent to Afghanistan over the past few years. Some of them are my age and others are younger than I am. When they come back, they do not have the services they deserve. Sometimes they are relieved of their duties after a year, without any forces' support. They receive a lump sum and that is it. Once that money has been spent, our troops no longer have any support from the government. However, they deserve more, because they gave their lives, they sacrificed time that they could have been spending with their family and they sacrificed many things in the service of their country. They deserve a lot more than they are getting right now. Therefore, I would like to thank my colleague and I would like to take the time to thank the troops. As there have been members of my family in the military for a number of generations, I understand all the sacrifices that choosing this career can have on families.

To come back to Bill C-15, it is a response to a series of 88 recommendations made in 2003 by the Honourable Antonio Lamer, former Chief Justice of the Supreme Court of Canada, in his report on the independent review of the National Defence Act.

His recommendations were presented almost 10 years ago now and dealt primarily with the military justice system, the Military Police Complaints Commission, the grievance process and the Canadian Forces provost marshal.

When the Lamer report was tabled, the Liberals were in power. At the time, they said they supported the report's recommendations, but they never took any concrete action to follow them up. In successive parliaments, a number of bills have been introduced in the House, which were attempts to develop an adequate response to the recommendations presented in the Lamer report. However, all of these responses died on the order paper.

One of the bills introduced in a previous Parliament was Bill C-41, in 2010. There was a great deal of discussion about it in the House. The bill contained provisions relating to military justice, and involved reforms to the sentencing process following an offence, military judges and military panels, summary trials and many other issues.

This bill was studied in detail in committee, and some amendments were proposed and accepted by all the parties, including the NDP. All the parties were able to agree on a bill that put forward a more balanced approach to military justice.

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Now, Bill C-15 is clearly a first step in the right direction, but it does not go far enough to try to bring the military justice system and the civilian justice system closer together. Bill C-15 includes several provisions that were in Bill C-41. However, many were not included in the new version of the bill, including amendments that were proposed by the NDP about the authority of the Chief of Defence Staff in the grievance process, changes in the composition of the grievance board to ensure that members were 60% civilians, and the provision to ensure that a person convicted in a summary trial is not unjustly subjected to a criminal record.

The NDP believes that Bill C-15, if it gets through second reading, needs to be thoroughly reworked to correct the many shortcomings it still contains, such as how the summary trial issue is dealt with.

The summary trial is by far the most common kind of military tribunal in the military justice system. Indeed, more than 90% of disciplinary proceedings are handled in this manner. Summary trials were designed to address minor military offences in a context in which the sentences available are limited.

● (1540)

These minor offences include insubordination, quarrels, misconduct, being absent without leave, drunkenness and disobeying an order.

Summary trials attempt to deal quickly with the presumed offences within the unit in order to be able to return the member to active service as quickly as possible, thereby promoting and maintaining discipline within the unit. With the exception of a number of specified offences, an accused may choose between a summary trial or a court martial, which is generally for more serious offences and involves more complex procedures.

Summary trials differ from civilian judicial proceedings in several ways. First of all, in a summary trial, there is no transcript of the proceedings, and the accused's commanding officer presides. This alone gives rise to concerns about the potential for conflicts of interest. In addition, the accused are not given the opportunity to consult a legal advisor during proceedings, and the sentence handed down as a result of a summary trial cannot be appealed.

Lastly, a conviction in a summary trial in the Canadian Forces results in a criminal record for the accused, which seems much too severe for many of the minor offences.

Yes, under Bill C-15 certain offences that are subject to minor sentences or fines less than \$500, would be exempt from resulting in a criminal record. That is positive, but we think that does not go far enough.

A criminal record makes post-military life very difficult, particularly when it comes to looking for a new job, renting an apartment, travelling and many other things. We know that returning to civilian life after being deployed overseas or after spending a certain amount of time in the armed forces is not always very easy. There are not always equivalents for skills transferred between various jobs. These people need a lot of support. They may need to take various remedial courses, or new training to be able to return to civilian life. This involves a lot of effort in a situation that is already so difficult. If you add to that the fact that an individual has a

criminal record for a minor offence as a result of a summary trial, that really undermines the lives of certain military members. They are deprived of certain charter rights.

It is hard to imagine that soldiers who sacrifice themselves, who risk everything in the service of their country, can have a criminal record as a result of a system that does not have the regularity of the process used in civilian criminal courts. I understand that the Canadian Forces have established a code of conduct under which standards are quite strict in order to meet a genuine operational need. We cannot deny that. Discipline, obeying orders and hierarchy have a specific purpose and are essential to the proper operation of the unit and the survival of soldiers in combat situations. That is clear. However, it is nevertheless disturbing that military members can be deprived of certain charter rights when they undergo a summary trial. The NDP believes that the Canadian military justice system should be genuinely just and fair for men and women in uniform who have risked their lives in the service of Canada.

Several Commonwealth countries such as Great Britain, Ireland, New Zealand and Australia have already made significant changes to their summary trial system. Why not Canada? Why does Canada still lag behind, and why have we not yet implemented all the recommendations of the Lamer report?

If Bill C-15 passes second reading and is referred to committee, it is essential that we come up with a bill similar to what was introduced in Bill C-41. The work done at that time represented a consensus among all the parties. It should not be shelved simply because the Conservative government now has a majority.

The amendments discussed last spring could have been included in the present version of Bill C-15, and we would not be here today. We would not still be engaged in the debate that we are having in this House; we would already be dealing with a much more balanced bill for our military justice system. That is what we are all trying to achieve. That is why the NDP continues this debate in this House. This is a very important issue for our troops and we must debate it thoroughly.

● (1545)

[English]

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I was part of the military justice system. I have conducted summary trials and fortunately have not been on the other side of a summary trial, but the member opposite complained about summary trials being unfair because they could produce criminal records. Is she aware that there are only two Criminal Code offences that can be heard at summary trial that would result in a criminal record? Those are assault and assault causing bodily harm. The vast majority of offences tried at summary trial do not result in a criminal record.

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She mentioned that members have a choice in most cases of whether they select a summary trial or a trial by court martial. The fact is that 90% select summary trial. From my experience and from commanding men and women, they choose that because they think the system is fair and because they actually have faith in the system, something to which the member should listen.

[*Translation*]

Ms. Éline Michaud: Mr. Speaker, I thank the hon. member for his question.

In fact, I researched this issue at length because my mother, up until quite recently, was coxswain in the navy. That was her main responsibility and we discussed her role at length. Even if there are only two situations that can result in a criminal record, it is still disconcerting that proceedings can take place without a lawyer present, and that the judge is the commanding officer of the accused.

The conflicts of interest that were originally a problem remain so. Members of the military may opt for a summary trial because the consequences of a court martial might be worse. The options open to the military are quite limited when it comes to the manner in which they are disciplined.

It is important to think through the issues. Despite my colleague's comments, the amendments proposed by the NDP are reasonable and should be adopted in committee.

Mrs. Sana Hassainia (Verchères—Les Patriotes, NDP): Mr. Speaker, I would first like to thank my colleague for her speech. I would like her to talk about the reform of the grievance system.

The NDP proposed an amendment that stipulates that at least 60% of the members of the grievance board must not be former officers or members of the Canadian Forces. This amendment was adopted in March 2011 as part of Bill C-41, but it was not retained in Bill C-15.

Could my colleague tell us why it is so important to include this new amendment?

Ms. Éline Michaud: Mr. Speaker, I thank my colleague for the question.

It is an important amendment, which affects the composition of the grievance board. Currently, retired or former members who left the Canadian Forces as recently as a couple of years ago, sit on the committee. This means that the door is still open to conflicts of interest and other problems.

Justice and fair procedures for all are a must. This is why the amendment was introduced. I would like to reiterate just how important it is that the work done in committee—were the bill to be adopted at report stage—include this type of amendment, which has already been approved by members of all stripes in this House. Work done in the past must not go by the wayside and should be taken into account in the committee's current work.

[*English*]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the NDP members always work in good faith, but on the bill we tried hard at committee to bring forward reasonable amendments that would actually strengthen it in terms of military justice and that bill

was thrown out. Now the new bill suddenly does not include the amendments that were made at committee.

It raises a lot of questions about how the government responds to other parties in the House. This high and mighty, arrogant attitude is very worrying. Would the member comment on that? Maybe she has had experiences in her own committee on that.

● (1550)

[*Translation*]

Ms. Éline Michaud: Mr. Speaker, I thank my colleague very much.

Unfortunately, every opposition member has experienced this kind of situation, whether in committee or the House. We are all, unfortunately, familiar with the intransigence of a majority government, and that is not the way things should work.

Our experience today of Bill C-15 is a reminder of what has occurred previously in this House, whether in relation to omnibus bills or other problems that have warranted consideration in committee. For example, Quebec's centre for maritime research and rescue has been denied a voice in every forum it has sought one. What we are seeing here is symptomatic of what can be found in all Conservative bills: contempt for the opposition, nothing less.

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, I am obviously very honoured to be here in this House to discuss Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts, which we are examining today.

On this side of the House, we believe that this bill is a step in the right direction, but it is unfortunately a small step. We believe that military justice must be a part of Canada's justice system as a whole. Military justice laws must be consistent with other laws in our justice system, particularly when it comes to the principles of fundamental rights. Military justice must be fair and equitable so that it does not negatively affect discipline and so that it helps maintain morale among our troops. Our soldiers volunteer to participate in our armed forces. They must always be entitled to fair treatment.

During the study on a bill that dealt with the same issue, we tried to ensure that the military justice system procedures were effective and consistent with the need for disciplinary issues to be resolved quickly. However, efficiency and speed should not trump the fundamental principles of justice. Just because they are members of the military does not mean that the fundamental principles of justice do not apply to them.

The origins of this bill date back to 2003. I would like to provide some background so hon. members understand its origin and scope. In 2003, the Right Hon. Justice Antonio Lamer, former Chief Justice of the Supreme Court of Canada, submitted a report on the independent review of the National Defence Act. This report contained 88 recommendations on various military justice issues.

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The government introduced Bill C-15, in response to this report and its recommendations. I must point out that, of the 88 recommendations in the report, only 28 were included in this bill. The provisions in Bill C-15 appeared in other bills that were previously introduced in Parliament. There was Bill C-7 and Bill C-45, which both died on the order paper.

In July 2008, the government introduced Bill C-60 to simplify the court martial structure and establish a system for choosing the court martial format that would harmonize best with civilian justice. In 2009, the Standing Senate Committee on Legal and Constitutional Affairs examined Bill C-60 and made nine recommendations for amendments to the National Defence Act. In 2010, Bill C-41 was introduced to respond to the 2003 Lamer report and to the Senate committee's 2009 report.

When the committee studied the bill, it approved some of these amendments, which would have resolved some of the problems raised by the bill. Oddly enough, they are not included in Bill C-15, which has been introduced and is before us.

Some of these amendments had been proposed by the Judge Advocate General as compromises to correct the system in an acceptable manner. They removed certain offences from the list of those that would not result in a criminal record. However, the government simply deleted these amendments when drafting Bill C-15.

That is the extent of the Conservatives' respect for the work of Parliament. Unfortunately, they believe that they can do as they wish without regard for the previous work of Parliament because they have a majority. Basically, Bill C-15 is similar to the version of Bill C-41 introduced by the Senate committee in the last Parliament. However, that bill contained the provisions of bills C-7 and C-45, which died on the order paper, as I mentioned.

The provisions in the bill were not included in Bill C-60. The bill also implemented the recommendations made by Justice Lamer in 2003 and those made by the Senate committee in 2009. At committee stage of Bill C-41, my colleagues on the Standing Committee on National Defence proposed amendments to Bill C-41 to lengthen the list of offences that could be considered minor. My colleagues believed that these minor offences did not warrant a criminal record. The proposed amendments also would have lengthened the list of penalties that could be set by a tribunal without resulting in a criminal record.

• (1555)

However, many of the amendments proposed for Bill C-41 were, unfortunately, not included in Bill C-15. Although it contains some worthwhile provisions, Bill C-15 also has some shortcomings. If the bill makes it through second reading, we hope to be able to discuss those shortcomings and ensure that the bill will make the military justice system as fair and effective as possible.

I would like to focus on the provisions concerning summary trials, since some of them, as they are written, could have serious consequences for soldiers, particularly during their transition to civilian life.

A summary trial is one where the chain of command is allowed to judge subordinate soldiers. It is important to point out that these

trials are held without lawyers, without a jury, without a system of evidence and without witnesses, unlike in the civilian justice system. Over 95% of military trials are summary trials. A conviction in a summary trial sometimes results in a criminal record. There is no recourse and no transcript of the proceedings. This is too severe for members of the Canadian Forces who are convicted of minor offences.

These minor offences include insubordination, quarrels, misconduct, absence without leave, drunkenness and disobedience of a lawful command. These offences are undoubtedly very important for military discipline, but do not necessarily call for a criminal record.

In committee last March, the NDP proposed amendments to Bill C-41 to increase from five to 27 the number of offences that could be considered minor and would not merit a criminal record if a minor sentence were imposed. The amendment also added to the list of penalties a tribunal may impose without giving the offender a criminal record, for example, a severe reprimand, a reprimand, a fine equal to one month's salary and any other minor sentences. These amendments were very important to us, and that is why we want them to be included in Bill C-15.

A criminal record can make soldiers' lives very difficult after they leave the military. A criminal record can make it hard for veterans to get a job, rent an apartment, travel or get insurance. Many Canadians would be shocked to learn that the soldiers who so bravely served our country could end up with a criminal record because of flaws in the military justice system.

I have seen first-hand the problems experienced by some veterans during their transition to civilian life and I know it has been extremely difficult for some. As I said, I am a member of the Standing Committee on Veterans Affairs. Veterans shared their concerns with us loudly and clearly and talked about the obstacles they face in their transition to the civilian world. It is hard for veterans, especially for injured veterans, to find work in the civilian world. Considering the number of veterans working in the public service, it is clear that priority hiring for veterans is not always respected.

The private sector, and especially the construction industry, is trying to do its part, but this private sector initiative is not available to all veterans, since it is not available in all provinces. Veterans therefore have to obtain educational equivalencies for the training they received during their service. If they are saddled with a criminal record on top of that and have to go through the commission to get a pardon, which costs \$600, we are doing nothing to help them reintegrate properly into civilian life.

As I said earlier, we would like the bill to include these provisions.

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●(1600)

[English]

Hon. Laurie Hawn: Mr. Speaker, once again I listened with interest to the disinformation that my hon. colleague included in his remarks. The Minister of National Defence has indicated that he will bring the criminal record issue back to committee, so the member should calm down.

One of the other things he said was that the make-up of the grievance committee was not supported by the government in the committee. I was there and it was not supported, as were a bunch of others not supported. For the member to suggest that all of these things that had been previously supported by the government and are now is simply false. Bill C-41 died on the order paper because of the opposition calling an unnecessary election.

My colleague mentioned that only 29 recommendations have been implemented. Eighty-one of those recommendations were accepted, 29 were implemented and another 36 are in fact contained in Bill C-15. If he and his party want to make progress, because it was said earlier this is a step in the right direction, we should just get on with it and get it to committee where amendments that need to be made can be debated. Let us just get on with it, please.

[Translation]

Mr. Sylvain Chicoine: Mr. Speaker, I thank my hon. colleague for his observations and comments. Since we are on the subject, we would really like to see the amendments to the previous bill included in this one. We want to update all of those things. Bill C-15 is a step in the right direction. However, a lot more could be done to make the military justice system more consistent and more equitable for some people who have to face military justice, sometimes for offences that are more like insubordination. When that happens, as I said, they get stuck with a criminal record. In our opinion, the bill should go even further and include more summary offences that could be—

The Acting Speaker (Mr. Bruce Stanton): Questions and comments.

The hon. member for Brome—Missisquoi.

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank my colleague for his heartfelt speech.

Given that the United Kingdom, Australia, New Zealand and Ireland have already decided to change their summary trial processes, why is Canada lagging far behind on this important issue?

Mr. Sylvain Chicoine: Mr. Speaker, I thank my colleague for his question. I especially thank him for pointing out that Canada is lagging behind other countries that have already updated their criminal justice systems.

Bill C-15 corrects some of the current shortcomings, but it does not go far enough, as I said earlier. We should be looking at the countries my colleague mentioned, as they went much further in reforming military justice. We obviously need to move in the same direction and follow their lead as we reform our military justice system.

●(1605)

[English]

Hon. Laurie Hawn: Mr. Speaker, I want to repeat something I mentioned to the previous speaker, because the allegation about criminal records is simply not true. The two Criminal Code offences that can be heard at summary trial that would result in a criminal record are assault and assault causing bodily harm. The vast majority of offences at summary trial do not result in a criminal record. The member should stop spreading inaccuracies.

[Translation]

Mr. Sylvain Chicoine: Mr. Speaker, again, I want to thank my colleague for his question and remarks. I was under the impression that there were a few more offences that could result in a criminal record. That is something we need to look at. I believe that other offences can also lead to a criminal record. We must give this issue very serious consideration.

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I am extremely pleased to rise, as my colleagues in the official opposition have done, to take part in the debate on Bill C-15.

Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts, makes changes to the National Defence Act, in order to strengthen the military justice system. It provides for greater latitude in sentencing and in introducing new sentences, such as absolute discharge. It also sets out changes relating to intermittent sentences and restitution. It makes changes to the membership of the court martial panel according to the rank of the accused person, and to the summary trial limitation period, as well as making it possible to waive the one-year period at the request of the accused. It also sets out the responsibilities of the Canadian Forces provost marshal and the power of the Chief of Defence Staff as the final authority in the grievance resolution process.

The NDP believes these changes are a step in the right direction toward standardizing the military and civilian justice systems. In this regard, I would like to thank my colleague from Rimouski-Neigette—Témiscouata—Les Basques for his speech on this bill earlier in this House. He gave a very clear explanation of why standardization is necessary. He also provided some background for the bill which, we remember, results from the recommendations made by the Right Honourable Antonio Lamer, in his report—the “Lamer Report”—on the independent review of the National Defence Act that was tabled in 2003, and the recommendations in another report, one by the Standing Senate Committee on Legal and Constitutional Affairs in 2009.

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Essentially, Bill C-15 incorporates the provisions of Bill C-41 that was introduced in the last Parliament. However, not a single one of the NDP amendments that were adopted at committee stage late in the last parliamentary session is included in the bill before us today. There were three such amendments and they dealt with: the power of the Chief of Defence Staff in the grievance process set out in clause 6 as amended in Bill C-41, a measure deriving from one of the recommendations in the Lamer Report; changes to the membership of the grievance committee to ensure it is made up of at least 60% of civilians, as provided in clause 11 as amended in Bill C-41; and the provision ensuring that a person convicted of a service offence during a summary trial should not receive an unfair criminal record, as provided in clause 75 as amended in Bill C-41.

The NDP has called for amendments to be made to the military justice system for a long time now, but it is clear on reading this bill that this version is not satisfactory. It is for this reason that we will be voting against Bill C-15 at second reading. If the wording is passed at this stage, we hope that the debate in committee will allow for an in-depth analysis of the text and improvements to its content.

This bill has three major flaws: the reform of the existing summary process, the reform of the grievance system and the strengthening of the Military Police Complaints Commission.

I will discuss each of these points. First, the reform of the summary process system is unfair and too harsh towards the men and women of the Canadian Forces. If these individuals commit minor offences, they end up with a criminal record, which could be detrimental in a future civilian life.

I want to share an excerpt of a 2011 report by the British Columbia Civil Liberties Association regarding Bill C-41:

Presiding officers in summary trials may have a different focus. They are military officers, not judges, and their primary concern is likely to be unit discipline and deterring future violations, not the effect the sentence they impose will have on an accused in the civilian world.

● (1610)

We think that disciplinary action without a criminal record is more than enough in cases of insubordination, absence without leave or disobeying an order. One of the NDP's amendments proposed including in the list of minor offences all those that would not be placed on a criminal record. We want this proposal to be taken into consideration by the Standing Committee on National Defence.

As far as the reform of the grievance system is concerned, the NDP has already been critical of the composition of the grievance committees. One of the three amendments stated that civilians should make up at least 60% of the committee members, to ensure that there is an external review of grievances. This amendment was adopted and we hope it will be again during the study in committee.

The third amendment proposed by the NDP, as part of the study of Bill C-41, had to do with the authority of the Chief of Defence Staff regarding financial aspects of grievances. This amendment responded to one of the Lamer report recommendations. I should point out that the Minister of National Defence agreed with this one. He acknowledged that the Chief of Defence Staff needed to have the authority to resolve the financial aspects of grievances.

Over the last eight years, however, the Department of National Defence has done nothing concrete to implement the recommendations made by the former Chief Justice of the Supreme Court of Canada. As well, the present bill does not include that amendment, and the NDP would like the government to reconsider its position.

As a final point, regarding the strengthening of the Military Police Complaints Commission, we believe that Bill C-15 does not go far enough, and that there should be another bill, separate from the one being debated in the House today, to address this important issue. As well, many Canadians might reasonably wonder why there is unequal treatment between the procedure that applies in the criminal courts and the procedure that applies to the people who bravely serve our country.

In conclusion, the NDP urges the government to adopt its amendments as presented and adopted during consideration of Bill C-41. We firmly believe that the women and men in the Canadian Forces are entitled to a military justice system that is consistent with the stringently improved and circumscribed criteria and procedure.

We are opposed to minor offences resulting in a criminal record, as this can complicate everyday life for the person in question, in civilian life. We will do everything we can to make the Canadian military justice system fairer for the women and men in uniform who risk their lives in the service of Canada.

● (1615)

[English]

Hon. Laurie Hawn: Mr. Speaker, if the NDP keeps spreading false information, I will keep correcting it.

There are only two Criminal Code offences that can be heard at summary trial that would result in a criminal record. They are assault and assault causing bodily harm.

The member mentioned that it has been eight years and we have not done anything. We have been trying. Three times we tried. Three times the bill has died on the order paper because of elections called by opposition members, which is their right to do and I understand that. However, the member should not stand up and say that DND and the government did not make an effort. That is simply false.

I would also point out what Justice LeSage said in his report, and I quote:

Having examined the system and listened to various participants (including a number who had been charged under the Code of Service Discipline), I share the view of former Chief Justice Dickson. The summary trial system is vital to the maintenance of discipline at the unit level and therefore essential to the life and death work the military performs on a daily basis.

[Translation]

Mr. Pierre Jacob: Mr. Speaker, I thank my hon. colleague for his question. I will answer somewhat as my colleague did just now.

We are fairly certain that a criminal record can be created by numerous offences other than the ones the member opposite has just named.

Government Orders

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have a quick comment and then a quicker question.

In listening to debate this morning and this afternoon, I heard a lot of talk about military justice. However, it is important to recognize that only a fraction of the members of the Canadian Forces go through that system. The vast majority, well past 95%, are outstanding men and women who perform all sorts of functions for us as Canadians, and we truly appreciate all of those efforts.

We now have a bill before us, which tries to establish some rules for those who do cause issues. That is something that has been necessary for the last number of years. We look forward to it ultimately getting to committee stage.

My quick question to the member is this. Does the NDP support the bill going to committee?

[Translation]

Mr. Pierre Jacob: Mr. Speaker, I thank my hon. colleague.

For all the reasons I have already given in my speech, and that other colleagues have also reiterated over and over again, we will be opposing this bill, because it is seriously flawed.

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, the hon. member for Edmonton Centre suggested that amendments could be made to the bill if it went to committee.

Given this majority government's current practice and the way it systematically rejects everything suggested at committee, does my colleague really believe that amendments would be made to the bill if it went to committee?

Mr. Pierre Jacob: Mr. Speaker, I thank my colleague for her question. The answer is fairly obvious.

Sadly, from what I have seen in various committees, the government is using its majority to reject basically all amendments, whether we propose one, 10 or 300 of them. We do not have much faith in the government's co-operation in this regard.

[English]

Hon. Laurie Hawn: Mr. Speaker, my colleague is saying that, even though the New Democrats have said it is a step in the right direction and that there are many good things in the bill, because they are mad at us they would oppose sending it to committee to take a step in the right direction. I would suggest that is not a mature approach to legislation.

[Translation]

Mr. Pierre Jacob: Mr. Speaker, I want to thank my colleague.

To answer his question, I would point out that in our speeches, my colleagues and I have listed the purely objective reasons why we will oppose this bill at second reading.

• (1620)

[English]

Mr. Alex Atamanenko (British Columbia Southern Interior, NDP): Mr. Speaker, I am pleased to be able to speak today and say a few words on Bill C-15.

As a former member of the Canadian armed forces, or the Royal Canadian Navy, my experience taught me, in the time I did spend, a lot of appreciation for the professionalism of our armed forces. I had the pleasure to serve at Canadian Forces Base Portage la Prairie. I had the thrill of going up in a Tutor jet, which my colleague understands very well. I went up only once. In the Royal Canadian Navy, I remember the professionalism when, many years ago, we were doing anti-submarine exercises. We always came out on top when it came to exercises with the U.S. Navy.

Many years after that, I went to Vladivostok in Russia as an interpreter with the Canadian Navy, the first western fleet to sail into Russia when it finally opened up the city. It was quite an experience. I saw the respect that the officers and men of the Russian navy had for the high degree of knowledge and skills of our armed forces.

I mention this because when I have a chance I speak on anything that touches on the military, in spite of the fact that at times some of us do not agree with the direction the military is going. Once people have been part of this family, as I call it, they want to make sure the current members receive the very best, whether or not we are talking about equipment, whether they agree with the mission or not, and certainly when the members come back as veterans.

We have seen some problems with people suffering from post-traumatic stress syndrome. We have seen problems with veterans' funerals. I just want to emphasize that we need to do the very best for them, and that also includes the justice system.

That brings me in a roundabout way to talking about this bill. The NDP believes that Bill C-15 is a step in the right direction to bringing the military justice system more in line with the civilian justice system.

However, it falls short on key issues when it comes to reforming the summary trial system, reforming the grievance system and strengthening the military complaints commission. I might add that amendments to that effect were brought into the last Parliament. For some reason they were not included in this particular bill.

[Translation]

In 2010, Bill C-41 was introduced in response to the 2003 Lamer report and the 2009 Senate committee report. It included the military justice provisions relating to sentencing reform, military judges and committees, summary trials, the court martial panel and the Canadian Forces Provost Marshal and certain provisions concerning the Military Police Complaints Commission.

In essence, Bill C-15 is similar to the version of Bill C-41 that came out of the Senate committee during the last Parliament. The amendments carried over include those respecting the composition of the court martial panel and security of tenure for military judges until their retirement.

Government Orders

However, I would say that other important amendments adopted at the committee stage at the end of the last parliamentary session were not included in Bill C-15. That includes the NDP's amendments concerning the authority of the Chief of Defence Staff in the grievance process, changes in the composition of the grievance board so that 60% of members are civilians and the provision that a person convicted of an offence at a summary trial should not be unfairly subjected to a criminal record.

Many important reforms are proposed in this bill. The NDP has long supported a necessary updating of the military justice system. The members of the Canadian Forces are held to extremely high standards of discipline and deserve a judicial system that is held to comparable standards.

• (1625)

However, as previously mentioned, the NDP will oppose the bill at second reading. This bill contains a number of deficiencies that we hope will be addressed in committee if the bill is passed at second reading.

As we have previously discussed here, and from what I have personally seen in other committees, the fact that a bill winds up in committee does not mean the Conservatives will adopt amendments. What then are the amendments that we would have liked to include in the bill before it was studied here in the House?

We say that the amendments in Bill C-15 do not adequately address the unfairness of summary trials. Currently, a conviction at a summary trial in the Canadian Forces results in a criminal record. Summary trials are held without the ability of the accused to consult counsel. There is no appeal and no transcript of the trial.

[English]

Bill C-15 would an exemption for a select number of offences. They carry a minor punishment, which is defined in the act, or a fine less than \$500 to no longer result in a criminal record. This is one of the positive aspects of the bill, but it does not go far enough.

At committee stage in March of the previous year, NDP amendments to Bill C-41 were carried to expand this list of offences that could be considered minor and not worthy of a criminal record if the offence in question received a minor punishment. The amendment also extended the list of punishments that might be imposed by a tribunal without an offender incurring a criminal record, such as a severe reprimand, a reprimand, a fine equal up to one month basic pay or another minor punishment. This was a major step forward for summary trials. However, this amendment was not, for some reason, retained in Bill C-15, and we would like to see it included.

As far as serious offences and criminal records are concerned, the number is probably minor. However, a criminal record can make life after the military very difficult. Criminal records can make getting a job, renting an apartment or travelling very difficult. A lot of Canadians would be shocked to learn that the people who bravely serve our country can get a criminal record from a system that lacks the due process usually required in civilian criminal courts.

What we are asking is that people who serve our country in the military have the same access to a fair judicial system as people in

civilian life have and that if they have certain reprimands, they do not result in a criminal record for the rest of their life.

Hon. Laurie Hawn: Mr. Speaker, I thank the member for his service. I have had a few trips and tours as well.

I want to point out a couple of inconsistencies once again. Reprimands or severe reprimands are not offences under the Criminal Code. I just checked with the Judge Advocate General again and there are only two criminal code offences that can be heard at summary trial that would constitute a criminal record, and those are assault and assault causing bodily harm.

The member has said that his party is opposing the bill, but it wants things discussed in committee. Thank goodness for the Canadian Forces that we have a majority government. I suspect the bill will wind up going to committee. The contradiction is that those members will oppose it but they want it at committee. If it is a step in the right direction, then they should go along with it and get it to committee.

The member has admitted that there are some good things in the bill. The Minister of National Defence has already said that he will bring back the criminal record issue to committee, so that will happen. Why do we not stop this waste of time, get to the vote, get the bill to committee and get things done?

• (1630)

Mr. Alex Atamanenko: Mr. Speaker, I would like to thank the member for his service in the armed forces, which was certainly much longer than mine.

In preparation for second reading of the bill, a lot of thought has gone into it by those people, our critic and others, who have followed it very closely. In my opinion, we do not take lightly opposing a bill when we think something should happen to better it.

I will speak from my personal experience. On Bill S-11, we said to the government that we would support the bill. We said that we thought it was a good way of strengthening the Food Safety Act and that we would do what we could to make it better. At committee, we had 11 amendments, the Liberals had 4 and lo and behold all of these well-thought-out amendments were rejected, one after another.

That kind of precedence does not leave positive feelings in those of us on this side to bring a bill such as this to committee—

The Acting Speaker (Mr. Bruce Stanton): There are other members who wish to pose questions and we will look for some time to do that.

Questions and comments, the hon. member for Winnipeg North.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I would like to pursue the previous question.

Government Orders

We recognize in the Liberal Party that Bill C-15 does have some issues. At the end of the day, it would be nice if the bill went to committee. The government has already indicated it will bring forward some amendments, which we hope will improve the bill. We hope to hear from different stakeholders as to why we should and how we could improve the bill.

In principle, the Liberal Party supports the bill because at the end of the day we believe it is necessary to pass it on to committee.

The NDP members have taken the position that they do not support the bill going to committee. Is it safe then to say that they do not support the principle of the bill and that is the reason why they are voting this way?

Mr. Alex Atamanenko: Mr. Speaker, as I mentioned in my speech, the idea of the bill is a good one. However, experience has shown over the last year that worthwhile amendments that were in Bill C-41 were not included in this bill.

As someone who does not sit on the defence committee, I look at this from my point of view, my experience and I ask myself what is going on. How serious is the government? How serious would it be look at those amendments if experience has shown the government has rejected them time after time in other committees?

[*Translation*]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, I am pleased to rise in the House to take part in the debate on Bill C-15, Strengthening Military Justice in the Defence of Canada Act.

This bill is closely related to a report produced in 2003 by the former Chief Justice of the Supreme Court of Canada, the Right Honourable Antonio Lamer. It may seem striking for us to be debating a bill relating to a report released in 2003, but the reason will be understood when I have put everything in context.

First, Bill C-15 has appeared in several forms, as my colleagues have noted as well, including Bill C-7 and Bill C-45, but they both died on the order paper. Far be it from me to accuse any party of not being concerned about this issue. Several attempts have taken shape and a lot of work has been done by all parties to change the military justice system as we know it at present. Was the work done seriously, in good faith and collaboratively at all times? I cannot say.

I do not want to accuse anyone, I do not want to say that this issue has never been important, and I do not want to seem as if I am asking why we are beginning the debate on Bill C-15 today. That is not actually the case, since several attempts have been made in the past.

Second, in the last Parliament, Bill C-41 was introduced in response to Justice Lamer's report, as I said earlier. That bill unfortunately died on the order paper also. It contained provisions relating to the military justice system, such as sentencing reform, military judges and committees, summary trials, the court martial panel, the Canadian Forces Provost Marshal, and certain provisions relating to the Military Police Complaints Commission. All of those subjects were addressed in Bill C-41.

In essence, Bill C-15 is similar to the version of Bill C-41 that was introduced in the last Parliament. I would point out that a number of amendments were proposed during debate on Bill C-41.

Those amendments were the product of serious consideration, testimony and the work done by members and experts. Unfortunately, those amendments were not taken into consideration in Bill C-15. Why?

The reasons are still not clear to me. Why were these amendments not included in Bill C-15? Including them would have demonstrated that the government had genuinely considered them and that it was ready to work as part of a team to create a bill that met everyone's expectations and requirements. Unfortunately, that is not what happened.

That makes the opposition seriously doubt the government's willingness to accept any new amendments to Bill C-15. Amendments were clearly put forward by all parties during the last Parliament. If they were not taken into consideration while Bill C-15 was being drafted, it is not because the government members were unaware of what the opposition wanted to include. This raises serious doubt about the government's goodwill and its readiness to consider the amendments that could be proposed at second reading, when the bill is sent to committee.

Having said that, I would like to continue by listing the elements that worry us the most in Bill C-15. They are the authority of the Chief of Defence Staff in the grievance process, changes to the composition of the grievance committee, and a provision to ensure that a person who is convicted of an offence during a summary trial is not unfairly subjected to a criminal record. Those are the three points that worry the opposition.

I will explain the NDP's suggestions for dealing seriously with these three elements, which unfortunately have not been addressed seriously enough or thoroughly enough in Bill C-15.

• (1635)

Yes, the NDP agrees that the military justice process needs serious examination. Does that mean that the NDP will support Bill C-15? What an excellent question. But no, that is not what it means.

I would like to make some additional remarks about parliamentary procedure and operations. We often hear Conservative members and ministers say that the NDP has voted against families. We often hear the Conservatives say that the NDP has voted against investment, against trade agreements or against justice, but that is completely ridiculous. Everyone realizes that. Why do we hear them say things like that? There are several reasons. And we shall see that there is a close connection to Bill C-15.

Government Orders

It is not true that this is just about whether the NDP is for or against exports or trade agreements with certain countries. That is not the issue. The issue is much more complex. We can vote against a bill on a specific subject without being opposed to that subject. We may simply be opposed to the approach because we think it is not the best way to address a problem or to resolve a situation. These are reasons why a party may vote against a bill without necessarily voting against the subject matter addressed in that bill. I will not discuss this point any further because it is obvious; anyone can understand it. The ministers and members who advance these arguments have to know that. They are consciously grandstanding to deceive the public. I believe it is very important to take this opportunity to set the record straight.

So is the NDP opposed to military justice? No, Mr. Speaker. The NDP simply believes that Bill C-15 does not address the issue correctly and that, if it is going to be done, we could do it much better. That is why the NDP will not support Bill C-15 at second reading.

Exactly what is the NDP's proposal for a better solution?

First, we must take a different approach to reforming the summary trial system. Why? Because we believe Bill C-15 does not adequately address the injustice of summary trials. For example, in some instances, summary trials may result in a criminal record. Summary trials are held without the accused having the opportunity to consult counsel. In summary trials, the judge may also be the accused's commanding officer, and that can cause problems. This has to be addressed, but Bill C-15 does not do it. It is too severe in the case of minor offences such as insubordination, quarrels, drunkenness and disobeying an order. That is the first aspect.

The second aspect is reforming the grievance system. The Canadian Forces Grievance Board must be perceived as an independent external civilian body. However, people who have retired from the forces may currently sit on the board. The NDP's amendment suggests that at least 60% of grievance board members must never have been a Canadian Forces officer or member. Is the Conservative Party opposed to this amendment? We do not know. However, we do know that it has not included it in Bill C-15, but we do not know why, and that is troubling.

Lastly, there is the strengthening of the Military Police Complaints Commission. Yes, Bill C-15 addresses this matter, but only with respect to the time required to resolve complaints. In the NDP's view, we should do more to strengthen the commission, but this is not addressed.

I could go on and on, but unfortunately I do not have a lot of time. However, I want to say that the NDP has long supported a necessary updating of the military justice system. That is clear. But Bill C-15 is not the way to do it. As I explained earlier, the opposition has serious reasons to doubt that the government intends to work with the opposition to rectify that. This has not been done previously, and we do not believe the committee work on this bill will be done seriously.

•(1640)

Why not? Because the government insists on meeting in camera, limiting debate and controlling witnesses in committee. I could

continue, because the list is long. We have reason to doubt the government's desire to work as a team with the opposition.

[*English*]

The Acting Speaker (Mr. Bruce Stanton): It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Churchill, Abortion; the hon. member for Thunder Bay—Superior North, The Economy; the hon. member for Winnipeg North, Citizenship and Immigration.

Questions and comments. The hon. member for Edmonton Centre.

Hon. Laurie Hawn: Mr. Speaker, I listened carefully to my colleague's comments and the conclusion I draw is that the New Democrats will never support any bill of any kind going to committee because they do not trust the government in committee. That is pretty obvious.

I will quote former Chief Justice Lamer, who stated:

I have approached the task of writing this report from the perspective of the women and men in the Canadian Forces. These soldiers who risk their lives for our country deserve a military justice system that protects their rights in accordance with our Charter, while maintaining the necessary discipline for achieving successful missions. Further, they deserve a grievance process that addresses their grievances in a fair, transparent and prompt manner. I believe that my recommendations will go far towards achieving these goals.

Bill C-15 implements most of the remaining Lamer recommendations. Would the hon. member opposite not agree, and I suspect I know the answer, that it is time to stop playing politics and agree to move Bill C-15 to committee so that the goals, so clearly and eloquently set out by former Chief Justice Lamer, can be fulfilled for the members of the Canadian Forces?

•(1645)

[*Translation*]

Ms. Lysane Blanchette-Lamothe: Mr. Speaker, I am very glad that the hon. member asked me that question, with those comments. Perhaps he misunderstood what I wanted to say.

I was not saying that the opposition will oppose all bills from the government. What I said was that several attempts were made before arriving at Bill C-15 and that some amendments had been presented to the government. Those amendments cannot be found anywhere in Bill C-15. With respect to this specific bill, the opposition has good reason to doubt the government's will to work with the opposition on the amendments needed to make Bill C-15 a good bill.

Now, I would like to add that the hon. member said himself that most of Mr. Justice Antonio Lamer's recommendations have been included in Bill C-15. Why is it most and not all of them? The Conservatives cannot answer this question. Often in committee, the experts ask questions or give their opinions, but they are completely ignored by the Conservatives. That is unacceptable and it is not the way the NDP operates.

Government Orders

[English]

Mr. Tyrone Benskin (Jeanne-Le Ber, NDP): Mr. Speaker, first, I have a brief comment. A lot of hay has made about why we are debating this. First, it is our job, and second, the vast majority of us are not on the justice committee. This an opportunity for us to voice our opinions on a bill. It is a shame that the government needs to go to the extreme and say that because we disagree with a certain point, we disagree with everything. My colleague has made it quite clear that there are elements we would like looked at in good faith, which the government has not done.

Would my colleague elaborate on the issue of our serving men and women who find themselves in the military justice system and end up with criminal records for very minor incidents when they leave the military. How does that affect the lives of the men and women who leave the armed forces?

[Translation]

Ms. Lysane Blanchette-Lamothe: Mr. Speaker, I thank my colleague, the hon. member for Jeanne-Le Ber, for his excellent question.

In fact—I am repeating it and I can say it as many times as people want to hear it—the NDP agrees that we should take the time, right now, to improve the military justice system. That is clear. For too long, people have demanded reforms. Still, it cannot be done in a slapdash way. Since it needs doing, let us do it well.

Right now, Bill C-15 does not remove all the flaws. My Conservative colleague said, “Bill C-15 implements most of the remaining Lamer recommendations”. Why not all the judge’s recommendations? Why not listen to the experts’ opinions?

My colleague from Jeanne-Le Ber said it very well: we have doubts about the government’s willingness to work with the opposition. These are serious doubts arising from our experience with other bills like Bill C-15. That is why the NDP is not ready to work, because it does not think the government is ready to work in good faith with the opposition.

Ms. H el ene LeBlanc (LaSalle— emard, NDP): Mr. Speaker, I rise in the House to speak to Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts.

I would like to start by saying a few words about my family. I had a great uncle who was a veteran of the second world war. As hon. members can imagine, he has now passed on. One of my cousins is a member of the Canadian Forces. He went to Afghanistan several times and to other hot spots throughout the world to do his duty as a soldier.

I have also had the opportunity to meet veterans in my riding, particularly at Remembrance Day ceremonies. These ceremonies are always very dignified affairs with a high level of decorum. They show a remarkable level of discipline.

In my riding, there is also a place called the Legion, where veterans go fairly often to socialize and talk to each other. This meeting place is very important for them. I would like to take this opportunity to say hello to these veterans because they have welcomed me very warmly every time I have been there.

There is also another very touching event in my riding. Once a year, the ladies auxiliary—volunteers—go and get veterans with reduced mobility at the Sainte-Anne-de-Bellevue Hospital or other long-term care facilities. They bring them to the Legion and make them dinner so that they can all socialize. These veterans have the opportunity to meet with other veterans, some who may be a bit younger than them, and other people who are there. I would like to take this opportunity to recognize the ladies auxiliary volunteers. No one asked them to do this. They do it because they have such great respect for veterans. They want to take advantage of this day to pay tribute to veterans and to give them an opportunity to enjoy some good moments together.

When we talk about veterans, we often think of people who fought in the Korean War in the 1950s, and the first and second world wars. However, we often forget the people I call our new or recent veterans, those who went to Afghanistan and other places. I cannot imagine the extremely difficult situations that these people experienced throughout the world. The same goes for all our veterans.

Some of these “recent” veterans, if I can call them that, have come to see me in my office. They often have medical problems or mental health concerns, but they are also having difficulty obtaining basic services from their government. They are completely distraught. They are having a really hard time adapting to civilian life and, once again, they cannot seem to get answers to their questions when they need them. When one feels a sense of urgency or is in distress, when one is feeling panicked, one is bound to have questions and expect service.

•(1650)

Those people expect a timely response, one that is reassuring. I had one very troubling case that really struck me.

I would like to talk about myself a little bit, in contrast with the people who enlist in the Canadian Forces. These people are held to the highest disciplinary standards in order to face situations that I could never face. Their world is very strict, with very strong discipline and no room for questioning. They must follow the chain of command and so on.

The bill currently before us talks about a justice system. If you will, there is a separate justice system for the military, the justice system that applies to the rest of us, and then there is the criminal justice system. The purpose of this bill is to ensure fair justice for all, whether or not one is in the military, since military personnel are citizens like the rest of us. Although military personnel are subject to specific disciplinary standards and hierarchies, justice must nevertheless be fair and consistent with that in the civilian world. This bill tries to bring the military justice system more in line with the civilian system, because serious repercussions and abuses could ensue, although we hope not.

Government Orders

Furthermore, this bill, and also others that died on the order paper, as was mentioned earlier, were introduced in response to the existing system. In 2003, the Right Hon. Antonio Lamer, former Chief Justice of the Supreme Court—who is well known—made 88 recommendations, and 28 were included in the bill. I will not go over all the bills introduced. However, this shows that since 2003 there has been a desire to strike a balance so that there are no abuses of power in the military justice system.

With regard to reforming summary trials, these amendments were made because we did not want someone who committed summary offences to have a criminal record and experience its crippling effects. All these amendments will strike a balance.

With respect to the reform of the grievance system, I would like to say that if the Canadian Forces Grievance Board is to be seen as an external, independent civilian body, as it should be, the appointment process needs to be amended to reflect that.

I see that time is passing. In short, this again is to strike a balance and ensure that members of the military have a justice system that is in line with the civilian system.

● (1655)

In conclusion, the NDP believes that members of the Canadian Forces must comply with extremely high standards of discipline, that in return they deserve a justice system subject to standards similar to civilian standards, and that a criminal record has detrimental effects. We must ensure that we respect this.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, there is some commonality in the sense that we in the Liberal Party and the New Democrats appear to support the fact that there is a need to reform our military justice system. On the surface, it would appear that the government also concurs and that is one of the reasons why it brought Bill C-15 here.

We anticipate that there could be amendments. We are being told by the government that there will be some amendments to the legislation. We in the Liberal Party have indicated that the men and women of our Canadian Forces have waited a great deal of time for this reform to take place. We believe that at the end of the day there are other things that could be done to improve and strengthen the system, but we would ultimately like to see it sent to committee. Therefore, Liberals support the bill in principle and would like to see it sent to committee with the hope that we will see the amendments.

Why does the NDP not support the bill in principle? That is where it seems a bit confusing, because if the NDP does not vote in favour of the bill being sent to committee what it is really saying is that it does not support the principle of the bill.

● (1700)

[*Translation*]

Ms. Hélène LeBlanc: Mr. Speaker, I thank my colleague for his question.

Back in 2003, Mr. Lamer made 88 recommendations, only 23 of which were accepted. I think that this Supreme Court justice deserves a certain amount of trust. He has a huge amount of

experience and made 88 recommendations. But accepting 23 of 88 recommendations is not very much.

When this bill was examined, a number of amendments were put forward and rejected. That is unfortunate.

[*English*]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am very glad that we are having this debate in the House because I think it draws attention and focus to the issue of military justice, which probably most Canadians know very little about.

I feel very disturbed that so many times in the House we hear the government members say the NDP is opposed to the military, the NDP is opposed to everything. However, here we are actually debating a bill where we support the need to have a fulsome, proper, fair and balanced military justice system. It is the government side that is whipping through a bill, as it does so often now, without properly considering amendments that were previously in a bill that the House looked at before.

I wonder if the member could comment on the practice of what is taking place, because it is just getting worse and worse.

[*Translation*]

Ms. Hélène LeBlanc: Mr. Speaker, I thank my colleague for his very astute observation of the system and the debates.

In the parliamentary system, discussions among the different parties and members of Parliament are important, but committee work is also extremely important. That is the source of some of the frustration. We have tried many times—just look at Bill C-45—to propose amendments that could improve a bill and that often reflect the testimony of the various experts who have appeared before the committees.

We are not pulling these amendments out of nowhere. They are often inspired by different parties—not in the partisan sense—from civil society who share their expertise, their good faith and their opinions.

We hope the government's new year's resolutions will include starting to listen to the amendments we propose.

● (1705)

[*English*]

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, I am pleased to rise to speak to Bill C-15 in spite of my colleagues across the way, who think we should just shuffle it off and not hear from people and not get suggestions, but just send it to committee and somehow, magically, that committee would work differently than all the other ones we sit on.

I have had the pleasure of sitting on a couple of committees, and I will tell the following story, because it was not in camera. I will not tell the other stories, because they were in camera and we are not allowed to talk about what should and could have happened but did not happen in those cases.

Government Orders

I can tell the House about Bill S-11 at the agriculture committee, where the government said, “Here is an important bill on food safety”. The official opposition said the government was absolutely right, that in principle it was a good bill, a good foundation that we could build upon and make it better. My colleagues across the way, who I have heard all day, said that we should the current bill go committee and it will be fixed there.

I can say that my colleague, the member for Guelph, and I offered about 16 amendments in total to Bill S-11 to enhance that food safety bill. They would have strengthened it, by talking about an audit and whistle-blower protection and about when the clock would start to tick on a five-year review. My colleague and friend from Guelph said that we should start the clock when we enacted the bill, and not wait six months. It was a great suggestion.

The government, in its wisdom, debated the first four amendments, argued against them, but realized that its arguments were so full of holes that it stopped. Accordingly, on amendments 5 to 16, the government members listened to us and then said, “No, no”, and on and on it went until they were all done.

Now, what should we do with that? Should we trust them and suggest that we go to committee with our amendments, where somehow a “no” will become “We are thinking about it, maybe it looks like a good idea”? Of course, the end result will be “no”.

That is why we are debating the bill here in the House, because we want folks out there to know that there are good ideas, that there are things that need to be in this bill, because they were in it before. This is not new. This legislation did not just get dropped off the shelf a few months back.

Speaking of dropping off the shelf, I hear my colleagues across the way in the government saying how they need to get these things through. This bill was introduced by them last year. If it is so urgent, why was it not equally urgent last year when the government introduced it? The government waited a year to bring it forward and now complains that we want to debate it. I thought that folks elected us and sent us here to debate legislation. Call me naive if that is not what I was supposed to do when I got here.

Clearly, if I do not sit on that committee, my only opportunity to offer input on this bill is here in the House. That is the only opportunity to say, “Listen, we have some suggestions”.

What I find really ironic about this particular bill is that it is not its first incarnation. It was here before and amended. The other side actually accepted the amendments. Then magically, after an election, the government lost those amendments and forgot about them. Something happened on the way back to Ottawa after the election. All those good amendments fell off the bus somewhere. They are out there somewhere, never to be found.

That is really disappointing, because if they were good amendments then, they are good amendments now. Why not incorporate them? Why go through this charade of, “Come on, you approve it in principle, you want to do this, so let us get it off to committee”, only then not to make any changes, but bring it back and enact the legislation because you have the majority. We accept that fact. That is the will of democracy: You won the last election, you got a majority. That is fair.

Ultimately, do not expect the committee to accept amendments when the proof so far to date has been that you do not.

The Acting Speaker (Mr. Barry Devolin): Order. The hon. member for Welland and others in the chamber, the Chair has been reminding members to address the Chair in their remarks, both physically addressing the Chair as well as addressing the Chair as opposed to their colleagues.

I am not only singling out the member of Welland, as I know many others have done this. That is the appropriate form in this place.

The hon. member for Welland.

• (1710)

Mr. Malcolm Allen: Mr. Speaker, I am more than pleased to address you directly, sir. I know that you would never take the opportunity to single me out. You do as you have always done and remind us all to participate in a way that we know we should. I appreciate that reminder.

Clearly, when we look at Bill C-15, we see it is about bringing justice to our brave men and women in the military for whom all in this House have the greatest of admiration and respect. I genuinely believe that. We, as a Parliament, ask them to serve Canada and they come to us voluntarily to serve.

As parliamentarians, we can disagree on what the missions are, but when a decision is ultimately taken in this House, members of the Canadian Forces serve this House and Canadians in general. This legislation should have been about ensuring that their justice system is as robust and as good as we can possibly make it. However, that is where we have let them down.

The reason we are bringing this to the government's attention is that we have such a high regard for the members of the military and hold them in such high esteem because of the service they give to all of us regardless of what role they take on here at home or abroad. We want them to have the most robust system of justice, which we know they deserve, and we should not provide anything less than that.

We have had reports that have been named many times, whether it be the Lamer report, the committee's report or the previous bill, which have been in this House before. We have had all of these things already, not necessarily in this session of the House, but certainly in other sessions. I was here last session of the House, and there was a bill here before that.

We have had all of that information, which has been studied to a certain degree, but where has it disappeared to? What happened to those pieces of legislation that folks agreed were good? Why would we lose those bits and pieces? Why would we not just say, yes, we disagree on certain aspects, but in the end, why would we not look at the pieces that are here?

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There are concerns around the complaints commission. For example, a soldier who logs a grievance ends up in front of his or her commanding officer. That is the way the system works in this process. If one does not come out the other side of the process thinking one was treated fairly, then the system does not work.

The issue is not about the decision. Grievers can file grievances and not win, but if they think that the system works, then they just do not like the decision at the end of it, which is fair. Grievers quite often do not like the decision if they do not win. However, if a griever does not think the process is fair, then regardless of what happens in the decision, it is the process that is the annoyance.

I think we need to look at the grievance procedure and ask how we can make it a fair system. How do we make it a system so that those who have to enter it can say to themselves that the system works? They may not like the decision, but they would not complain that the system was unfair. This is much different from thinking that the reason they got a bad decision was that the process does not work, which ends up with two negatives and that just does not work for everyone involved. It does not work for the military as a whole or its sense of what it wants to do in making sure that justice seems fair. It is not a question of justice being done, but about justice seeming fair as well.

Ultimately, that is what we needed Bill C-15 to do, and it started down the path of taking it to a better place. However, the issue for me is: Why did we not go down the path a little farther? There is some suggestion that maybe it will happen later on. Why do we not do it now? If we were starting from scratch, I guess we might think this is a great start, but the problem is that we are not. We have started from other places. We could have built that into the bill, which is what we find disappointing on this side.

•(1715)

Hon. Laurie Hawn: Mr. Speaker, I did not catch my colleague's whole speech, but I caught the last few minutes and there are a couple of things I want to point out.

It is not just this member but others who have said that this side had agreed to some amendments the last time that are not here this time, which is misleading the House. There were two amendments we had agreed to last time. One is in Bill C-15 and on the other one, the criminal records aspect, the minister has already stated very clearly that it will come back to committee. The members need to stop misleading the House on that.

With respect to the grievance external review board and its make-up, we did not agree to that the last time. To suggest that somehow we have changed our minds on that is simply not true.

There was a question put to me previously. Of course, I am here to ask questions and not answer them, but I will answer anyway.

There are 36 of the remaining Lamer recommendations that are in Bill C-15. There are 21 that are in fact still under study because they are extremely complex issues and they do require an awful lot of study. We have accepted 81 of the 88 recommendations, 29 have been implemented, 36 are in Bill C-15 and the other 21 are still under study.

I know it is politics, but I wish the opposition would stop misleading the House.

Mr. Malcolm Allen: Mr. Speaker, I am not sure there was a question, but that is okay. I respect my hon. colleague from Edmonton Centre. He served our country for a long time and we are extremely proud of his service and thank him for it. I want to say it publicly again.

The member is right. What I said previously was that the committee had the amendments. It may not have accepted everything and that is fair. Ultimately it amounts to the fact that there was an acceptance of a certain pace of a go. If the member is telling us that the Conservatives are studying the additional pieces, then why would they rush to bring this? Why not wait until they study the other 36 pieces, recognizing that they are complex and need further study? If it is too long, then they cannot wait.

Clearly now that we know the government is studying some things, what is that timeline? I wonder if the minister could tell us that at some point. Is it 30 or 90 days from now? Is it 3 years from now? If the Conservatives are studying them with the prospect of enhancing the bill with those additional pieces, perhaps they should have helped us with that information and perhaps they could have been in the bill in a month or two, or less.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the member's comments deal with the actual process, something I am fairly keen on, wanting to get a better understanding myself. He makes reference to Bill C-15 and other legislation. There is no doubt that there is frustration within the Liberal Party on numerous legislation. The most recent one would have been the budget bill, where we attempted to get through literally hundreds of amendments and were constantly turned down. On other legislation such as on immigration and so forth where amendments are in fact being brought forward, the government seems to turn a blind eye to it.

Does the member believe as a result of the reaction we receive at committee ultimately should dictate how we vote on the principle of a bill going to committee? In other words, if the principle of the bill is strong enough to allow it at the very least to go to committee, should you vote for it to go to committee, or because of the behaviour of the government in terms of not accepting amendments, do you oppose all bills that would require some form of amendment?

The Acting Speaker (Mr. Barry Devolin): Once again, before I go back to the hon. member for Welland, I would encourage all members to refer to their colleagues in the third person as opposed to the second person, even in a hypothetical.

The hon. member for Welland.

Mr. Malcolm Allen: Mr. Speaker, we voted for Bill S-11, the food safety bill. My recommendation to my caucus was to vote for second reading and send it to committee to amend it because the government's sense was for us to bring it our ideas. That is exactly what I did. We voted to send it to committee.

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It is not so much the process. It is about looking at individual legislation on the merits of the legislation. We do not vote because of a process; we vote on what the legislation is about. If the legislation in our view deserves to go to committee, then we will vote to do that. Bill S-11 is a prime example of that. That is exactly what we did, but then we found out what the process was, and it was “no”.

● (1720)

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, I do appreciate the opportunity to join in the debate. It works out good that my colleague spoke before me.

The first thing I want to do is read back into the record comments that were made on November 4, 2011, by the Parliamentary Secretary to the Minister of National Defence with reference to this legislation in its earlier version. He said:

As I begin my remarks, I would like to congratulate those of our colleagues, the hon. member for St. John's East, the hon. member for Scarborough—Guildwood, and the hon. member for Hamilton Centre, who worked very hard with members on our side to develop a common approach.

I thought that was a decent thing to do, early on to offer up. However, I would point out that he said that in a minority government. Whether the government was so inclined as to be friendly and wanted to work together and show a lot of camaraderie, it was really forced into it. When we get into a majority, we start to see the government's real view of the opposition. Let us just say that is less than encouraging in terms of wanting to “develop a common approach”.

I raise that because there has been a lot of discussion on all sides around process and a lot of questions about the way we view the process and why it is somewhat different than the way we voted previously.

What is really important is that the earlier version of this legislation was in a minority government. In a minority situation, there can be all kinds of preachers within Parliament. There can be coalitions, accords, day-by-day, which was the system that we lived under in a Liberal minority government and, ultimately, the Conservatives until the last election. We would have liked to have seen it more often but at times there was an element of working together, particularly on matters that were important, that had legal timeframes and that had legal implications, and this legislation was one of those. The military needed these improvements and, as we do every day, we wanted to put pressure on the government and hold its feet to the fire. At the same time, there are certain issues where we set that aside and work together because it is in the best interests of Canadians. When we are in a minority Parliament, the only way that can happen is when somebody works with the government to create enough votes to pass a law. That was one of those times.

I was given some acknowledgement because I was defence critic at the time and the reference was when we were trying to get the bill through the House at that time. The work at committee was done by my colleague from St. John's East who was the defence critic before me and continued as critic afterward when our new leader was sworn into office and created his shadow cabinet.

At that time, we had a bill that everybody had worked hard on. They put a lot of time and effort into getting a bill that they could agree on because it was important to the military. We did that job

collectively. The remarks that the parliamentary secretary made at the time were in reference to the work that I was doing with him and his House leader, his minister and my party leader, our interim leader at the time, as we tried to find a way to get that bill in front of the House and get it passed because the work had been done and we had agreement.

I point that out because it is critically important to understand the context of the previous bill if we are going to understand at least the politics around the current bill.

We had this whole process. Compromises were made. Compromise is not a dirty word. That is how things get done. Everybody found language they could live with and, as far as I know, it was unanimous. There certainly was a majority, meaning our caucus and the government. There may have been others but I do not see any nod from the Liberals, but that is not relevant to this point. The point is that the bill would have been law had we been able to get it in front of the House. I do not want to point fingers. I do not know who to blame for that. There is lots of blame to go around. Everybody can have a bit. However, what matters is that it did not happen.

● (1725)

The government now has its majority Parliament and when we came back here, the bill came back. We had reasons. Any reasonable minded person would have reason to believe that the bill that would come back would be the bill that we agreed upon. That makes the most sense. That way it would have ensured a quicker passage through the House. We would not be standing here right now. It would already be law.

We were not about to change our minds or our position. We had made the compromises. We had put together a bill that we could live with and we were prepared to stand behind it, and dare I say, we would have been prepared to stand behind that bill in this Parliament had it been brought back in whole, but it was not.

I do not care whether it is one clause, one amendment, two amendments or a thousand amendments. When we are dealing with legislation such as this, one clause, if it creates an injustice or leaves an injustice in place, is not acceptable. It is not a question of how many amendments the government did not put in here. It is the point that it did not bring back the same bill that everyone had agreed on was in the best interests of this Parliament, and more important, of the military, and most important, of the personnel within our military.

That would have been the process that a reasonable person would have expected. It would have been one that I assure the government we would have responded to, because what ground would we have had to stand on? If we were standing here at second reading and for some stupid reason we were opposing it, the government would ask us what the deal was, and say that we agreed to it before so why were we not in agreement now.

*Private Members' Business***PRIVATE MEMBERS' BUSINESS**

[Translation]

RADIOCOMMUNICATION ACT

The House resumed from November 2 consideration of the motion that Bill C-429, An Act to amend the Radiocommunication Act and the Telecommunications Act (antenna systems) be read the second time and referred to a committee.

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, I am pleased to rise this evening to talk about the rules governing the placement of telecommunications towers.

I would like to congratulate my colleague, the member for Châteauguay—Saint-Constant, on behalf of all Canadians, mayors and MPs who are dealing with this problem and have been calling for some time for a transparent consultation process so that the public and elected representatives will be able to provide input regarding the location of telecommunications antennas.

To demonstrate the scope of the phenomenon, in Montreal, for example, there are approximately 2,000 structures with antennas. In Rivière-des-Mille-Îles, it is estimated that there are approximately 35 structures of this type. Moreover, some towers can easily house approximately 50 different antennas. The rapid proliferation of wireless applications and of new service providers is bringing increasing pressure to bear on existing infrastructure.

Canadians must be consulted because erecting telecommunications antennas raises a number of issues that directly affect their daily lives. The matter of aesthetics and respecting the built heritage is obvious: nobody wants to have that kind of structure in their backyard. But it is also a question of public health.

Moreover, it appears that the effects of these antennas on our health are not entirely known. Option consommateurs, for example, considers that the standards developed by Health Canada and imposed on service providers by Industry Canada are inadequate, and has argued that they only apply to the amplified thermal effects of radio frequencies that are emitted and not to non-thermal effects in the long term. Most Canadians I have met share this opinion and think that the current safety provisions are inadequate.

To illustrate the frustrations that Canadians and local elected representatives face, allow me to describe something that recently occurred in Saint-Eustache. I am singling out this case, but there are hundreds of similar cases across Canada. I could also list several other comparable cases in Rivière-des-Mille-Îles.

In the summer of 2011, residents of the des Jardins neighbourhood got the surprise of their lives when they saw a 27-metre telecommunications tower go up behind the car dealerships on Dubois Street, which is adjacent to a residential area. When questioned by angry residents, the elected representatives of the City of Saint-Eustache had to admit they were powerless. The negotiation process between Rogers and the municipality took place in 2010. The company first informed the City of what it needed to improve its network. The municipality proposed a number of available municipal lots, but the proposed lots were not suitable in the opinion of the Rogers engineers.

We were not going to do that but now we, the official opposition, are in a position where the shoe is on the other foot. The government brought back a bill that is not the bill that was agreed upon. We will agree that this is a step forward. In this context I say to a number of members who have raised procedural questions about why we are not supporting it at second reading, even though we say it is a step forward, this is not a regular bill and it is not a regular situation. That is why.

I cannot imagine why we would support a bill that is not the bill we supported before and does not have the things in it that we thought were important and made other compromises and changes in the whole process. Why on earth would we now say that it is a great bill, no problem, let us whiz it through, when some of the things we fought for to make sure there was justice in there are no longer there. Why on earth would we support that bill?

Now we are left with the situation we are in right now, which is the making of the government. Government members own this situation. Had they brought the bill in that had been agreed upon before, the bill would already be law.

However, for reasons we do not yet know, government members went into that with the majority mindset that they do not have to listen to anyone anymore, they do not have to do anything, they have all the power, they have the stable majority and they can do anything they want. They could ram it through here. Hell, they control the Senate. They could ram it through there too. That is the mentality we are left with on the bill.

We are so far away from the climate of co-operation that existed in the creation of the previous bill, Bill C-41, that we have no choice but to make our principled stand.

Thank you, Mr. Speaker, for giving me the one-minute notice. I managed to get through two of my seven points.

Mr. Stephen Woodworth: I can't hear you. Louder.

Mr. David Christopherson: The hon. member does not know what my ultimate objective was.

I will wrap up by just saying that for all the government members' to-ing and fro-ing and lighting themselves on fire over what the official opposition is doing, if they had just followed through with the commitment and the compromises they made in the previous bill and brought that here, we would stand by those compromises. We would stand by that bill and we would honour our word and honour our armed forces, in this case, something the government is not doing.

• (1730)

The Acting Speaker (Mr. Barry Devolin): Order, please. It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

The hon. member for Hamilton Centre will have his five minutes of questions and comments when this matter returns before the House.

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Faced with a deadlock, the telecommunications company turned to the private sector to find a location for its tower. Canadian law requires that for each telecommunications tower project of this type a 30-day public consultation must be held. All residents living within a radius of three times the height of the tower must be informed by letter and invited to comment by regular mail or email. Nobody voiced any opposition during the 30-day period. Industry Canada was therefore able to authorize the Rogers project. How is that possible?

The municipal council argues that, “neither the City, nor the provincial government have jurisdiction in this file,” and that, “since residents are consulted in this kind of process, it is they who are entitled to object to such facilities being built in their neighbourhoods.” The city has reminded residents on several occasions, by way of resolutions, that the council opposed the decision.

Rogers, for its part, claims that it met its regulatory obligations by contacting residents who were directly affected, by being courteous, and by mailing a copy of the consultation to the city.

In my opinion, the legislation and the circular published in June 2007 by Industry Canada governing the installation of antennas poses two problems. On the one hand, telecommunications companies are not forced to share existing towers. Competition is fierce and the companies do not want to share their infrastructure. This is understandable. However, legislators need to bring them back into line. This is public property. Its use comes with responsibilities.

● (1735)

The CRTC must be given the power to adjudicate disputes regarding the sharing of telecommunications towers.

The other problem with respect to the law is that consultations are not really public, to the extent that most of the time, residents and municipal elected representatives have not knowingly given their consent or had time to organize themselves.

The bill introduced by my colleague amends the Radiocommunications Act and stipulates that the construction of all new antenna bearing structures be preceded by a study to examine the option of using existing infrastructure. If this is impossible, all new construction projects involving pylons, towers and other antenna bearing structures, however high, must be subject to a public consultation.

The general idea is to halt the proliferation of antennas by forcing telecommunications companies to reach agreements to share existing facilities. In cases where it is impossible to use existing infrastructure, the bill requires that public hearings be held and forces developers to ensure they have the support of the municipalities before they proceed with their projects. In keeping with this legislation, developers will no longer be able to install antennas without taking into account the concerns of municipalities and their residents in the development of their projects.

Moreover, the bill introduces new obligations in terms of public consultations. For instance, a public consultation must be held on the construction of towers or antenna-bearing structures, regardless of their height. At present, towers that are lower than 15 metres are exempt from public consultation. Industry Canada must then publish confirmation that the public consultation process was respected.

In my view, the bill is a balanced approach that helps find a middle ground between the interests of citizens, municipalities and proponents. We hope to regulate the installation of new antennas, but we do not want to hinder the development of the industry. We want proponents to respect municipalities' lead-time and to respect and consider the concerns of the municipalities and their citizens.

This strategy is completely in line with the NDP's approach. For instance, I like the fact that it aims at strengthening the framework for the development of telecommunications towers by co-operative measures, among proponents, municipalities and citizens. In addition to promoting discussion and co-operation among all parties, the bill would provide the CRTC with the authority to intervene in order to minimize the effects of a new antenna in a community.

I also appreciate that the bill is flexible enough to allow for an antenna to be put up quickly, if necessary. Since there may be certain antenna systems that are not detrimental to the municipality or citizens, the bill provides that an exemption from public consultation could be established by local and government authorities.

Moreover, I have been told that the Canadian Wireless Telecommunications Association is drafting a non-binding protocol on the installation of telecommunications antenna. Wireless providers know that many people are grumbling about the current process, and they are trying to avoid legislation that is even stricter by preparing a framework for self-regulation.

However, history has shown that telecommunications companies have to be persuaded simply to respect their legal obligations. I am thinking, for instance, of the carriers' reluctance to comply with their own regional coverage improvement plan. How can anyone believe that a self-regulation system would allow citizens' interests to come before the interests of these huge corporations?

As I have been told that I have only one minute left to finish my speech, I would like to emphasize the fact that the industry must acknowledge that my colleague's bill makes sense for a lot of reasons. The industry should also work with him to make it better, because the alternative is likely to hurt even more. We have already seen, for instance, in Repentigny, where the city demanded that an antenna be dismantled, that a less heterogeneous approach could also be detrimental to the industry.

I am interested in hearing my colleagues' comments and questions.

● (1740)

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, I am pleased to rise in this House today to support Bill C-429, An Act to amend the Radiocommunication Act and the Telecommunications Act (antenna systems), introduced by the hon. member for Châteauguay—Saint-Constant.

This bill is particularly important because it affects each and every one of our ridings. I am pleased that we have the opportunity to examine this issue today.

This bill seeks to legislate the implementation and construction process of antenna systems, and to ensure the balanced development of telecommunications antennas, among others, by involving local authorities in these processes.

As we know, the telecommunications industry is growing in Canada, and we all benefit from it because we can fully enjoy its services.

This industry is essential to ensuring that Canadian businesses remain competitive and that every citizen can remain in constant contact with people around him, both on a personal and professional level.

As members of Parliament, and given the importance of BlackBerry, emails and other forms of communication in our daily lives, we are all very aware of the importance of the telecommunications industry in our lives and in the lives of our constituents.

However, we have to admit that the current development of telecommunications towers in Canadian municipalities is poorly managed, and that the regulatory framework established by Industry Canada is unable to meet the concerns of thousands of citizens and hundreds of municipal officials.

Indeed, Industry Canada's directive CPC-2-0-03, which governs the telecommunications industry, does not include any compulsory public consultations for the construction of towers less than 15 metres high, and does not require the involvement of local authorities in the implementation process of telecommunications antennas.

Moreover, while this directive includes sanctions for non-compliance with the established regulatory framework, it seems Industry Canada does not impose these sanctions on offenders.

In June, at the last convention of the Federation of Canadian Municipalities held in Saskatoon, I had the opportunity to attend a panel on telecommunications antennas in municipalities. The participants included Bernard Lord, Industry Canada officials and, of course, municipal councillors and mayors from all regions of the country. What I heard at that panel was not particularly good nor very flattering for Industry Canada, quite the contrary. There was a lot of frustration and discontent directed at Industry Canada officials and Mr. Lord.

All that frustration convinced me of the urgent need to review the existing regulations to better harmonize the implementation process of telecommunications antennas in our municipalities.

Bill C-429 seeks to respond to the frustrations felt by citizens and municipal officials by regulating the siting and construction of antenna systems, while also democratizing the process by involving the land-use authorities, that is the municipalities, as well as citizens in the decision-making process.

First of all, this bill simplifies the application process for the shared use of antenna sites by telecommunications companies, in order to limit the unnecessary proliferation of new towers in our municipalities, which seems to be happening all across Canada.

Bill C-429 also grants the CRTC oversight power and the authority to rule on disputes regarding tower sharing, which will have the advantage of creating a single forum independent of

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government to resolve any disputes that arise between telecommunications companies.

In addition, the bill compels these companies to hold public consultations before constructing any tower, regardless of its height, except in cases where the construction will not hurt anyone.

For instance, my riding of Portneuf—Jacques-Cartier has some very isolated, rural municipalities. I am thinking of places like Rivière-à-Pierre, where there is no cellular service. No companies serve that region. I can assure you that the people of Rivière-à-Pierre would very much like to have a telecommunications tower in order to have cellular service in their municipality. I have no doubt that that exception would easily apply in that municipality, since there is an urgent need there.

Lastly, Bill C-429 would also require proponents to consult the local land-use authority, namely the municipality, in order to determine the local requirements and ensure that the siting of a telecommunications antenna fits in with the municipality's local development plans.

• (1745)

When we talk about local requirements, we are talking about a public consultation process that has already been established by the authority, discussions regarding possible tower locations and the response to reasonable and relevant concerns of the municipality and community involved. Nothing outlandish is being requested—quite the contrary.

It is important to remember that land use falls under provincial jurisdiction and is delegated to the municipalities. It is necessary to ensure that they are able to fully exercise their jurisdiction over their own land, and it is absolutely essential that antenna systems are developed collaboratively in keeping with the municipal or rural land use plan.

The purpose of the bill is certainly not to harm the industry, which is extremely important to Canada. What is more, there will not be any regulatory duplication, as some of the members opposite suggested. In fact, the existing requirements will be replaced with those set out in Bill C-429, so that particular problem will simply resolve itself once the bill is passed.

The bill introduced by the hon. member for Châteauguay—Saint-Constant addresses a clear demand from municipalities and individuals who currently have no recourse at all when a telecommunications tower is erected in their municipality in a place that neither members of the community nor municipal officials find suitable.

This problem is not specific to the telecommunications industry. In fact, a number of other areas of exclusive federal jurisdiction are experiencing the same problem, since the government refuses to exercise its jurisdiction and regulate it fully, under the pretext that it does not want to harm the industry. However, the government is forgetting all the people who are directly affected by this, individuals and municipal officials, who have development plans for their cities and who, sometimes, in certain regions, have to protect farmland, which is becoming increasingly rare. All of these considerations need to be taken into account but are ignored in areas of exclusive federal jurisdiction.

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I have in mind an example that affects my riding in particular, and that is the aerospace industry. The existing regulations for the construction of private airports are fairly similar to those in effect for telecommunications antennas. This area is largely unregulated, which means that private developers have a great deal of latitude and can pretty much do what they want at Canadians' expense.

Private airports, specifically, can be put anywhere in a zone considered undeveloped, without the need to consult with elected municipal officials and the public. For antennas over 15 metres it amounts to the same problem. There is the case of the unwanted construction of a private airport in Neuville. Despite opposition from hundreds of citizens and the municipal council, petitions, protests and multiple calls on Parliament to have the minister ask the Standing Committee on Transport, Infrastructure and Communities to conduct a study to address the harmonization issues between federal and provincial areas of jurisdiction, nothing has been done and the public has no protection or recourse. This is the same situation.

The protection of land and farmland, and land use are all exclusive provincial jurisdictions, but that fact is overlooked to the benefit of rich private developers, whether it is to build telecommunications antennas or airports. It is the same situation here, and it is a problem. That is why I thank the member for Châteauguay—Saint-Constant for introducing this kind of bill. He is forcing us to think about the needs of the provinces and municipalities and their responsibilities towards the public. It also enables us to better protect our own constituents, the people we represent.

Bill C-429 responds to a real need. I hope it will be supported by members of all the parties in the House. The public and the Federation of Canadian Municipalities clearly support my colleague's bill. I hope that members from each party will do the same.

• (1750)

[*English*]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am very happy to participate in this debate today. I thank my colleague from Châteauguay—Saint-Constant for bringing forward Bill C-429, which would help alleviate a lot of the problems that many of us are experiencing in our local communities. I thank the member for his diligent work on this issue.

This is an issue that, when we delve into it, we find right across the country. Many communities have been faced with the difficult challenge of suddenly finding there is a cellphone tower popping up in the middle of their neighbourhood, near a school, near a residential community, in the middle of a residential community. Then they find out that if it is under 15 metres, they cannot do anything about it.

We had that situation in my community of east Vancouver. Because of the diligence of local community members who brought this to my attention and to the attention of the local member of the legislature, MLA Shane Simpson, we found out there was a problem in our local neighbourhood. We immediately went to work and started to look at the regulations or lack thereof, about what we could do. It was through the incredible hard work of local neighbours, people like Janice, that information became available in the local community. They were as surprised as anyone to find out that,

without their knowledge, a cellphone tower had been erected adjacent to a low-rise apartment building at Hastings and McGill, slap bang in the middle of a residential neighbourhood, and there was virtually nothing they could do about it.

I immediately wrote to the Minister of Industry and the Minister of Health to inquire why the rules and regulations exempted these cellphone towers and that the municipality, the city of Vancouver, that wanted to be involved had no recourse to deal with the telecommunications companies that put these towers in east Vancouver and other neighbourhoods. I also raised it in the House in December 2010. I was very dissatisfied with the responses I received from both ministers.

I and Shane Simpson, the MLA, decided to proceed with a public forum in our community and to bring in the telecommunications wireless companies and the city of Vancouver to have a discussion about what should be done with the cellphone tower. Councillor Raymond Louie, who took a lot of time and interest in this issue, in responding to the concerns in the local communities, and particularly the city of Vancouver deputy city manager, Sadhu Johnston who came to our meeting, as well as the medical health officer, worked very closely with us as elected officials, with the local community and with the cellphone companies to find a resolution. It was only because we were able to get the parties together in a voluntary way that we were finally able, after more than a year's work, to get a resolution and a voluntary agreement from the company in question that it was an inappropriate location for a cellphone tower.

We had a good resolution in that one instance. However, what is not being addressed is the ongoing issue across Canada of these cellphone towers, what they are doing in local and urban communities and residential neighbourhoods and the fact that Industry Canada has really not responded. One of my constituents wrote me an email on this recently. She says, "Industry Canada are impossible to talk to. It is quite literally like talking to a brick wall. Canada is essentially allowing the cellphone companies to self-regulate". She too makes the point, as my colleague just did, that this has been a very big topic of discussion for municipal councillors at the Federation of Municipalities.

The municipalities are asking for a very rational change. They have asked that municipal consultation be required on all towers that are to be installed.

• (1755)

On my part, I also brought forward Motion No. 154 to this effect in the House, calling on Industry Canada to change the current regulations so that telecommunications companies seeking to install cellphone towers must have municipal consultation regarding all towers being installed, and public consultation regarding those within 500 metres of any tower being installed. In my motion, I also called on Industry Canada to allow communities to develop their own regulation and consultation rules to prevent impacts on residential areas and areas adjacent to schools, and also to require a public review of the statistics of what is going on with these cellphone towers.

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What I found out when I first started dealing with this a couple of years ago is that it is really quite incredible the number of towers that are going up across the country. Moreover, no one seems to be keeping track of them, particularly the towers under 15 metres tall. They can just go ahead and do it without the involvement of and consultation with municipalities being required.

I do think it is a very serious issue. There are also health concerns that need to be addressed. I know that many members in my community were also very worried about the health impacts of being so close to some of these towers. In fact in Vancouver the Vancouver School Board has policies to ensure that these cellphone towers, where they are over 15 metres tall, are not adjacent or close to schools.

I know there is a lot of concern. In fact there is now a citizen movement of sorts across the country to raise awareness about the issues, both from a health and a municipal perspective, and the fact that there seems to be a complete lack of regulation and attention to this issue by Industry Canada.

I am very glad that this bill is before us today, because I do feel that the bill has been very carefully put together and will address many of the concerns that have been expressed to me by my constituents.

I really want to appeal to members on all sides of the House to look at this bill on its merit. It seems to me that this is the kind of bill that is not partisan or political in any way. It is actually responding to a very real issue in local communities, whether the MP concerned be Conservative, NDP, Liberal, Bloc, or whatever.

As members of Parliament, surely we should be responding to this issue, be willing to find solutions and be looking at this bill as a possible solution. I do hope very much that this bill can get through second reading and go to committee, because I know there are people who would very much like to come forward as witnesses and who would like to speak about the work that is being done at a local level. I am sure the Federation of Canadian Municipalities would also like to come forward. I am sure that the cellphone companies themselves would like to come forward to have a discussion about this.

What we do not want to happen is this issue being pushed under the carpet and ignored. I know there are MPs from all parties who have actually dealt with this issue. I know there are constituents phoning, emailing and organizing in local communities.

Let us respond to this issue in a non-partisan way. Let us take this bill, get it to committee, have a thorough examination and actually address something in a practical, rational and realistic way. I am hopeful that members will support this bill and we can respond to our constituents' concerns about these cellphone towers.

● (1800)

[*Translation*]

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, first I want to thank the Union des municipalités du Québec and the Federation of Canadian Municipalities for effectively supporting my bill. I also want to thank the majority of other groups of municipalities in the other provinces, which I contacted and which also were enthusiastic about this legislation.

I also want to thank all the hon. members who used their right to speak, in most cases, to support my bill, with the exception of some government members who, during the first hour of debate, raised some objections which I would like to address.

First, in his speech, the hon. member for Ajax—Pickering basically raised six points to oppose the bill. He said that Bill C-429 would increase the administrative and regulatory burdens.

In this regard, I would like to say that there is no regulatory duplication, since existing directives would simply be replaced and included in the act. Also, if the regulations included in Industry Canada's directive had been properly respected, perhaps we would not be debating this bill today, because the country would have probably experienced far fewer problems.

Some members did not support the bill. They said that some requirements in this legislation would make the existing regulations more vague. The Telecommunications Act and the Radiocommunication Act are framework laws that require very few specifics. Details about their implementation are included in the regulations. I think government members are well aware of that. Therefore, they are trying to pretend that this legislation would create chaos. The issue of uncertainty was also raised.

I think this is a denial of the current situation. In recent years, few bills proposed by opposition members were supported by the members opposite, and that is regrettable. They raise all sorts of objections that are questionable to say the least.

This bill does not create a huge administrative burden, as claimed earlier. I think it is perfectly normal for some documents to be presented to strengthen transparency among telecommunications promoters. Presenting a document explaining the reasons to not share an antenna site is already a requirement in the directive. Therefore, it does not create a new administrative burden, or a need for a new service at Industry Canada, as claimed by the hon. member for Ajax—Pickering in his speech.

The Conservatives are also claiming that the current regulations are effective because promoters follow Industry Canada requirements to the letter. In my opinion, this is a total denial of the current situation. Many problems have been experienced across Canada. It has been quite some time since certain members opposite have gone out to meet with people from municipalities grappling with these problems.

I believe that the current regulations are not really effective because they are not enforced. Penalties are also not applied. With this bill, I am putting the regulations into the legislation and adding some provisions.

The Conservatives are also claiming that dispute resolution is much more effective and accessible. It is time that the Minister of Industry listen to the stakeholders and talk with Industry Canada.

In closing, I find that the Conservatives' arguments against the bill are rather weak. I am asking my colleagues to evaluate the bill properly. It is not a huge bill that would make matters worse. It will have the opposite effect. This bill will not solve all the problems plaguing cities and their residents. But it will improve the current situation.

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● (1805)

The Acting Speaker (Mr. Barry Devolin): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Barry Devolin): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Barry Devolin): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Barry Devolin): In my opinion the nays have it.

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Pursuant to Standing Order 93 the recorded division stands deferred until next Wednesday, December 12, just before the time provided for private member's business.

ADJOURNMENT PROCEEDINGS

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

[English]

THE ECONOMY

Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.): Mr. Speaker, there are big problems with the Conservative government's economic plan. The government has given us the largest trade deficit in Canadian history and the largest budget deficit in Canadian history. It has stalled economic growth, stalled unemployment to way over 7%, with youth unemployment double that, and now the Communist Chinese are allowed to control our key resources.

The government is heading Canada back down the road to economic colonialism where we are the colony and the empire builders are speculation investors in multinational corporations, some of them controlled by Communist China.

The Conservatives are turning the clock back so that we are merely a source of raw materials to build value-added wealth and jobs in other countries. Some plan. We continue to be hewers of wood, drawers of water and miners of raw materials like potash, aluminum, diamonds, nickel, platinum, gold and hydrocarbons, but more and more the shots are called abroad. In the energy industry, over 40% of oil production is foreign owned and growing. Natural gas is at 46% and growing and foreign ownership of the top 20 energy companies is 50% and growing.

Some are saying that is great and others are asking why we are not optimizing and maximizing our economic and social benefits through creativity, value-added industries and real leadership that

stands up for Canadian jobs, our long-term economic interests and Canadian autonomy over our natural resources.

Let us hear what some noted Canadians think. Jock Finlayson of the Business Council of British Columbia said:

Most economists would argue that at least a portion of non-renewable resource revenues should be saved. Here, Canada's record can only be described as lamentable.

"Since we cannot be a low-cost producer, we should move up the value chain", said Kevin Lynch of BMO Financial Group.

The Canadian International Council said:

Canada is increasingly dependent on the export of raw and semi-processed materials, trading low-value-added commodities for high-value-added technology.... [We must] look beyond China so we do not repeat the error of putting all our eggs in one basket....

Alison Redford, the premier of Alberta, said:

We need to ensure that our actions are fiscally responsible and fair, not only to this generation but to those who follow and this means doing what's right for the long term, and not the next election cycle.

The Conservatives are fond of quoting, often in the House, Adam Smith, author of *The Wealth of Nations*. He defined the invisible hand of the marketplace. I wonder if many Conservatives have ever actually read his book. He had huge caveats for his invisible hand theory, saying that: one, it only applies if there are large numbers of small and medium-sized businesses in a sector, none of which can significantly control supply, demand or price; two, corporations are a handy but potentially evil invention that exist by government charter and that those charters should be revoked if they do not meet broad national economic and social goals; and, three, corporations should never have the same rights as citizens.

What comes first, the rights of large multinationals, including Communist Chinese ones, or the rights of Canadian companies, Canadian workers, Canadian taxpayers and Canadian families?

● (1810)

Mr. Chungsen Leung (Parliamentary Secretary for Multiculturalism, CPC): Mr. Speaker, I find it disappointing that the member for Thunder Bay—Superior North would distort the facts and talk down the Canadian economy. We all know that the global economy is going through a very challenging time. We need to look no further than the United States or Europe where political gridlock and instability too often threatens or delays vital economic and fiscal reforms. However, in a fast changing global economy, which remains turbulent, we are also facing increasing competition from emerging economies such as Brazil and India.

This means that Canada cannot become complacent. We need to stay focused on the economy, keep taxes low and help create jobs in Canada by implementing positive pro-growth measures. That is exactly what our Conservative government has been doing since we were elected in 2006, making positive decisions to grow Canada's economy for today and tomorrow. It has proven successful.

While the members opposite would distort reality to suggest otherwise and bash Canada's economy, the facts are crystal clear. We are on the right track for Canada's economy. Let us go over some of these facts. Since the end of the global recession in July 2009, Canada has seen employment grow by approximately 820,000 jobs, the best job growth record in the entire G7. What is more, since we were elected in 2006, Canada has created over 1.4 million net new jobs, also the best record in the G7.

The OECD and the IMF predict our economy will be among the leaders of the industrialized world over the next two years. The World Economic Forum says our banks are the soundest in the world and have been for five straight years. Our net debt to GDP ratio remains the lowest in the G7, by far. All three of the major credit rating agencies, Moody's, Fitch, and Standard and Poor's, have reaffirmed Canada's top credit rating.

However, if all those facts are not good enough for the member opposite, I want him to listen to what some independent third-party observers are saying about Canada. These observers are, in fact, pointing to Canada and our economic leadership as a model to follow.

OECD Secretary-General Angel Gurría says Canada is well prepared. "You have been better prepared and therefore you've weathered the storm a lot better. You are well prepared now. Your fiscal policy, your monetary policy, your financial system [is] in better shape. And therefore, you are doing better in...the world economy."

Canadians should listen to these trusted, impartial and independent observers when looking at the state of Canada's economy, not the bashing of it from the other side.

Mr. Bruce Hyer: Mr. Speaker, the benefits the member is talking about must be going to some of his large multinational oil companies. His economic plan is cutting the front-line services that my constituents need in order to pay for billions in wasteful corporate tax cuts, which do not create jobs here in Canada.

In my riding, seniors are being told to go online to receive services. Small businesses have to wait many hours on 1-800 lines to get simple questions answered. Veterans Affairs is being slashed, impacting the support our veterans need and that they deserve. Our Citizenship and Immigration office in Thunder Bay is now closed. Service Canada will lose staff that handle EI in Thunder Bay. Our Veterans Affairs office will close. Our Coast Guard communications station is closing under the new budget. CRA will close our service counter. The Grain Commission is seeing the loss of 40 Thunder Bay jobs and no inward inspections of grain.

Is this good management?

Mr. Chungsen Leung: Mr. Speaker, again, I am disappointed that the member for Thunder Bay—Superior North would talk down Canada's economy instead of having an honest debate that acknowledges the reality of the situation.

There are many global challenges and uncertainties still confronting the economy, especially from Europe. The global recovery is not yet complete and challenges remain, but Canada due to the strong economic policies of our Conservative government, such as

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Canada's economic action plan, has been better prepared and achieved better results than our peers in the industrialized world.

Sadly though, the member opposite voted against these measures. He voted against key support for the economy and Canadians, and chooses to talk down Canada's economy and not support it.

• (1815)

CITIZENSHIP AND IMMIGRATION

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is a pleasure to rise this evening to talk about what I believe is an important issue. The government has been negligent in dealing with the consequences of a decision it has made. It regards the health services that are necessary for the refugees who are in Canada. These are bona fide refugees I am referring to.

Earlier this year, the minister made a decision to cut off certain health benefits to those refugees, at a substantial cost. We have had stakeholders from coast to coast to coast come out as strong advocates for these very vulnerable individuals, appealing to the government to reverse its decision.

We have since found out that the government did not do its homework. There was no consultation whatsoever done with the different provinces and the stakeholders prior to the minister making these cuts. The minister used the excuse that it would be incorporated into the budget, and that is the reason why no consultation was done.

Therefore, I brought forward a motion to the citizenship and immigration committee, of which the parliamentary secretary and I are members, to have the committee study the impact of these cuts by the minister of immigration. I brought forward the suggestions each member had received from front-line doctors who treat refugees and wrote to the committee members asking for the opportunity to come to the committee to detail proof of the adverse outcome of this reckless policy decision.

We have stakeholders who want to come before the committee. I brought forward the motion so that the committee could listen to what would actually happen as a direct result of the decisions made by the minister of immigration regarding refugees.

My question now is this. At the very least, why will the government not afford the opportunity to those who generally care about our refugees to come before the citizenship and immigration committee, so at least they can be heard? The government would then have a better understanding of the ramifications relating to the cuts that were made to refugee health care.

Mr. Chungsen Leung (Parliamentary Secretary for Multiculturalism, CPC): Mr. Speaker, the member opposite knows a lot of the facts behind this, as we both sit on the standing committee.

I am pleased that the member has given me the opportunity to speak to this important issue. It allows me to provide the facts to Canadians. The NDP and the Liberals have been shamefully and purposefully misleading Canadians about this issue.

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No government has done more to help those fleeing persecution than this government. Canada welcomes one in every ten resettled refugees in the world. That is more than almost any other country in the world. Our Conservative government is increasing that number by 20%. We are also increasing funding by 20% to help refugees settle in Canada.

Our doors have always been open and continue to be open to immigrants and genuine refugees. However, Canadians have no tolerance for those who abuse the system and our generosity.

These changes are all about fairness. Canadians have told us loud and clear that they want us to put a stop to illegal immigrants and failed asylum claimants receiving gold-plated health care benefits that are more generous than the benefits Canadian taxpayers receive.

These genuine refugees who the government sponsors to come to Canada and who the United Nations has found to be in need of protection, having spent years living in refugee camps around the world, have seen no changes to their health care coverage.

Asylum claimants who are still awaiting a decision on their claim would now receive care that is on par with what average Canadian taxpayers receive through their provincial government. However, our Conservative government has listened. We will no longer provide coverage, as taxpaying Canadians do not receive this coverage. This means that they will no longer receive free prescription drugs, eye care or dental care.

If the Immigration and Refugee Board finds individuals to be in need of Canada's protection, they would then become permanent residents and receive coverage through their provinces. However, the people most affected by the changes are illegal immigrants and opportunist asylum claimants. Under our changes, we would no longer provide benefits to this cohort unless it is to protect public health and safety. We will no longer pay for free braces and eyeglasses for those who refuse to respect our laws and leave Canada.

Our changes are fair and reasonable, and the response from hard-working Canadians has been overwhelmingly positive.

The member's question allows me to point out yet again that the Liberals and NDP want illegal immigrants and bogus asylum claimants to continue to receive better health care benefits than their own constituents. The taxpayers and seniors in their ridings, who have paid taxes their whole lives, have funded these benefits.

Unlike the Liberals, our Conservative government is committed to fairness and respect for hard-earned tax dollars. We will not tolerate abuse of our overburdened health care system by bogus claimants.

• (1820)

Mr. Kevin Lamoureux: Mr. Speaker, we just heard the member reciting the talking points worked out by the Minister of Citizenship, Immigration and Multiculturalism with the Prime Minister's Office, many of which are just not true.

The issue is that many bona fide refugees are being denied necessary assistance. We are not talking about bogus refugees, and so forth, in the government's terminology. Unfortunately, there are genuine, bona fide refugees who require health care services.

Doctors and health care workers are requesting that the government at least listen in committee.

Will the committee listen to what the doctors have to say?

Mr. Chungsen Leung: Mr. Speaker, again let me be clear. These changes are about restoring fairness to the system. Unlike the NDP and the Liberals, we do not believe that illegal immigrants and bogus asylum claimants should continue to receive gold-plated health care benefits more generous than those received by the Canadian taxpayers and seniors who fund these benefits.

Our changes ensure that genuine refugees and asylum claimants receive health care coverage similar to what the average Canadian taxpayer receives. No longer will we fund supplementary benefits, such as prescription drugs, eye care and dental care. Canadian taxpayers do not receive these benefits through their provincial coverage and it is not fair to ask them to foot the bill.

I urge the member to speak to his constituents and he will quickly learn that Canadians agree with our reasonable changes to restore fairness to the interim federal health program.

ABORTION

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, there is tremendous irony in having this debate scheduled today, December 6, the National Day of Remembrance and Action to End Violence Against Women. We in the NDP made it clear today in the House that we demand action from the government to end violence against women and also, very importantly, that it work toward achieving equality for women in Canada.

There is no doubt that in recent decades great gains have been made, but we are losing ground. One of the areas in which that is clear is reproductive rights, which is fundamentally about women having control over their own bodies, women having a say over their own future, and our recognizing that this is part of their achieving equality. I remember growing up knowing that women and men in Canada fought to ensure that women could have that kind of control over their own reproductive rights. As a young woman now 30 years old, I am better off that decisions like those happened years ago.

Perhaps the most disturbing part of this conversation is that Motion Nos. 312 and 408, both back-door attempts at reopening the abortion debate, have been presented to the House and the Canadian public. There are all sorts of efforts being made to introduce other spin on these motions or legislation being put forward, when in reality everyone knows that it is about reopening the abortion debate. I would note that that debate took place in the late 1980s with the Supreme Court ruling, and it is something that Canadians have moved on from. We gauge that from the conversations we have in our constituencies. We know it from the polls. We know that this is something that Canadians have moved on from. In fact, when it comes to equality, so many Canadian women want to see the government taking specific action to achieve equality rather than rolling the clock back.

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Many of us were encouraged that Motion No. 312 was defeated, thanks to the NDP's leadership. Unfortunately, many government members, including the Minister for the Status of Women and the minister of international aid, a department that is involved with funding around reproductive rights around the world, both voted to reopen the abortion debate. Then we found out a few hours later that yet another government backbencher was attempting to do the very same thing. To so many of us, this speaks to the double-speak of the Prime Minister telling us that he does not want to reopen the debate and yet there is another private member's bill attempting to do the same thing.

When will the government either come clean with its agenda or listen to the majority of Canadians and move on to achieve true gender equality for women in Canada?

• (1825)

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, let me be clear. The government is opposed to reopening the debate on abortion. The issue has already been voted on by Parliament, and we do not believe that the issue should be reopened.

Ms. Niki Ashton: Mr. Speaker, I appreciate the succinct answer. Unfortunately, as I noted, key government members took a different

position, the opposing position, to reopen the abortion debate. Despite the fact that the Prime Minister has repeated that line, we have yet another private member's motion, Motion No. 408, under a different window, trying to reopen the abortion debate.

I would be interested to know from the member, but very importantly as well, from the government, whether or not they will throw out Motion No. 408, or will they continue to fan the flames of a debate that Canadians want to move on from and roll back the clock on women's rights?

[*Translation*]

Mr. Robert Goguen: Mr. Speaker, I will repeat in French that the government has no intention of reopening the debate on this issue. We are opposed to reopening the debate on this issue and that has already been voted on. We believe that the matter is closed.

[*English*]

The Acting Speaker (Mr. Barry Devolin): The motion that the House do now adjourn is deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 6:28 p.m.)

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