



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 147 • NUMBER 138 • 2nd SESSION • 41st PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Tuesday, November 4, 2014

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Tuesday, November 4, 2014

The House met at 10 a.m.

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• (1005)

[English]

COMMITTEES OF THE HOUSE

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

Ms. Jean Crowder (Nanaimo—Cowichan, NDP) moved that the sixth report of the Standing Committee on Aboriginal Affairs and Northern Development, presented on Friday, May 20, 2014, be concurred in.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, as in the past, I would ask my New Democratic friends, as much as possible, in order to facilitate concurrence motions, to provide some notice.

Mr. Peter Julian: Mr. Speaker, on a point of order, this motion is actually in the name of the member for Winnipeg North. I assumed he had actually read the report that is before the House, because he actually moved concurrence on this particular report. Therefore, it should not be a surprise. Since he moved concurrence on this report, he should have at least read it.

Mr. Ted Hsu: Mr. Speaker, I want to clarify as I am trying to following along. Are we referring to the sixth report of the Standing Committee on Aboriginal Affairs and Northern Development entitled, “Subject Matter of Wills and Estates”? Could I confirm that?

The Speaker: That is correct, yes. The subject is wills and estates. It is the sixth report.

The hon. member for Winnipeg North is now responding to the point of order.

Mr. Kevin Lamoureux: Mr. Speaker, I think it is most inappropriate for the NDP House leader to seem to want to disrupt my right to address the House on a wide variety of important issues, and we have seen this over the last couple of days,

I was maybe 30 seconds into my comments before he was up on his feet, eager to cause confusion among members of the House of Commons. I would ask, with all due respect, that I be allowed to deliver my comments without interruption by the NDP House leader.

The Speaker: I have not heard anything that would constitute a point of order, yet. The member for Winnipeg North was about 20 seconds into his speech. I know over the last few days, some of his colleagues have reminded him about the rules of relevance, and I have confidence that today he will do his best to speak to the subject matter of the sixth report. As the member for Burnaby—New Westminster has pointed out, the motion to concur stands in his name as well, so I think that is something we can all point to as a sign of optimism.

I will give the floor back to the hon. member for Winnipeg North. As he points out, he has the right to speak to the motion, and he has about 19 minutes and 40 seconds left to do so.

Mr. Kevin Lamoureux: Mr. Speaker, it is said that an image is worth 1,000 words. Seeing the face of the New Democratic House leader when you made reference to the fact that we were—

The Speaker: The hon. member for Timmins—James Bay is rising on a point of order.

Mr. Charlie Angus: Mr. Speaker, I rise on an issue of relevance. He has not spoken except to throw insults. If he has something to say on the motion for concurrence in the committee report, he should speak on it rather than wasting the time of the House. I ask you, Mr. Speaker, to go back to your ruling about the relevance of what he should be talking about.

The Speaker: I think members have had the opportunity to express their frustrations in the last few minutes, through points of order. I would ask the hon. member for Winnipeg North to resist the temptation to continue to do so and speak to the subject matter of the sixth report of the Standing Committee on Aboriginal Affairs. Then I think the House's patience will not be further tested.

Mr. Kevin Lamoureux: Mr. Speaker, I can assure members that I am somewhat familiar with the report. One of the things we should start off with is a letter that was provided to the committee chair. I know there are some nervous Nellies in the New Democratic fold, so I will cite some specifics coming from a letter that was addressed to the committee. It is on an important issue dealing with wills and estates, which is the name of the report itself, and I ask that members be patient because it is a somewhat lengthy letter, but it is something that is important to share at this time.

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It is important to recognize that the Government of Canada would like to thank the members of the standing committee, which is a general acknowledgement, for its study on the report entitled “Wills and Estates”, tabled on May 30. That is when it was brought forward to the minister, which was months ago. The report identifies a number of key issues and challenges that were raised by a number of witnesses. I understand there were about seven witnesses, give or take, who actually made presentations at committee.

I am sorry to disappoint the member; he seems very eager to stand.

The committee met to discuss the issue through to April 29, so it has been a long time of waiting before we have come to the stage of concurrence, where we are today. I suspect if history has anything to do with what is going on, it will likely happen here after I have finished providing some comments. No doubt I will be the only speaker, in all likelihood, but I do not want to limit. In fact I would encourage others to participate, especially if they are moving that the report be concurred in. Members might really want to consider contributing to the debate.

The government states, through the chair, that it is trying to build capacity and autonomy for first nations to improve well-being and provide first nations with self-determination, such as the expansion of the First Nations Land Management Act, the Yale First Nation Final Agreement Act, and the Sioux Valley Dakota Nation Governance Act, which have recently received royal assent.

We need to recognize that the issue of our first nations people is something that has been a challenge for the government to ensure fair representation in terms of what their interests and their will would be and how effective the government is in working with our first nation communities. We have found the government to be very lacking, to be honest. There is a lot more that the government could be doing in terms of working with our first nations to build a consensus, as opposed to what has been a typical style of the government in dealing with our first nation issues, which is to act as opposed to work with our first nation leadership.

Over many years, as a parliamentarian, I have been afforded the opportunity of visiting reserves and just having caucus discussions and meetings with many different first nation leaders and aboriginal communities. I think we are selling them short. The government is missing a real opportunity to make a very strong, tangible difference in not working with the leadership and trying to build a consensus. That is something on which I would challenge the government to move toward.

●(1010)

At the end of the day, if we want to try to have more harmony, if we want to try to make a difference, it is very important that we start co-operating with our first nations leadership. When we talk about wills and estates and in particular this report, it has been pointed out, whether directly or indirectly, that there are many needs out there and there is a general feeling that consultation is something that has not been taking place.

We look to the government to try, in good faith, to make a difference. One of the ways it can make a difference is to start

working with the many different strong personalities within our first nations and aboriginal communities.

In the letter addressed to us, we find that the government acknowledges that the land is often the most valuable asset in an estate, and through the enactment of other recent legislation, the government has taken steps to improve conditions for individuals on reserves affected by wills and estates—for example, the Family Homes on Reserves and Matrimonial Interests or Rights Act, which will be fully enforced on December 16. It is happening very quickly. This seeks to provide basic rights and protections to individuals on reserves, including upon the death of a spouse or common-law partner, regarding the family home and other matrimonial interests or rights. It would also enable first nations to develop their own matrimonial real property law, subject to ratification by their members.

Members of the House will be very much aware of the Liberal Party. I almost said “official opposition” and at times we feel as if we are the only opposition inside the House.

Some hon. members: Oh, oh!

Mr. Kevin Lamoureux: The members laugh, Mr. Speaker. If they allowed standing committees to meet, maybe we would be able to do a bit more on accountability, quite frankly.

The Liberal Party has consistently advocated for progressive legislation. On the whole issue of marital rights, this is a piece of legislation with which we had a great deal of concern. I know even I had the opportunity back then to be able to voice some concerns about the legislation. I was, quite frankly, very disappointed that the government took the approach that it did in regard to the assets.

At the end of the day, the Conservatives try to take the line that they are just trying to ensure that there is equal assets distribution and so forth. They try to simplify an issue that is very complicated. It was obvious that the Conservatives were pushing this legislation through. If only they were to consult with the first nations, as we did in opposition. I can assure members of the fine work that the first nations critic from the Liberal Party did in terms of consultation and working with people and advocates to get a better understanding of the legislation that the government ultimately passed.

It was only because of the government having a majority that it was successful at being able to pass the legislation. I know where we stood as a political entity on it. Had there been a minority government, whether it would have passed would have depended on the day and if the members showed up to work. I say that because ultimately I believe that most, if not all, opposition members opposed the legislation in question.

I recall first hand many of the discussions and debate that took place. Having said that, this is one of those pieces of legislation that were time allocated.

Routine Proceedings

• (1015)

As the Liberal Party in opposition, we face a government that persists and insists on time allocation to avoid parliamentary accountability. Then we have the NDP, which, in order to avoid parliamentary accountability, opposes the holding of meetings by standing committees. At least there is one political entity in the House that is consistent on parliamentary procedures and the issue of accountability. Whether it is a matter of time allocation or of being lazy and not wanting to go into committees, we are prepared to ensure—

Mr. Peter Julian: Mr. Speaker, I rise on a point of order. I think we have been very patient. The member has been ruled out of order on three consecutive days because he has this obsession of attacking the official opposition. He just loves to go into that.

He was doing well. For the first time, he was actually speaking to a report. Given that it was a report on which he had moved concurrence, we would have expected that. However, for three days in a row he has been ruled out of order because he has gone off on these weird, bizarre tangents, belching all kinds of personal insults. I would ask you, Mr. Speaker, to have him respect the rule of relevance by speaking to wills, testaments, and land tenure in first nations.

• (1020)

Mr. Kevin Lamoureux: Mr. Speaker, on the same point of order, we have to be very careful on the issue of relevancy, because many of the words the member uses now could in fact be used in the future.

On the relevancy issue, when I was being critical of the government on time allocation and parliamentary principle, the NDP House leader did not stand up and say I was being irrelevant. It is only when I point out the deficiencies within the New Democratic Party, and there are many, that he chooses to stand up on a point of order. I suggest he should not be so cherry-picking in his points of order.

Mr. Ted Hsu: Mr. Speaker, I believe the content of this report may have some relevance to the question of relevance. I was reading the report now, and the introduction says that the committee did not have the opportunity to devote as much time to the matter of wills and estates as it would have wished. To my mind, the fact that the committee has not met since June 3 of this year and does not have time to do some of its work, in particular its work on wills and estates, is actually relevant to the report.

The Deputy Speaker: I am having real difficulty seeing the relevancy, especially since, as the official opposition House leader has mentioned, the member for Winnipeg North has attempted to raise these types of points for three days in a row, and three times the Chair has indicated clearly that these points are irrelevant to the debate on the motion before the House.

Until about the last 20 to 30 seconds of his speech, the member for Winnipeg North was very much addressing relevant comments to the motion before the House. I would ask him to go back to that, but not to move off into the area that he appeared to be going into when he was last speaking. I would also advise him he has less than five minutes to complete his speech.

Mr. Kevin Lamoureux: Mr. Speaker, on a point of order, I seek your advice. It is an important area for us to get an opinion from the Chair. Is it appropriate, whether one is a New Democratic, Liberal, or Conservative member of Parliament, to be critical of another political party inside the chamber?

I believe we can be. I ask for an opinion from you on whether or not it is fair comment to be critical of another political party inside the House.

The Deputy Speaker: I do not think there is any question to that. It is surprising to hear that question coming from a member who has been here as long as the hon. member has been. It is obvious that at times it is appropriate and relevant for members to be able to criticize other political parties, and I suppose even criticize one's own party.

That is not the issue before the House right now. In terms of the speech being given by the member for Winnipeg North. Rather, it is an issue of relevancy. He has been told three times now by the Chair that the point that he seemed to be driving at in those last 20 to 30 seconds of his speech today was clearly going to be irrelevant, based on the prior rulings.

Therefore, to answer his basic question in his point of order, it is proper at times to be able to criticize political parties; however, it does have to be relevant to the context of the debate that is before the House at the time.

I would again ask the member for Winnipeg North to continue his speech and complete it. He is now down to less than three minutes.

Mr. Kevin Lamoureux: Mr. Speaker, one of the procedures at the Manitoba legislature—and obviously the House of Commons has different rules—is that because points of order can be lengthy, often they are not included in the time remaining for the member's opportunity to speak. I understand that we lost two minutes or so because of the points of order, and that might be part of the strategy of the official opposition.

I have been completely relevant, as you have even pointed out, throughout the debate on the concurrence report. As my colleague attempted to state in his point of order, I recognize that this committee met on four separate occasions to deal with this issue. As in all committees, there is always a need for more time on virtually every issue that comes before them, and it has been pointed out that the last time this committee met was on June 3. We have a problem with that.

The report states the following:

One of the primary challenges presented during the land management hearings had to do with what witnesses described to the Committee as “legacy issues”. These issues surface when individual interests in land are not formally documented or otherwise lack formal legal recognition. Not surprisingly, these undivided interests in land and uncertain tenure of reserve land holdings can have serious implications for First Nation individuals when determining the descent of property, often resulting in difficult and protracted disputes.

The point is that this is not an easy issue. It is a very complicated issue. If a report is to be concurred in, at least let us consider talking about the report. At least let us consider allowing committees to meet to discuss the report.

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All of these are important points, and I look to members recognizing and respecting our first nations and aboriginal issues by allowing our committees to meet and have dialogue so that we can continue the debate on issues such as this.

• (1025)

Mr. Earl Dreeshen (Red Deer, CPC): Mr. Speaker, perhaps the member for Winnipeg North could comment on the importance of being able to bring in some of our new members. I am thinking of the member for Macleod, who has been unable to attend the Standing Committee on Aboriginal Affairs and Northern Development. It is important for them to be updated on important issues, such as the concurrence motion we are discussing today. Could the member would speak to the importance of bringing some of these new members into these committees so that they can be part of the overall discussion?

Mr. Kevin Lamoureux: Mr. Speaker, that is an excellent question. It is important that we recognize, particularly with respect to the aboriginal affairs and northern development committee, that there are numerous issues like the one we have today. Many new members want to participate in committees and have that dialogue, but because of the New Democratic Party's attitude of not allowing concurrence, the committee is not meeting.

I can only suggest to the member that he do what he can to encourage concurrence in the PROC committee report, which would allow those new members to participate. The same applies to the aboriginal affairs committee and many other committees. As has been pointed out, the aboriginal affairs committee last met on June 3.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, upon reading this report and the reply of the government, it seems to me that there is a lot of work to be done. It is no surprise that there is a lot of work to be done on the issues of wills and estates. Ultimately, it is the ownership of land that is the most complicated issue and the most important issue. The sense I get from the committee report and from the government reply to it is that there is a lot of work to be done and a lot of stakeholders to talk to. A House of Commons committee has the capability to do those things.

My constituents in Kingston and the Islands do not care if it is the government's fault or the official opposition's fault that this House of Commons committee is not working. The fact is that the committee has not met since June 3.

Given that the report says that the committee should meet, should we really be debating the report if it is not meeting? I would also ask if the official opposition would like to speak to that aspect in their speeches on this motion.

• (1030)

The Deputy Speaker: I suppose I should have said this when the last question was asked. Both questions are obviously directed to issues that the Chair has now ruled three times to be irrelevant to the motion that is before the House. The Chair has made it quite clear what is before the House. It is quite clear in the report that the issue of wills and estates on reserves is the context in which this debate should be taking place.

At this point, I will give the member for Winnipeg North time for a very quick response, but again within the relevancy test that he has now had applied to him three times.

Mr. Kevin Lamoureux: Mr. Speaker, it is with pleasure that I answer the question, possibly indirectly, out of respect for the Chair and your thoughts on the issue.

Ownership of land is a very important issue that needs to be discussed, and there is a great deal of interest across this country in regard to that issue. Let there be no doubt that if the committee was meeting on a regular basis, we would have a lot of interest from people wanting to come before committee to express their thoughts and ideas on this issue.

The best I can do for my colleague and for members who want to continue to contribute to the debate on what has been started with this report is to ask the New Democrats to co-operate.

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: On division.

(Motion agreed to)

Mr. Joe Preston: Mr. Speaker, if the House gives its consent, I move that the 18th report of the Standing Committee on Procedure and House Affairs, presented to the House way back on September 30, be concurred in.

The Deputy Speaker: Does the hon. member have the unanimous consent of the House?

Some hon. members: Agreed.

Some hon. members: No.

* * *

[Translation]

PETITIONS

HEALTH

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I am very pleased to be presenting a second petition about the problem of contaminated dust coming from the port of Quebec. I also presented a petition last year.

Today's petition has been signed by more than 250 very concerned residents of Quebec City's lower town, who are directly affected and want the Government of Canada to ensure that the problem is resolved.

[English]

SEX SELECTION

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I am honoured to present two petitions.

The first petition highlights that girls throughout the world are being discriminated against through sex selection. The petitioners call on the House of Commons to condemn discrimination against females occurring through sex selective pregnancy termination.

IMPAIRED DRIVING

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, the second petition I am honoured to present is signed by thousands of people in British Columbia. The petition highlights that 22-year-old Kassandra Kaulius was killed by a drunk driver. Families for Justice, a group of people who have also lost loved ones to impaired drivers, believe that the current impaired driving laws are much too lenient. The petitioners are calling for new mandatory minimum sentencing for people who have been convicted of impaired driving causing death.

CANADA POST

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am proud as always to rise in the House. Today I am representing residents in the wonderful community of Matachewan in northern Ontario.

The petitioners are concerned about the plan to phase out home mail delivery by Canada Post. Canada Post has played an incredible role in people being able to connect with each other across this country. The end of home delivery across this country will have a serious impact in terms of the potential privatization of the service and the lack of access, particularly for seniors and people who will have a difficult time getting to the post office boxes in the snow.

The people of Matachewan are adding their voices to thousands of others across Canada who are saying that the government needs to have a better plan for the future of postal delivery in this country.

•(1035)

LENDING PRACTICES

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, as always, I am pleased to rise today to table this petition. The petitioners call on the House of Commons to take action to eliminate predatory lending. Predatory lending is an unfair practice that exploits a legal loophole to charge criminal interest rates, and it affects more and more Canadians every year.

I would also like to recognize the work of Donna Borden, a resident of Toronto. Ms. Borden is the driving force behind this whole issue. Thousands of Canadians are concerned about this.

THE ENVIRONMENT

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I rise today to present a petition signed by dozens of Burnaby—Douglas residents concerning the new Kinder Morgan pipeline that is slated to run from Edmonton to Burnaby. The residents who signed this petition are calling on the Government of Canada to immediately act to prohibit this new pipeline from proceeding.

While I am not allowed to comment on whether I support this petition, I urge the government to consider this urgently, because dozens of protestors are on Burnaby Mountain protesting against this pipeline.

[Translation]

CAP-DES-ROSIERS LIGHTHOUSE

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, today I am honoured to present a petition that has been signed by hundreds of people in the Gaspé who want to save the Cap-des-Rosiers lighthouse, which was designated as a historic site in 1974. It sits at the entrance of Forillon Park. Today, the

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government is trying to sell it off to a third party, but unfortunately, there are no takers. This lighthouse should be preserved, and the people in the Gaspé are very concerned. I hope that the government is listening.

[English]

DEMOCRATIC REFORM

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to present a petition from numerous residents of my own riding of Saanich—Gulf Islands, Galiano, Pender, and Victoria. The petitioners are calling on the House of Commons to support the democratic local nomination act, which would amend the Canada Elections Act to remove the requirement for a leader's signature and to allow candidates to be approved by their local political party organizations.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[Translation]

PROTECTION OF CANADA FROM TERRORISTS ACT

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC) moved that Bill C-44, An Act to amend the Canadian Security Intelligence Service Act and other Acts, be read the second time and referred to a committee.

He said: Mr. Speaker, I rise in the House today to begin debate at second reading on Bill C-44, the protection of Canada from terrorists act. I hope that our government can count on the opposition parties' support to get this bill to committee.

I would like to start by thanking my colleagues from all parties who went to the National War Memorial this morning, especially my colleague here, the member for Vaughan and Minister of Veterans Affairs, to lay wreaths in tribute to the two soldiers who lost their lives in recent weeks.

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All of my colleagues remember what happened. On October 22, we all witnessed events that shocked us in some way. I would like to join my voice to those of my colleagues from all parties who went to the National War Memorial this morning and extend our thoughts and our prayers to the families of Warrant Officer Patrice Vincent and Corporal Nathan Cirillo.

On Saturday, I had the privilege of being in Longueuil to attend the funeral for Warrant Officer Patrice Vincent. His twin sister gave us a message of hope and peace, but she also asked us to ensure that her brother's death would not be in vain. Today, as parliamentarians, we have the opportunity to begin a debate on a bill that will ensure better protection for our country.

● (1040)

[English]

Before I begin the substance of my discussion today on this important legislation, I would like to address the horrific terrorist attack that happened just steps from where we stand today and make sure that we are all starting from the same point when we talk about what happened. It is important that we agree, for the sake of clarity, on what took place recently. That is why I would like to refer members to the Criminal Code, which defines terrorism as a violent and intentional act that aims to intimidate the public for political or religious reasons.

[Translation]

The Criminal Code defines terrorism as an act committed for a political, religious or ideological purpose, objective or cause with the intention of intimidating the public.

The two acts that were committed here—the attack on Warrant Officer Patrice Vincent in Saint-Jean-sur-Richelieu and the attack on Corporal Nathan Cirillo—fit within the definition of terrorism.

That is why President François Hollande said yesterday that these acts were terrorist-inspired. That is why the U.S. Secretary of State, John Kerry, said that when someone attacks an unarmed soldier guarding the Tomb of the Unknown Soldier and then storms Parliament with a loaded weapon, that is also an act of terrorism. That is also how it is defined in the Criminal Code.

I hope all parties will recognize that these acts were terrorist acts. We should call a spade a spade. Then we will be able to come up with solutions together to deal with the challenges we face.

Clearly, the terrorist acts committed here also have international repercussions. The Islamic State poses a threat not only to Canadians, but to populations in other countries that are being brutally suppressed and whose fundamental human rights are being violated.

That is why we are part of the coalition that is currently conducting air strikes against that terrorist group and why we are supporting the security forces in Iraq in their fight against this terrorist scourge.

However, we also need to take action within our borders, in Canada, to protect Canadians from anyone who might try to attack us, our values or innocent victims.

That is also why we are so determined to strengthen the tools available to police and the Canadian Security Intelligence Service when it comes to surveillance, detention and arrest. Bill C-44, the protection of Canada from terrorists act, which we are starting to debate today, is a first step in that direction.

[English]

We took action a long time ago. We are moving forward strongly, because we are facing a serious terrorist threat, one that we must address with strong measures.

As a government, we have already taken strong action to protect Canadians from the threat caused by terrorists.

● (1045)

[Translation]

Our government's response is based on Canada's counterterrorism strategy, which is a four-pillar approach. The first pillar, which is very important, is prevention. It is important that we promote and share our Canadian values with everyone, with every Canadian. That is why we are investing in numerous prevention measures involving police services, community groups and the government itself. My predecessors and I have engaged with ethnic and cultural communities, including at the cross-cultural roundtable. That is the first pillar. Then, we need to prevent, deny and detect individuals who may pose a threat, prevent them from taking action and, finally, respond to the threat if necessary.

Now we are dealing with another phenomenon: extremists who travel abroad and those who come back to Canada. That is a source of concern for us, which is why we intend to propose other measures in addition to the bill being introduced today.

[English]

Whether it is through legislation, policy, or investment, our government has taken strong action to give law enforcement and national security agencies the tools they need to keep us safe.

We have given law enforcement new tools by making it a crime to go overseas to engage in terrorist activities. We have given authorities tools to strip Canadian citizenship from those engaged in terrorist activities.

We have increased funding for our national security agencies, such as the RCMP and CSIS, each by a third.

[Translation]

We brought in the Combating Terrorism Act. We are prepared to revoke the citizenship of individuals who have dual citizenship and are convicted of acts of terrorism. We are also prepared to revoke the passports of individuals who want to incite violence outside our borders. Since 2006, we have increased the budgets of the Royal Canadian Mounted Police and the Canadian Security Intelligence Service by more than one-third.

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[English]

In practical terms, that means an additional \$191 million for CSIS over the level that existed under the previous Liberal government.

[Translation]

Canada's counterterrorism legislation has been tried, tested and embraced by the highest courts.

[English]

Not only is law enforcement responding to the law we have put in force but the tribunal is as well by giving harsh sentences to those who are convicted of terrorist activities.

[Translation]

For example, Canada successfully prosecuted terrorism-related offences in the cases of Mohammad Momin Khawaja, alias Namouh, and 11 members of the so-called Toronto 18.

In July, Mohamed Hersi became the first Canadian convicted of attempting to travel abroad to join a terrorist group.

[English]

We tabled and implemented the Combating Terrorism Act. This act brought in important new criminal offences, including making it illegal to leave or attempt to leave Canada in order to commit certain terrorism offences outside Canada. This past July, the RCMP laid its first charges under the new act against an individual for leaving Canada to take part in terrorist activities. The bill is working. We need to take action to keep Canadians safe from terrorists.

Shockingly and unfortunately, we did not get support from the official opposition at that time for that common sense legislation. Hopefully this time we can count on their support and we can move the bill forward.

[Translation]

The government's terrorist listing also plays a key role in combatting terrorist financing, and under the Criminal Code, being listed has serious consequences, allowing for the seizure, restraint or forfeiture of a listed entity's property.

Again yesterday, we saw that another group was declared a terrorist entity. In other words, it is absolutely illegal in Canada, under the Criminal Code, to support or want to finance or associate with this entity. All the activities of this entity are prohibited in our country.

In April, we added IRFAN-Canada to the list of terrorist entities. IRFAN-Canada is a not-for-profit organization that transferred roughly \$14.6 million in resources to Hamas, a terrorist entity that is on the Canadian list.

These measures help interrupt the flow of resources such as funds, weapons and new recruits to these entities. We also employ various mechanisms in order to deprive terrorists of the means and opportunities to carry out their activities. These mechanisms include the High Risk Travel Case Management Group, led by the RCMP, which is especially busy these days, and the revocation and suspension of passports of travellers who want to engage in terrorist activities abroad.

The prevention of violent extremism is a key element of our approach. I would like to share with you the important work accomplished in that regard. Preventing violent extremism is a key component of our strategy. At this time, I would like to commend the Canadian Association of Chiefs of Police, which has identified radicalism and radicalization as an area of concern, and which plans to examine this issue at its upcoming meetings and next year.

Our approach, "Responding to Violent Extremism", is outlined in a document entitled *2014 Public Report On The Terrorist Threat To Canada*. It is based on three interrelated strategies: building community capacity, which equates to prevention; building law enforcement capacity, which this bill will do by clarifying the powers of the Canadian Security Intelligence Service; and developing programs to stop radicalization resulting in violence through proactive early intervention. We must remember that preventing terrorism is our national security priority.

The counter terrorism information officer initiative, which is an RCMP responsibility, provides frontline police officers and other first responders with essential terrorism awareness training. Therefore, there are already resources, budgets and measures in place to deal with this threat of terrorism, but we have to adapt to this evolving threat.

• (1050)

[English]

Here we come back to the legislation at hand. The protection of Canada from terrorists act contains distinct elements that work toward a common goal, which is to protect the safety and security of Canadians. The bill also has some provisions regarding the Strengthening Canadian Citizenship Act, which received royal assent in June.

There is really nothing new in this part, but let me just say the act made important changes at that time to the Citizenship Act, enabling the Minister of Citizenship and Immigration to revoke Canadian citizenship from dual citizens who are convicted of terrorism, treason or spying offences. Such individuals would be permanently barred from acquiring citizenship again. While that act has already received royal assent, as members know, provisions in new legislation can come into force at different times.

Recent events around the world have brought to the forefront the need to address the threats of terrorism now. We are, therefore, proposing amendments to the Strengthening Canadian Citizenship Act that would allow provisions related to the revocation of Canadian citizenship to come into force earlier than anticipated. It is nothing new but it would ensure that those provisions could be used by law enforcement more rapidly.

The provisions that would come into force include new expanded grounds for revocation of Canadian citizenship and the establishment of a streamlined decision-making process. We are clear that Canadian citizenship is sacred. Our Canadian passport, wherever we go around the world, is of high value. It has to mean something. We do not want to share our Canadian passport with anyone who wants to cut off our heads because we disagree.

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•(1055)

[*Translation*]

The Canadian passport is respected around the world. As parliamentarians, we will not accept that individuals with criminal intentions use Canadian passports to commit acts of terrorism.

Let us now examine the main part of the bill, which will make the necessary amendments to the Canadian Security Intelligence Service Act.

Ever since the CSIS Act was introduced more than 30 years ago, threats to Canada's security have become increasingly complex, as evidenced by the global nature of terrorism and the mobility of terrorist travellers.

[*English*]

We are aware of Canadians who have joined terrorist groups abroad. CSIS director Michel Coulombe has stated that more than 140 individuals with Canadian connections are suspected of engaging in terrorism-related activities abroad. It is more critical than ever that CSIS has the proper tools to investigate threats to the security of Canada and that its role and function is clear in terms of our Canadian laws. The bill before us proposes several targeted amendments to support CSIS in its mandate to investigate threats to the security of Canada.

[*Translation*]

First, the bill would confirm, clarify and strengthen the power of the Canadian Security Intelligence Service to conduct investigations abroad, by confirming that CSIS has clear, legislated authority to conduct investigations abroad related to Canada's security and security assessments.

Second, the bill will give the Federal Court the power to consider only the relevant Canadian law when issuing a warrant to authorize CSIS to investigate threats to the security of Canada.

Essentially, this bill clarifies the powers of the Canadian Security Intelligence Service and protects witnesses, because information can only be exchanged if there is trust between the human source and the information service.

It is important to protect these sources and provide criteria for this legal protection, in order to make it possible to increase protection in certain situations.

I am pleased to introduce this important bill in Parliament. I look forward to following the debate, because this is an important and balanced bill.

I hope that we will be able to move forward and send this bill to committee, and that we develop a law that will protect Canadian citizens against the threat of terrorism. This threat is evolving and is unfortunately a reality.

[*English*]

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I listened with interest to the minister's speech on the bill, but we on this side have been very clear that we think Canadians want protection both of public safety and of civil liberties, and I did

not hear anything about civil liberties protection in the minister's speech.

I want to come back to what is becoming a canard from the minister, and that is his statement that he has increased the funding for Public Safety. He refers back to 2007, I think, in an attempt to mislead the House. Will he admit that in the 2012 action plan the government laid out a plan to cut \$688 million from Public Safety, including \$24.5 million from CSIS, \$143 million from the Canada Border Services Agency, and \$195 million from the RCMP; and that he has carried out those plans so that in fact all three of those agencies have significantly less funding to deal with our national security problems than they had in 2012?

•(1100)

Hon. Steven Blaney: Mr. Speaker, I invite the member to look at clause 7, proposed paragraph 18.1(4), which clearly stipulates the authority of the court with an *amicus curiae*, a friend of the court, that will allow a tribunal to determine if it is necessary to remove the protection. It is embedded in this bill, the right of the accused of the human source within the scope of our Canadian law.

Regarding the funding, let us look at numbers. I have here the funding for CSIS prior to our government coming into power. It was less than \$350 million. We are now up to \$540 million. It is \$190 million more and we are considering options. What is at stake here is the safety of Canadians. We are not only there to support their financial needs. We were there to support the Combating Terrorism Act, which is now putting terrorists behind bars. We are intending to move in the same direction and hope we can get the support of the member and his party in doing so.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I have to admit that was quite an answer for my colleague from the NDP. We might as well go back to 1992 to try to compare figures. The fact of the matter is that in the public accounts, the Department of Public Safety and National Security has cut over \$600 million in a number of agencies that are all related to security in one fashion or another. Those are the facts and the minister might as well admit it.

I have two questions.

First, the minister talked quite a bit about revoking the citizenship of dual citizens. Although the Conservatives have been promoting that for some time, we find it strange that it is in this bill. However, if it is in the bill to invoke it earlier than that is the position the government is taking. Making a law is important but making a law that they are sure is going to stand up to court scrutiny is critical. Could the minister table in this House, or would he be prepared to table at committee, the legal opinion that would suggest that this part of the law is charter sound and that it would stand up to the courts if it is challenged. If it would not, then we are really wasting our time with that particular clause in the law.

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Second, the minister talked a fair bit about confirming that Canada has a clear authority to undertake certain activities beyond Canada's borders. There is a specific section in Bill C-44 for that, and I understand that. However, why are we going with a warrant and very narrowly focused legal words in the bill when in our research none of our Five Eyes partners are doing that? None of them have a similar clause in their legislation. The deputy director of CSIS has said before a Senate committee that all this bill would do is to put in law what CSIS is already doing. Why is that clause necessary when none of our other Five Eyes counterparts have that particular piece and they are able to do their jobs?

Hon. Steven Blaney: Mr. Speaker, why is the bill necessary? Because we live in a state of law. We have rights and we believe the fundamental rights of Canadians are sacred. We are tabling the bill to clarify the law so CSIS can fully operate and protect Canadians under Canadian law. There is no liberty without security.

While I am on my feet, let me tell the House what the budget increase for the RCMP, our national law enforcement agency, has been since the last Liberal government. In the 2005-06 budget, it was \$2.1 billion. We are now up to \$2.8 billion. That is more than \$700 million. It is a little more than the indexation rate. Why the increase? Because we are ready to provide the tools and resources necessary to keep Canadians safe.

The question in front of my hon. colleague today is whether those members are ready to provide the tools to our law enforcement agency and our national security agencies to keep Canadians safe.

• (1105)

Hon. Julian Fantino (Minister of Veterans Affairs, CPC): Mr. Speaker, in the context of the provisions of the proposed bill, would the hon. minister comment on the views expressed by Ann Cavoukian, the Ontario information and privacy commissioner. She stated that we may have to rethink the balance between human rights and civil liberties, including privacy and the intrusion on these rights in the name of public safety. Further, she said that the balance between security and privacy had never been static, shifting in favour of security whenever we were faced with significant threats to public safety.

I suppose we could all bring ourselves to understand more fully the predicament that we are in. The bill attempts to address these issues. However, I would also ask the minister if he could comment further on the comments of the privacy commissioner when she said, "I recognize that there may be a legitimate need for increased surveillance and greater investigative powers to address new threats to public safety". Could the minister speak to that issue in the context of the proposed bill?

Hon. Steven Blaney: Mr. Speaker, the hon. member, the Minister of Veterans Affairs, is doing a remarkable job of protecting our veterans and providing them with the tools and support they need after they have served our country. They deserve all our gratitude for that.

As we know, the member has also accomplished a remarkable career in law enforcement. He was at the forefront of those important questions. That is why we are tabling the bill, which has embedded in it consideration of all those basic civil rights. That is why the bill has what we call an *amicus curiae*, which means "a friend of the

court". This friend of the court would be able, in some cases, to declare that a human source would not be information from which the identity of a human source could be inferred. Therefore, it would be able to remove the protection in some cases, especially when it would be essential to establish the accused's innocence that could be disclosed in the proceedings.

The bill would ensure that a tribunal would be monitoring the process, but also clarifying it. We are responding to an invitation from the court to make its job simpler because the law would be clear. This clarity would increase safety for Canadians.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, as this may be my last opportunity to speak to the House before Remembrance Day, I really look forward to these Remembrance Day services. I know all members of Parliament are. We expect to be joined by record crowds of Canadians this year.

Unfortunately, this year, we have two new names to add to the Canadian heroes who have given their life in service to Canada. They are Corporal Nathan Cirillo and Warrant Officer Patrice Vincent. Once again, I would like to express my sympathies to their families. I know Canada will do them proud this Remembrance Day by showing how much we respect the sacrifices their families have made.

I rise today to speak to Bill C-44, an act to amend the Canadian Security Intelligence Service Act and other acts. In the aftermath of the two attacks at St-Jean-sur-Richelieu and in Ottawa just two weeks ago, concern about national security is certainly front and centre in the public mind and, indeed, in all of our minds. There is no doubt that concern already existed about the spread of extremist views and the radicalization of Canadians, whether on the basis of ideological or religious grounds.

As New Democrats, we have taken a strong stand, but we must not rush to judgment on any of the recent events until the full story is known. We have also argued that we cannot let fear warp who we are as a nation and distort our values. We should beware of falling into the trap of looking for solutions in some kind of trade-off, giving up some of our freedom for greater security. Instead, the New Democrats know that it is the responsibility of the government to protect both our civil liberties and public safety. There is no contradiction between the two. We believe Canadians expect the government to do no less.

We know that Bill C-44 was in preparation months before the events of October 22. In fact, if we look at its content, it is easy to see that there is no apparent connection with the events in Ottawa or St-Jean-sur-Richelieu, judging on the information we have before us so far.

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In fact, Bill C-44 seems to be a legislative response to difficulties created for CSIS as a result of two court decisions. One is from the Supreme Court of Canada in 2007, called *Regina v. Hape*, and the other is from the Federal Court in the following year, known as *Canadian Security Intelligence Service Act (Re)*, 2008.

In short, what seems to have happened is that these two decisions made it difficult for CSIS to co-operate and share information with allied spy services, the so-called “five eyes group”, made up of the United States, the U.K., Australia, New Zealand and Canada. At the heart of these two cases was the question of whether CSIS could use warrants obtained in Canada to conduct surveillance abroad, using methods that would have required the authorization of a judge if they were to take place in Canada.

By providing a clear framework for overseas surveillance work and express authority for the courts to issue warrants authorizing these activities in Bill C-44, the government is arguing that CSIS would be better able to protect national security. Indeed, this may be the case. We are certainly prepared to look carefully at this measure in committee.

This is what lies at the heart of Bill C-44, and it may indeed be the case that CSIS needs these new expanded or clarified powers, however we wish to describe them. The New Democrats are therefore prepared to support this legislation to go to committee, recognizing their potential importance for national security.

However, details matter very much in bills like this, so we will be asking tough questions about what the government proposes to accomplish in this bill and about whether and how this expansion of CSIS' powers will actually help keep Canadians safe.

Again, as we have said, just as it is important to protect public safety and national security, it is also necessary to protect civil liberties. What we see missing in this bill are any improved accountability measures to accompany the proposed expansion of the powers of CSIS. I will return to this question of accountability in just a moment.

Let me stop here to consider what else is in Bill C-44, in addition to clarifying the international mandate of CSIS and its ability to carry out surveillance abroad.

The third element in Bill C-44 is the provision of a blanket protection on the identity of the human sources of CSIS. Again, we will have some serious questions to ask in committee about this provision. Right now, judges can grant protection for the identity of CSIS sources on a case by case basis. The onus is on the government to show why this protection is actually needed. Bill C-44 would reverse that onus. The presumption would be that the identity of CSIS sources would always be protected.

Even the bill itself acknowledges that this could be a problem when it comes to using CSIS information as the basis for criminal charges. Our criminal justice system, quite rightly, does not look favourably on anonymous testimony or evidence whose validity cannot be challenged in court.

• (1110)

Bill C-44 would create an exception for criminal law, allowing the disclosure if the defence could establish that doing so would be

necessary to establish the innocence of the accused. This would add a large potential complication to any such criminal cases, as it would require a separate process to be carried out in Federal Court. On this side of the House, we remain concerned that this provision may perversely make it more difficult to secure criminal convictions of those who threaten national security.

There is in the bill, however, no such exemption to the blanket provision for protection of identity of CSIS sources for immigration and refugee cases. In fact, Bill C-44 makes reference to the use of special advocates in cases where the identity of CSIS sources seems likely to affect the outcome of the case.

The fourth provision of Bill C-44 has nothing at all to do with CSIS and which we could say, in a way, makes Bill C-44 a mini omnibus bill. This is the provision that would advance the coming into force date for the provisions in the Citizenship Act, passed last year, that allow the revocation of Canadian citizenship for dual citizens convicted of terrorism or other serious offences. This is something the New Democrats opposed at the time, and continue to oppose, as creating two different classes of Canadian citizen.

When we look at the provisions of Bill C-44 in the current context, there are some other questions we need to ask ourselves, which may not fall neatly into the confines of a debate on legislation alone. We must ask ourselves if legislation is always the answer to every problem or, as the government sometimes seems to believe, the only answer to every problem.

We must ask ourselves if there are other things we can do when it comes to the question of how we respond to the use of violence at home by Canadians. Perhaps most important among these questions is how we respond to homegrown radicalization of youth, whether it is a young Canadian who murders three Mounties in New Brunswick or another who seeks to go abroad to join an armed religious or ideological movement. A lot of good work has been done on this question at the community level, and we need to reach out to those communities concerned and work with them on prevention and early intervention strategies.

Another serious question we must ask ourselves about national security is whether the the federal government assigned sufficient resources to the task of protecting national security. Testimony at the Senate Standing Committee on National Defence on two successive October Mondays cast doubt on whether the government had done this.

On October 20, the deputy director of Operations of CSIS told the Senate that CSIS was forced to prioritize its resources when it came to monitoring radicals returned from abroad or prevented from going abroad. The deputy director said that CSIS did not have the resources to monitor all 80 or 90 names on that shifting list and that this must be seen as a public safety concern.

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Just a week later, RCMP Commissioner Paulson told the same Senate committee that in the wake of the October attacks, he was forced to expand the 170 personnel assigned to the integrated national security enforcement team, the front-line teams on national security, by seconding 300 personnel from organized crime and financial crime units, reassigning them to national security. This means weakening one important area of crime fighting in order to strengthen the fight against threats to national security, and is surely an indication of inadequate resources for the RCMP at this time.

Is this a choice the government really should be asking the Commissioner of the RCMP to make, protecting national security or continuing to fight organized crime? The record of the Conservatives on this issue is clear, despite the attempts of the minister again this morning to make historical references to funding going back, sometimes it seems, to the beginning of time.

In 2012, on page 277 of the economic action plan, the Conservatives clearly laid out their intention to cut \$688 million from the public safety budget over the three fiscal years ending this year, 2014-15, and they have done this. We have seen cuts beginning in 2012 now amounting to \$24.5 million annually for CSIS, something like a 5% cut in 2012. Never mind what the level was in 2006 or 2007, it is a cut from 2012.

There were \$143 million cut from the Canadian Border Services Agency, a cut of nearly 10%, including cutting more than 100 intelligence staff from the CBSA, those who are charged with finding out who is trying to violate our borders and might potentially be a threat to national security. It includes a cut of \$195 million from 2012 to the budget of the RCMP.

It also appears, from the tabling of the 2014 Public Accounts, that each of these agencies has also been subject to the same pressures from the Conservatives to underspend even those reduced budgets in the quest for an ever larger surplus on paper.

• (1115)

I want to return now to the question of the importance of oversight for our national security agencies.

We all in this House know good models for accountability when we see them, and we have many good examples, like the independent officers of Parliament who have special expertise and report directly to Parliament and not just the minister of the day. These are officers of Parliament like the Auditor General or the Privacy Commissioner, whose reports can be debated in Parliament, shining light on what the government has or has not done, and holding the government to account.

It is strange to think that the CBSA has no such oversight body. This is despite four specific recommendations for the establishment of an oversight body that I can think of: from the 2003 recommendation of the Auditor General to the 2006 O'Connor commission report, to the 2008 Canadian Council of Refugees recommendation, to the most recent 2014 calls for better accountability by both the Canadian Council of Refugees and the B.C. Civil Liberties Association in the wake of the death in custody in Vancouver of Lucia Vega Jimenez.

Now the government will be quick to respond that CSIS already has sufficient oversight in the form of the 30-year-old Security

Intelligence Review Committee, but keep in mind that this is the same government that significantly reduced accountability in CSIS by eliminating the position of inspector general, the CSIS internal watch dog who reported directly to the minister each year on CSIS' record of complying with the law. Instead, this important function was transferred to SIRC, a part-time body of non-specialists, and that responsibility was transferred short of roughly \$1 million of resources, which the Conservatives promptly booked as "savings".

SIRC already has very important responsibilities, including investigating public complaints about the way CSIS deals with things like security clearances, their approval or revocation, which affects people's employment; dealing with public complaints about CSIS' exchange of information with foreign governments, and we know we have had problems where that exchange of information has led to mistreatment of Canadians abroad; and CSIS' functions in providing information in immigration and refugee cases.

The responsibility of the inspector general was added to the work SIRC was already doing, again, without the transfer of the full resources, and again, under the responsibility of a part-time, non-specialist committee.

In addition to the structural weaknesses of SIRC—as I mentioned, a part-time body of non-specialists—there are concerns about whether the Conservatives have taken SIRC seriously. It currently has only a temporary chair, and two of the five positions on the committee have been vacant for months. What was previously a serious consultation process, involving the opposition in appointments to SIRC, seems to have deteriorated to the point where we found SIRC was chaired by a patronage appointee, Arthur Porter, a former fundraiser for the Conservatives who is now facing fraud charges from a Panama prison.

Even with its current limitations, SIRC itself has tried to draw Parliament's attention and the attention of the Minister of Public Safety and Emergency Preparedness to the question of CSIS' accountability. In its recently tabled 2012-13 annual report, SIRC points to serious problems with CSIS in terms of accountability. SIRC reported serious delays in receiving information from CSIS, which impeded its investigations. SIRC even noted that CSIS had been less than forthright in its responses to questions from the accountability body.

The most serious concern raised in the 2012-13 annual report has to do with arming CSIS personnel in high-risk and dangerous operating environments abroad.

We know that CSIS did first have armed agents abroad in Afghanistan. From 2002 to 2007, they were trained by Canadian Forces, and special forces close protection units provided protection to CSIS agents in the most dangerous operations. As well, DFAIT provided diplomatic accreditation to protect those armed CSIS agents against local accountability

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After 2007, CSIS launched its own firearms program with its own policies, training, and armed operational support teams. SIRC, in 2010, expressed concern about the expansion of the use of armed CSIS agents beyond Afghanistan and said that this should be done: "...only after...consultation with, and approval of, the Minister of Public Safety".

• (1120)

SIRC raised significant concerns about the liability of CSIS staff who might be armed abroad under the criminal and civil law of a foreign jurisdiction. It also raised concerns about how a CSIS staff member, if found negligent in the use of firearms, could be dealt with under our domestic legal regime. Of course, it raised concerns about the possibilities of violations of international law and the sovereignty and laws of foreign governments.

I am not arguing that perhaps CSIS agents do not sometimes need to be armed, but what SIRC asked for was that a written justification be supplied to the minister explaining the legal authority permitting CSIS staff outside Afghanistan to be armed. In 2012-13, SIRC found it unacceptable that there was no record of any meetings or discussions between the CSIS director and the minister on this topic.

As Bill C-44 attempts to clarify CSIS' authority to operate abroad, the question of CSIS officers carrying weapons abroad becomes a critical policy question as well as a critical accountability question.

The SIRC report clearly states that CSIS needs to:

...provide a full explanation of how the arming of some of its employees is consistent with CSIS's policy framework, which is rooted in the premise that activities are lawful and authorized, necessary and proportionate, and represent an effective and efficient use of public resources.

This demonstrates the point I am trying to make about the clear necessity of strengthening accountability along with any expansion of CSIS powers.

Bill C-44 presents the House of Commons with its first test of whether any new legislation on national security in the current climate will conform to Canadian values. This would require that the legislation aim to protect both public safety and civil liberties at the same time. The question should not be whether there will be some new balance where we give up some portion of our liberties for security, which unfortunately seems to be the position of both the Conservatives and the Liberals on this important question. Instead, Canadians expect us to take on the tougher task of protecting both freedom and security in a climate where extremists of all kinds are attacking the essence of our free and open society.

Equally unfortunate is the tendency to act as if legislation is the government's only tool. As the old saying goes, "If you only have a hammer, then everything looks like a nail". The New Democrats will continue to urge the Conservative government to take a broader view. We will urge the government to examine whether the tools it already has are being used effectively. We will urge the government to skip its clever rhetoric about a mythical 30% increase in public safety budgets and ask serious questions about the impacts of three consecutive years of cuts on national security. We will ask the government to engage in a dialogue with Canadians from all communities on how else, other than legislation, we can respond to these new national security threats.

Above all, we are asking the government to consider what we can do together as a nation to respond to the need to protect both public safety and civil liberties.

I look forward to the debate we will have when we get to committee, but as I said, we have many serious questions to ask the government and we hope we will be given time to bring forward the expert witnesses we need at committee to have a full debate, as these are important questions to national security in Canada.

We have seen an unfortunate tendency in the public safety committee to limit the number of witnesses who appear, to limit the debate, and to limit the discussion of any necessary amendments. We will be asking tough questions about accountability because, as has been the theme of my remarks today, we believe that if there is a need for an expansion of powers for agencies like CSIS, then we must ensure that we have adequate accountability measures in place to protect civil liberties.

As I see my time is drawing to a close, I want to thank the minister for providing a briefing on this legislation for the opposition. It was quite a useful briefing, although I have to say it seems it is the first time we received such a briefing. I hope it indicates a new spirit of co-operation on any legislation coming forward in the future, because we have to make sure we get this right. Things that affect national security and civil liberties go to the very heart of who we are as Canadians.

• (1125)

Once again, New Democrats ask the government to consider very seriously not asking Canadians to give up some civil liberties for security, but consider how we can protect both civil liberties and public safety and keep this the nation that we all treasure so much.

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I listened intently to my colleague across the way, and I believe that the minister has reached that balance of protecting the security of Canadians but also the civil liberties that Canada is well known for.

Members of our law enforcement agencies put their lives on the line in order to thoroughly investigate threats to our national security. Presently, CSIS agents travelling to work abroad have to travel under their given names. They are provided little protection of their identities, a risk that puts them and their families in danger. This bill would provide protections for CSIS employees to protect their identities when working abroad.

Would the member and the NDP support such common-sense measures? He spoke about using a broader tool on this specific part of Bill C-44. Would he support that?

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● (1130)

Mr. Randall Garrison: Mr. Speaker, as I have stated very clearly, New Democrats are going to support this bill going to committee so we can ask very serious questions about these things.

On the question of protecting the identities of CSIS sources, many people have said there may be an unintended consequence. CSIS sources and CSIS identities get wrapped up together and we have to make sure that when CSIS comes up with information that shows that someone has been a threat to national security, we are able to take legal action against those people. If we end up expanding these protections too broadly so that it interferes with prosecution, then in essence, we have defeated the purpose.

New Democrats want to look very carefully at those questions about the expansion of protection of sources and the identities of CSIS employees, to make sure they do not have unintended consequences for being able to enforce important law for national security.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I enjoy working with my colleague from the NDP on this particular committee.

He kind of hinted that the government seems to think that legislation in and of itself is always the ultimate answer. As I look at this bill, I see that there are really not a lot of additional authorizations in it. Even CSIS itself would admit that the bill would authorize it to do what it already does. Also, there is the protection of sources, which is new.

In his remarks, the member talked a bit about the Canada Border Services Agency and the cutbacks to the RCMP, CSIS, and CBSA. From my perspective, the whole of the department of public safety and national security can do a lot beyond this legislation. I think the member alluded to that. I wonder what the member is suggesting beyond the legislation that should be done on the part of the government to deal with both terrorism from abroad and homegrown terrorism here.

Mr. Randall Garrison: Mr. Speaker, I too enjoy working with the member for Malpeque on the public safety committee.

The question New Democrats are asking is the broad, general question about whether there are things that already exist in terms of the government's powers, things it already could be doing and should be doing beyond simply asking for new legislation each time we confront one of these problems. One of the most important of those, of course, is consulting with communities about the creation of homegrown radicals in Canada, whatever their motivation.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, we have had two serious cases, Abdullah Almalki and Maher Arar. Justice Iacobucci and Justice O'Connor made significant recommendations around the protection of Canadians' rights vis-à-vis CSIS and the RCMP. We do not see those recommendations in the bill. In committee, were there discussions around that and did New Democrats push to have that included in this legislation?

Mr. Randall Garrison: Mr. Speaker, we have not been to committee yet to have these discussions. New Democrats are being optimistic that we will have full discussions at that level, but it is very clear that, since 2003, there have been repeated recommenda-

tions that we need to strengthen the accountability measures that go along with the powers to enforce legislation to guarantee national security. We are arguing on this side that those two things go hand in hand. They are not a contradiction. We have to have better accountability.

When we look at the SIRC report for 2012-13 on CSIS, we see it has some shocking material in it. When the accountability group says the minister was not consulted on a major change in policy, and there is no record of any meeting or memo that establishes any legal authority for what CSIS is doing, then we have a serious problem.

● (1135)

[*Translation*]

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, the Canadian Security Intelligence Service has my full confidence, and I am pleased to hear that the New Democrats support this measure.

However, are they prepared to move this bill quickly to committee, where parliamentarians are better prepared to delve deeper into this debate?

I would point out that nearly \$190 million was given to the Canadian Security Intelligence Service, in addition to the \$700 million. Unfortunately, we did not get the support of the two political parties in either of these cases.

Are they prepared to move this to committee quickly?

[*English*]

My second question is this. In the bill, in clause 7, proposed subsection 18.1(4) clearly introduces the concept of the right to a fair trial that is protected in all cases. Does the member find some comfort, as he has expressed concerns about civil rights, that this is in the bill? What does he find in this provision that would protect and bring the balance he has suggested?

Mr. Randall Garrison: Mr. Speaker, the hon. minister's question contains about seven questions, and I am not sure I have time to answer all of them.

When it comes to his reference to us not supporting the budget, this is one case when it is the opposite of the Conservative rhetoric. We did not support the Conservative budget that cut funding for the RCMP, CSIS, and the CBSA. The minister makes reference to this mythical golden time before he began his cuts in 2012, and we are very clearly on record as not supporting that budget. The Conservatives like to use our opposition to the action plans in one way. I will use it the other way today.

On the question of how quickly we will get to committee, the government has a habit of using time allocation. I hope we do not see it do that on this bill. It is important that members of the House of Commons, who represent all kinds of different ridings and different people, the full diversity of Canada, get a chance to participate in this debate, if they wish to, and raise the issues that are important to them so that when we go to committee, we know what is on the minds of Canadians, as presented to the House by their representatives.

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[Translation]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I represent the riding of Alfred-Pellan, which is named after a gifted painter who lived in Laval for a time. I am honoured to represent a riding with his name.

I would like to thank my colleague from Esquimalt—Juan de Fuca for his comments today on Bill C-44, which is important under the circumstances. This is not a response to the unfortunate events of October 20 and 22, but it is still a first step in enhancing public safety.

As my colleague mentioned, it is very important to define the line between public safety and civil liberties. This has been much discussed here in the House.

I would like my other colleagues in the House to understand how things work on the Standing Committee on Public Safety and National Security, where we do not always have the opportunity to have in-depth discussions because the government often imposes time limits on us.

Would my colleague give us an idea of the atmosphere that currently exists in the committee and that we hope will not prevail as we examine Bill C-44?

[English]

Mr. Randall Garrison: Mr. Speaker, I thank the hon. member for Alfred-Pellan for her remarks and for the work she does as the NDP deputy public safety critic. She is a vigilant and hard-working member of our committee and of the NDP team.

She makes an important point. Right now, in the public safety committee, we are dealing with Bill C-2, the safe injection sites bill, which of course really belongs in the health committee, but it is in our committee. We were presented with a very tight timeframe, including a limit, which the Conservatives passed in committee, of five minutes for the discussion of each clause. One of those clauses we are dealing with puts 27 different conditions on the opening of a safe injection site, and we are supposed to have five minutes of debate on that clause.

When it comes to getting this bill to committee, I am urging the government that we not be presented with such narrow and unreasonable time limits so that we can have a full discussion of what is a very important bill.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I am pleased to have the opportunity to speak to Bill C-44, an act to amend the Canadian Security Intelligence Service Act and other acts. It is a bill the government really had to introduce following two adverse court rulings on the activities of CSIS.

In beginning, I want to just spin off a little of that last question and answer. I would speak directly to the minister. I would hope, in this instance, given the concern about the balance between national security and civil liberties, that the minister would push the committee to allow a full list of witnesses, not the kind of stacked list we get sometimes from the Conservatives, and a full hearing, an in-depth hearing, so the committee can do its proper job and come back with the best legislation possible. I support the point raised a moment ago by my colleagues.

There are some serious questions related to the provisions in Bill C-44 that need to be raised when the bill is before committee, and we intend to raise those questions and those concerns at that time.

The Liberal Party will be supporting this bill going to committee. However, I hope that the committee is really allowed to do its job and get in the proper expert witnesses and have the proper balance so that we can come back with the best legislation possible.

We have to look not just at this bill but at CSIS and its connections to the RCMP, CSEC, Canada Border Services Agency, and our allies we work with abroad.

There are three points I would like to raise specifically on this issue and this bill. One is tools. The minister is suggesting that this bill provides more tools, but there are really not many.

The second area is resources, the financial, human, and technological resources, for CSIS to do its job.

The third area is oversight and the need for proper oversight, and not of just CSIS. We have after-the-fact oversight, but there really needs to be parliamentary oversight of all our national security agencies. I will talk about that in a moment.

Before looking at the specific provisions in Bill C-44, it is necessary to place on the record our concern about the government's response to the terrorist threat to Canada and from within Canada. I would begin by asking the government a direct question. Why is it that the legislation currently in place, the provisions in the Criminal Code, some of which were put forward by the government in the Combating Terrorism Act, have not been utilized?

On October 27, in the House, the Minister of Public Safety admitted that the response of his office and his government to the threat represented by homegrown terrorists was not quite what it should be. According to the minister at that time, it is “time we stop under-reacting to the great threats against us.”

Yet the government still fails to act. I submit that it possesses the necessary tools to react. In fact, under section 83.181 of the Criminal Code, there is all kinds of authority for anyone who “leaves or attempts to leave Canada” for the purpose of participating in any activity of a terrorist group outside Canada.

There are four different sections there. The penalties are maximum terms in prison of 10 to 14 years, depending on the severity of the act.

● (1140)

The Minister of Justice stated publicly last week that the laws currently in place to combat a terrorist threat are “robust measures” that provide the police with the tools necessary to take action in response to a terrorist threat. The minister specifically referred to sections 83.3 and 810 of the Criminal Code, either of which would enable authorities to detain individuals under the provisions of a peace bond and could impose specific recognizance on individuals. In other words, action to limit certain individuals from taking action could be imposed. I ask the minister why those provisions have not been utilized.

Government Orders

The Minister of Public Safety has to this day failed to clarify a statement made before the public safety committee on October 8 with respect to the 80 individuals who returned to Canada after travelling abroad to take part in terrorist-related activities. He stated:

Let me be clear that these individuals posing a threat to our security at home have violated Canadian law....These dangerous individuals, some skilled and desiring to commit terrorist activity, pose a serious threat to law-abiding Canadians.

The minister also reconfirmed the following at committee:

...leaving or attempting to leave Canada to participate in terrorist activities is now a criminal offence.

The minister is quite correct on those points. There is authority under the Criminal Code to act. I have to again ask the question: Why has the government not acted with those authorities that are already there? Those authorities would not be changed in this particular legislation, other than confirming in law what CSIS already does.

I ask why section 83.181, which states that “Everyone who leaves or attempts to leave Canada” for terrorist acts abroad, is not being applied. It certainly was not in the case of the individual involved in the murder of the Canadian Forces member in Quebec earlier this month. According to public information, that individual had his passport revoked on the grounds of attempting to travel to Syria or Iraq to join known listed terrorist entities.

According to testimony by the Commissioner of the RCMP to the Senate national security committee on October 27, this individual was known to authorities to have intended to use his passport to leave Canada for Syria or Iraq to participate in “jihad”, yet the commissioner confirmed that the evidence the authorities had of this intent, while enough to have his passport revoked, was not enough to lay a charge. I ask the minister, and maybe he can answer this at committee, whether this bill will correct that shortcoming. I personally do not see it in the legislation, but I would ask the minister and his staff to come prepared to answer that question. Would this legislation correct that shortcoming the RCMP Commissioner seems to have outlined? We really do not know as yet, because the minister has not been specific on that point.

A great deal has been said by members of the government with respect to the provisions of the Combating Terrorism Act, which came into force in 2013. According to the Parliamentary Secretary to the Minister of Public Safety, one individual has been charged under the provisions of the Combating Terrorism Act. The minister confirmed, as well, when he testified before the public safety committee on October 8, that only a single individual has been charged under the Combating Terrorism Act.

• (1145)

However, what neither the minister nor the parliamentary secretary bothered to tell Canadians was that the single individual charged had left Canada six months prior to the charges being laid, and that individual's whereabouts are still unknown.

Could one of the reasons these provisions in the Criminal Code have not been acted upon be the limited resources available to our security and intelligence services? That was mentioned in a previous speech. What good are legal sanctions if our security agencies cannot utilize them? If the reason is that the current government has been

starving those agencies' critical resources, who is responsible for the security failure?

I would submit that in many things that the current government has been doing in the last two years, it has been blindly focused. Good government requires it to provide services, security, and financial resources, and yes, it has to establish priorities. However, part of the problem with the current government is it is blindly focused on getting as huge a surplus as possible so it can throw out election goodies. Is part of the cost of doing that starving CSIS and the RCMP of the funds necessary to do their job? I really do not know, but it looks that way. Good government cannot be blindly focused just on achieving a surplus to provide goodies at the next election; it has to be focused on the needs and the services of Canadians. I see that as a problem.

There is another issue beyond this bill that the government must respond to, something that does not require legislation but requires the Minister of Public Safety and Emergency Preparedness simply to do the job assigned to him. The most recent annual report of the Security and Intelligence Review Committee, the only oversight body for CSIS, raised a number of troubling concerns. The Commissioner of the RCMP told the Senate national security committee on October 27 that there were now 93 individuals identified as high-risk travellers. The director of CSIS informed the public safety committee on October 8 that there were 80 individuals who have returned to Canada after having engaged in terrorist activities abroad, and CSIS knows where they are.

The problem there is that in terms of the RCMP doing its job, Commissioner Paulson said before a committee:

...we are reallocating the necessary funds and personnel from other priority areas to combat this threat. In recent months, and over the past week, over 300 additional resources were transferred in to enhance the capacity of INSET [Integrated National Security Enforcement Teams] from other federal policing priority areas such as organized crime and financial crime.

That tells me that the RCMP is indeed short of resources.

The deputy director of CSIS told the same committee on October 20:

...we work within the budget that is assigned to us. We do have to prioritize.

I would be foolhardy to say we have all the bases covered. We do what we can with the budget we have, sir.

There are clearly some concerns over financing.

There is another problem that the minister can deal with as well, and that is the operational mandate within CSIS. The most recent SIRC report, entitled “Lifting the Shroud of Secrecy: Thirty Years of Security Intelligence Accountability”, the annual report for 2013-14, said the following on page 16:

With surveillance teams spread across Canada all sharing identical job functions, SIRC expected to see solid communication among surveillance practitioners. Instead, SIRC found that, for the most part, regional surveillance teams operate in total isolation from one another and communicate only sporadically with their HQ counterparts.

Government Orders

●(1150)

That is worrisome, because if CSIS is not communicating properly within regions and between regions and headquarters, there is a serious problem. That is something that the minister can deal with.

The other point in the report that I just mentioned—and I am pretty sure that the minister knows this—is that at page 19, SIRC also found that with respect to the activities of CSIS:

...the Minister of Public Safety is not always systematically advised of such activities, nor is he informed of them in a consistent manner.

Those are two areas the minister can deal with without needing a bill. The minister just needs to ensure that the job is getting done within his own department.

The government has placed within Bill C-44 the enactment provisions of Bill C-24, which the minister talked about earlier. Bill C-24 would revoke the citizenship of dual nationals. We are concerned about that. The minister said in his remarks that it is included so as to enact that section faster. In an earlier question for the minister I said, and I will say again, that it is not enough to have something in legislation; it has to stand up to the courts. Some of us are concerned that this section just may not do that.

If the government, RCMP, CSIS, and other authorities are spending a lot of time on that particular area of taking away dual citizens' citizenship, it needs to be time well spent. I asked the minister to provide legal opinion to the committee to show that it is, in fact, charter-proof.

In an earlier question to the minister, I also raised the point that there is fairly strong wording in this particular bill. Subclause 8(2) reads:

Without regard to any other law, including that of any foreign state, a judge may, in a warrant...authorize activities outside Canada to enable the Service to investigate a threat to the security of Canada.

This would basically allow for a warrant to be issued to allow agents to break the law in a foreign country. We have checked the wording extensively, and similar wording is not found in the relevant legislation of our Five Eyes counterparts. I ask the minister why we need that specific wording when other countries do not, and I hope he could report the answer to committee,

An important part of the legislation deals with protecting our sources and informants abroad. At committee we would want to have more specific information on that aspect and know how it would be accomplished. I look forward to the government providing that information to the committee.

I will move on to the last point that I would like to make. I said first of all that I would deal with tools, resources, and oversight. One of the major shortcomings of this bill is the fact that the government did not bring accompanying legislation to provide proper parliamentary oversight to all of our national security agencies in Canada, as is done by all of our Five Eyes counterparts.

My colleague, the member for Vancouver Quadra, has a private member's bill, Bill C-622, as one option that the government could consider. I have a private member's bill, Bill C-551, which could be considered.

●(1155)

To find the balance between national security, civil liberties, and individual rights and freedoms in Canada, the government should be bringing in accompanying legislation that provides that parliamentary oversight. On the one hand, it would ensure that the agencies are doing their jobs, and on the other, it would ensure they are not going too far and violating the civil liberties of Canadians.

●(1200)

[Translation]

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, I am glad to hear that my colleague and his party are going to support the bill at second reading so that it can go to committee.

My colleague raised some interesting points. Obviously, the answers to his many questions could be even better defined in the forum of the House of Commons. That being said, it is clear that this bill was introduced to bring about greater legislative clarity, to clarify the mandate of the Canadian Security Intelligence Service, particularly when it comes to its activities outside the country. Also, Canadian laws apply regardless of where CSIS is conducting its operations. In addition, when it comes to witness protection, everyone has the right to a fair judgment.

That being said, my question is very simple. Given that the House reached a consensus on an agreement in principle, does the hon. member agree that we should quickly pass this bill and send it to committee so that it can become a tool that Canadian intelligence agencies can use to protect Canadians?

[English]

Hon. Wayne Easter: Mr. Speaker, one of the difficulties with the question in the way he raises it is that in all honesty, committees have not been working effectively under the current regime. Witnesses are stacked in a certain way so that we do not hear a full range of witnesses.

I personally, and I think even my party, would agree to send this legislation to committee quickly if we had the government's assurance that all the expert witnesses from across the country that we need to hear would be heard and that it would not be the kind of stacked hearing process that we get so often from the government side. If committees were allowed to work the way they should—that is, effectively—and the government was willing to accept amendments if necessary amendments were to be made, then of course I would more than welcome the minister's offer.

However, things need to change at committee. This is a serious bill. It requires serious work. The best place to do it is at committee, but we need some assurance from the government side that it would allow the committee to take on its full responsibility.

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I would like the minister to respond to the member's invitation, but I am not holding my breath for that to happen. It appears that the minister wishes to have it both ways by getting it out of the House quickly and then having a superficial hearing at committee.

Government Orders

I want to pick up on the first point that he raised, which was that the bill is in fact a response to certain judicial issues or court cases. I ask him to expand on that point. I assume there is some sort of problem with protection of witnesses and with CSIS operating abroad. In both these instances, the courts have intervened.

A secondary question is that if the member for Vancouver Quadra's bill had been accepted, or if yours had been, we would not be dealing with this issue, as that balance would have been achieved.

The Acting Speaker (Mr. Barry Devolin): Before I go to the member for Malpeque, I would remind all hon. members, including veterans with many years in the House, to address their comments to the Chair rather than directly to their colleague.

Hon. Wayne Easter: Mr. Speaker, the bill is not in response to current activities, to what happened in the last three weeks within Canada. It is a bill that has been in process for some time, and to a certain extent, as I understand it, responding to Justices Blanchard and Mosley.

Justice Blanchard concluded in a Federal Court decision made public in 2008 that section 12 did not possess an extraterritorial aspect. He also concluded that the Federal Court had no authority to issue a warrant authorizing surveillance on Canadians located overseas. The bill is in part a response to that.

The other aspect that comes, not so much from a court case but CSIS itself, is the need to protect informants abroad. As I raised with the minister, while we agree with the principle that those informants have to be protected, there has to be justice under the law as well so that somebody is not falsely accused. We want to see from the Conservatives the details on how they intend to do that, protecting informants who are assisting Canada but may reside in foreign countries.

• (1205)

[Translation]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I would like to thank the hon. member for Malpeque for his speech.

I unfortunately did not retain everything that he said. Nevertheless, I have a question about Bill C-44. It is a short bill, only five or six pages long. However, I am sad to say that it is an omnibus bill. While the majority of the bill focuses on CSIS reforms, that is not the only thing included in this bill. In fact, there is one part that has nothing to do with the rest of the bill. It proposes moving up the effective date for Bill C-24, which is about revoking dual citizenship.

I have already heard the hon. member talk about this, so I know he is somewhat upset by it. What would he think of splitting this bill in two or removing that part of the bill? In his opinion, what is the best way to deal with this part of the bill?

[English]

Hon. Wayne Easter: Mr. Speaker, we were somewhat surprised and shocked to see this section. It is identical to the section in the Strengthening Canadian Citizenship Act that was passed, Bill C-24, so we were surprised to see that in here.

We opposed that particular aspect earlier in Bill C-24. We are seeing it appended to this particular bill. The minister explained that it is in here to enact it earlier. I said to the minister, and I said it to the

Minister of Citizenship and Immigration as well, that we would like to see a legal opinion from the government that shows that this particular section would stand up to the charter, because we certainly do not believe that it will. We are asking for that.

I have no problem at all with the idea of the member splitting that out of the bill. It seems misplaced in a bill that is dealing with CSIS and the authority of CSIS, so we would certainly be open to that option.

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, I am pleased to rise today to discuss this very important piece of legislation, legislation that is timely, that is consequential, that will help the House and this government uphold its principle duty to Canadians, which is to ensure their safety and to protect them from threats that we know to be all too real.

The protection of Canada from terrorists act gives our security agencies the vital tools they need to keep Canadians safe. So far in the debate, we are pleased to see the emerging recognition from parties opposite that these tools are needed, that they are part of our national response to the threat of terrorism and that it is time we took action to make sure that the agencies on which we rely to carry out that duty on behalf of government, on behalf of our democratic institutions, have these tools available to undertake the reasonable activity required to, once again, keep Canada and Canadians safe.

Before I begin my remarks on the substance of the legislation, let me remind us all once again why these measures, which were contemplated long before the attacks of last month, are doubly warranted and doubly relevant given the events that occurred at the National War Memorial and in our Hall of Honour just steps from where we are today.

Those events are a reminder that ISIL and other terrorist groups are a very real threat to Canadians. That is why we are taking part in air strikes against ISIL this week. That is why we are supporting the security forces of Iraq in their fight against the scourge of terrorism. All of these measures go together to ensure that Canada and Canadians are kept safe, that we work in concert with allies and partners in NATO and in the region to ensure that this threat that is principally victimizing the people of Iraq and Syria does not become an even greater threat to them or to our population further afield.

It is also the reason why we are working with great determination to strengthen the tools, to strengthen the effectiveness of the tools already available to police, to the intelligence community in the areas of surveillance, detention and arrest. The legislation before us today is just the first step in our efforts to do that and as the Prime Minister has been clear, so are we all clear on this side of the House that we will not overreact to these events. We will not be intimidated by ISIL or any other group, but at the same time, Canadians want us to stop under-reacting to a threat that is indeed very real.

Government Orders

Section 83 of the Criminal Code of Canada defines terrorist activity as an act committed for a political, religious or ideological purpose with the intention of intimidating the public and that intentionally causes death or serious bodily harm to a person by the use of violence or disrupts an essential service, facility or system.

Given that definition, I think we can all agree that last week in late October, Canada was a victim of terrorist attacks. This was the view confirmed in the immediate aftermath of those attacks by Bob Paulson, Commissioner of the RCMP. It was shared by the U.S. Secretary of State John Kerry during his visit shortly after the attacks. He said, "...anybody who walks up in a premeditated way with a loaded rifle and attacks someone in uniform then purposely goes to a parliament, is committing, by common sense standards, a terrorist act".

Unfortunately, we still have the leader of the NDP on record disagreeing with this assessment, despite the fact that it was reinforced yesterday by another important visitor to Canada.

● (1210)

[Translation]

The President of the French Republic had no doubt about the nature of the terrorist attacks two weeks ago. We agree with him and are grateful for the show of solidarity from France, other European allies, the U.S., and dozens of other countries that recognize that the acts committed here in Ottawa two weeks ago were related to terrorism.

[English]

I would like to quote a recent *Toronto Star* editorial on the leader of the NDP's position. It states:

Most people grasp it instinctively—what occurred last week and the ongoing risks in our midst. That NDP Leader Tom Mulcair cannot admit this, even now, drawing an irrational, pedantic distinction between the deadly attack in Ottawa and a terrorist assault, reflects abysmally on his judgment and aspirations of political statesmanship.

That is a strong statement coming from a newspaper that I, for one, do not often quote in this place. I think it speaks for itself.

Ambiguities in the CSIS Act have been impeding the ability of our national security agencies to investigate threats to the security of Canada. The bill would address these problems by confirming that CSIS has the authority to conduct investigations outside of Canada, confirming that the Federal Court can issue warrants for CSIS to investigate targets outside of this country, giving the Federal Court the authority to consider only relevant Canadian laws when issuing warrants for CSIS, and creating automatic protections of the identities of CSIS employees who may engage in clandestine operations.

The bill would also make technical amendments that would allow our government to seek quicker implementation of the new citizenship revocation provisions under the Strengthening Canadian Citizenship Act, the former Bill C-24, which received royal assent earlier this year on June 19. While it is important to ensure that citizenship revocation provisions come into force as soon as possible, the pith and substance, the main motive for the legislation, relates to our national security agencies.

Let me remind the House that there are three challenges being met. The first is to clarify that for greater certainty CSIS may perform its duties and functions within or outside of Canada. It has been doing this since its foundation, but as we all know, there has been an inability, particularly in recent months, for it to fully execute those functions outside of Canada to the degree required by its mandate to counter threats to Canada, above all, the threat of terrorism.

It would also clarify that the courts may issue warrants for certain investigative activities within or outside Canada and for that purpose, warrants may be issued without regard to the law of a foreign state. In other words, these warrants would be in full conformity to Canadian law, the Charter of Rights and Freedoms, all aspects of our legal system, but not necessarily with regard to the law of a foreign state.

Second, the legislation would create a statutory prohibition on disclosure of identities or information from which identities could be inferred of individuals who provide CSIS with information in return for a promise of confidentiality. In other words, we need to ensure in this day and age that those in a position to provide the most sensitive information, the most time-sensitive information, information of the highest delicacy, can do so safely and have their identities protected under our legal system.

Third, the CSIS Act makes it an offence to disclose the identities of CSIS employees who are or were engaged in covert operational activities. The legislation would expand this protection to also cover CSIS employees who are likely to become engaged in such activities, making it possible for those recruited to do these jobs, being trained to do these jobs, being retasked to do these jobs, to have their identities protected as well.

All of these changes, as I think the House now understands, are vital to the protection of our national security. They would help stop individuals from travelling for terrorist purposes, especially given recent global events. Our government remains seized, like dozens of other governments around the world, with the issue of foreign fighters, individuals from Canada, from our European partners, from the United States, from the Middle East itself, travelling to places such as Iraq, Syria, Somalia or Pakistan, which is still well known, unfortunately, as a training ground for Sunni extremist terrorist groups, to engage in terrorist activities.

These individuals often pose a direct danger to the countries where they are operating. Any country that has experienced terrorist violence on a large scale, as is the case, obviously, for Iraq and Syria, but also for Pakistan, Somalia, Libya, many countries of the Maghreb and even sub-Saharan Africa, fall into this category. They, too, have the threat of terrorist training, recruiting, financing of terrorist activities in their territory and of foreign fighters flowing into their borders to join those training efforts and that fight.

● (1215)

This bill would update the CSIS Act to allow our intelligence community to operate and investigate threats to Canadian national security much better. It would clarify the investigative functions under sections 12 and 15 of the CSIS Act within or outside of Canada.

Government Orders

Keep in mind that section 12 already authorizes CSIS to investigate threats to Canada's security, and terrorism is very high if not continuously at the top of the list in terms of those threats.

Section 15 relates to the security assessments that CSIS performs for departments like mine to allow us to take responsible decisions about visa issuance and to prevent foreign fighters, terrorist kingpins, those who have been involved in terrorist violence or committed atrocities abroad from coming to Canada either as visitors or permanent residents.

The bill would also clarify that the courts may issue warrants for investigative activities, once again, within or outside Canada but without regard to the law of a foreign state.

Indeed, if there is one central advantage to this proposed legislation, strength in this legislation, it is that it will help our government meet its security priority of securing convictions for those who engage in terrorist activity. This is the solution to the global phenomenon of terrorism. These people and groups need to be fought, as we are fighting them in Iraq, but they also need to be brought to justice not only in Canada but in all the states where these crimes are committed.

As members know, in May 2014, the Supreme Court of Canada upheld the constitutionality of the security certificate process in a decision on the case of Mohamed Harkat. This helped to show that we could gather evidence in a way that would allow it to be used in court proceedings without compromising operations.

However, as part of this decision, the Supreme Court also found that, unlike police informers, the identity of CSIS sources were not automatically protected from disclosure. CSIS obviously relies heavily on such information from human sources. Without such assurances, human sources may simply stop co-operating with CSIS, stop co-operating with Canada, and we would operate blind and open ourselves to threats that we would have a duty to combat.

To address this issue, the bill would create a statutory prohibition on disclosure of the identities or information from which the identities could be inferred of individuals who provided CSIS with information in return for a promise of confidentiality.

As with all of our legislation, this act would continue to respect the Canadian values of individual rights and the rule of law. All of the investigative activities of CSIS must take place in accordance with its mandated authorities under the CSIS Act, the Charter of Rights and Freedoms, ministerial direction and internal policy.

When threats demand more intrusive investigative measures, the service requires judicial authorization for each and every one of those activities. CSIS is also subject to a full review by the Security Intelligence Review Committee, which has access to all information held by the service.

We have heard the Liberals and others call for more oversight or review by parliamentary committees. However, the issue at hand today is not whether CSIS is carrying out its mandate in accordance with the law. There is no evidence of CSIS not having done that. Our supervisory process is working well in our view and in the view of independent third parties that assess that performance. The issue is whether CSIS has the mandate, the authority under the law to

perform its mandate, which is to keep us safe from threats to our national security, including terrorism.

The bill would also speed up the process of implementing legislation to revoke citizenship of dual nationals engaged in terrorist activities or who would engage in combat against the Canadian Armed Forces.

I am struck, as the Minister of Immigration, by the contrast between the approach of the opposition parties to this issue in April/May of this year, when we debated Bill C-24, and their approach today, which seems to be much more accommodating of the idea that Canadian citizenship be allegiance to our institutions, the willingness to uphold our laws and fulfill one's duties as a Canadian citizen. This is incompatible with taking violent action to murder people or commit bodily harm in the name of an ideology or political agenda that seeks to intimidate the whole population. That is why we brought forward these measures to revoke citizenship in cases of gross acts of disloyalty. We are pleased to see support for this idea growing on the opposition benches.

• (1220)

These proposed provisions will also provide the Federal Court with the authority to revoke Canadian citizenship from dual citizens for membership in an armed force or organized armed group engaged in armed conflict with Canada. Today, that would include ISIS. It is both a terrorist group and an armed group engaged in conflict with our forces now in combat in Iraq.

These provisions would bring Canada in line with peer countries, such as Australia, the United States, United Kingdom, New Zealand and the vast majority of our allies in NATO and beyond, by providing that citizenship could be revoked under very strict conditions from dual nationals convicted of terrorism, high treason, spying offences or who take up arms against Canada.

This underscores our commitment to protecting the safety and security of Canadians, but also to promoting Canadian interests and values. They also reinforce the value of Canadian citizenship.

The amendments on the revocation of citizenship are merely technical. There is no cost to pursuing these amendments as a revocation decision-making model is more efficient and less costly to the government.

While we are adding grounds to revoke citizenship upon conviction of dual nations for terrorism, treason or espionage, we have long had the power, and the House has supported it, to prevent terrorists, criminals, those who would do harm to our country and those who embrace violent ideologies from becoming citizens. Indeed, if they acquire citizenship without disclosing a terrorist affiliation and that comes to light, we have had the power to revoke that citizenship on the basis of misrepresentation

Government Orders

Now we are simply adding a power to revoke on the basis of a terrorist conviction, a much more serious and much higher threshold of proof of terrorist activities, all of which hangs together very coherently. All of these provisions will work together to keep Canada safer.

Last, I would like to emphasize the oversight of our national security agencies. The security intelligence review committee provides a robust and comprehensive review of CSIS. The recent annual report shows, once again, the level of access it has to all aspects of CSIS operations. It plays a key role in ensuring our national security agencies are held fully and publicly to account. CSIS is reviewing the latest recommendations and will implement those that will keep Canada safe, while protecting the rights and privacy of Canadians.

I see my time is drawing close, and I would like to leave all members of the House with key points to consider before voting on this important legislation.

First, Canada is a beacon of freedom and opportunity in a turbulent and uncertain world, a world that in recent years has become more violent, especially in the Middle East and especially because of the escalating conflict in Iraq. For that very reason, those who despise freedom and democracy, those who reject modernity, who reject our way of life, who reject the very idea of the prosperity we have so painstakingly built in our country, want to cause harm and wreak havoc on Canada and Canadians.

I can say this first hand, as 40,000 of our fellow Canadians who served in Afghanistan can tell the House and all Canadians, that these threats are real. They were in control of Afghanistan before the fall of the Taliban. They remain all too present and dangerous a reality in Iraq and Syria today.

The threat of domestic terrorism is heightened to a point that we have not seen in many years. The bullet holes in the Hall of Honour stand as a sober reminder of this threat. In light of this reality, it is important we take the steps provided for in this bill as quickly as possible.

Second, it is important to remember that in doing so we will respect the Canadian values of individual rights under the rule of law, while ending the practice of under-reacting to the terrorist threat.

Our freedom and our commitment to the rule of law are not an either or choice and are not choices that are mutually exclusive. We choose to be free as Canadians and to work for freedom in the world by having a standard of the rule of law in our country that is second to none. These measures will help to keep it that way.

•(1225)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am interested in following up with my colleague, particularly on the values that Canadians place on the rule of law in dealing with the kinds of threats we face.

With the Spencer decision, we found that the issues of warrantless access were struck down in the Supreme Court. There were a million requests to various telecoms last year from various government agencies. A million requests, which works out to one every 72 seconds, raises the question of whether these provisions, which are

not legal, were being properly applied. This then would suggest that if we do not have proper oversight on warrantless access, then the ability to use these tools when they are needed would be drowned out by all manner of what could be the most bizarre requests. A government agency could simply get one's information without any oversight. Therefore, I would like to ask my colleague a question about oversight.

The Privacy Commissioner's report on the RCMP and warrantless access raises many questions, such as the RCMP has not been able to show whether it has followed procedure or cannot explain under what terms this information has been gathered. On the issue of the rule of law, how do we ensure that we are using these tools to go after legitimate threats and not going on fishing expeditions?

•(1230)

Hon. Chris Alexander: Mr. Speaker, we are talking about CSIS, not the RCMP. It is the CSIS Act that is being amended by these measures. We need these tools because we know perfectly well that some Canadians have chosen to join terrorist groups to conduct terrorist activities and have not been charged and convicted of the acts we all know they have committed. Therefore, the question is not whether warrants are required, because to conduct its investigations, CSIS requires judicial authorization in each and every case. The question is whether that judicial authorization, that fully supervised activity by CSIS, is getting us the result we need it to achieve.

In recent months and years, as we have heard in testimony from the CSIS leadership itself and all kinds of third-party observers of our situation in Canada, CSIS has not had the ability to obtain judicial authority to conduct activities abroad to the extent required to keep Canada safe. Why? Because to go after this information in Syria, for example, it has to ask permission of Syria's Assad to ensure that any judicial authorization is in conformity with the laws of that country. Under these measures, that would no longer be required. CSIS would have authorization under Canadian law to obtain information about terrorist suspects in Syria and elsewhere. That is in conformity with the best practices among our—

The Acting Speaker (Mr. Barry Devolin): Order, please. Questions and comments, the hon. member for Malpeque.

Government Orders

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the minister went on at some length about some decisions of the Supreme Court of Canada. He talked about how important it was for CSIS and the other authorities to have the mandate and authority under the law to keep us safe. He then led from the fact that the opposition parties had said that they would send this to committee, with a section in the bill that we had concerns about, which is the removal of Canadian citizenship from dual citizens. Both opposition parties have opposed that. Because we are letting this go to committee, it should not be alleged that we support that, because do not.

Would the minister provide assurance that the law will stand up to a charter challenge? He said that it was important that security organizations had a mandate and an authority under the law. Will the minister provide us in the House or at committee with the legal opinion that states that the removal of Canadian citizenship from those dual citizens, which cannot be done with Canadians, will stand up to a Supreme Court challenge and is charter safe? Is he willing to provide that information?

Hon. Chris Alexander: Mr. Speaker, we are talking here about measures to prevent terrorists from coming to Canada and from becoming Canadians. I hope that there is not anyone in the House who thinks that any terrorist, from whatever background, belonging to a listed terrorist group under our Criminal Code has the right to become a Canadian citizen.

Under the Immigration and Refugee Protection Act, which was brought in by a Conservative government and sustained by Liberal governments over many years, we have long had inadmissibility for terrorists. That means they cannot come here as visitors, they cannot come here as permanent residents, and they certainly cannot become citizens.

If they acquired citizenship because they misrepresented themselves and did not say that they were a trainer for ISIL in Syria for 10 years before coming here, and we find that out, we have been able to revoke that citizenship for years. We were able to do it under Liberal governments. Now, all we are saying is that there is an additional right.

Yes, the legal opinion of the Government of Canada across the board is that this is in conformity with the charter and it will withstand any challenge. We can revoke the citizenship of dual nationals who commit terrorist acts, because terrorism is incompatible with Canadian citizenship. It is incompatible with our values, and we will stand on that principle.

We hope that the member will join us. He has opened the door to changing his mind on this issue and to doing the right thing. Of course, he is sitting on the fence, as always, on important issues, waiting to see which way—

•(1235)

The Acting Speaker (Mr. Barry Devolin): Order, please. Questions and comments.

The hon. Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness.

Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, we heard earlier in the day that the opposition party will

be supporting this bill to go to committee, but I think that support is going to be very short lived, considering the track record of the official opposition. It has not been able to support a single piece of legislation we have put forward to combat terrorism. Whether it be the Combating Terrorism Act or the strengthening Canadian citizenship act, the opposition cannot find it in its heart to stand with Canadians across the country and say no to terrorists.

I find that completely disgraceful.

To speak about the incidents that happened here on the Hill, at the National War Memorial, and in Quebec, we have had a number of people come forward and call a spade a spade. In fact, the Minister of Public Safety and Emergency Preparedness in his speech said it is time to call a spade a spade.

The President of France was here yesterday and called it a terrorist act. The U.S. Secretary of State last week called it terrorism. The Commissioner of the RCMP made it very clear that it was a terrorist act. In fact, the Criminal Code defines it as terrorism. It is very clear.

However, the Leader of the Opposition cannot find it in his knowledge to agree that it was an act of terrorism. In fact, he stated:

...I think we are not in the presence of a terrorist act in the sense that we would understand it...

I am having difficulty figuring out what it will take for him to understand it. I would like to hear the comments of the Minister of Citizenship and Immigration on that particular issue.

Hon. Chris Alexander: Mr. Speaker, I thank the hon. parliamentary secretary for her question, which cuts to the heart of this issue.

The President of the French Republic who, the last time we checked, represents the Socialist Party in France stood in the House with all of us and said without any doubt or ambiguity that what this building experienced and the reprehensible acts of violence that were undertaken two weeks ago at the Tomb of the Unknown Soldier were terrorism and that they were linked to the phenomenon that our air forces are working to combat and contain in Iraq today. When we see that, we see how out of touch the Leader of the Opposition is on these issues

We have had hints of this before. We had hints of it in the immediate aftermath at the time of the last election, when we on this side of the House were overjoyed by reports that Osama bin Laden had been killed. It was on the eve of our last general election in this country, and it was good news for Canadians. It has since been confirmed. It is not doubted by anyone but the most hard-bitten conspiracy theorists, yet in the days after that, the Leader of the Opposition had the temerity to suggest that perhaps he was not dead and perhaps it was all a set-up.

That kind of thinking does nothing to keep Canadians safe. It does nothing to bring clarity to issues that require it. It does nothing to underpin and support the leadership that this Prime Minister and this government have shown on these issues. We will not accept it, and we expect the Leader of the Opposition—

The Acting Speaker (Mr. Barry Devolin): Order, please. The member for Alfred-Pellan.

Government Orders

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I feel privileged to rise in the House today to speak to Bill C-44, which was introduced by the Conservative government.

I would first like to say that I feel honoured to be able to participate in the Remembrance Day ceremonies to be held this weekend in Laval, which are being organized as part of a joint effort by the City of Laval and the Laval cadets and police force. It is extremely important for all parliamentarians to be present in their communities over the coming days for the Remembrance Day ceremonies.

Like every year, I will also be at Résidence Le Patrimoine on November 11 for a ceremony to honour our veterans, which is always very touching. We are lucky because a number of our World War II veterans live in that residence. Their presence makes the ceremony even more moving, and I am honoured to participate in it.

Last week, I participated in the ceremony held in Laval by the Correctional Service of Canada to pay tribute to correctional officers who died in the line of duty. This ceremony is always very emotional because the families are there and the correctional officers in attendance bring honour to the Correctional Service of Canada by extending their sympathy and showing their devotion to their deceased colleagues, whether they knew them or not.

I mentioned the Remembrance Day events because, as a result of the incidents that occurred on October 20 in Saint-Jean-sur-Richelieu and on October 22 here in Parliament, which affected all of my colleagues from every party, we felt a certain sense of co-operation between the various parties.

In this spirit of co-operation, the official opposition decided to support Bill C-44 so that it can be examined more closely in committee. I will come back to the details of Bill C-44 and the reasons why we want to look at it in committee. It is important to hold a debate, not only here in the House, but also in committee to make sure that we come up with the best law possible. That is why it is important that the parties work together.

The events of October 20 and 22 deeply affected Canadians. We, as parliamentarians, witnessed them firsthand but we felt as though all Canadians were behind us. When the incident occurred in Saint-Jean-sur-Richelieu on October 20, we also felt that all Canadians were behind our Canadian Armed Forces.

Words cannot express my appreciation for and my feelings about the incredible work that the constables and the RCMP did.

Top of mind are Kevin Vickers and his team of constables here at the House of Commons who take care of our safety every day.

I am also thinking of Constable Alain Gervais, who single-handedly blocked the NDP caucus room doors to protect us. It was an act of heroism, but he did it just because it is his job. We are lucky that nothing happened to him even though a bullet headed straight for him was blocked by the second door. We cannot thank Alain Gervais enough for leaping up to keep us safe.

My thoughts are also with Constable Son, who was at the front door of the Parliament building and gained precious seconds for his

colleagues by grabbing the hunting weapon carried by the individual who entered Parliament. Unfortunately, he was shot in the foot, but he gave RCMP officers and Parliament Hill staff a chance to react, which they did in spades.

We are now studying Bill C-44 against that backdrop. However, it is important to point out that this bill is not a response to the events that took place two weeks ago, even though we cannot help but think about such events when studying this kind of bill. This bill is not a new law; it makes changes to existing laws.

● (1240)

Most of the subjects covered in Bill C-44 have to do with the Canadian Security Intelligence Service. We were supposed to debate this on October 22, so it had to be put off.

I would like to point out a few things about Bill C-44. Basically, it makes three important changes regarding the Canadian Security Intelligence Service and it is important to point them out here. First of all, it clarifies CSIS's legal authority to conduct security intelligence operations outside our borders in order to address threats to Canadian security. Second, it confirms the jurisdiction of the Federal Court to issue warrants that have effect outside Canada. Third, it ensures greater protection during legal proceedings for human sources that provide information to CSIS.

I would like to mention from the outset that we did have a briefing on Bill C-44. I would like to thank the Minister of Public Safety and Emergency Preparedness and the parliamentary secretary who attended that briefing. It was very informative, as it was extremely important for us to have more details on this bill. I hope this practice will continue in the future, because in order for us, parliamentarians, to be able to do our jobs, it is absolutely crucial that we have all pertinent information from our colleagues, regardless of party affiliation. We very much appreciated it.

At the briefing, when we talked about the clarification regarding the Canadian Security Intelligence Service and its operations abroad, we were told that they would still be subject to current Canadian laws and the Canadian Charter of Rights and Freedoms. I thought it was important to emphasize this point.

I must say that I still have a lot of questions about CSIS and that is why I very much look forward to welcoming public safety experts at committee to discuss this case in particular. However, there are other so-called minor changes to the Canadian Security Intelligence Service Act. Among other things, they would help protect the identity of CSIS employees who are likely to conduct secret activities in future. For example, there is mention of future undercover agents. Currently, only the identity of employees who are engaged or were engaged in covert activities is protected.

Government Orders

There is an example. There is mention of future undercover agents, but there is also specific mention of employees likely to conduct covert activities in future. I have a lot of questions about that point in particular because the definition is quite broad. What exactly is meant by this? Does this simply mean people who are training to become undercover agents? Are we talking about a person who, in a year or two, depending on senior CSIS officials, might be a candidate for becoming an undercover agent? Is that all that is included? Could this apply to anyone at CSIS? I look forward to getting more clarification on this because I believe this is a rather important point to which we are not paying enough attention.

Nonetheless, it is very important for the people who are engaged in undercover activities to be protected and I would like us to pay attention to that. I do not think that any party in this House is against that idea. It is important to say that.

There is another surprise in this bill. This may be a five- or six-page bill—I hope I have this right—but unfortunately it still is an omnibus bill. It is true that most of the things we are legislating in Bill C-44 have to do with the Canadian Security Intelligence Service, but there is a small item that amends the Citizenship Act to fast-track the revocation of Canadian citizenship in the case of dual citizens who are linked to terrorist activities and other serious offences, as provided for in Bill C-24, which received royal assent on June 19, 2014.

• (1245)

I really do not understand why that provision is in this bill. We tried to obtain more information at the briefing, but, unfortunately, we were unable to determine exactly what the link is between CSIS and Bill C-24, which was passed. I hope that the government will respond and explain why it wants to include that provision in Bill C-44. I would also like to see the bill go to committee and have experts tell us what the inclusion of this provision in Bill C-44 will bring to CSIS.

I listened to the speech by the Minister of Public Safety and Emergency Preparedness. I agree with him on several points, but not on how we should do things. He spoke about radicalization in Canada, and that is a very important point. As parliamentarians, we must ensure not only that we have the appropriate tools in place, but also that we have the people required to counter radicalization in Canada. That is what we have been asking for on this side of the house for several months. Today, the government seems to be more open-minded about that. I am very pleased to hear it.

The minister talked about preventing threats and responding to them. Once again, this is consistent with efforts to combat radicalization within the country. I am eager to see what he will propose here, because he talked about other measures. What are these other measures? There are a lot of questions about this. We have heard a lot about tools to combat radicalization or to combat terrorism, but what exactly does that mean? Do the RCMP and CSIS, for example, or still the Canada Border Services Agency, need more tools and personnel?

This brings me to a topic that may be a sore spot for my colleagues. We do not seem to agree on some aspects of the budget, and I want to mention that in my speech. One aspect concerns the cuts being made to Public Safety Canada, which affect the Canada

Border Services Agency, the Canadian Security Intelligence Service and the Royal Canadian Mounted Police. We are very worried about this because these cuts will affect many things, including the Correctional Service of Canada and the budgets of our police forces in Quebec, for example for the Eclipse squad, which works to combat street gangs. However, that is a whole other subject and I will focus on the cuts in the first three cases I mentioned.

Why is this important? Because those cuts had an impact on very real jobs. In 2012, the government announced \$143 million in cuts to the Canada Border Services Agency alone. Unfortunately, when there are cutbacks of that magnitude, jobs have to be cut somewhere. Of course, personnel can be shuffled, but at some point there is no wiggle room left and something has to give.

Unfortunately, the Canada Border Services Agency had to eliminate about 100 positions. It should be noted that those 100 jobs were part of the agency's intelligence service. Those employees shared important information with our various international allies, and that included information about allegedly radicalized individuals who were travelling abroad. It is crucial work. There is talk of radicalization, and Conservative government ministers are talking about preventing people from fighting overseas and revoking passports. If there are no people to use those tools—as the individuals in those 100 abolished positions would have done—it is a very serious issue. We need to act on this. If there is talk of reinstating those positions, I will be more than happy to hear what the Conservative government has to say.

The RCMP's budget was cut by approximately \$200 million, \$195.2 million to be exact.

• (1250)

The Canadian Security Intelligence Service lost about \$25 million, and the inspector general's office, which was so important for overseeing what was going on, was also abolished. There is a lot of talk about security in relation to civil liberties, but they abolished this CSIS office. That is extremely sad.

Unfortunately, at the Border Services Agency, they eliminated 19 teams of detector dogs, sniffer dogs that find weapons and drugs at our borders, for example. Nineteen of those positions were eliminated. That is extremely important.

Canine units came to Parliament Hill during the events of October 22. They were among the first to arrive, right after the RCMP and the constables. The canine unit was mobilized. If the government cuts 19 canine unit positions from our Border Services Agency, that will surely have an impact on the services provided and our public safety and national security. That is an extremely important point.

Government Orders

One other thing really caught my attention, and I really want to talk about it in the House today. The Department of Public Safety released what is called a report on plans and priorities for 2013-14, which announced cuts, particularly in the area of public safety. I would like to read part of it, if I may.

● (1255)

[*English*]

The department itself stated as one of its risks:

That the Government Operations Centre (GOC) infrastructure may be unable to support a coordinated response to large-scale or multiple significant events affecting the national interest

[*Translation*]

That is extremely serious, and according to the report, it is directly related to the cuts to public safety and national security. I hope that the Conservative government will take the time to read that report. It is rather disturbing that it makes a direct correlation between the cuts to public safety and something that could endanger our national security and the fact that we would not likely be capable of responding to multiple attacks or a large-scale generalized attack on our country. I believe that we need to consider that.

I would also like to mention a few other little things. As I indicated at the beginning of my speech, we are starting from the premise that everyone wants to work together to ensure that we have the best laws possible. What is more, we want to ensure that the committee does the necessary work and does it properly. I understand that these laws need to be implemented and that we cannot wait forever. However, we need to get the advice of experts on this bill because it raises a lot of unanswered questions. Given that the bill amends a few laws, the people who will be using this legislation need to tell us what impact those changes will have on their work.

I also sincerely hope that the members of the Standing Committee on Public Safety and National Security from different parties will be able to work together in a spirit of co-operation. When it comes to national security, as is the case here, there is no room for partisanship. It is extremely important that we work together and do our job as effectively as possible in committee.

I can assure the House that I will be happy to work with all of the parties represented on the Standing Committee on Public Safety and National Security to make the best laws possible. That has always been the case, but I will take that job even more seriously when it comes to Bill C-44.

In this spirit of co-operation, I sincerely hope that the Conservative government will not move any time allocation motions regarding this bill. I just wanted to mention that.

It is important to point out that we still have many unanswered questions. We want the parties to co-operate in order to make sure that we have the best laws possible. We support this bill at second reading but there are still a lot of grey areas.

In closing, I would like to mention that it is very important to strike a balance between public safety and civil liberties.

That being said, I still have a lot of things I would like to say about this.

[*English*]

Hon. Gary Goodyear (Minister of State (Federal Economic Development Agency for Southern Ontario), CPC): Mr. Speaker, I do applaud the member for her speech, and particularly the offer to co-operate. I think that is great.

The problem I see is that co-operation is a little bit difficult when we do not agree on the problem seeking the solution. What I mean is that we feel on this side of the House that what happened was an act of terror, that it was in fact one additional example that Canadians are being threatened by terrorists, and that the act on October 22 was in fact a terrorist act.

I ask if the member agrees or disagrees with her leader, who says it was not a terrorist attack. Was it or was it not a terrorist attack? Is the problem a terrorism problem, or do we disagree on the problem?

● (1300)

[*Translation*]

Ms. Rosane Doré Lefebvre: Mr. Speaker, I would like to thank the minister across the floor. I saw that he took the time to listen to my speech, and I also really appreciate that he took the time to ask this question.

Yes, co-operation is often difficult, especially between the official opposition and the government. We are very far apart on the political spectrum. There are often times, however, when we manage to find common ground. We do agree on some things in committee. With regard to the events of October 22, I am still really shaken up. My daughter goes to day care on Parliament Hill. Like many of my colleagues in the House, I have to come to terms with what happened.

We have to let the investigation take its course. Questions remain unanswered, as is the case for many other events that have taken place here in the past. I want to see what comes out of the investigation. I trust our police services to find the answers to our many questions.

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, I thank my colleague for her eloquent speech.

Basically, in Canada, under the rule of law, not only must justice be done, it must appear to be done. If these laws are considered too repressive, is there not a risk that people will think, and rightly so, that the government is using the terrorist threat as a pretext for restricting their rights?

Would my colleague agree that there could be this extremely dangerous perception in this case?

Ms. Rosane Doré Lefebvre: Mr. Speaker, I would like to thank my colleague from Marc-Aurèle-Fortin for his question.

I mentioned the importance of balancing security and civil liberties. We cannot put one ahead of the other, and one cannot exist without the other. Unfortunately, the bill before us does not provide balanced civilian oversight of CSIS.

Government Orders

In 2006, the Maher Arar inquiry made recommendations in that regard and called for new accountability measures for CSIS. However, to date nothing has been put in place. The introduction of this bill would have been a good opportunity to move in that direction and implement those recommendations.

The Security Intelligence Review Committee, which works part-time, consists of members that are appointed and not elected. What is worse, two of the five seats have been vacant for several months. Civilian oversight is not very functional at CSIS. This could have been corrected to strike a balance between security and civil liberties.

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, I would like to thank my colleague for her speech.

I am very concerned that as we are discussing granting more powers to a crown corporation, the government wants to cut its budget. It will have to do more with less.

To return to the tragic events that unfolded two weeks ago, the individual who acted in such a brutal manner needed psychological and psychiatric help. The government is taking action on security. However, when there are cuts to health services, the number of people with mental illness increases and such events can take place at any time.

What was behind this man's behaviour was not necessarily an organization, but drug addiction, drugs, crack. He had been asking for help for a long time and he finally acted.

Does my colleague believe that we should solve Canada's social problems instead of making more work for an organization that does not even have the means to do its job?

• (1305)

Ms. Rosane Doré Lefebvre: Mr. Speaker, I thank my colleague from Honoré-Mercier for her question. She talked about a lack of resources. That is one of the three things we are calling for, which I did not have a chance to mention.

We want increased civilian oversight. This needs to be reviewed in light of the new powers being granted to CSIS. We need to find a balance. We are also calling for better protection of our civil liberties, which is just as important, as I mentioned earlier, but we also need to ensure that the appropriate resources are there. Stakeholders need to be able to take meaningful action and avoid events like the ones that happened two weeks ago. We need to ensure that there are more resources.

I mentioned that different positions had been eliminated in crucial areas. I hope that the Conservative government will take this seriously and ensure that the resources are there to prevent radicalization in this country.

[*English*]

Hon. Gary Goodyear: Mr. Speaker, I was actually appalled by the last member's question. Regrettably, I want to ask my colleague this. Given the fact that it does take a certain amount of displaced mental capacity, whether it is drugs or whatever, to take the head off a living human being, does the member believe that the ISIS terrorists are simply suffering from an addiction of some kind, or lacking of a hug when they were children? Is this normal behaviour,

to cut off a human being's head? This is not an addiction problem. Will the member please address that question?

[*Translation*]

Ms. Rosane Doré Lefebvre: Mr. Speaker, I thank the Minister of State for the Federal Economic Development Agency for Southern Ontario.

I think there may have been a problem with the translation of my colleague's comments. He may want to review exactly what she said. I unfortunately did not get that from her question. I think she was talking about mental health resources and resources in general that are affected in connection with Bill C-44.

I can tell my colleague on the other side of the House that we take radicalization very seriously. Regardless of what happens, I have faith that our police forces will conduct good investigations and pass along the important information. I am sure that they will do so very quickly. Then we can address the situation and look at what happened. However, until then, I think we should wait for the results of the investigation before commenting.

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I want to thank my colleague for a very reasoned presentation of the NDP position. She did touch on it briefly, but one of the issues that the NDP has raised is with regard to civilian oversight of CSIS. I wonder if she could expand on that particular point because we have a current oversight body that is under-resourced. There are a couple of members who have not been reappointed. Could she speak to the importance of having that kind of civilian oversight?

[*Translation*]

Ms. Rosane Doré Lefebvre: Mr. Speaker, I thank my colleague from Nanaimo—Cowichan for her question.

It is really a very important point and I do not mind opening up the debate on this. Nonetheless, we must ensure that civil liberties and public safety go together in all this and that one is not given more weight than the other. We have to strike a good balance and make sure the two go hand in hand. That is extremely important in this debate. That is what is so unfortunate about Bill C-44; it does not address this adequately. If we want to modernize CSIS, we must also improve oversight and modernize its review service. There are a number of things to point out.

For example, during their annual meeting, the Privacy Commissioner of Canada and the Information Commissioner of Canada asked the government to ensure that it always had civilian oversight with regard to its bills. Unfortunately, that was not the case with this bill. That is something that we will keep asking for every time a new bill is introduced, whether for CSIS or other government bodies.

[*English*]

Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC): Mr. Speaker, I will be sharing my time with the member for Edmonton Centre.

Government Orders

It is a great privilege for me to stand today to speak to Bill C-44, the protection of Canada from terrorists act. As we have heard in these debates, the bill includes amendments to the CSIS Act and technical amendments to the Strengthening Canadian Citizenship Act. My remarks today will focus on the amendments to the CSIS Act and why we must take steps to give this vital agency the tools it needs to conduct investigations outside of Canada related to threats to the security of Canada itself.

First, I would like to speak to the global terrorist threat, its impact here at home, and the steps Canada is taking to address that threat. Acts of terror and murder have been carried out across the globe by extremist groups that have no regard for the lives of innocent people. In fact, as we all witnessed in the past weeks, Canada was a victim of two terrorist attacks within the span of one week. Due to radical Islamist terrorism, we lost two fine soldiers, Corporal Nathan Cirillo and Warrant Officer Patrice Vincent, who was laid to rest this past weekend.

Terrorists kill people from all walks of life, including people from communities they claim to represent. Significant work has been done over the last decade, particularly since September 11, 2001, to counter terrorist activities. Canada has been a leader in global counterterrorism efforts. We have seen citizens and civil society organizations representing people of all faiths and beliefs work among themselves and with our government to prevent terrorism by building stronger and more resilient communities.

All of these measures are captured within the four pillars of Canada's counterterrorism strategy: prevent, detect, deny and respond. That strategy will serve us well on the difficult road we face ahead as our Canadian Armed Forces engage in a campaign to degrade and destroy the threat that ISIL poses to western civilization, and it is a threat to western civilization.

Indeed, our security agencies have been monitoring groups such as al Qaeda and ISIL closely for years and we have taken concrete measures to disrupt and prevent violent and extremist activities. This takes a comprehensive approach. While we join our allies in air strikes, we are also taking other measures that are working to isolate ISIL and deny it and its partners resources, including funds and new recruits. Let me explain.

As we know, terrorists need money, media access, weapons and explosives, among other resources, to sustain themselves. We want to make sure that all groups that would assist terrorist organizations are restricted from doing so. Preventing terrorists from using the global financial system to commit their acts of terror is essential to help suppress these groups. Therefore, we have certain provisions under the Criminal Code that we can use to deal with the assets and operations of groups that support terrorist activities.

Listing an entity under the Criminal Code is a public means of identifying a group or individual as being associated with terrorism. It carries significant consequences. Once listed, an entity's assets are frozen and may be subject to seizure, restraint or forfeiture. Further, it is an offence for Canadians at home or abroad to knowingly participate in or contribute to, directly or indirectly, any activity that facilitates the activities of a listed terrorist entity.

We know that terrorist groups are inspiring some westerners to take up arms with their cause. In order to reach these individuals and guard against these tactics, we work closely with diverse communities, including through the cross-cultural round table on security. We are working with leaders and communities right across the country to help engage Canadians in a long-term dialogue on matters related to national security, particularly in countering violent extremism.

Through the round table, we have reached out to hundreds of respected cultural and religious leaders who have their fingers on the pulses of their communities. These leaders have been integral in helping law enforcement and security agencies address threats and identify the best ways to reach individuals who may be leaning toward violent behaviour and to redirect them from pathways of radicalization leading to violence. However, the rapid changes in technology, the ease of communications, and mobility of terrorist travellers have created new and complex challenges for Canada and all of our allies as we work to keep our citizens safe.

● (1310)

As in other countries, despite everyone's best efforts, a small but significant number of individuals have left Canada to join terrorist groups in the Middle East. Denying ISIL its new recruits also means using Canadian law to crack down on these so-called extremist travellers. We brought forward the Combating Terrorism Act to make it an offence to leave Canada to take part in terrorist acts. We have laws in place to revoke the passports of Canadians who travel abroad to join extremist groups.

Both the Prime Minister and the Minister of Public Safety and Emergency Preparedness have stated clearly that our government will continue to look at ways to help our national security agencies investigate and track the activities of terrorists at our borders and beyond. One of these ways is the legislation that is before us today to amend the existing CSIS Act so that we are better able to provide CSIS with the tools it needs to investigate threats to the security of Canada, wherever they occur, and ultimately to protect the security of Canadians.

It is important to note that the CSIS Act was created three decades ago. That was in the age of rotary phones, when our world was under the shadow of the Cold War. This act is in need of updates and upgrades that would confirm CSIS' authority to investigate Canadian extremists and other threats abroad. That is why I urge the House to support the bill that is before us today.

Government Orders

The protection of Canada from terrorists act would confirm that CSIS has the authority to operate outside Canada when investigating threats to the security of Canada or conducting investigations for the purpose of security assessments, and that the Federal Court has the authority to issue warrants authorizing CSIS to conduct activities outside of Canada without regard to the laws of other states. This new legislation would also reinforce CSIS' statutory authority to investigate threats abroad and to ensure that judges would only need to consider relevant Canadian law, the Charter of Rights and Freedoms and the CSIS Act, and not foreign laws when issuing a warrant.

Clearly there are a number of ways our government protects the safety and security of Canada against terrorism, but first we must ensure that we have the right tools in place for our security intelligence agency to do so. There is no time to waste. We must amend the CSIS Act and allow this vital agency to continue its work. I urge members of the House to join me in supporting the bill.

●(1315)

[Translation]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, my old geostrategy professor told me that a terrorist act is, first, an act of violence or intimidation for political, religious or social ends; second, a structured act; and third, the symbolic act of a perpetrator trying to make his mark. He shared a famous quotation about how terrorism and the media have an incestuous relationship. There was also an element of exclusion in that definition of a terrorist act. Personal motivation was not part of it.

That means that a crazed gunman who climbs a tower and starts shooting people because he is mad that a judge took away custody of his kids is not committing a terrorist act. What he is doing is dangerous and can kill or injure many, but he will be punished under the Criminal Code for premeditated murder.

It seems clear that, when my distinguished colleague defined a terrorist act, he forgot an essential element, which is that terrorism does not include actions that are personally motivated.

[English]

Mr. Robert Sopuck: Mr. Speaker, again the members opposite, the NDP socialist party, always make excuses for terrorists. They do not call them terrorists. They use convoluted language all the time to somehow excuse what these evil people do. The difference between us as Conservatives and the far left or the left over there is that we believe that evil exists and evil needs to be confronted. That is what we are doing with our actions and our legislation.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the other day the Liberal member from Vancouver brought forward Bill C-622, which was a bill to provide oversight. There is no doubt there is a great deal of interest in ensuring that certain rights are being protected, and it is a good way also to just hold everyone in check. It would appear as if the government is not going to be voting in favour of the oversight role that the private members' bill is proposing.

Therefore, to what degree does he believe it is important that the Parliament of Canada have oversight over the many different agencies that are there to protect society?

●(1320)

Mr. Robert Sopuck: Mr. Speaker, I think the current levels of oversight are adequate. It is important that there be oversight of security and police agencies. Our government has struck the right balance in that regard.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I had the opportunity on Saturday night to visit the mosque in Burnaby, which has been connected to some of these events, and speak with the new imam there, as well as the head of the BC Muslim Association. What is happening in many parts of Canada is that the rather inflammatory language, which is being used by the other side, is unfortunately splashing on to the rest of the Muslim community. Therefore, I wonder if the member might care to comment on that and perhaps apologize for some of his inflammatory remarks.

Mr. Robert Sopuck: Mr. Speaker, we applaud the leaders and members of all religious communities who are confronting these kinds of activities. They deserve our praise and honour for what they do. I am sure the member visited acts in that particular manner. However, it is very important that we do everything we can to ensure that radicalization does not occur.

Again, I want to thank the cultural and religious communities in our country for stepping up to the plate and doing what needs to be done in this regard.

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I rise today to speak in favour of Bill C-44, the protection of Canada from terrorists act. The legislation is both necessary and timely.

As members know, this House recently expressed its support of the government's decision to join the alliance to strike at the heart of Daesh, or as it is most commonly called, ISIL or ISIS. However, there are many other ways that the Government of Canada addresses terrorism at home and abroad.

The proposed legislation includes two distinct elements that work together toward one common goal, that of keeping Canadians and Canadian interests safe from the threat of terrorism.

First, the legislation includes amendments to the Canadian Security Intelligence Service Act, and this act is three decades old. Since that time, through its analysis, assessment, and intelligence work, CSIS has helped to protect our country from a wide variety of threats. In the process, it has become a central player in Canada's national security system and a respected member of the international intelligence community.

However, the nature of these threats has evolved dramatically since the 1980s. The 2014 public report on the terrorist threat to Canada makes it clear that we can never take our safety and security for granted. Around the world, there were more than 9,700 terrorist incidents in 93 countries reported in 2013 alone. More than half of those occurred in Iraq, Pakistan, and Afghanistan.

Government Orders

That said, Canadians should not think that our country is immune to the scourge of terrorism. In fact, as we all know only too well, just steps from where we stand today we witnessed a horrific terrorist attack that cost a young Canadian Armed Forces member his life at the hands of a radicalized violent extremist. That cowardly act was preceded two days earlier by another senseless attack by a radicalized extremist, one that claimed the life of another member of the Canadian Armed Forces.

Indeed, the legislation we are debating today is designed to address a disturbing trend: the involvement of Canadians who travel abroad to get involved with terror-related activities. These so-called extremist travellers pose a threat not only to innocent people in foreign countries but to Canadian citizens as well, because those travellers who survive their adventures in foreign countries often return armed with more tools to engage in violence and to spread hate here at home.

Fighting terrorism and violent extremism requires the concerted efforts of many players on many different levels. One way to prevent violent extremism is to build good will and trust between law enforcement and Canadian communities. Another way is to improve how we gather intelligence, and that is why we are proposing changes to the CSIS act.

A measure in the protection of Canada from terrorists act is to specifically confirm that CSIS has the authority to conduct investigations outside of Canada related to threats to the security of Canada and security assessments.

Another key measure in the act would clarify the jurisdiction of the Federal Court to issue warrants authorizing CSIS to undertake certain intrusive activities outside of Canada. To enable CSIS to properly investigate threats outside of Canada, we are proposing amendments that would clarify that the Federal Court need only consider relevant Canadian laws, namely the CSIS act and the Canadian Charter of Rights and Freedoms, when it is determining if a warrant is required.

A third important measure of the bill would protect the identity of human sources. As members know, the confidentiality of police informants is protected by common law. However, while this has long been the practice in the law enforcement context, the Supreme Court of Canada recently ruled that the protection afforded to police informants does not extend to CSIS' human sources. At the same time, there are no provisions in the CSIS act to protect people who provide vital information related to a threat to Canada's national security. Bill C-44 would include protection for CSIS' human sources during legal proceedings. This protection would be consistent with Canadian law.

In doing so, the protection could be challenged under two conditions: if the protection does not apply to the person or information in question, or if the information is needed for a criminal trial to demonstrate the innocence of the accused.

While it is vital to CSIS to protect human sources, it is equally important for the service to protect its employees. Existing legislation protects the identities of CSIS employees who are or have been involved in covert operations. It does not, however, protect employees who are training to be engaged in covert activity.

This is a small but essential gap that must be filled. The legislation before us proposes to protect the identity of all CSIS employees who have been, are, or are likely to be involved in covert activities.

I will turn now to the second part of this proposed legislation, which relates to Canadian citizenship.

Revocation is an important tool to safeguard the value of Canadian citizenship and to protect the integrity of the citizenship program.

● (1325)

The proposed technical amendments would allow our government to proceed with quicker implementation of the new revocation provisions under the Strengthening Canadian Citizenship Act, which received royal assent June 19, 2014.

A number of the Strengthening Canadian Citizenship Act provisions have already come into force. Based on how the coming into force provisions of that act are written, the majority of the remaining provisions are required to come into force at the same time.

With these technical amendments, we can move ahead with doing what is necessary to protect our country and ensure the safety and security of Canadians by enabling early implementation of provisions related to citizenship revocation. These provisions expand the grounds for revocation of Canadian citizenship and establish a streamlined decision-making process for revocation.

The new provisions would enable the Minister of Citizenship and Immigration to recommend to Treasury Board the revocation of Canadian citizenship from dual citizens who are convicted of a terrorism, high treason, treason, or spying offence, depending on the sentence.

They would also provide the Federal Court with the authority to revoke Canadian citizenship from dual citizens for membership in an armed force or organized armed group engaged in armed conflict with Canada.

The revocation provisions underscore our government's commitment to protecting the safety and security of Canadians and promoting Canadian interests and values. They also reinforce the value of Canadian citizenship.

These technical amendments would also allow for faster implementation of other supporting provisions, including those related to renunciation, resumption, prohibitions, regulatory authorities, changes to the Immigration and Refugee Protection Act, and the delegation of authority provision for the Minister of Public Safety and Emergency Preparedness.

This earlier implementation would help better protect the safety and security of Canadians.

The provisions contained in this bill are critical to Canadian safety. We must move swiftly to strengthen our citizenship program and remove any questions about CSIS' ability to conduct investigations outside of Canada, as well as the authority of the Federal Court to issue warrants authorizing CSIS to undertake certain intrusive activities outside of Canada.

Government Orders

It is imperative that we stop this outmoded mindset of underreacting to the terrorist threat.

There are other aspects to the challenge that we face writ large. We all know that a minority of violent extremists from any religious or other group should not cause us to discriminate against the majority.

We need to find ways to work together to prevent radicalization, to nip it in the bud where possible, and to deal with it firmly and swiftly when necessary.

I would point to the Phoenix Multi-Faith Society for Harmony, a non-profit organization founded in Edmonton and dedicated to the promotion of interfaith co-operation.

Its objectives are to create a forum through which dialogue and discussion can take place, with a view to facilitating understanding and respect for all faiths; to seek continued peaceful co-existence and positive relations, through open communication, interfaith dialogue, education, and participation across our communities; and to carry out initiatives to address negative stereotyping, hatred, bias, and prejudice.

The Phoenix Society is an excellent example of a community initiative, but despite its best efforts, it will not stop all radicalization.

I believe that the majority of members of any religious or other group are peaceful and law-abiding. I also believe that unless the majority takes action to control the violent minority within its ranks and actively co-operate with security authorities, then we will continue to face growing threats from within.

There are many historical examples of peaceful majorities being led into extremely violent international actions by obsessed leaders with murderous and illegitimate intent.

Canada has a heart and a soul. The heart of Canada is our freedom and our democracy. That is represented in no better place than this House.

A week and a half or so ago, our heart was attacked and wounded, but it certainly was not killed. In fact, our heart will continue stronger than ever before.

Canada has a soul. That soul is embodied in the kind of people who make the ultimate sacrifice for our freedoms, to protect the democracy and freedom we cherish so much. That soul is represented in no better place than the people who wear the uniform and the people who have worn the uniform in the past, as represented by the National War Memorial and the Tomb of the Unknown Soldier.

A week and a half ago our soul was wounded, too. Our souls will survive, stronger than ever.

It is in all Canadians' interest to be part of that solution, to keep the heart and soul of Canada alive and well. That is why I ask all hon. members to join me in supporting the protection of Canada from terrorists act as the first step to keeping our land strong, glorious, and free.

● (1330)

[*Translation*]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, my distinguished colleague is appealing to a sense of solidarity, and of course we will all lend our support to defending Canada in moments of great crisis.

Unfortunately, his colleague from Dauphin—Swan River—Marquette suggested earlier that if we do not quite agree with the Conservatives on the definition and the exclusive interpretation in their bill, we ourselves are terrorists.

Does the member condone statements to the effect that, if we do not agree with him, we must be friends of terrorists? Is that his definition of solidarity and seeking consensus?

[*English*]

Hon. Laurie Hawn: Mr. Speaker, that is not what my colleague from Dauphin—Swan River—Marquette said at all. I am sorry, but that was really not a very profound question.

I will go back to something the hon. member mentioned earlier about the definition of a terrorist. Maybe I misinterpreted what he said. He said that someone who is religious could be there, that there is a symbolic element in a terrorist act. There is obviously violence in a terrorist act, but it could not be personal.

I submit that converting to another religion that has some members who preach violence obviously has a religious connection. It does not get any more symbolic than attacking Parliament and the National War Memorial, or the people there. It certainly does not get any more violent. When someone has espoused or incorporated those kinds of beliefs, it becomes personal. To use the member's own definition, but maybe in reverse, that is a terrorist. That is what those people are.

Nobody here is a terrorist. Nobody is saying that. Nobody is saying that anyone here supports terrorism. That is just plain silly.

Mr. Arnold Chan (Scarborough—Agincourt, Lib.): Mr. Speaker, I would like to thank the hon. member for Edmonton Centre for his contribution to his debate. I would also like to thank him for his service to this country. He has served our country with distinction in the past and continues to do so as the member for Edmonton Centre.

My question for him, and he raised this in the debate, relates to the citizenship provisions incorporated in this particular legislation and what was passed in the House earlier this year. I would like my friend's comments with respect to why he believes that our security is strengthened by the removal of citizenship rights from dual nationals. Would it not simply be better to deal with these particular threats by prosecuting these individuals under our laws?

● (1335)

Hon. Laurie Hawn: Mr. Speaker, it is a good question. We have laws in Canada, obviously. For anyone who is simply Canadian, there is no other way we can deal with them other than through the laws of Canada.

Government Orders

For someone who has chosen dual citizenship, in my view and in the government's view, their loyalties are divided between Canada and wherever. The government thinks that if they want to be divided citizens and want to carry out acts that are a danger to Canadians and Canadian interests, values, and property, then part of their citizenship should no longer apply.

I am not going to pick on any country, but if a person had citizenship in another country, then the other country could deal with that guy.

Hon. Gary Goodyear (Minister of State (Federal Economic Development Agency for Southern Ontario), CPC): Mr. Speaker, I would just like to ask the hon. member if he firmly believes that this act would add a level of protection for law-abiding Canadians and at the same time protect the freedoms of those same law-abiding Canadians?

Hon. Laurie Hawn: Mr. Speaker, there is always going to be a balance. There is always going to be a pendulum. There are two things at play. There is fear, and there is complacency, among other things.

Fear happened with 9/11. Fear happened a week and a half ago. Between 9/11 and a week and a half ago, I would suggest that the pendulum swung quite a way toward the complacency side, notwithstanding recent events in the Middle East.

It is always a balance between allaying people's fears and giving people confidence that the government and the agencies of the government can protect them and the complacency people naturally feel when nothing has happened for a long time. That dispels the idea that someone is a threat out there.

Someone is always a threat. There is always a healthy concern that we are doing the right thing and protecting Canadians. At the same time, there should always be a healthy concern about keeping our rights and freedoms intact. That balance, we think, is struck in this bill. We intend to pursue it. The NDP is going to help send it to committee, and I applaud it for that.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I will be splitting my time with the member for Timmins—James Bay.

I am pleased to participate in this debate today on Bill C-44, an act to amend the Canadian Security Intelligence Service Act and other acts. I understand that it is a bill the government had on the books and was preparing to introduce, and it is doing so now, following the recent events here in the House and another tragedy in the province of Quebec.

In short, it makes three substantive changes to CSIS. It would clarify the legal authority of CSIS to conduct security intelligence operations abroad in response to threats to the security of Canada. It had run into some difficulties in the courts with respect to this, so it now wants clarification and changes because of that.

It also confirms the jurisdiction of the Federal Court to issue warrants that have effect outside Canada. It provides for the protection of the identify of CSIS human intelligence sources in judicial proceedings. It also amends the timeline for changes to the Citizenship Act with respect to the revocation of dual citizenship for dual citizens who are involved in terrorism or other serious offences. That bill was passed this past June.

I want to state that I join with all my colleagues in this House, and in fact all Canadians, in paying tribute to Corporal Nathan Cirillo and Warrant Officer Patrice Vincent. We joined many of our colleagues today at the cenotaph in Ottawa to lay wreaths. The veterans minister was there as well. It was a very moving time. I think Remembrance Day, in a few short days, will be a moving time for our country. My dad and my grandfather fought in the First and Second World Wars. I know how emotional, painful, and deep these experiences are for the entire Canadian psyche.

The violence that took place here in Canada a couple of weeks ago was something that certainly touched the hearts of Canadians and was something we need to take very seriously. I believe we will do that.

I have had a tremendous number of constituents contact my office and encourage us as parliamentarians to react in a measured, considered way and to not overreact to the events that took place, which indeed were terrible and terrifying. I am hopeful that as parliamentarians, we will do that, because we believe that defending both public safety and civil liberties is important. This is not a balancing act, where we shave off a little of one to gain some of the other. We believe, on this side of the House, that we can do both. We can move forward and ensure the safety and security of Canadians while guarding our shared values of freedom, tolerance, and an inclusive democracy. That is why we are all here as parliamentarians. It is because we value that democracy.

We must carefully review our laws in light of the tragic circumstances of the last two weeks and ensure that our laws and security measures are adequate and appropriate for the needs of our country while ensuring, at the same time, that our civil liberties are protected. We have to make sure that this work is done responsibly and with careful study based on the evidence we have at hand. Of course, we do not have all the evidence in yet, because investigations are ongoing.

● (1340)

On this particular legislation, details matter a great deal. We will support the bill going to committee, because we would like a thorough, rigorous, detailed study to take place.

I want to spend a bit of time on the notion of improved civilian oversight of CSIS. We are disappointed that the bill does not include that additional civilian oversight.

Government Orders

I had the great privilege of sitting on the finance committee in 2012, when under yet another budget implementation act, there was a debate about CSIS oversight. Members might well ask why the finance committee would be debating CSIS oversight, and that is a very good question. It was a measure included in the budget implementation act, 2012. The measure specifically included the elimination of the inspector general, a position I am sure most Canadians did not know we had, and if they did know, they were not sure what it did.

We had the terrific privilege of having as a witness at committee one of the key people responsible for setting up that position, Mr. Paul Kennedy. Mr. Kennedy has a long history of over 20 years in the public service. He has advised ministers. For a number of years, he was the senior assistant deputy minister of public safety responsible for national security activities. He spent five years as senior chief counsel to CSIS and four years as chair of the Commission for Public Complaints Against the RCMP. He was the senior general counsel of justice and coordinated all the legal advice among intelligence agencies. I am sure members would agree that he was an eminently qualified person to speak about CSIS and advise the committee.

I want to tell the House some of the facts he gave us. We had heard from officials that eliminating the position of inspector general would save \$1 million of the public purse and that this was good value for money. We heard that SIRC would be able to take up the slack and take on the monitoring responsibilities.

Mr. Kennedy told the committee that we would save \$1 million in a \$7-billion public safety department budget but that ultimately, it could cost the government, and therefore Canadians, a great deal more when there were problems. He said there would inevitably be problems. For example, he said that the Arar inquiry, about the illegal arrest, imprisonment, and torture of Mr. Arar, was a \$30-million inquiry, \$10 million of which the government paid in compensation. It was tremendously expensive, and that \$30 million did not include all the hours public servants spent on that inquiry.

There was the ongoing investigation of the Robert Dziekanski case at the Vancouver airport. There have been many other inquiries.

Mr. Kennedy pointed out that if we were talking about a consolidation of the responsibilities of this oversight position and SIRC, then we should have a transfer of staff and files and money to make that happen. None of that happened. In spite of many inquiries recommending greater oversight and more resources, that simply has not happened.

This is the direct responsibility of the Minister of Public Safety. The buck stops with the minister. Without the inspector general in place, who can keep an eye on the spies, Canadians have no guarantee that their public interests are protected.

We need that position. We need greater oversight. At committee, parliamentarians should make sure that this happens.

• (1345)

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, my colleague for Parkdale—High Park has shed some important light on this issue. We have to ask some questions about some of the issues she has brought to the House. Essentially, they have to do with

the budget cuts that were reviewed in finance committee. The CSIS budget was cut by \$15 million in 2012, followed by an additional \$24.5 million in 2014-15. CBSA was cut by \$143 million, and the RCMP was cut by \$195 million.

The member talked about the Conservative government being penny-wise and pound foolish. Have the Conservatives made a terrible mistake? Have they jeopardized the safety of Canadians with these cuts to make themselves look fiscally responsible? Are they trying to make up for that foolishness now?

Ms. Peggy Nash: Mr. Speaker, I completely agree that this is penny wise, pound foolish, as my granny used to say. It really makes no sense.

In response, I want to quote from Mr. Kennedy's testimony. He said that the inspector general was "the eyes and ears". He said that "the minister is personally accountable for those intelligence officers", who have huge powers that Canadians really do not know anything about because it is in secret. He said, "That was the way the model was, because the the public can't be involved in it", but that the public has to be assured "that we have a responsible minister and he's on the hook for this, and he's informed and can do the job and deliver it for us."

It was set up that way. This is a covert intelligence agency, and there were vehicles put in place to allow the minister to control it. That was the inspector general. That position has now gone. Nothing has replaced it. Where is the accountability?

Mr. Arnold Chan (Scarborough—Agincourt, Lib.): Mr. Speaker, I noted in my friend's contribution to the debate her concern about parliamentary oversight with respect to CSIS.

Of course, before this House there are two private members' bills. They are Bill C-551, introduced by the hon. member for Malpeque, and Bill C-622, introduced by the hon. member for Vancouver Quadra.

I would like my friend's thoughts with respect to these two particular private members' bills, and an indication of whether she and her party will be supporting that legislation when it comes before the House.

• (1350)

Ms. Peggy Nash: Mr. Speaker, I thank my colleague for raising those two other bills tangentially, but in my time allotted, I would like to focus on the bill that is before us today.

I would like to say that CSIS, our spy agency, is a body that is very important for the security of Canadians, but it is essential that there be adequate oversight.

Government Orders

Inquiry after inquiry has identified the need for better oversight, but the government, sadly, has moved in the opposite direction. It has taken the eyes and ears away from the minister responsible by cutting the oversight of our spy agency.

That is not the way to provide better safety and security for Canadians. I submit it is a way to keep the minister responsible blind and deaf, and that is not what we need. Canadians need to know that the vast and very important powers of CSIS staff are being monitored so that they are in compliance with the rules that have been set out for them in law.

There is no other body that can fulfill this requirement, and if Canadians truly want to be safe and assured that both their security and their civil liberties are protected, we need effective oversight. It is not happening. The government needs to get that done.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, as always, it is a great honour to stand in the House representing the people of Timmins—James Bay, who put their trust in me to speak for them.

I am very pleased to rise to speak to Bill C-44. This is the first time I have spoken in the House in debate since the brutal attack at the cenotaph and the attack on Parliament Hill. I would like to begin by reflecting a little of what I experienced on that terrible day.

I certainly experienced a sense of relief when I found that we were safe. I experienced thankfulness for the incredible security people who literally put their lives on the line to make sure that we were safe. I felt an enormous sense of pride—not a bullish beating of the chest pride, but a quiet pride—watching the Canadians around me who went about their day unafraid and helped each other. It reminded me that no matter what our differences in this nation are, there is a sense of community that will not be intimidated.

The last thing I felt that day was a real anger, an anger that the House of the people had been desecrated by violence. I felt it when I went out in the early morning about 5 a.m. and went to the cenotaph and saw a crime scene tape. I was very angry that such a symbol of who we are as a nation could be cut off from us and suddenly become a crime scene of mindless, hateful violence. It made me feel very angry.

When we reflect on how we deal with this kind of violence, it is incumbent upon us to take that sense of anger, that sense of pride, that sense of relief, and step back and ask ourselves what the Canadian people expect from us to ensure that they are safe. We are dealing with some very complex issues that are now being thrust before us.

Bill C-44 is not a response to what happened last week. This is a bill that has been on the order paper for some time, and it is important to look at it in that light. There are certainly specific elements that will need to be examined clearly, which is why we want the bill to go forward to committee.

One aspect is the international role of CSIS in spying on and maintaining coverage of potential perpetrators who may be overseas. Certainly we see the issue of radicalization of people who have gone overseas, but this is a question that does confront the House, and we need to address it.

We know that CSIS has been found to have breached the courts and the laws of our land on numerous occasions, as reported in the 2007 Hape decision. In 2008, Justice Blanchard found that section 12 of the CSIS act did not contain extraterritorial provisions with respect to covert intelligence. In 2013, Justice Mosley said that the practice of seeking warrants for foreign surveillance was not legal. Therefore, the bill needs to look at how the actions of CSIS will be done within a legal frame.

To put this in context, maintaining legal provisions that will protect the Canadian people has to be seen in terms of the resources that exist or do not exist to follow through on whatever laws we bring forth.

There is also the issue of oversight. The issue of oversight means that when we debate laws in this country to offer police more tools, we make sure that these tools are being applied where they were intended and that they are not opening the door to all manner of warrantless intervention in the lives of ordinary Canadians.

In terms of oversight, the government has a fundamental problem. The government may feel that CSIS needs the tools and that CSIS has to be the front-line fighter in terms of international terrorism, but the oversight mechanisms have been abysmal.

The Prime Minister appointed Arthur Porter, a notorious international criminal who is sitting in a jail in Panama, to sit on the oversight body of CSIS. I would think that Canadians who witnessed the attacks last week would not be comfortable knowing that the man who was supposed to be making sure that our spy agency followed the laws and had the tools necessary was now sitting in a Panamanian jail on all manner of charges and allegations.

The replacement for him was Chuck Strahl, a former minister in the House. We found later that he was acting as a lobbyist for Enbridge at a time when CSIS was apparently spying on anti-Enbridge activists. There is damage to credibility here.

● (1355)

Maher Arar was sent to a foreign jurisdiction, wrongly, and tortured. He was an innocent man. One of the recommendations from the Arar report was to have better oversight of these provisions. This oversight is important in making sure there are no more cases like Maher Arar's, cases of people who are innocent but are in the wrong place at the wrong time and are rendered because the feeling of the day is that we do not need to follow the rule of law. The rule of law is essential. It keeps us separate from the kinds of bandits who want to attack who we are as a nation.

In terms of resources, the government is cutting \$687.9 million from its overall security in the coming years, and \$180 million is being cut from border security. Telling us it is going to get tougher in terms of protecting us while at the same time limiting the resources being used to protect us certainly raises questions about the government's overall credibility.

There is the recent Privacy Commissioner's ruling on the RCMP and its warrantless access provisions. The RCMP does not even have an ability to track how it is gathering information and under what circumstances it is gathering it.

Statements by Members

STATEMENTS BY MEMBERS

[*Translation*]

BOIS-FRANCS COMMUNITY TELEVISION

Mr. André Bellavance (Richmond—Arthabaska, Ind.): Mr. Speaker, Télévision communautaire des Bois-Francis is celebrating its 40th anniversary. TVC, as it is popularly known back home, is dedicated to showcasing the community of Victoriaville and the surrounding area by producing and broadcasting television programs that focus on local concerns and encourage community involvement in the process.

Dozens of employees are joined by hundreds of volunteers who help produce such shows as *Le Kiosque à chansons* and *Télé-Bingo*, city council meetings and, of course, an excellent show called *Votre député fédéral vous parle*, which is hosted by the great François Houle.

TVC would not be celebrating its 40th anniversary without the people who have been there from the beginning and those who joined them over the years to help showcase our people.

I would like to congratulate all of them, in particular those who fought, and won, the battle to keep TVC alive 14 years ago. I also want to thank those who carefully monitor deregulation issues that could deny us this local content, the rich programming that is both original and grounded in the community.

Long live TVC.

* * *

[*English*]

GIFT OF GIVING BACK

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I am happy to announce that it is that time of year again. It is time for the ninth annual Gift of Giving Back community food drive, which is being held on November 5 and 6 in Burlington, at Nelson High School.

Last year, the Burlington hockey families, including the Burlington City Rep Eagles, the Burlington junior A hockey club, and the Burlington Barracuda's Girls Hockey Club, really got into the giving spirit with great compassion by collecting and donating an astonishing 207,000 pounds of non-perishable goods during their food drive in mid-November.

This year, the beneficiaries include Burlington flood relief, Carpenter Hospice, Halton Women's Place, Partnership West and, of course, the Salvation Army. I encourage all residents to give to this food drive. I know Burlingtonians have huge hearts. I strongly believe in their generosity, which, in turn, strengthens our entire community. It is no surprise that Burlington has been declared one of the best places to live in Canada.

Good luck to all involved with the annual Gift of Giving Back community food drive.

Do we need to look at rules that may provide better tools to go after potential threats? That is certainly the discussion we should have. However, when every 72 seconds we have a request made to a telecom by a government agency that wants personal information on Canadians, that is certainly not within justification.

The fact is, contrary to what the Prime Minister said, the killers of Warrant Officer Vincent and Corporal Cirillo were not killers who washed up on our shores, as we were told last week. These were home-grown Canadian men. The Prime Minister said that our international allies would be standing with us as we went after the men who brutally killed Corporal Cirillo. Where were our international allies when he was going into a McDonald's with a stick, trying to get himself arrested?

Clearly, the rhetoric does not match the reality here. The reality is that we are not talking about what happens when people fall through the cracks and become increasingly marginalized. We had the snow plough killer and the bus beheader. We have people who, in mental instability, do terrible, brutal crimes. In the case of Zehaf-Bibeau, we were glad that the RCMP was able to seize his passport to prevent him from going anywhere else, but he was not on their terror watch list because he was considered mentally unstable. We need to understand that if we are to respond to the brutal crimes we saw, we must put provisions in place that protect us.

In terms of Bill C-44, the reasonable step here is to move it to committee to see what provisions CSIS needs to deal with international radicalization, especially in the case of someone who is trying to go to a place like Syria or Iraq to engage in the murderous activities there. What provisions would still be within the laws of our country? What oversight will be there to ensure that CSIS does not abuse its function within Canada? What role will we take, as a federal House of Commons, to address the fact that there is clearly a problem when Canadian men, born and bred in our country, can fall so far from the norm that they can pick up any kind of murderous death cult ideology because of all manner of instability, drugs, broken lives, and the fact they were living on the streets?

There are other people out there who may be in that same situation, whether they identify themselves as radical or not. What provisions are we going to put in place to ensure public security?

This is a long, ongoing discussion that we need to have in the House. However, we need to have it within the context of figuring out what works, what resources are in place, and what will maintain the overall standards we have for the rule of law in our country and the fact that we are an open, democratic, and unafraid society.

• (1400)

The Acting Speaker (Mr. Barry Devolin): The time for government orders has expired. Consequently, the five minutes of questions and comments for the hon. member for Timmins—James Bay will take place when this matter returns before the House after question period.

Statements by Members

[Translation]

HOMELESSNESS

Mr. Réjean Genest (Shefford, NDP): Mr. Speaker, homelessness is a troubling issue, especially as the temperature drops outside.

The Comité itinérance de la Haute-Yamaska, which is made up of 12 organizations in my riding, is calling for urgent action on the issue of federal funding for homelessness, because the existing resources are no longer meeting the growing high-priority needs.

Le Passant, an emergency shelter, has noted a 50% increase in the number of admissions in the past two years. Between 2012 and 2013, Partage Notre-Dame and SOS Dépannage noted an increase in requests for food assistance of 15% and 39% respectively. That is why the call for the 2015-2019 HPS must be issued as soon as possible.

I wish to thank and salute the homelessness committee for the work it does for homeless people to give them a better life.

* * *

● (1405)

[English]

VETERANS' WEEK

Ms. Lois Brown (Newmarket—Aurora, CPC): Mr. Speaker, during Veterans' Week, I encourage everyone in Newmarket—Aurora and, indeed, across Canada to remember those who defend our shared values of freedom, democracy and the rule of law.

Newmarket residents may pay their respects on November 9, at the Newmarket remembrance parade and ceremony. The march begins at 1:30 p.m. along Doug Duncan Drive to the cenotaph at D'Arcy Street for the official laying of the wreaths. There is also the Newmarket Veterans Association Remembrance Day service November 11, at the Newmarket Cemetery, at 10:30 a.m.

Aurorans can pay tribute November 9 at the Aurora legion's Remembrance Day parade. Marching off at 10:30 a.m. from Williams high school, the procession will end at the Aurora Cenotaph for a remembrance service. A service will also take place at the cenotaph on November 11, at 11 a.m.

These are just some of the ways we can remember the heavy price that has been paid to defend our cherished way of life.

Lest we forget.

* * *

FALUN GONG AND FALUN DAFA

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the Prime Minister is headed to China and Falun Gong and Falun Dafa practitioners on the Hill are asking him to please raise the issue of forced organ harvesting, especially now that the threat involves 10 family members of Canadians incarcerated there.

China has repeatedly announced that it has a plan to ban organ harvesting from prisoners, but Falun Gong and Falun Dafa practitioners know that this has yet to materialize. The practice has been independently verified several times. One report even cites a

price list on a Chinese transplant website offering kidneys for \$62,000 and lungs for \$170,000.

We all know that forced organ harvesting is wrong and want to encourage China to end this practice.

Nations serious about human rights must put an end to this barbaric practice, or perhaps we should consider their inaction as part of future trade talks with these human rights holdouts.

* * *

CFB BORDEN

Mr. Patrick Brown (Barrie, CPC): Mr. Speaker, I rise today to recognize an ambitious legacy project led by a group of patriots from my riding.

To commemorate the 100th anniversary of CFB Borden, a "Tribute to Peace" memorial will be erected at the entrance of the base in 2016. The acre site will also showcase a 7 foot brown statue of a World War I bugler and the following description will grace one of the 30 foot long granite walls, "Through these gates the sons and daughters of a grateful nation pass. Serving Canada with honour, duty and courage so all may live with freedom, democracy and justice".

Honorary Colonels Jamie Massie and Barry Peacock will lead a group to France next June, on the invitation of the mayor of Arras, to repatriate some soil from the Vimy battleground. This sacred ground will be encased in plexiglass within the walls of the new memorial. The group from Barrie has committed to raising a half a million dollars to complete this project.

I would like to recognize Jim Williams, General Louis Meloche, Base Commander Doyon and artist Marlene Hilton Moore for their efforts and vision.

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[Translation]

LGBTT ORGANIZATIONS IN LAURIER—SAINTE-MARIE

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, on October 18, as I do every year, I had the pleasure of attending the rainbow gala, which is an opportunity to celebrate the accomplishments of many people who, in their own way, work in defence of LGBTT rights. Along with gay pride week, this is an important event in Montreal.

I would like to take this opportunity to thank Steve Foster, the organizer of the gala and one of my constituents, who is leaving his job at the head of the Quebec LGBT council. Steve, thank you for your hard work, your sense of humour and your generosity.

I would also like to commend the work of other LGBTT organizations in my riding that I have met with over the past few months, such as l'Astérisque, RÉZO, GRIS, Arc-en-ciel d'Afrique and the Chambre de commerce gaie du Québec.

Statements by Members

Congratulations on your commitment to defending fundamental values that we all share, regardless of our orientation: diversity, respect for others and solidarity.

* * *

[English]

CAPITAL EXPERIENCE

Mr. Barry Devolin (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, there is a special group of students in Ottawa. They are participating in a program I call a “Capital Experience”, where student leaders from each of the seven high schools in my riding come to Ottawa for three days each year to learn about career opportunities in public life.

They have visited Parliament, the Korean embassy, CBC’s *Power and Politics* studio, the National Press Gallery, the University of Ottawa and the Prime Minister’s Office. They have also met with representatives from the Department of Foreign Affairs, the Canadian Network for Maternal, Newborn and Child Health, Results Canada and Summa Strategies.

I wish to thank those who shared their time with the students, and to thank the businesses and service clubs back in the riding that sponsored them.

Today, I welcome to Parliament: Mitchell Muscat from Brock; Aaron Haddad and Katherine Pinnegar from Crestwood; Haylie Cordick and Allison Gowanlock from Fenelon Falls; Curran Chambers and Krista Duncan from Haliburton; Emily Forbes, Brigid Goulem and Chardon Kozak from I.E. Weldon; Kayla Farewell and Megan O’Neill from L.C.V.I.; Alexandra Kaczmarek and Jack Steinsky from St. Thomas Aquinas; and Justin Jeff from Apsley.

I ask my colleagues to join me in wishing these young people all the best as they make important decisions regarding their future careers.

* * *

● (1410)

CANADIAN HEALTH FOOD ASSOCIATION

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, this year marks the 50th anniversary of the Canadian Health Food Association. As the voice of the natural health product industry in Canada, the CHFA represents manufacturers, retailers and distributors of natural health and organic products.

CHFA has become Canada’s largest trade association dedicated to health products with a membership of over 1,000 businesses and operators, predominately small and medium-sized enterprises, contributing over \$6 billion to the Canadian economy.

From prestigious conferences and trade shows to advocating and informing of regulatory changes, the CHFA now offers an educational course providing retail staff and suppliers an opportunity to enhance their understanding of natural health products.

As 70% of Canadians regularly consume NHPs, we see the importance of CHFA’s *raison d’être*.

On this Natural Health Products Week, I am pleased to welcome president, Helen Long, and delegates to Ottawa, and wish them continued success in building healthy Canadians through high-quality natural health products.

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[Translation]

YOUTH IN OFFICE DAY

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I have the great pleasure of marking YOUth in Office Day in the House today. This event is organized by the Boys and Girls Club of Canada and Big Brothers Big Sisters of Canada.

By shadowing parliamentarians, young participants have the opportunity to spend an entire day at the heart of Canadian democracy and experience political life.

Today, a number of my colleagues and I have welcomed young people who are passionate about politics. I would like to congratulate them on their interest in public affairs and the debates here in this Parliament.

[English]

This day is as important for us as parliamentarians as it is for them. The YOUth in Office Day is a great opportunity for us to share our own experiences as members of the House, and as representatives of our riding, with the next generation of young leaders, telling them how important and gratifying it is to be involved in our communities.

As parliamentarians, we have an important role to play in helping youth fulfill their own potential and become the leaders not only of tomorrow, but also of today.

* * *

REMEMBRANCE WEEK

Mr. Ray Boughen (Palliser, CPC): Mr. Speaker, in Flanders Fields and on Canadian jackets, poppies will grow as we begin Remembrance Week today. From coast to coast to coast, Canadians will proudly display a red poppy, share a story or recall a loved one who served our great nation.

This week is about remembrance; nothing more, nothing less. I call on my colleagues from all parties to begin thinking about someone who they remember as we prepare to commemorate our veterans this week.

Above all, I encourage all Canadians to not only wear a poppy, but if they see a veteran, to say “thank you”. Thank them for their service.

For their sacrifice, lest we forget.

*Statements by Members***ABORIGINAL AFFAIRS**

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, last week, respected Cree elder, Gary Moostoos, was physically evicted and banned from an Edmonton mall. The apparent offence? He was suspected of associating with the homeless. However, like others, he was simply enjoying a bowl of soup.

Elder Moostoos raised himself out of a life of despair on the streets to bring solace to Cree elders in health care, to victims of residential school abuse and to the homeless, yet he was still subjected to public humiliation and is emotionally wounded.

The mall offered an apology, but apologies simply are not enough. Was this elder targeted because he looked aboriginal? What direction was security given? Is the intention to keep the homeless and traumatized out on the street?

Tina Fontaine was not the first aboriginal child to be treated with abandon. Elder Moostoos was not the first aboriginal man to be humiliated.

As parliamentarians, we can and must use our powers to advance from mere apologies to ensuring comparable child and family services, restitution and support to the healing centres, and to meet our commitments under the UNDRIP, including respecting the rights of indigenous peoples to the dignity and diversity of their cultures, traditions, histories and their aspirations.

* * *

• (1415)

POVERTY

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Mr. Speaker, our government's plan to reduce poverty has been recognized throughout the world as one that works. In fact, a recent UNICEF report said that child poverty decreased during the last recession by 180,000.

The president of UNICEF Canada had this to say, "Canada is faring better than other western countries; it is due to measures that are favourable to families like tax credits, fiscal measures and benefits that have been maintained or put in place to counter the effects of the global crisis".

However, there is still more to do. That is why we introduced programs like the working income tax benefit, increased the child care expense deduction, increased the UCCB and continued to invest in affordable housing, among other things.

I hope the opposition will start to support all of the measures we are doing to create jobs and reduce poverty in Canada.

* * *

KOMAGATA MARU

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, in May, 1914, the *Komagata Maru*, a former coal ship, anchored outside Vancouver with British subjects of Indian heritage on board, including 12 Hindus, 24 Muslims and 340 Sikhs, all of whom had come to start a new life in Canada. Due to the exclusion laws of the time, these men, women and children were forced to wait 60 days in horrendous conditions before returning to India.

One hundred years later, this incident is a stark reminder of the heavy costs of intolerance.

In 2008, the Liberal Party called on the government to apologize for this dark incident in our history, a motion that the House passed unanimously. Six years have since passed without the Prime Minister making a formal apology in the House. His token apology in 2008 was unacceptable to those who were victimized by this tragedy.

We again call on the Prime Minister to apologize in the House for this dark point in Canadian history.

* * *

VIOLENCE AGAINST WOMEN

Mrs. Susan Truppe (London North Centre, CPC): Mr. Speaker, Canada continues to watch with horror as women and girls are subject to unspeakable violence.

We cannot stand idly by as thousands of women are raped and sold into sexual slavery by the depraved gunmen that make up ISIL. We cannot sit quietly as we watch systemic rape be weaponized against women at war. We cannot close our eyes as Boko Haram boasts that it has forced the girls it kidnapped into marriage or as the Taliban shoot a young Pakistani girl in the head for wanting to go to school.

Women and children are not spoils of war. These disgusting acts are not limited to ISIL, Boko Haram and the Taliban, but are also increasingly perpetrated by extremists around the world who see educated women and girls as their greatest threat.

Canada must stand against it. Protecting and empowering women and children has been a priority of this government, and reports like these will only strengthen our resolve to combat these acts and terrorism in general.

* * *

MEMBER FOR PETERBOROUGH

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, as elected members of this House, we are the law makers of this country, and so it is incumbent upon us to follow the law and to respect the court.

The member for Peterborough has been convicted of electoral fraud, and the law is clear: someone convicted shall not be entitled to "sit in the House of Commons". This is an issue for the House to take action.

Oral Questions

The ruling of a judge should carry more weight than the opinion of a convicted criminal. Yet, the member for Peterborough tells us that he disagrees. Therefore, the question is this. Does the government stand on this in terms of there being one set of laws for Conservative insiders and another set of laws for everyone else?

The Prime Minister has previously stated his full support for the member for Peterborough. He needs to stand in this House today and answer questions about what he thinks of a convicted criminal sitting in this House of Commons and drawing a salary from the Canadian people.

* * *

TAXATION

Ms. Joyce Bateman (Winnipeg South Centre, CPC): Mr. Speaker, our government makes good on our promises. That is why we continue to cut taxes, saving the average family nearly \$3,400 this year alone. Since we were elected, that means thousands and thousands for Canadian families. It is a record of which we are proud.

For example, millions of Canadians have benefited from the children's fitness tax credit and the universal child care benefits. Now our government has introduced the family tax cut plan. As Knowledge Bureau president and MoneySense tax expert Evelyn Jacks said, "It begins to address the real economic cost of raising families in Canada...".

The family tax cut plan will benefit every family in Canada with children. That is more than four million families. We are putting money back in the pockets of Canadians. That is our commitment, and we will continue that legacy.

ORAL QUESTIONS

• (1420)

[English]

ETHICS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, this morning the government surprised everyone. In parliamentary committee, they were studying Bill C-518 that would remove the pension of any member of Parliament convicted of an offence.

The amendment would make a new exception: it would no longer apply to convictions under the Elections Act. That amendment proposed by the government, and approved by all the government members of that committee, would only help one person, the member of Parliament for Peterborough.

Does the Prime Minister consider that moral?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the Leader of the Opposition should realize that the government has already passed legislation indicating that, should a member be suspended from the chamber, the case is that he ceases to participate from that point forward in the MP pension plan.

That has been the fact. I guess the NDP does not remember that because, in fact, it voted against doing that.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Actually, Mr. Speaker, Bill C-518 is in committee precisely because it has yet to be voted on in this House, and the amendment brought in by his government this morning would only be to the advantage of the disgraced member from Peterborough.

Our question was whether or not that was moral. We have all taken note of the fact that the Prime Minister cannot answer.

In 2011, robocalls, judged to be mostly Conservative database; 2006, in-and-out fraud; 2008, Peterborough. Every time he is elected, there has been a vote problem.

Right Hon. Stephen Harper (Prime Minister, CPC): Again, Mr. Speaker, the legislation I was referring to was passed in the budget implementation act in the first half of this year, which the NDP—

Some hon. members: Oh, oh!

The Speaker: Order, order. The Right Hon. Prime Minister has the floor.

Right Hon. Stephen Harper: Mr. Speaker, my point, once again, is that the government has already dealt with this matter through legislation already passed, not affected by anything at the committee today, that the NDP opposed.

When we are talking about NDP opposition, maybe the reason they oppose it is that the hon. leader and his party still have not done anything to repay the over \$1 million they took improperly from the House of the Commons.

Some hon. members: Oh, oh!

The Speaker: Order, order. This is taking up a great deal of time, and we are only a few questions into question period. We might have to make up that time if members continue with this kind of behaviour.

The hon. Leader of the Opposition has the floor.

[Translation]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, the Prime Minister assured the House that the member for Peterborough's campaign had paid back all the money.

The Prime Minister also assured the House that there was no problem with Pamela Wallin's expense accounts.

The Prime Minister also assured the House that absolutely no one in his office was aware of the \$90,000 cheque given to Mike Duffy.

Why is the Prime Minister prepared to say anything to defend people like that?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the fact is that the member in question has not been a member of the Conservative caucus for some time.

*Oral Questions**[English]*

Our position in these kinds of matters in the past has been absolutely clear. When there is this kind of case, we expect the member will be suspended without pay. I know you, Mr. Speaker, are going to rule later, and that is our position. Other matters will be referred to the committee.

In the meantime, while we take the appropriate moral actions on these cases, the NDP tries to keep the money.

• (1425)

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, on June 13, 2012, the Prime Minister told the House:

...as we all know, the hon. member for Peterborough has submitted all of his information to Elections Canada.

On Friday, a judge of the Superior Court of Ontario found that the member for Peterborough was guilty of providing a:

...campaign return containing a false or misleading material statement in omitting to report a campaign contribution and election expense....

Would the Prime Minister like to take this opportunity to correct his previous statement to this House and to Canadians?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the member has not been a member of the Conservative caucus for some time.

On this side of the House, we act promptly on the facts, the real facts that are available to us, not on speculation, not on rumour. We have taken the appropriate action. It is now up to the leader of the NDP to take the appropriate action on the money he and his party took improperly from this House.

* * *

TAXATION

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, today there is more evidence that the government's unbalanced approach to the economy is just not working, when 1,500 Scotiabank employees were fired. With record profits and huge corporate tax cuts, the net result was 1,500 job losses. While the Minister of Finance pushes his income-splitting scheme that will only benefit the wealthy few, what is the government doing concretely to help the 1,500 people, including over 1,000 Canadian families, who are now without a way to earn a living?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, obviously we never like to see job losses. These are the decisions of individual companies. It does not, of course, change the reality that we have had 1.1 million net new jobs created in the Canadian economy since the recession.

While we are talking about help for Canadian families, last week I announced an important series of measures that benefit every single family with children in this country. Of course a big part of that is reducing taxes for Canadian families. That is what Canadian families want. What Canadian families know does not work, will not work, and what they do not want are the tax hikes proposed on them by the NDP.

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, oil prices are below \$80 a barrel and Canada's job market has stalled. In response, the Conservatives are putting forward an income-splitting program

with a very basic problem: 85% of Canadians will get absolutely nothing from it.

Why is the government making the middle class pay for tax credits for well-off families like mine and the Prime Minister's?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the leader of the Liberal Party is just simply wrong on every fact that he mentioned in that particular statement. The reality is that the measures I announced last week will help every single Canadian family.

We know that the Liberals are against those tax reductions for families, just as they were against the same tax reductions for senior citizens. We know they want to take them away from our families and our senior citizens, and we will never support that on this side of the House.

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, the Conservatives' income-splitting proposal will give a big tax credit to some of Canada's wealthiest families. Forgotten are single parents, forgotten are parents in the same tax bracket, and forgotten are families with kids over 18 who need help going to college or university. They all get nothing.

Could the Prime Minister please explain to Canadians why families like his and mine deserve a \$2,000 tax credit, while all of those other families get nothing?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, that is 100% wrong. Every single one of the four million-plus Canadian families with children will benefit from this plan. When the Liberals go to the people of Canada and tell them they are going to take away all of those benefits, they are going to find that out.

• (1430)

[Translation]

Mr. Justin Trudeau (Papineau, Lib.): Mr. Speaker, the Conservatives' income splitting plan would give a tax break to Canada's wealthiest families.

There is no tax break for single-parent families, parents with similar incomes or families with children in university.

Can the Prime Minister explain why someone like him or like me will be entitled to a \$2,000 tax break, while 85% of Canadians will get nothing?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, that is absolutely not true.

Every family with children—more than 4 million Canadian families—will benefit from the announcements I made last week. That is the truth.

The truth is that the Canadian public will object to the Liberal Party's plan to take away not only the benefits for families, but also the benefits for seniors. Canadians want money in their pockets, and that is what the Conservatives will give them.

CITIZENSHIP AND IMMIGRATION

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, in July, the Federal Court ruled that the changes to the refugee health care program were not only unconstitutional, but also cruel and unusual.

On Friday, the Federal Court of Appeal rejected the government's bid for more time to remedy the situation. This morning, the minister tweeted that he was going to reinstate the program. That is all well and good, but not a lot of information can be provided in 140 characters.

Could we have some more information? Could the government make an official announcement?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, we have been saying for weeks that we are disappointed with the court's recent decision and the one it handed down in the summer. We will continue to pursue our appeal. In the meantime, we will continue to protect the interests of taxpayers and refugees. We will provide more details shortly.

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, the minister is able to tweet that he is going to reinstate a program, but he is unable to tell the House of Commons the same thing. That is rather embarrassing.

On Monday, the minister tried to enlighten us about Canadian health care values. That was also rather embarrassing. From what he was saying, it seems that providing health care to extremely vulnerable people is not a Conservative value.

Can the minister explain why providing basic health care to vulnerable children is not part of the Conservative government's repertoire of Canadian values?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, it is a Canadian value and a Conservative value to give quality health care to child refugees who are permanent residents or Canadian citizens.

What is embarrassing for Canadian taxpayers is the NDP's insistence on allocating millions of dollars to programs that help failed refugee claimants, people who have no status in Canada and who are not immigrants or citizens. That is our objection. That is our position. We will continue to protect the interests of Canadian taxpayers.

[English]

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, abandoning vulnerable women and children might be a Conservative value but it is not a Canadian value.

On Friday, the Federal Court of Appeal was the latest to confirm that the health and lives of refugees were being put at risk by the government's actions. The court joined refugee advocates, provincial governments, doctors, parliamentarians and the Federal Court in denouncing the harm the government is causing.

No one agrees with the government, so why is the minister continuing his attack on refugees?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, even the member for Markham—

Oral Questions

Unionville, who rarely gets these issues right, stated this morning that no refugee in Canada was going without health care.

The program exists for refugees. It will continue to exist for refugees under this government.

What is shameful is that New Democrats continue to stand in the House and ask for better health care than Canadians receive for failed refugee claimants, including those with bogus claims.

• (1435)

Mr. Andrew Cash (Davenport, NDP): Instead of the baloney, let us talk about the facts, Mr. Speaker. The harm being done to refugees by the government is a matter of fact. It is accepted by the Federal Court and Federal Court of Appeal. It is not a matter of debate.

It is also true that looking after one another is a Canadian value. It will always be a Canadian value, no matter how much the Conservatives might hate it.

Why will the minister not just give up his fight and provide health care to refugees?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, we have done that. Refugees have the interim federal health program, and even the Liberal Party recognizes that.

What is incredible is that New Democrats would stand in the House and ask for more generous health care than Canadians actually receive to be given to failed and fraudulent refugee claimants.

It is not a Canadian value to offer health care to people who put forward fraudulent claims, who have misrepresented themselves and who are on their way out of this country.

* * *

POVERTY

Ms. Peggy Nash (Parkdale—High Park, NDP): We are talking about children, Mr. Speaker. No matter what the minister thinks, causing harm to small children is not a basic Canadian value. The government just does not get it on multiple fronts.

A new report today reveals that food bank use in Canada is shockingly high and almost 40% of food bank users are children. Meanwhile, the government has totally abandoned any attempt to create good jobs that would bring families out of poverty.

Why is the government ignoring the jobs crisis and leaving Canadians stuck at the food bank?

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Mr. Speaker, the premise of the question is completely false.

Child poverty has been reduced. The number of children living in poverty in Canada is down by some 200,000 since this government took office. Just last week, UNICEF, on behalf of the United Nations, reported that Canada has seen one of the most significant declines in child poverty in the entire developed world, a reduction of some 20%.

Oral Questions

This government has taken over one million Canadian families off the tax rolls. Just last week, this government announced additional support for four million families with kids. Now every child under the age of six will be receiving, through their parents, \$1,900 of additional support through the child care benefit.

[Translation]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, we will try to get the minister back on track. Last year, 850,000 Canadians used food banks. That is unacceptable. That is a 25% increase over 2008, which is not something the government should be bragging about. What is more, 37% of clients are children, and the majority of those who use food banks are renters who have a job. Why do they need to go to a food bank?

The real issue behind those numbers is the government's disastrous economic development record when it comes to youth and young families.

How do the Conservatives explain their failure to create jobs, particularly for young people?

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Mr. Speaker, that is untrue. This government has seen a significant drop in the number of low-income Canadians. There are nearly 1.4 million fewer Canadians living in poverty under this government than there were under the Liberals.

Last week, the Prime Minister announced new child benefits. That means that a family with two children under the age of six will be receiving more than \$3,800 in benefits through this program in the future. We are giving benefits—

The Speaker: The hon. member for Berthier—Maskinongé.

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, last week UNICEF announced that one in five children is living in poverty. Today the 2014 HungerCount report reveals that nearly 1 million Canadians use food banks. A third of these people are children. Food Banks Canada recommends investing in affordable, quality child care, which will help children and families.

My question is quite simple: where are the 125,000 child care spaces the Conservatives promised in 2006?

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Mr. Speaker, according to figures from not only Statistics Canada but also international organizations like the UN, the rate of child poverty in Canada is the lowest it has ever been. There are 225,000 fewer children living in poverty than under the previous Liberal government.

The NDP's child care program will benefit only 300,000 families. The program announced by the Prime Minister will benefit 4 million families with children.

• (1440)

[English]

CHILD CARE

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, access to affordable, quality child care is part of ending child poverty in our country. Food Banks Canada agrees that access to affordable child care enables parents to enter and remain in the workforce. When mothers are better off, so are their children.

The Conservatives' promise of creating 125,000 child care spaces has been at a standstill for eight years. Why has the government failed to create even one out of the 125,000 child care spots it promised?

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Mr. Speaker, child poverty in Canada is at record lows according not only to Statistics Canada but international organizations such as the UN. Under the Liberal government child poverty reached a peak of 18% of children. That is down to 8.5% of children. There are 722,000 fewer children in low-income households, and that in part is thanks to the universal child care benefit, which we are enhancing.

The NDP approach to child care would provide benefits to fewer than 10% of families with kids. Our approach helps 100% of families with kids.

* * *

TAXATION

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, the Conservative government's unbalanced approach means that while many families are being left behind, Scotiabank made \$6.5 billion in profit last year. Today, that same bank fired 1,500 workers, most of them here in Canada. There were 400,000 lost manufacturing jobs, virtually no job creation in the private sector in more than a year and the youth unemployment rate is twice the national average.

Can the Minister of Finance explain exactly how his wasteful and ineffective income splitting scheme for wealthy families is going to do anything for the more the 1,000 Canadians who are today out of a job?

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, that was such a grab bag of questions. Let me focus on the issue of youth unemployment, which was raised.

Under our Conservative government, Canada will continue to have one of the lowest youth unemployment rates in the G7. Since coming into office, we have helped 2.1 million youth obtain jobs, training and skills. However, we recognize more has to be done, and under our economic action plan 2014, we will help young Canadians get the skills they need for in-demand jobs, help young entrepreneurs start more businesses and support paid internships.

Oral Questions

Ms. Chrystia Freeland (Toronto Centre, Lib.): Mr. Speaker, the Governor of the Bank of Canada warns that we are facing a low or zero-growth jobs recovery. He said that over 900,000 Canadians are trapped in part-time jobs and 200,000 young Canadians cannot get work at all. Governor Poloz is “pretty sure these kids have not taken early retirement”. He said that we need policies such as investment in infrastructure to boost growth.

Why is the government hamstringing its own capacity to act with an income splitting plan that offers no benefit to 86% of Canadians?

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, we are providing, through our family tax plan, benefits to over four million families. The NDP and the Liberals would rather give funding to large bureaucracies. Every family with children will have more money in their pockets to spend on their priorities as a family. These benefits are widespread and the large majority will go to low-income families.

Our government is fulfilling its promise to balance the budget. We are now in a position to fulfill our promise to help Canadian families balance theirs.

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, the Conservatives are replacing the child tax credit with a regressive income splitting scheme. Both cost about \$2 billion a year, but the child tax credit helps significantly more families. It helps single parents and it also helps families where both parents earn similar wages. The Conservatives' new income splitting scheme will leave these families out in the cold.

Why are the Conservatives scrapping the child tax credit and taking this money away from single parents just to pay for their regressive income splitting scheme?

• (1445)

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, again, it is a question that is based on a false premise.

Every single family with children under 18 will benefit from these tax breaks. The majority will go to low- and middle-income families. Also, 25% of the benefits will go to families earning less than \$30,000. The average cash in their pockets will be more than \$1,200. This is a very progressive measure.

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, Jim Flaherty did not believe that this was a progressive measure and that is why he opposed it.

In fact, there are over one and a half million single-parent families in Canada. These families got help from the child tax credit, but they will not get a dime from this income splitting scheme.

Why are the Conservatives scrapping a program that helped single parents and replacing it with an income splitting scheme that will leave these single-parent families, some of Canada's most economically vulnerable families, out in the cold?

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, single-income families will benefit from the new family tax credit. The increased and expanded universal child care benefit will benefit every family with children under six and families with children from six to under 18. There will also be an increased child care expense deduction, and of course, there is the doubling of the children's

fitness tax credit. Every one of the more than four million families with children will benefit from these great measures.

* * *

[Translation]

CONSUMER PROTECTION

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, the Conservatives would have us believe that lowering Visa and Mastercard transaction fees charged by merchants will benefit consumers. However, the reality is that transaction fees are being lowered by just 10%. Canadian merchants will still pay some of the highest fees in the world.

There is no guarantee whatsoever that the voluntary measures taken by credit card companies will trickle down to consumers.

Why do the Conservatives continue to allow credit card companies to self-regulate?

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, these commitments represent a significant reduction for merchants, and, we hope, for consumers too.

[English]

The government is very much supporting the agreement and the CFIB applauds the end of the credit card arms race. It said, “Canada’s small business community is hailing new commitments that could bring an end to ever-increasing credit—

The Speaker: The hon. member for Sudbury.

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, the fact is that this voluntary action by the credit card companies will not change a thing. While the minister was pleading with Visa and MasterCard to lower their fees by 10%, payment processor Chase Paymentech sent letters to small businesses raising their processing fees by 10%.

One uncompetitive fee goes down, another one goes up, and Canadians keep paying the highest fees in the world. Why could the Conservatives not bring in common sense regulations that would actually make a difference for small businesses?

Hon. Joe Oliver (Minister of Finance, CPC): Mr. Speaker, I am not sure why the NDP members are opposed to a 10% reduction in credit card fees. This is promised by Visa and MasterCard, which represent over 90% of the market. Let me quote from the Retail Council of Canada. “[T]his is an important first step towards ending the escalation of credit card fees”, according to Diane Brisebois, chief executive of the council.

This is a very good measure.

*Oral Questions***TELECOMMUNICATIONS INDUSTRY**

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, the minister should talk to the Small Business Matters coalition and it will give him a reality check on today's announcement. There is nothing to address hidden fees, nothing to address the egregious refund fees, nothing to do with the proliferation of the premium cards. It is just, again, a voluntary code that is toothless.

Canadian consumers are also upset. As they will tell the minister, they are fed up with the way they are being treated by the telecoms and the banks. The government announces with great fanfare one of its voluntary codes that apparently makes cellphone contracts clear, but the ombudsman put out a report today that complaints about misleading contracts are about 75%. When will they stop the unfair—

The Speaker: The hon. Minister of Industry.

• (1450)

Hon. James Moore (Minister of Industry, CPC): Mr. Speaker, we have taken a number of actions when it comes to the telecom policy that have clearly benefited Canadian consumers and the evidence is right before the member if he chooses to read it. The Wall report, which is the authoritative report on Canada's telecom industry, reports that our government's measures on spectrum transfer licences, on our spectrum auctions, on our tower sharing policy, everything that we have done to inspire competition, have led to a reduction in the average cellphone bill for Canadian consumers by 22%. We are delivering for Canadians.

[Translation]

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, Canadians get suspicious when the Conservatives talk about protecting consumers. Aside from a few cosmetic measures, the Conservatives have refused to discipline the banks and major telecommunications companies that too often abuse their power.

For example, the number of complaints about cell phone contracts have increased by 75% in the past year alone, mostly because contracts are unclear.

Why do the Conservatives refuse to intervene to better protect consumers?

Hon. James Moore (Minister of Industry, CPC): Mr. Speaker, that is not the case. We have implemented a number of measures to protect the interests of consumers.

[English]

It is very interesting. It is the same question in English and in French, but members complain that the number of complaints against telecommunication firms has gone down because our government has put in place measures to stand up for consumers. Therefore, because consumers are better protected, complaints are going down and somehow this is evidence that consumers are not being defended.

The fact is, because of more competition, because we have put in place measures that protect Canadian consumers, complaints are going down and prices are going down. There is more competition and Canadians are winning.

FOREIGN AFFAIRS

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, yesterday we became aware of a disgusting video showing a group of young ISIL men laughing and joking while they wait to buy Yazidi women in the ISIL slave market. This video truly drives home the depravity and barbarity of ISIL as it rampages through Syria and Iraq. Untold thousands of women and children have been captured by ISIL to be parcelled out as sex slaves.

Can the Minister of Foreign Affairs please tell us what Canada is doing to help address this horrendous crime?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, on human trafficking, Canadians can be very proud of the leadership of the member for Kildonan—St. Paul.

Canada is assisting ISIL's victims of sexual violence. A team of experts will arrive on the ground this week. Another team conducting investigations and victim outreach will deploy shortly after that. Humanitarian and military assistance are not exclusive. That is why this government is participating with France, with the United Kingdom, with the United States, to try to stop the terrorists from doing these barbaric practices.

As the president of France said yesterday, we will not sit idly by with these types of barbaric activities. We are trying to stop it.

* * *

[Translation]

CBC/RADIO-CANADA

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, yesterday, the parliamentary secretary swore that CBC was entirely the master of its own decisions. That is great, but I have here the minutes of the November 25, 2013, board of directors meeting, which proves the contrary. The minutes say that, and I quote, "Board members inquired...whether the minister's office has raised issues in relation to some on air personalities".

How can the parliamentary secretary claim that CBC is independent when the board of the directors is constantly catering to the minister's whims when it comes to programming?

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I thank my colleague for the question, but his comments were made completely out of context.

CBC is fully responsible for its own operational decisions. As far as CBC/Radio Canada's decisions are concerned, again, two measures were mentioned in the papers. They talk about a well-known sovereigntist in the country who was criticized. The entire country was there for that discussion and CBC admitted that it was wrong. We support them, but this is their decision.

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, since we are talking about all manner of things, let us also talk about the tailor who has to close shop because of a \$67,000 debt.

Let us look at the facts. At least 9 of the 12 members of the board of directors are Conservative Party donors. The Minister of Canadian Heritage talks directly to the CEO when the programming does not suit her. We also have a board of directors that wonders what the minister might think about the programming. That is grossly inappropriate.

Is the minister surprised by the fact that today four CBC unions are calling for the resignation of her henchmen who are there to dismantle our public broadcaster? Enough is enough.

• (1455)

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, there are a number of issues with what the hon. member just said. Let us talk about what the hon. member just said about a program called *Hard*.

Although our government does not control CBC/Radio-Canada's programming, the explicit sexual nature of this program in particular, which was available 24 hours a day, seven days a week and accessible to children, raised concerns not only in our government, but also at Radio-Canada. In this particular case, the CRTC has rules that were not followed and Radio-Canada decided to pull that show.

* * *

QUEBEC BRIDGE

Mr. Denis Blanchette (Louis-Hébert, NDP): Mr. Speaker, the mayors of Lévis and Quebec City held a joint press conference yesterday to denounce the disgraceful state of the Quebec Bridge. Like the NDP, they are calling on people to mobilize in support of repairs to the bridge.

Unfortunately, the federal government is spending more time and money on legal battles with CN than on its efforts to maintain the bridge.

Will the Minister of Infrastructure, Communities and Intergovernmental Affairs pledge today to set aside the legal battle and find a long-term solution by the end of the year?

[English]

Mr. Jeff Watson (Parliamentary Secretary to the Minister of Transport, CPC): Mr. Speaker, with respect to the decision, obviously the government is disappointed with the first decision and officials are looking into that ruling. We are waiting for a second part of the judgment before commenting further on the ruling. However, we continue to believe that CN should have respected its agreement regarding the condition of the paint of the bridge and we agree with the mayors of Lévis and Quebec City that CN is responsible for painting the bridge.

[Translation]

Mr. Denis Blanchette (Louis-Hébert, NDP): Mr. Speaker, an entire region is sick of what is and is not happening at present.

The Quebec Bridge is at risk if we allow rust to erode the structure. The minister's job is to pick up the telephone and come to an agreement with CN's boss. It is not complicated.

The farce has gone on long enough. It is time to put a coat of paint on the Quebec Bridge and it is time for the minister to do his job.

Oral Questions

Will the minister reach an agreement with CN, or is he actually saying that the railway companies can do whatever they want?

Mr. Jeff Watson (Parliamentary Secretary to the Minister of Transport, CPC): Mr. Speaker, once again, we are disappointed with this ruling. Officials are looking into the ruling. We are waiting for the second part of the judgment before commenting further.

However, we continue to believe that CN should have honoured its agreement concerning the condition of the paint on the bridge.

* * *

CHAMPLAIN BRIDGE

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, there are any number of ways to celebrate the glory of the "Rocket", Maurice Richard. People have suggested the "Maurice Richard Bell Centre" and the "Maurice Richard Highway 50".

Does the Prime Minister finally understand why the Champlain Bridge must be called the "Champlain Bridge"?

Does he realize that Samuel de Champlain was nothing less than the founder of Canada, according to the great historian Marcel Trudel? Does he realize that it was Champlain who bestowed upon Canada its ideal of being a land of tolerance that achieves success through diversity?

Hon. Denis Lebel (Minister of Infrastructure, Communities and Intergovernmental Affairs and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, of course we are aware of the concerns about the name of the bridge to be built across the St. Lawrence.

No decision has been made yet, and I think it is a shame that anyone would attempt to pit two great historical figures, Samuel de Champlain and Maurice Richard, against each other.

If the member were really so proud of the Champlain Bridge, he would have maintained it when he was responsible for it.

* * *

[English]

THE ENVIRONMENT

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, yesterday at a press conference with President Hollande, the Prime Minister added as a point of information that Canada had reduced its emissions from the oil sands by over 40%. Really? The fact is that emissions will have risen dramatically from 34 megatonnes to 101 megatonnes by 2020.

Was that a point of information or was it a point of misinformation?

• (1500)

Hon. Leona Aglukkaq (Minister of the Environment, Minister of the Canadian Northern Economic Development Agency and Minister for the Arctic Council, CPC): Mr. Speaker, we are very proud of our record. We are a co-founding member of the Climate and Clean Air Coalition. We have made significant investments to help support green energy and infrastructure internationally. We provided \$1.2 billion to developing countries to address climate change.

Oral Questions

Thanks to our actions, carbon emissions will go down close to 130 megatonnes from what they would have been under the Liberals, without introducing a carbon tax.

* * *

VETERANS AFFAIRS

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, last year, the Minister of Veterans Affairs asked the veterans affairs committee to do a comprehensive study on the new veterans charter, which is exactly what it did. The committee unanimously adopted 14 recommendations, recommendations that in some cases are two to three years old already. Six months after the report was tabled in the House, the Minister of Veterans Affairs' response was that we need more study.

I would like to remind the government and the Minister of Veterans Affairs that veterans can no longer wait. A benefit delayed is a benefit denied. When will the government move on the recommendations of the unanimous report?

Hon. Julian Fantino (Minister of Veterans Affairs, CPC): Mr. Speaker, first, I would like to thank the member and indeed all members for their approach during the past few weeks. It is times such as this when politicians actually become parliamentarians. I salute the member and indeed all members for their hard work.

To his question, I responded to the committee's report with a phased response. We are working on that.

However, this week, we focus on remembrance, something I am sure that the hon. member and all of us here enthusiastically support.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, I thank him for the comments, but I do remind the minister that every day for those who serve our country is Remembrance Day.

One of the most important things is to ensure that our disabled veterans and their families, and those of the RCMP, have the benefits that they require in a timely fashion. Unfortunately, the bureaucracy that is within the department delays many veterans' benefits. Again, a benefit delayed is a benefit denied.

The Legion recommended most of these recommendations. The ombudsman recommended these recommendations years ago. When is the government, once again, going to move on these recommendations so that all of us can help the people who serve our country so valiantly?

Hon. Julian Fantino (Minister of Veterans Affairs, CPC): Mr. Speaker, the reality is that we have been moving all along over the last number of years to increase benefits for veterans and their families. Our government believes that veterans should have robust medical treatment and rehabilitation opportunities. Veterans who are seriously injured should be receiving significant financial benefits each month, in addition to retraining opportunities. All these things are at play, and have been. Our government supports these principles.

This week I call on all members to hold off on their politics and focus their energy on remembrance.

JUSTICE

Mr. Rodney Weston (Saint John, CPC): Mr. Speaker, in June, Canadians across the country were shocked and horrified as they learned of the tragic and cowardly acts of violence carried out against RCMP officers in Moncton, New Brunswick.

Constables David Ross, Fabrice Georges Gevaudan and Douglas James Larche dedicated their lives to the protection and safety of their communities and paid the ultimate sacrifice for their country.

On Friday, the person responsible for these heinous crimes was given a life sentence, with no chance of parole for 75 years. Could the Minister of Justice please inform the House how this sentence was made possible?

Hon. Peter MacKay (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I know the member for Saint John will agree that the loved ones of these victims want assurances that our criminal justice system has the tools it requires to ensure that those who commit violent offences face the full force of the law.

In 2011, we passed legislation making it possible for judges to impose consecutive prison terms on individuals convicted of multiple murders. Friday's sentences are a result of that work. In fact, our government will continue to proudly stand up for all victims and those Canadians who abide the law.

* * *

EMPLOYMENT

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, the minister knows that in the past year 80% of the jobs that have been created are part-time jobs. He also knows there are 66% more Canadians working for minimum wage since his government took power. He should also know we have the third highest proportion of low-wage jobs among the richest countries in the world. This is nothing to be really proud of.

Is the minister not troubled that one in six Canadians who go to a food bank come from the working poor? Honest Canadians trying to feed their families are being forced to go to food banks. Does this not trouble him?

• (1505)

Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC): Mr. Speaker, of course, we would all like not a single Canadian to be in need. The good news, however, is that we have seen the number of low-income families reduced under our government, particularly low-income families with children are down significantly since the previous Liberal government. This was underscored by none other than UNICEF last week, which commended Canada for world leadership in reducing child poverty.

The measures announced by the Prime Minister last week, the enormous enhancements to the universal child care benefit, will further assist low-income families by giving them benefits of up to \$1,800 for each family member under the age of six.

NATURAL RESOURCES

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, this week, a respected energy executive with 40 years of experience in the sector, including as a deputy minister, former CEO of BC Hydro and former chair of Manitoba Hydro, dropped out of the National Energy Board review of the Kinder Morgan pipeline, calling the process fraudulent and a public deception.

He is not the first to raise concerns about the weakened NEB review of Kinder Morgan. Why have the Conservatives created a project review process that shuts out community voices?

Mrs. Kelly Block (Parliamentary Secretary to the Minister of Natural Resources, CPC): Mr. Speaker, this is a matter for the independent National Energy Board. The National Energy Board must hear from those who are directly affected by a proposed project and may choose to hear from those with relevant expertise on the matter.

We have been clear. Projects will only proceed if they are safe for Canadians and safe for the environment.

* * *

VETERANS AFFAIRS

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, this Remembrance Day, who will you remember?

I for one will remember my great uncles, Robert and James Calkins, who are buried respectively in Italy and Korea. I will remember Byron Greff, the last soldier to die in Afghanistan. He was from my hometown of Lacombe, Alberta.

Would the Minister of Veterans Affairs please update the House on the new social media campaign “Who Will You Remember?”

Hon. Julian Fantino (Minister of Veterans Affairs, CPC): Mr. Speaker, I thank the hon. member for his regard for our veterans. This Remembrance Day is an opportunity for Canadians, but especially members in this place, to join together to remember a friend, a family member, or whomever they know and respect who has and continues to serve in the Canadian Armed Forces.

I encourage all members to put stories forward on their Facebook or Twitter accounts using #whodoyouremember.

I for one will remember those brave Canadian soldiers who liberated my hometown during the Second World War.

On this Remembrance Day, we will remember them.

* * *

[Translation]

NATURAL RESOURCES

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, if we are to have a healthy debate on pipeline projects, people must have access to relevant documents in the official language of their choice. As has happened in the past, the National Energy Board released much of the 30,000 pages of energy east documentation in English only. A unilingual farmer from Quebec City's south shore felt shortchanged by this and complained to the board.

Government Orders

How can the government say that people will be consulted if they cannot read the documents about the energy east pipeline?

[English]

Mrs. Kelly Block (Parliamentary Secretary to the Minister of Natural Resources, CPC): Mr. Speaker, our government welcomes, in principle, the prospect of shipping western Canadian oil to eastern Canada.

The independent National Energy Board is undertaking a thorough scientific review of this project. We will rely on the science and the facts, not ideology, when making decisions on infrastructure projects.

That is why we will wait for the open and transparent review process rather than jumping to conclusions.

* * *

[Translation]

CANADIAN HERITAGE

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, yesterday President Hollande saluted the vitality of Quebec culture in North America. However, the bankruptcy of La courte échelle publishing house is a reminder that the Quebec nation does not have control over its culture. It is subject to Canadian priorities, and tough luck for Quebec's creators.

After years of fighting to have a model that was respected by all stakeholders, now some 500 authors and illustrators have discovered that because of a federal law, the interests of the bankruptcy trustee will prevail over those of the artists.

What does the government plan on doing to give Quebec creators what is rightfully theirs?

• (1510)

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as we have said time and time again, arts and culture define who we are as Canadians. We are proud to support the creation, presentation, publication and dissemination of arts and culture throughout the country. In fact, we are the only G7 country that did not reduce direct funding to artists during the global economic recession. We continue to support the arts and culture.

GOVERNMENT ORDERS

[English]

WAYS AND MEANS

INCOME TAX ACT

Hon. Joe Oliver (Minister of Finance, CPC) moved that a ways and means motion to amend the Income Tax Act, be concurred in.

The 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.

Government Orders

The Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the yeas have it.

And five or more members having risen:

The Speaker: Call in the members.

• (1550)

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

(Division No. 269)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Aspin	Baird
Barlow	Bateman
Benoit	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Crockatt
Daniel	Davidson
Dechert	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Falk
Fantino	Fast
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Goldring	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	James
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Maguire	Mayes
McColeman	McLeod
Menegakis	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
Obhrai	O'Connor
Oliver	O'Neill Gordon
Opitz	O'Toole

Paradis	Payne
Poilievre	Preston
Rajotte	Reid
Rempel	Richards
Saxton	Schellenberger
Seeback	Shea
Shiple	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Trost
Truppe	Uppal
Valcourt	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Yurdiga — 152

NAYS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
Ayala	Bélangier
Bellavance	Bennett
Benskin	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Brahmi	Brison
Brosseau	Byrne
Caron	Casey
Cash	Chan
Charlton	Chicoine
Chisholm	Choquette
Christopherson	Cleary
Comartin	Côté
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Doré Lefebvre
Dubé	Dubourg
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseau	Easter
Eyking	Foote
Freeland	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Goodale	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hyer	Jones
Julian	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
McKay (Scarborough—Guildwood)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mulcair
Murray	Nantel
Nash	Nicholls
Nunez-Melo	Pacetti
Péclet	Perreault
Pilon	Plamondon
Quach	Rafferty
Rankin	Ravignat
Raynault	Regan
Saganash	Sandhu
Scarpaleggia	Scott
Sellah	Sgro

Simms (Bonavista—Gander—Grand Falls—Windsor)
 St-Denis
 Stewart
 Sullivan
 Toone
 Trudeau
 Valeriotte— 123

Stoffer
 Thibeault
 Tremblay
 Turmel

PAIRED

Nil

The Speaker: I declare the motion carried.

* * *

[*Translation*]

PRIVILEGE

MEMBER FOR PETERBOROUGH—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the question of privilege raised yesterday by the House Leader of the Official Opposition as well as the hon. Leader of the Government in the House of Commons, regarding the right of the member for Peterborough to sit and vote in the House.

I would like to thank the Leader of the Opposition and the hon. Leader of the Government in the House of Commons for having raised this, and the member for Winnipeg North for his intervention.

In raising this question of privilege, the opposition House leader explained that, on October 31, 2014, the Ontario Court of Justice found the member for Peterborough guilty on four charges under the Canada Elections Act in connection with the 2008 federal election. Though the act provides that the member should therefore no longer sit in the House, the opposition House leader maintained that it was solely for the House to determine the composition of its membership, and as such, it should be seized of this important matter.

[*English*]

For his part, the hon. government House leader further affirmed the authority of the House in determining whether a member may continue to sit and vote, and proposed an approach whereby the Standing Committee on Procedure and House Affairs would study the matter.

As with any question of privilege, the Speaker's role is to determine procedural matters, not matters of law, and is ultimately limited to determining whether, at first glance, the matter raised is of such significance as to warrant priority consideration over other House business.

The right of a member to sit and vote in the House is of fundamental importance, as it is at the very core of the collective privileges of members. As I stated in my ruling of June 18, 2013:

The right—in fact, the absolute need—for members to be able to sit and vote in the House is so integral to their ability to fulfill their parliamentary duties that it would be difficult for the Chair to overstate the importance of this issue to members individually and to the House as a whole.

Further, *House of Commons Procedure and Practice*, second edition, clearly states that it is only the House that can determine matters affecting its own membership. On pages 244 and 245, it states:

Once a person is elected to the House of Commons, there are no constitutional provisions and few statutory provisions for removal of that Member from office. The statutory provisions rendering a Member ineligible to sit or vote do not automatically

Privilege

cause the seat of that Member to become vacant. By virtue of parliamentary privilege, only the House has the inherent right to decide matters affecting its own membership. Indeed, the House decides for itself if a Member should be permitted to sit on committees, receive a salary or even be allowed to keep his or her seat.

As can be seen in this citation, the House reserves for itself a range of remedies it may wish to impose in a given situation.

In the present case, both members who have raised what is essentially the same question of privilege have chosen to read into the record the motion they propose to move should I arrive at a finding of *prima facie*.

As always in matters of this kind, the Chair's focus is on process, and my role is limited to making a determination of whether the matter is of sufficient gravity and importance to warrant being debated immediately.

In this light, it is evident to me that this is a *prima facie* case of privilege, and, as such, I have concluded that it merits immediate consideration by the House.

Given the rare and exceptional nature of the circumstances, I will leave it to the House to determine the nature of the remedies it wishes to explore.

Accordingly, as is the practice where two members have raised the same question of privilege, I will now invite the hon. opposition House leader, who was the first to raise it, to move his motion.

REFERENCE TO STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I move:

That, with regard to the guilty verdict of October 31, 2014, against the member for Peterborough on four counts of violating the Canada Elections Act, (a) the House immediately suspend the member of (i) the right to sit or vote in this place, (ii) the right to sit on any committee of this place, (iii) the right to collect his sessional allowance as a member of Parliament; and (b) this matter be referred to the Standing Committee on Procedure and House Affairs for further study of appropriate measures concerning the member for Peterborough's membership in the House of Commons.

• (1555)

[*Translation*]

He said: Mr. Speaker, I would first like to say that I will be sharing my time with the hon. member for Toronto—Danforth, who will deliver the second part of my speech.

This is an unprecedented situation in our history. Before I present my arguments in support of our motion, I would like to take a few minutes to talk about what happened on October 31.

[*English*]

Since we are talking about something that is rare in the House, unprecedented, I think it is useful to start off the important debate on this issue by citing the various violations of which the member for Peterborough was convicted last Friday.

First off, the member for Peterborough was found guilty of personally paying an election expense, thereby willfully exceeding his contribution limit, contrary to subsections 405(1), 497(3), and 500(5) of the Canada Elections Act. Just to reference those important subsections, 405(1) says, very clearly:

No individual shall make contributions that exceed

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(a) \$1,000 in total in any calendar year...;

(a.1) \$1,000 in total in any calendar year to the registered associations, nomination contestants and candidates...;

Every person guilty of that offence, knowingly contravening these subsections, is guilty of an offence under sections 481 and 482.

Second, the member for Peterborough and his official agent were found guilty of willfully incurring election expenses in excess of the campaign expense limit, contrary to subsections 443(1), 497(3), and 500(5) of the Canada Elections Act. Subsection 443(1) stipulates:

No candidate, official agent of a candidate or person authorized under paragraph 446(c) to enter into contracts shall incur election expenses in an amount that is more than the election expenses limit calculated under section 440.

This is an important part of the Canada Elections Act and is an extremely important violation the member has been found guilty of.

Third, the member for Peterborough was found guilty of providing an electoral campaign return containing a false or misleading material statement in omitting to report a campaign contribution, an election expense, contrary to paragraphs 463(1)(a) and 497(3)(v) and subsection 500(5). Again, 463(1) stipulates very clearly:

No candidate and no official agent of a candidate shall provide the Chief Electoral Officer with a document referred to in subsection 451(1) or 455(1) that (a) the candidate or the official agent, as the case may be, knows or ought reasonably to know contains a material statement that is false or misleading;...

Finally, the member for Peterborough has been found guilty of providing a campaign return that did not substantially set out the required information by omitting to report a campaign contribution and election expense, contrary to paragraphs 463(1)(b) and 497(3)(v) and subsection 500(5).

Among the convictions on three counts, the final count was stayed, at the crown's request, following the finding of guilt.

Each of the three counts of which the member for Peterborough was found guilty carries a maximum penalty of \$2,000, one year in prison, or both.

This is not a little event in the life of the House of Commons. There is a serious criminal conviction, in three cases, under the Canada Elections Act. The judge stated that the evidence provided by the member for Peterborough was incredible and full of inconsistencies and improbabilities and that the member for Peterborough frequently obfuscated.

Justice Lisa Cameron was very clear in terms of the guilty verdict she rendered on three counts for the member for Peterborough. What was the response from the member for Peterborough? I heard it myself on the radio. The member for Peterborough said that it was just her opinion.

• (1600)

This is not a matter of opinion. This is a matter of the law of the land not being respected by the member for Peterborough. The House is now seized with this question and has to make a decision about what comes next. There is no doubt that this is a serious violation of the Canada Elections Act, and it should be treated seriously.

Yesterday we had, from the government, its initial response on how it is going to respond to the important issue of convictions on three counts of violating the Canada Elections Act. I am certainly not going to reproach the government House leader for being very clear on where the government wants to go, but I think it is important to note that the government said very clearly that it wanted to do nothing. The Conservatives want to tuck it under a carpet and refer the whole matter to the procedure and House affairs committee.

On this side of the House, we believe that the serious violations of which this member has been convicted require serious measures. That is why we are putting forward a motion today that says very clearly, given the serious violations of the Canada Elections Act, that this House should immediately suspend the member.

That is our approach. The government has seemingly not wanted to take this approach. Seemingly, the government has said, no, it just wants to tuck it over to the procedure and House affairs committee. We disagree profoundly with that approach. We believe that these serious violations demand a serious response from this House of Commons.

Given the current government's track record, it is not surprising that the Conservatives would want to, in effect, by putting it over to the procedure and House affairs committee, try to sweep this under the carpet. However, when we couple this with what we have seen as a systematic pattern of behaviour by the Conservative government, members can begin to understand why we are concerned that the government's approach is to tuck this away in a committee rather than deal with a very serious series of violations and a guilty verdict that is very clear on three counts. Rather than tucking it under the carpet, we believe that serious measures are required.

On the Conservative government's history, when we look at the last three federal elections, I think, to a certain extent, there is diminished public trust in how the government approaches violations of the Canada Elections Act.

In 2006, the first election in which the current Conservative government was elected, we had the in-and-out scandal. What we saw following that were a number of Conservative Party operatives found guilty of breaking Elections Canada rules. They had to pay more than \$52,000 in fines. Taxpayers spent more than \$2.3 million for the investigation, which led to a five-year legal battle.

For the 2008 election campaign, we have the conviction we have just seen. The member for Peterborough has been convicted on three counts.

In 2011, we saw the robocall scandal. A former Conservative staffer has been found guilty. We have also seen the former member of Parliament, the former minister from Labrador, very clearly overspending and seeing that the Canada Elections Act did not apply.

There has been a systematic pattern of breaking the Canada Elections Act.

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The Canada Elections Act is a fundamental Canadian value. It sets a level playing field for all candidates. It sets the rules for our democracy. Given these systematic violations we have seen over the course of the last few years, we say that on this case now coming before the House, it is important for the House of Commons to say that it is a serious violation. These three counts are serious in nature, and as a result, the House of Commons should be moving to immediately suspend the member from the right to sit or vote in this place, the right to sit on any committee in this place, and the right to collect his sessional allowance.

I have two final points I would like to make.

First, the procedure and House affairs committee is now nine months behind on its consideration of Motion No. 428.

Second, as we saw today, and as the leader of the official opposition mentioned, on Bill C-518, what we have seen is the government moving to extract from the Canada Elections Act a series of violations that would lead to the end of the sessional allowance. We do not stand for that on this side of the House, and the member for Toronto—Danforth will comment further.

• (1605)

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I listened to the member's position on this, which represents the position of the official opposition. My concern is whether the official opposition is ever going to allow the member for Peterborough to come and address the House on this issue, which affects him.

Second, we are talking about a judicial decision. That judicial decision could conceivably be appealed. In the media, the member has said that it might be appealed. There is an appeal period. I would assume that it is something like 30 days. It is conceivable that if it were appealed, this decision could be reversed.

My question to the member is whether what he is suggesting is premature.

Mr. Peter Julian: Mr. Speaker, the incidents occurred in 2008. I think it is a little passing strange that the Conservatives are saying that we are moving too fast, when there have been convictions on three counts.

More important is the reaction. After Justice Lisa Cameron said that the member for Peterborough had offered incredible evidence, full of inconsistencies and improbabilities, and that the member for Peterborough had frequently obfuscated, the member for Peterborough responded that it was just her opinion.

It is quite obvious to me that the member for Peterborough does not understand that in a court of law, he has brought forward his evidence, and he has been convicted now on three counts of violating the Canada Elections Act.

Conservatives will say that we should not do anything until the next election campaign. We think that shows profound disrespect for Canadians and profound disrespect for the people of Peterborough, and that is why we are moving the motion today.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, there are so many different issues one could get engaged in when dealing with the Canada Elections Act. What is important is that we keep it as simple as possible going forward.

When I look at the Canada Elections Act, it is very precise in terms of its requirements when someone has been convicted. It states:

Any person who is convicted of having committed an offence that is an illegal practice or a corrupt practice under this Act shall, in addition to any other punishment for that offence prescribed by this Act, in the case of an illegal practice, during the next five years or, in the case of a corrupt practice, during the next seven years, after the date of their being so convicted, not be entitled to

(a) be elected to or sit in the House of Commons...

I am wondering if the member can bring it right back to the simplicity of the act and what the act requires this House to do.

Mr. Peter Julian: Mr. Speaker, this is the point we are making today in the House of Commons. It is very clear.

The government saying yesterday that it wants to put it off to the procedure and House affairs committee, which is still considering referrals it received in January 2014 and has not dealt with, is inappropriate. There need to be some initial steps, although procedure and House affairs will eventually be called upon to deal with some of those issues.

The other thing that obviously concerns us is the golden parachute and the decision this morning by Conservatives to actively shift on Bill C-518 so that in the case of the member for Peterborough, he would have a full right to his pension. They made two important amendments. I know my colleague, the member for Toronto—Danforth, will speak to this in just a moment.

It adds up to a golden parachute. We think that is a completely inappropriate response by Conservatives to what has been a conviction on three counts in a court of law on serious violations of the Canada Elections Act.

• (1610)

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, this motion is obviously very important for Canadians to be assured that there is proper accountability for elected representatives, members of Parliament, in the House.

The balance has to be struck between fairness to the member for Peterborough and the dignity of this place, frankly. The motion of my colleague from Burnaby—New Westminister is two-part. The first part basically calls for voting on the motion for an immediate suspension. The second part is for the matter to be referred to the procedure and House affairs committee, where other elements will be considered. These include, for example, whether an expulsion should occur and on what conditions and timing, and how matters such as pensions should be dealt with in light of the existing statutory framework and what the committee recommends as right, as a matter of general parliamentary procedure.

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The issue boils down to how the House will give effect to section 502 of the Canada Elections Act. Section 502(3) of the Canada Elections Act refers to any offence that also qualifies as “an illegal practice or a corrupt practice”. A list is also provided in section 502. It includes wilfully contravening section 443, exceeding election expenses limit. Where we have such a practice, for a period of at least five years for an illegal practice and seven years for a corrupt practice, the person convicted is no longer entitled to be elected or to sit in the House of Commons.

The question becomes that the statutory provision is there for us to take seriously, but of course we are within our own realm. Within Parliament, the Speaker has made it clear that, whatever a statute says, the House has to independently decide to act on the statute. When it does so, there is a fair bit of interpretive work that needs to be done.

One piece of interpretation is what the word “conviction” means in section 502. Does it simply mean that the effects of section 502 must be felt immediately, or as immediately as the House acts on section 502? Is it upon a trial judgment entering a conviction? Alternatively, does it mean conviction once all appeals have been exhausted? Let us call that a perfected conviction, so that there is no chance left for the person who has been convicted to be discharged or acquitted.

Quite obviously, that is something that the procedure and House affairs committee will have to deal with on this motion. What is the best interpretation, and what jibes with common sense in terms of what the best outcome is?

Another interpretive question will be what the impact is when we act on section 502. Let us just say that the decision is to remove the member from the House. Does that count as an expulsion in some formal sense, or does that count as vacating the seat? It might matter, because the Members of Parliament Retiring Allowances Act currently provides that, if a member is expelled from the House, the pension is lost. If this qualifies as some other kind of act on our part, however, even though the person would be removed by the House, it is possible that the pension would be kept.

That is a separate issue from what I will speak to at the end, about what happens if the member for Peterborough decides to resign before the House can act along the lines of removal.

It is really important that we keep in mind that there are some precedents from recent times that are not direct, but relevant. We had the case dealing with the letter sent by the Chief Electoral Officer to the Speaker and what effect that should have in terms of the right to vote and sit of two members of the House, which raised a point of parliamentary privilege. There was a tussle in the House on whether the House should wait for judicial review or whether the effect should be immediate. As a result, the so-called “Fair Elections Act” has made it clear that it does not have an automatic effect until it is clear that the courts have already dealt with it.

●(1615)

We continue to believe that the best interpretation of the act, as it was written, was that the effect was immediate. Of course, that was only a suspension; we are not talking about expulsion. It was completely within the realm of acceptable interpretation to think that

the Canada Elections Act would suspend two members as a compliance measure for co-operating with the Chief Electoral Officer.

Here, we are talking about expulsion, so it is not the case that the member for Burnaby—New Westminster has stood up and moved for an immediate expulsion. He has only moved for an immediate suspension, and that is really important to note. We already have had a degree of due process through the court process and the process leading up to the judge's decision that the member for Peterborough was guilty of the charges. It is not analogous to another case we have recently seen, which is in the Senate where three senators were summarily suspended with virtually no due process in the Senate itself, but also with no conviction in the courts. There was nothing else outside of the Senate to which to refer, to say, “this is a reason for us to suspend them; we can rely on that”. Here, we have something on which we can rely.

I submit that it makes every sense to rely on that up until such time as the faint hope occurs and a conditional or absolute discharge is the sentence instead of something more. At that point, then the suspension could be vacated. PROC can make clear that it would be the effect on this immediate suspension. We do not have to wait for it, though. The burden has already shifted because of the court process and because a judge, in full independence and neutrality, has determined that there is guilt. It is completely reasonable that the member for Burnaby—New Westminster has structured the motion so that there would be an immediate suspension. As for the rest, it would go to PROC, and that includes of course the question of expulsion.

For my part, I am not going to prejudge what we might hear from those better versed than I in parliamentary law and election law, but from my perspective, expulsion should not occur until appeal measures have been exhausted. That would be the position I would be taking, but that is expulsion. Suspension can occur immediately, without an affront to any due process values.

It is also important to note that one of the effects of a suspension is that, at that point in time, the member would not have the right to speak in the House. I would submit that this does not mean the member would not have the right to testify before PROC with respect to what should be done post-suspension. However, as for standing up in this House and, for example, as seems to be the wont of this member, attacking others for what has happened to him, that would not be permitted. That is one salutary effect of suspension.

PROC should be dealing with this forthwith. I have every confidence that is what will happen, given the importance of the matter and given how my friend, the chair of PROC, runs the show. I think it is something that will be taken very seriously.

I would like to end, before moving a motion, by saying that we have come up against an issue here according to which it is possible for the member to resign in order to preempt the effects of an expulsion. If he actually is expelled, and that is technically what happens to him, he does lose his pension under the Members of Parliament Retiring Allowances Act. If he resigns, however, there is a loophole and the bill that is about to come back from committee, Bill C-518, would not change it. It would not apply to the member. Despite some subamendments I moved today, it would not apply because the Canada Elections Act is not included in the list of offences covered, and because the conviction has to have occurred after the act would enter into force. For those two reasons, he would keep his pension if he resigns.

With that, I move:

That the motion be amended to add, after “Commons”, the following:

“, including:

- (i) an expulsion of the Member, should a conviction under section 443 of the Canada Elections Act not be set aside by a competent authority and no further rights of appeal remain available to the Member, together with the appropriate Order, in those circumstances, for the Speaker to issue his warrant to the Chief Electoral Officer for the issue of a writ for the election of a Member to serve in the present Parliament for the electoral district of Peterborough;
- (ii) the appropriate approach respecting the Member's pensions, travel status expense account, insurance and other benefits;
- (iii) the appropriate approach respecting the employment of the staff, and management of the offices, of the Member; and
- (iv) any other questions that arise as a result of this matter and its disposition.”

● (1620)

The Acting Speaker (Mr. Barry Devolin): The amendment is in order.

Questions and comments, the hon. member for Elgin—Middlesex—London.

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, thank you for recognizing me. I felt it important to stand and ask a good friend some questions on this. He has done a great job of sharing his views with us. I respect him and I respect the work he does at committee. I am having a little more trouble with his House leader at the moment.

It was discussed that, if this were to go to the Standing Committee on Procedure and House Affairs, it would be swept under the carpet. I am here to point out that it would need to be a very large carpet.

The other piece that the House leader suggested is that the committee is somehow derelict in its duty and behind in its times. It is one of the few committees meeting in the House every week, each time it is set to meet, and filling its time. I ask if the member for Toronto—Danforth thinks we have been slugging and not getting our work done.

Mr. Craig Scott: Mr. Speaker, being a member of the committee and watching everybody else working very hard, I can say that we are always very busy. We are piled with work all the time. I personally trust that we will deal with this quickly and efficiently, but that is from the perspective of trusting the chair. I very much hope that the entire committee will operate along those lines.

[Translation]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I would like to thank my distinguished colleague for his speech on

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such an important issue that is before the House today. I would also like to thank the Speaker, who just gave his ruling, for his remarks.

The member spoke little about the distinction between suspension and expulsion. I would like him to elaborate on the importance of this term in the motion before us and its repercussions.

For members who will have to take a stance on this motion, why does it propose a suspension, and how is this different from expulsion?

Mr. Craig Scott: Mr. Speaker, I would like to thank the member for his question.

Quite simply, expulsion is permanent. The member loses his status as an MP and becomes an ordinary citizen without the rights conferred on parliamentarians.

When suspended, the member remains an MP, but his rights are restricted. In particular, the member cannot sit in the House, cannot vote and cannot sit on a committee. Accordingly, the member's rights are restricted but he remains an MP.

Therefore, this indicates that there is a problem. The conviction, in and of itself, is sufficient to suggest that the member should be suspended, but not definitively.

● (1625)

[English]

Ms. Yvonne Jones (Labrador, Lib.): Mr. Speaker, my question for my colleague and the NDP is this. You have introduced a motion today that talked about suspending the member based on the conviction and the sections of the act. You have now proposed an amendment that—

The Acting Speaker (Mr. Barry Devolin): Order, please. I did not introduce a motion, so I would ask the member to direct her comments to the Chair.

Ms. Yvonne Jones: Mr. Speaker, I do apologize. My question is this. Now NDP members are proposing an amendment that talks about the expulsion of the member. I would ask why they have changed that thought and why they are introducing that amendment as opposed to making it the official motion moved at the beginning of the debate.

Mr. Craig Scott: Mr. Speaker, the simple answer is that the original motion already contemplated that the expulsion would be dealt with but it was not wrapped into the words of the reference to PROC. Obviously, expulsion was going to be dealt with. What I have done with my amendment is to spell that out, along with several other things that PROC will have to look at. The change is out of respect and deference for the more detailed motion that would have been presented by the government House leader. It is to say that we listened and wanted to incorporate his more detailed language so that we would all be on the same page. There is nothing different about the motion. We just further specified what was the second part of the original motion.

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Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, the Speaker had the benefit of very thorough submissions on this question of privilege yesterday and reached a decision based on them. I want to thank the Speaker for that decision and for doing so on a prompt basis.

I want to restate clearly the government's position. From the outset, I will indicate that the government is of the position that it will support the motion. In particular, we will support the amendment, which as the hon. member for Toronto—Danforth has observed, reflects the contents of the proposed motion that we wished to advance, setting out in detail some of the questions that had to be looked into by the committee on procedure and House affairs, should this be dealt with.

We had extensive submissions yesterday. They were all in a similar direction, that this is a question for the House and that it is appropriate. However, in restating the government's position, I do want to make clear from the outset what our view is and has been.

Section 443 of the Elections Act is the one that is significant. That is the section of the act that contemplates a member being expelled. While there are other convictions, it is that section that does that. There was a conviction under that particular section and I think that is what gave rise to the Speaker's *prima facie* finding of privilege and the question that must be dealt with here in the House.

Of course there is the other question, which is: should appeals be pursued, how does one assure natural justice? The structure we had proposed, which I think is by and large maintained by the motion from the official opposition, is that a suspension in response to the initial finding of the court is appropriate and that a decision on expulsion, finally giving full effect to what the statute contemplates, should await such time as the legal avenues available to the member are exhausted. That is the structure we had proposed and it is essentially the same structure proposed here.

First is a suspension without pay until a final determination or all appeals are exhausted. Then finally, at that point in time, the procedure and House affairs committee can make recommendations to the House on expulsion, but also on a raft of other detailed issues.

We saw this with matters elsewhere that the easy answer, quickly, sometimes leaves out many details that are important and loose ends that need to be tied down. For the benefit of everyone, we want to have some confidence that this can be done. Hence, the other aspects that were put forward in the amendment, which we will happily support.

It is in the interest of the House to reach a timely decision. In moving the motion, obviously the opposition House leader wanted the House to act quickly. I do hope they will permit the House to act quickly and make a determination on this matter. I simply say that in passing.

There have already been some important questions raised by members. In particular, the member for Dufferin—Caledon raised a number of important questions. First, he believes the hon. member should be afforded an opportunity, since it is his future being discussed, to respond to this issue and to have his say before those who are judging him. That is, of course, a fundamental principle of natural justice. It is the principle of *audi alteram partem*.

The House is now seized of this matter. That is not a surprise. It was raised yesterday. Everyone knew there was the likelihood of a decision very quickly. In fact, it was raised in the first instance on Friday and both the opposition House leader and I spoke to it at that time.

If the hon. member desired to exercise his right to speak to this motion he could do so right now in the House. The Speaker would be required to recognize him and give him the opportunity to be heard here. Therefore, that opportunity is afforded to him and in that sense, natural justice is provided.

However, there is a further safety valve available to assure natural justice if people do not think that is sufficient. It is one I referred to yesterday in my submissions. The committee will have an opportunity to deal with these matters, including expulsion and other related matters, and the member will have an opportunity to address those at that time.

The committee will be seized. It will have the full ambit and could potentially recommend to the House that it reconsider its decision because of subsequent judicial matters. For example, if he is fully cleared by the courts on an appeal it could say that he should be restored as a member and no longer suspended. That could be one end of the spectrum, or it could move to the other end of the spectrum and say all appeals have been exhausted, and so on, and now is the appropriate time to expel. Only then, I hope, would it act to do so. However, there will be an opportunity for the hon. member to appear there as a witness and have his case heard.

Therefore, I think we can be confident that the principle of natural justice that people seek to see maintained here, which is a good one, is available both now and ultimately at committee.

● (1630)

The one thing I would also add, and this is something that is not expressed in the motion but certainly one that I hope is implicit in the amendment, is that at such time as that eventuality arises, that all legal dispositions have been played out, I would hope that whatever direction is appropriate from the committee, it would come quickly so that there is nothing left in abeyance, either should he be successful on appeals and so on, that he be restored quickly, or should those avenues of appeal be exhausted, that at that time the recommendations come to the House quickly to deal with the future membership of the member in the House.

With that, and to encourage all members to let this debate come to an end quickly so that the House can vote on the motion, I will complete my comments.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I certainly thank the government House leader for his comments today. I was in the House and heard his comments yesterday. I have copies of what he said yesterday in the House of Commons.

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First off he said it would be premature at this time for the House to suspend. The motion the government was offering yesterday was that all of the matters involving the member for Peterborough be referred to the Standing Committee on Procedure and House Affairs with instructions that it report back to the House with recommendations. No due date was given, not forthwith, but just that at some point procedure and House affairs would report back.

However, there was no immediate action taken on the government motion. Procedure and House affairs was to look at suspension, impacts on the member's pension, travel status expense account, et cetera. Some of these elements, of course, the member for Toronto—Danforth and I have incorporated into the motion we offered, but this is a very clear change from where the government was yesterday.

Yesterday, the government was opposed to suspension. Yesterday, the government did not want to take any immediate action and felt we should refer it to procedure and House affairs.

My question is very simple. What changed the government's mind from yesterday?

Hon. Peter Van Loan: Mr. Speaker, I have to disagree profoundly. The government was never opposed to suspension. In fact, that is what we suggested as the appropriate solution, pending the outcomes of appeals, and that is in fact what we recommended.

We made a case about where it should be determined and the process that should be followed. The Speaker made a ruling on this and invited the opposition House leader to make his motion. That is what has changed; not much. In fact, we are all on the same page.

If the hon. opposition House leader wants to quibble, I could stand here and say, look at his motion. It does not even contemplate expulsion. The one thing the statute talks about, that the member has to give up his seat, is not even in here. What caused him to change his position? What is so dramatic?

That kind of rhetoric may be useful and fun in a partisan way, but I think the matters we are seized with here are very serious. This is not a question of trying to gain that narrow partisan gain. Perhaps he never wanted to expel the member. Perhaps that is where he did not want to go. I will not make that argument because I do not think that is credible, nor are the arguments he is making right now credible.

• (1635)

Ms. Yvonne Jones (Labrador, Lib.): Mr. Speaker, my question is obviously for the government House leader.

Based on your comment yesterday that it would be—

The Acting Speaker (Mr. Barry Devolin): Order, please. I will make this very clear. The hon. member should address her comments directly to the Chair, not the chamber but to the Chair, and speak of the other member in the third person.

Ms. Yvonne Jones: Mr. Speaker, comments made yesterday by the government side obviously spoke to the prematurity of suspending the member. Today, he quotes section 443 of the Elections Act and talks about the support of the government for expelling the member. It is all very confusing, I would say, and it is quite obvious that the government is very torn in terms of what direction it will take on this issue.

I ask the government House leader this. If there is agreement with section 443 of the Elections Act, it would indeed mean that the member would be expelled. Is that what the government supports, and if so, why is it not prepared to proceed with it immediately?

Hon. Peter Van Loan: Mr. Speaker, I will once again state it for the member, which I did at length yesterday, and will do again today. It is reflected in the motion we have proposed, and the amendments and motion from the opposition.

The appropriate disposition is suspension pending the completion of all appeals. The fundamental principle of natural justice is that the hon. member for Peterborough should be allowed the legal rights that are available to him, and I do not think the House should deprive him of those legal rights to pursue an appeal. A suspension also responds to the fact that there is a conviction, a judgment rendered by the court on the question, and that the Speaker has made a decision that this is the appropriate time for the bringing of that *prima facie* motion.

Finally, the questions of administrative issues, pensions, staffing and the like, and how all of that should be handled are appropriate things to be studied by the procedure and House affairs committee, which does that, as well as the question of recommending expulsion at the appropriate time. There is no mystery or confusion; it is all quite simple. It is a serious matter. I think, though, it would be a mistake to go all nine yards forward to expulsion.

I will say one further thing. In the arguments and submissions I made yesterday, I provided precedents, which had the full range, from acting on a suspension immediately to deferring all of these matters to a committee. As I said, the Speaker has provided a decision, we are acting on it and we think the motion in front of us, with the amendments, is quite supportable.

Mr. Erin O'Toole (Parliamentary Secretary to the Minister of International Trade, CPC): Mr. Speaker, I have listened keenly to this debate, including the debate of my friend from Toronto—Danforth who talked about the debate being important to ensure proper accountability of members of Parliament. Then today he supported his House leader's move to immediate action. Despite the fact there remain routes of appeal, they want immediate consequences.

In light of that, there has been a determination with respect to \$1.2 million in mailings and salaries for improper staff. I understand the New Democratic Party is looking to appeal to the Federal Court of Appeal because it does not agree with the decision with respect to the money that is owed the House of Commons.

My question for the government House leader is this. Since the New Democrats want an immediate response, perhaps it would be possible for these monies to be paid in trust to the House of Commons pending the appeals the NDP are launching.

Privilege

The Acting Speaker (Mr. Barry Devolin): The Chair is not sure that the question is relevant to the matter before the House, but I will give the hon. government House leader an opportunity to respond.

Hon. Peter Van Loan: Mr. Speaker, there is perhaps some relevance on the principle of when justice should be rendered, and I will simply restate our position. In this case, we believe that suspension is appropriate until any avenue for appeal is exhausted or the appeal period runs out, whatever the case may be, and to act before that would be premature.

However, there is a big difference between a matter like that, which involves his rights that are very fundamental to sit in the House and the issues related there, and a simple question of a debt owed in a judgment that has been found. If I were the official opposition, I would pay my debts quickly.

• (1640)

Mr. Peter Julian: On a point of order, Mr. Speaker, you were absolutely right to say that was an irrelevant question and, of course, an irrelevant answer. We are going to be debating this over the next little while, and there are a lot of members of Parliament who want to speak to this issue.

The government House leader chided us because we simply raised the points that the Conservatives said yesterday compared to what they said today, saying that we should not be partisan. That was an appallingly inappropriate comment and I hope that you, Mr. Speaker, will rule on the relevancy of that. If the Conservatives are not going to take this seriously, they should be—

The Acting Speaker (Mr. Barry Devolin): Order, please. The opposition House leader raises the issue of relevance and I would agree. If and when during this debate the Chair enforces relevance on members on both sides, then I am sure I will have the support of all other hon. members in this place.

Questions and comments, the hon. member for Saanich—Gulf Islands.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, it is the first opportunity I have had to rise on this debate.

It is very fundamental. This is one of the rules of this place that is so rarely used that we canvassed earlier in the debate by the hon. government House leader. Only five times in the history of Parliament has there been a decision to expel a member, although it could apply to anyone of us, whether a member of the Privy Council or an opposition backbencher.

In this place, in theory, and in principle at least, all of us are equal. There is no absolute rule that on finding of a criminal conviction any particular member has to be expelled.

The appropriate thing is to follow the route as put forward by the official opposition's amended motion to allow the member for Peterborough to defend himself and discuss it among other members of Parliament.

However, there is no denying it or getting around it. I will say freely in this place that especially since the hon. member for Peterborough became an independent, I have had occasion to work more closely with him. I have tremendous sympathy for the situation in which he now finds himself. Except for the fact that he is now

criminally convicted, a judge has found his evidence not credible, that will weigh heavily against him in any appeal. The finding of the trial judge that he was not credible makes it unlikely that he can succeed on appeal.

It is not for us to decide. The courts will decide. However, the people of Canada expect the members of this place to operate to a high standard. It is quite appropriate that we, as a collective group in the House, take the actions that have been proposed. I want to put that position on the record.

Hon. Peter Van Loan: Mr. Speaker, the provision in section 443 contemplates that in the case of an adverse finding that the member would no longer be permitted to have their seat. The jurisdiction remains for the House to make the decision, but it is important for the House to have regard for those particular provisions.

The Acting Speaker (Mr. Barry Devolin): 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 Drummond, The Environment; the hon. member for Saanich—Gulf Islands, The Environment; the hon. member for Kingston and the Islands, Health.

Resuming debate, the hon. member for Winnipeg North.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, with all due respect to the members who have contributed to the debate thus far, I am inclined and convinced that we would be making a grave mistake by not keeping things as simple as possible, moving forward with respect to precisely what is expected us as the House of Commons, which is expel the member for Peterborough.

In our view, the Canada Elections Act is perfectly clear. Section 502 states that someone convicted of an illegal practice under the act is prohibited from being elected or sitting as an MP for five years from the date of conviction.

Let me quote the Canada Elections Act, subsection 502(3), which states:

Consequences of illegal, corrupt practices

(3) Any person who is convicted of having committed an offence that is an illegal practice or a corrupt practice under this Act shall, in addition to any other punishment for that offence prescribed by this Act, in the case of an illegal practice, during the next five years or, in the case of a corrupt practice, during the next seven years, after the date of their being so convicted, not be entitled to

(a) be elected to or sit in the House of Commons; or

(b) hold any office in the nomination of the Crown or of the Governor in Council.

We need to be clear on that point. It does not say from the date that all legal avenues of appeal have been exhausted or some other complicated trigger.

I have listened to the government representatives, in particular the government House leader. I have heard the representations that have been put forward from the official opposition. As much as they want to justify whatever type of actions, such as incorporating the procedures and House affairs committee, it is nothing more than a justification for a position which they are attempting to take.

The Elections Act is very clear. The trigger for the prohibition of being an MP is from the date of conviction. That date of conviction was October 31. For the next five years, the member for Peterborough is currently prohibited from being an MP. The act could not be any clearer than that.

At this point, I would like to indicate, Mr. Speaker, that I will be splitting my time with the member for Labrador.

Let us remember that the Canada Elections Act was passed by Parliament. This is not some foreign body imposing its will on the House; it was the House of Commons that in fact passed the law. It is our law. If Parliament is to have any credibility whatsoever, then the least we are required to do is to follow the laws which we have passed.

It is not acceptable to simply give the member for Peterborough a pass because he is a member of Parliament and he has some friends inside the House. Opposition members have suggested that we study it for a while and see what happens. That is just not credible.

The act is clear. The issue is that the individual in question, the member for Peterborough, needs to and must be expelled. That is what we should be voting on today. The member for Peterborough has been convicted. Under the law, he has no right to sit in the House of Commons for five years. It is as simple as that. That is the law.

• (1645)

Our duty now is to uphold the law, and if we are going to uphold the law, that means there should be a vote to expel the member for Peterborough. If we fail to do this, if we choose to start ignoring the law, then the House puts at risk its own credibility.

We are suggesting that what has been brought forward in terms of the amendments and the motion itself have in fact fallen short of what the law requires us to do inside the House today. Therefore, I would ask if there is unanimous consent that the amendment as proposed be withdrawn and that the original motion be amended by deleting all the words after “immediately” and substituting the following: “Expel the member from the House in accordance with section 502(3) of the act”.

In essence, it would mean that with regard to the guilty verdict of October 31 against the member for Peterborough on four counts of violating the Canada Elections Act, the House would immediately expel the member from the House in accordance with section 502(3) of the act.

I would ask, Mr. Speaker, if you would canvass the House to see if we would have unanimous consent to do what it is that we have been charged to do according to the law.

• (1650)

The Acting Speaker (Mr. Barry Devolin): Does the hon. member for Winnipeg North have unanimous consent to read the motion?

Some hon. members: Agreed.

Some hon. members: No.

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I am going back to the original question that I asked the House leader of the New Democratic Party.

Privilege

Everyone is referring to the time of conviction. The time of conviction may be at the end of an appeal period, because at the end of the appeal period, that is it. However, it could conceivably go to another appeal court, and another appeal court beyond that, or new evidence could be presented and a new trial could be ordered. Anything could happen, yet we are going to drive a spike through this guy's heart right now. I think that is wrong.

My question to the member is on the time of conviction. When is that? When does the member think that is? Is it now? Is it when the appeal period expires? If the member for Peterborough appeals this conviction, is it at that time? If there is another appeal beyond that, is it at that time?

The member for Peterborough has some rights, for heaven's sake. Are we not going to give them to him?

Mr. Kevin Lamoureux: Mr. Speaker, actually, all we have to do is follow the law. The law says “from the date of conviction”. The date of conviction was October 31. The law does not say “from the date that all legal avenues of appeal have been exhausted” or provide some other complicated trigger. The law is very simple and straightforward. Everyone can understand it when it is put in front of us, which is the reason I asked for unanimous consent, which, unfortunately, was denied. I would suggest that if individuals read what the law says, they would know that it compels us to vote on expelling the member.

If other members do not want to expel, then fine, they can vote that way, but at the very least let us attempt to follow the law by putting the motion that is most important, which would compel us to have a vote on the expulsion of the member for Peterborough.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I listened with some interest to our friend from Winnipeg North. He speaks a lot in the House.

On some occasions what we are talking about affects us here in Parliament, as this does, because the law that we are referring to today and the motion of privilege that the Speaker ruled on affects all of us in our conduct and behaviour. It should be established how high the bar is set in the Canada Elections Act on order to be convicted of the crime that the member for Peterborough has been convicted of. I do not think that was in the member's comments. This is a very difficult thing, and it has been since 2008.

My question for our friend from the Liberal Party is around the culture that seems to have been permeating some parts of the Conservative Party. With Mr. Penashue, who was accused of similar things, we saw that the recourse was taken differently.

Is there not some conversation among Canadians in which they worry about the degrading quality and content of what goes on in our elections when they see criminal charges like this successfully brought to a sitting member of Parliament? Is this not something, regardless of our political affiliations, that we should all be seized with? The deterioration of voters' confidence in those they elect to sit in office degrades this very place itself and the integrity of our democratic institutions.

Privilege

•(1655)

Mr. Kevin Lamoureux: Mr. Speaker, I truly appreciate the question that has been put forward. Canadians as a whole have great expectations of their legislators. They want us to do the right thing on issues of this nature and on all things.

In this particular case of privilege, I have tried in the best way I can to simplify it. We have a conviction. The law is clear that upon conviction, the member needs to be expelled. It is only the House that can actually expel the member. We can give a vote of confidence to our election laws by having that vote today.

We need to reinforce the importance of our election laws. We, as legislators, need to follow the law.

The Acting Speaker (Mr. Barry Devolin): Before we resume debate, I must point out that the list of adjournment proceedings questions that was read earlier was in fact incorrect, so I need to do it again.

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 St. Paul's, Aboriginal Affairs; the hon. member for Edmonton—Strathcona, Employment.

Resuming debate, the hon. member for Labrador.

Ms. Yvonne Jones (Labrador, Lib.): Mr. Speaker, I rise to contribute to the debate today. It is a sad occasion and an unfortunate situation for the member and his family, who are directly affected. I am sure none of us in the House take any pleasure in having to engage in debates of this nature. However, we as parliamentarians have been seized with the responsibility of dealing with this issue. While there are many pressing issues in this country that require our attention, we have to make a decision on the issue before us today.

We cannot ignore the facts. This particular issue has been in the media for quite some time. It goes back to 2006. It has been well debated in many circles by many pundits through many broadcasts. There have been a lot of opinions on this issue, as there were on the issue of Peter Penashue, the former member for Labrador.

We live in a country that is governed by the rule of law. We live in a country that takes the rule of law seriously. It is what makes us strong as a country. It is what makes us strong as a democracy. Therefore, when incidents like this happen, and we are confronted with a decision, we do not have a choice. We cannot suddenly ignore the law or bend the law that has been set in this country because of a particular circumstance for a particular person, a particular occupation, or a particular profession.

In this case, an independent, third-party, objective process has been engaged in. We have seen the courts at work. We have seen concerns expressed. We have seen the rule of law being conducted. Witnesses were called. We heard testimony from individuals who were impacted. All of this occurred in an independent, objective, third-party way that was removed from the House of Commons. It is called justice in this country. It is called the judiciary system, which makes those decisions.

Both parties had legal representation. They were able to bring forward their arguments and the facts. At the end of the day, the court rendered its decision. We have confidence in our legal system

to make the right decisions, and we have no reason to believe that this was not the case. On October 31, we had a decision taken by the court, after a tremendous amount of consideration, and we have the verdict we have today. Parliamentarians are now left to look at how we proceed from here.

It is not an easy decision. I previously sat for a number of years in the House of Assembly in Newfoundland and Labrador. I sat through a process that saw four of my colleagues in that chamber convicted and sentenced to serve time. It had to do with illegal spending, how budgets were conducted, and what was appropriate or inappropriate.

This is not a new issue. It is a different issue. It is a different chamber. However, it is not unlike the process in the House of Assembly I served in.

In this particular case, as parliamentarians, we have to look at the sections of the law that govern us.

•(1700)

We have to look at the verdict that has been given on October 31. We have to look at what the impact of that is on the member, and while we take no pleasure in having to look at motions in the House today that look at suspending or expelling the member simply because of the verdict, we have no choice.

In my opinion, our decision should be very clear. When we look at section 443 of the Canada Elections Act, and we look at the fact that the member has been convicted, the next course of action would be to have the member expelled. I know that members opposite want to talk about going through this appeal or that appeal, and those standards are out there, but unless we are going to change the rule of law in the country today that we are governed by, it is very clear that upon conviction a member would be expelled. That is really what this debate in the House is coming down to.

It is no longer a debate of whether it should go to committee and be reviewed. It has come down to a debate among members on whether we should be expelling the member based on the conviction, according to section 443 of the Canada Elections Act and what it states, or whether we should not. Should we give him an opportunity to go through appeals and other processes, but can anyone dispute the fact that we have already had an independent third party process? We have already gone through the court system. A verdict was given on October 31 and the member was convicted.

The decision before us is obvious. My colleague from Winnipeg North's amendment was not accepted to be voted upon by the House. It is unfortunate because his reference to subsection 502(3) is directly related to corruption practices and what happens when there is a conviction for a committed offence and where there are legal and corrupt practices by a member. It is very clear.

It is unfortunate that what I am seeing is a tangled web around this whole issue, where it should not be. If every member were to read these sections of the act and look at the conviction that was passed down on October 31, I do not think we would even be having the kind of debate we are having right now. We would be moving to what we see as expelling the member based on the rule of law under which we pass and practice in this country.

Privilege

I move:

That the amendment be further amended by deleting the words:

“should a conviction under section 443 of the Canada Elections Act not be set aside by a competent authority and no further rights of appeal remain available to the Member, together with the appropriate Order, in those circumstances, for the Speaker to issue his warrant to the Chief Electoral Officer for the issue of a writ for the election of a Member to serve in the present Parliament for the electoral district of Peterborough;”

• (1705)

The Acting Speaker (Mr. Barry Devolin): The subamendment is in order.

Questions and comments, the hon. member for Souris—Moose Mountain.

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, I have heard a lot of debate about the fact that there should be an expulsion. Of course what I hear in the member's motion is not expulsion now but expulsion some time in the future, and for good reason.

First, as I understand the facts, there has not been a sentencing as of yet. There have not been any appeals that have gone forward, obviously, because there has not been a sentence. In fact, there is some suggestion that there may be new evidence introduced that may cause the judge to overturn the decision or do something else, so there may not be the conviction.

I appreciate this is a serious matter, and I appreciate the fact that this House can take some interim steps like suspension. However, before it does something like an expulsion, it should at least adhere to some fundamental principles like hearing from the person whom it is going to expel. We would want to think that there would be that provision.

How can the member say that her proposition is either fair or reasonable, without giving the person in question the opportunity to present himself before some forum to make adequate defence and to indicate what the facts really are?

Ms. Yvonne Jones: Mr. Speaker, again it is another situation where we hear the government talking from both sides.

It was only a little while ago when the government House leader stood in this place and outlined all of the opportunities that the member had to actually stand in the House and make representation of his own case. I would like to remind him of what his colleague has already stated for the House. In fact, the government House leader outlined several occasions on which the member could stand, including right here this afternoon when the member could be standing.

However, notwithstanding that fact, there is always opportunity, and that opportunity came in a court of law. It came in an independent third-party process in this country, a process that Canadians have held up as the very symbol of what this country has been built on. That is the rule of law and following that law and applying that law regardless of who one is or what office one holds. That is what I want to remind the member of, and that is the section of which we speak today.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, before I ask my colleague from Labrador a question, I wanted to say that I think it is rather interesting to hear Conservative members say that the member for Peterborough should be able to speak and defend himself, while they themselves did not give me a chance to defend myself when they were looking into some of our mailings. I was targeted in that case.

Going back to my colleague and her speech, I would like to know whether she thinks it is important to act quickly to show that we are exercising due diligence in the face of such serious issues. I would also like her to explain why it is important to set an example for Canadians who are subject to laws and must abide by them. If they do not comply, they suffer the consequences.

Why is it important for the House to set an example in the case of members of Parliament who do not abide by the law, when the courts have found that these people broke the law?

• (1710)

[*English*]

Ms. Yvonne Jones: Mr. Speaker, the reason we have to act quickly is simply because the law states we must act quickly. It says upon conviction, and that conviction occurred on October 31.

This is not an issue that any of us takes any pleasure in, and I said that right from the beginning. However, what I would say for the hon. member is that we cannot sit in a place where we make laws and then all of a sudden when the time comes to start applying those in a very stringent way, we want to look at what other options there are. I am not into that practice. I do not want to play that game.

All I am saying is that the law in this country is very clear in a situation like this. I have seen it happen in another chamber in which I served. I saw four other people who were convicted and sentenced. There was absolutely no fun in that.

However, I will say that all Canadians deserve to have representation. They deserve to have a voice in this chamber. They deserve to have someone who stands for them. In order for that to happen, that person has to be elected and serving under the current laws that we have in place in this country.

[*Translation*]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I will share my time with my esteemed colleague from Louis-Saint-Laurent.

This is an interesting debate. I am a young member of Parliament—not only in terms of age, but also in terms of the number of years I have served my constituents here in Parliament. I say that because journalists were so fascinated by the unprecedented number of young members in the House, and they would often ask us questions about cynicism to find out what was the most pleasant surprise we experienced in our work and what we found most disappointing.

We have obviously had a lot of pleasant surprises in our ridings. However, I want to focus on the disappointments, since today we are debating a disappointing and extremely problematic situation.

Privilege

When I was asked this question, I said that one thing I found disappointing was going door to door in my riding—and I am sure many of my colleagues experience the same thing—and hearing from constituents that they are proud of our good work and how we represent people, but that they are not interested in politics and do not follow it.

Despite the hard work of every member of Parliament, there is a certain cynicism that is fuelled by actions like those of the member for Peterborough and by the elections fraud convictions. This type of thing contributes to growing cynicism.

Given the public nature of our work, it is easy to fuel this cynicism. In other workplaces, you do not hear about a crime that was committed over and over again in the news. Of course, there are some exceptions. However, since we serve the public and, moreover, this issue is a matter of public interest, it is widely talked about, which breeds more cynicism.

I am not saying that we should not talk about this issue. It is crucial that we talk about it. However, this demonstrates to what degree the actions of one MP, particularly given the history of a political party, or even several political parties, can taint the work of an entire institution and all of its members.

That is why it is really important to take action, as we are doing today by supporting the motion of my colleague, the hon. member for Burnaby—New Westminster, to suspend the member for Peterborough and refer his case to the Standing Committee on Procedure and House Affairs.

Let us be very clear. If the Committee on Procedure and House Affairs examines this issue, this means that the member for Peterborough may be called to appear as a witness, if that is what the committee wants.

The government is claiming that the member did not have the chance to plead his case. However, let us look at how many times a question of privilege was raised, the many questions that were asked in question period, and all of the other opportunities he had to speak up.

What about the fact that he is a member of Parliament and that he has a public forum available to him by way of the media, for example? Did he not have many opportunities to speak out and share his point of view, not to mention the opportunity to be heard in court? He had plenty of opportunities to share his side of the story and he may even have more.

It is completely ridiculous to make him out to be a victim who did not have the opportunity to share his side of the story. This only serves to fuel public cynicism. The actions of the member in question created a perfect storm of cynicism.

It is very unfortunate that we are here debating the suspension of an MP, even though we agree with it. We agree that he should be suspended and that his salary, benefits, MP budget and so on should be cut off.

However, if I am not mistaken, a year ago the Senate was also debating the possibility of suspending Conservative senators and a former Liberal senator.

The fact that we are once again debating the possibility of suspending a parliamentarian demonstrates how prevalent the extremely problematic culture of entitlement has become. There is also a lack of responsibility.

● (1715)

Even though the government seems to be announcing its intention to support our motion, this seeming desire to prove that the member for Peterborough is somehow a victim will only serve to fuel cynicism, as I have said many times before, and entrench this culture that exists in Ottawa and that must change.

That is why I appreciate how this debate was brought forward, the position that we have taken and my colleague's motion. This was all done very responsibly. That means that this case requires some study and that there are a certain nuances to consider. These are complicated issues. He was found guilty, but the House nevertheless has its own will and must determine how far it is willing to go. It is also about managing the future, because this is not the first time we have seen a Conservative member being convicted of such things. There was also the former minister and member for Labrador, Mr. Penashue. Then there is the current heritage minister and the current Parliamentary Secretary to the Minister of National Defence. There were the in and out and the robocall scandals. There are all sorts of examples, to say nothing of the party that supported them. We have seen situations that tainted the good work of this institution.

It is important to study the situation so that we can proceed responsibly, but not suspending the member in the meantime would be irresponsible. If that happened, we would go on seeing our constituents, who would tell us that we are doing good work but that things like this make them wonder if they can trust politicians and their work. We must make this decision immediately so as not to stoke that cynicism.

I would like to go back to the example I was talking about earlier, about the fact that this is the second time in a year we are having this debate—once in the Senate and now in the House of Commons. I think this demonstrates the need for major change.

The Minister of State (Democratic Reform) introduced the unfair elections act. We called it that in the nicest way possible considering it was such a mess of a bill. There have been attempts to use that to make political hay, to try to change things, to stack the deck even more, but in the end, it is not just the laws but the culture that must change. I am sure that my colleagues agree.

I think it is interesting to see that even the Conservatives, who seem to support my colleague's motion, are unable to take ownership of the actions of a member who was, as we all know, the parliamentary secretary to the Prime Minister.

Privilege

In this case, the Prime Minister himself trusted the member. When the Leader of the Opposition read him some of his own words during question period today, the Prime Minister rose in the House and defended the member. Not only did he defend him, but he also made statements that contradicted the court's ruling. The judge said that documents were missing, but the Prime Minister said that all of the documents had been provided. The best answer the Prime Minister could come up with in question period today was that it was not a problem because they removed him from their caucus and he was no longer a Conservative. We heard the same argument with respect to the senators. Unfortunately, we are likely to hear the same argument in the future.

What is also troubling about this argument, as it was in the case of Senators Brazeau, Duffy, Wallin and company, and in the case of the member for Peterborough, is that they were found guilty of actions committed while they enjoyed the trust of the Prime Minister, who appointed the first individuals to the Senate and made the member his parliamentary secretary. That is completely unacceptable.

Today, we must suspend this member and refer this matter to the Standing Committee on Procedure and House Affairs. Contrary to what the chair of the committee said, we will be pleased to do the work and to show due diligence in studying this case. Let us not fuel cynicism; let us take a small step and suspend the member.

● (1720)

It will take a lot of these small steps, but it will be a step in the right direction for democracy and to rekindle Canadians' optimism.

[*English*]

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, we have heard the member talk at length about the importance of applying the law of the land to the people of this place, and I agree with him on that.

I want to ask the member if he believes in consistency in applying the law of the land to members of all political parties. His party had several members who got together and illegally spent over \$1 million to fund illegal satellite offices. They are only protected by the Board of Internal Economy, which meets secretly and requires all parties to agree before anything can be done.

If the member believes in consistency, he should agree to change that decision and have his party support the other parties and the Board of Internal Economy to discipline and punish those who spent over \$1 million illegally on illegal satellite offices.

The Acting Speaker (Mr. Barry Devolin): Before I go to the hon. member, I will just remind all hon. members that there is a particular motion before the House, and questions and comments should be relevant to the business that is specifically before the House.

The hon. member for Chambly—Borduas.

Mr. Matthew Dubé: Mr. Speaker, I appreciate that clarity, because we are actually talking about the criminal conviction here and not a political conviction by a kangaroo court.

The member for Peterborough has been criminally charged by a court. Let us face it, I completely agree with my colleague when he says that the law should apply. I know he is getting very upset, and I

understand why it can be frustrating, because with the cheap political antics of the other two parties in these kangaroo courts, they seem to think this is some kind of counterweight to criminal convictions.

When I go door to door in my riding, as I said in my comments, I do not get constituents who are concerned about these kinds of political actions. I get constituents who are concerned about criminal actions. That is why we need to suspend this member and study this in the procedure and House affairs committee.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, my question is in regard to the Elections Act being actually fairly clear. It states that one cannot sit in the House for five years upon conviction. It does not talk about appeals or anything of this nature. It states that one cannot be sitting inside the House upon conviction. That is what has happened with the member for Peterborough.

Does my friend believe that justice would actually be better served if we, as parliamentarians, followed a very specific law dealing with Elections Canada law, of all things?

We all know the history, in terms of election issues, at the national level. Would the right thing to do not be to have a discussion and end the debate on the issue of expulsion? That is really what we should be debating and voting on. Would the member not agree with that?

● (1725)

[*Translation*]

Mr. Matthew Dubé: Mr. Speaker, the first part of my reply to my colleague's question, whom I would like to thank, is to refer to the Speaker, who said that it is up to the House to determine the future, if I can put it that way, of one of its own members. That is what we are doing today.

Clearly, there is a lack of consensus about this way of proceeding. That is why, before talking about expulsion, I believe that the responsible thing to do is to study the matter in committee, even though the rules are clear and we know that the member in question was found guilty by the court. In accordance with the Speaker's decision, let us study the case in committee.

Contrary to what was initially proposed by the government, it is also important that we not go to committee without first suspending the member, thus taking an important step that signals to Canadians that this kind of conduct is considered unacceptable by the House, and that the House acts in a responsible manner.

The committee's decision will be extremely important. Ultimately, it will set a precedent. I believe we should act in a responsible manner. I will reiterate that, at the same time, we must suspend the member in order not to fuel cynicism.

Privilege

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, I rise today to speak to very important issue. In my opinion, the motion moved by the House leader of the official opposition is of utmost importance. I want to emphasize that the amendments proposed by my colleague from Toronto—Danforth are also very important. I am truly pleased that most of the members of this House will be supporting this motion, because it will send a clear message to the Canadian people. As my colleague said several times during his speech, we cannot let this kind of thing go on, and assume that, as parliamentarians, we are armour-plated and protected and nothing can touch us.

Last week's charges against the member for Peterborough are very serious. There is no argument that the elected members sitting in the House of Commons must not have been convicted of charges as serious as violating the Canada Elections Act. It seems so simple, that I find it all deplorable.

I would like to speak more specifically about one point. In fact, it is a strange coincidence that this happened today of all days. I want to remind the House that in the amendment presented by the hon. member for Toronto—Danforth, in (ii), he specifically mentions the steps to be taken with regard to a member's benefits, including his or her retirement pension.

Today, as it happens, the Standing Committee on Procedure and House Affairs was conducting a clause-by-clause study of Bill C-518, introduced by my colleague from New Brunswick Southwest. This bill very clearly states that a member of Parliament or a senator cannot, by resigning, escape the consequences that his or her expulsion from the House or Senate would entail. This speaks directly to this motion and the situation we are facing today.

The hon. member for New Brunswick Southwest has repeated over and over that what he was ultimately trying to do with this bill was to close a loophole. The loophole resulted from the fact that when a senator or member was found guilty of breaking a law or having otherwise done something that would lead to his expulsion from the House or Senate, instead of waiting for the House or Senate to take the appropriate measures and decide to expel him, the person concerned could simply say that he had had enough and was resigning.

And what would happen? Such persons would be entitled to their pensions, as if nothing had happened. Life would go on, happily. They could get their money, and neither the House of Commons nor the Senate could do anything about it. This has never happened in the House, but it has happened several times in the Senate. That is the problem my colleague from New Brunswick Southwest has tried to solve with his bill.

And what happened then? The question is fundamentally rather complicated, because there are many aspects involved. It was necessary to be as inclusive as possible, but without including too much, of course. Thus, there were several options open to us. Was it necessary to draw up a list of infractions that could lead to this result?

In the end, I think that my colleague, the hon. member for Toronto—Danforth, has found the best solution. He introduced an amendment this morning, during the clause-by-clause study of the

bill. I repeat, this only happened this morning. The hon. member simply proposed to amend the act to provide for cases where the House or the Senate are involved in the process leading up to an expulsion. We could insert wording in the act providing that if the House or Senate passed a motion recognizing that an individual had resigned, but was still a member or senator, his or her pension would be revoked.

• (1730)

Therefore, all we need to do is give ourselves the power to use the same process as that followed for expulsion. That way, we would cover all cases where a person has been found guilty of violating the Canada Elections Act, for example. The House would find it unacceptable that such a person was entitled to his pension simply because he resigned before being held accountable to the House or the Senate, because that is not relevant. That person should not be entitled to a pension.

That was by far the best solution, but in the end another amendment was passed earlier, probably by the committee's majority, as we can all surmise. That amendment lists a number of infractions, but only those under the Criminal Code. If a person is found guilty of any one of them, the law will apply.

All of this will apply only after the law is passed, which is very specific to their amendment. There is no retroactive provision, although several experts told us in committee that it would not be a problem to make it retroactive.

When the NDP amendment was rejected and we knew that the majority amendment was going to be adopted, we introduced amendments to the amendment to try to add certain specific aspects regarding the Canada Elections Act.

We are elected members of Parliament and we must stand for election every four years—or less often, if there is a minority government. As elected members, we must go back to the people and ask them to vote for us. And now I am told that a member can remain in place here without suffering any consequences, despite having broken our country's election law.

Last spring, when we were debating Bill C-23, we saw how little respect the Conservatives have for the Canada Elections Act and how ready they were to change it all to gain an advantage.

Regarding what happened this morning, it is worthwhile to read the short title of the bill introduced by the hon. member for New Brunswick Southwest: "Protecting Taxpayers and Revoking Pensions of Convicted Politicians Act". It is quite strange that a bill with such a fine title and such an interesting principle does not apply in any way to a person who violates the Canada Elections Act.

That is why I think the amendments proposed by my colleague from Toronto—Danforth to the motion on which we are about to vote are very important. Even though this bill has gone through today's clause-by-clause study, it is even more important than ever to return to the Standing Committee on Procedure and House Affairs and ask the members to look into the strategy concerning the member's benefits, particularly his pension.

Today we saw that there is a lack of consistency and the results will not be what my colleague from New Brunswick Southwest had hoped for. He talked about similar situations, even though at the time he obviously did not know that a member of his own party would be convicted of a crime. Nonetheless, the fact remains that it is the same principle and such principles should apply to all members and senators.

I encourage all my colleagues to support this motion. I will vote in favour of this motion because I like to think that by doing so there will be a little more justice in this world.

● (1735)

[English]

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, the hon. member's remarks were very thoughtful.

The question I would like to put for the member is this. The motion that has been put forward, as amended twice over, simply says that we have a situation where a member of the chamber has been convicted of violating a federal law, a very significant federal law, one that establishes the electoral rules to place us in the chamber and that determine whether the member, who has now been convicted, can take his place in the chamber.

It appears to me, and I will ask the member, that it is a reasonable proposition before the House that the member be suspended until such time as the appeal period lapses or the outcome of the appeal. We have to uphold the reputation of this place, and I think Canadians expect us to assume our responsibilities to do that.

The member has made some very cogent remarks. I would agree with her that it is appropriate to refer this matter to the standing committee, which may determine the appropriate measures to take at the appropriate time and look at the alternative measures available, depending on what occurs in the judicial process.

[Translation]

Ms. Alexandrine Latendresse: Mr. Speaker, I wish to thank my colleague from Edmonton—Strathcona, who has more experience than I do on the legal aspect of the matter, and who has, in my view, summed up my thinking very well on the reasonableness of this motion. We are not saying that the member is to be expelled, that the matter is then closed and that is all we have left to do. It is true that certain avenues remain open to him, and it is possible that things will change.

At this time, we have to decide that he will be suspended, and that we will look into what kinds of measures could then be taken. We must face the fact that expulsion is a fairly drastic measure. It has not happened very often, and it has happened at truly crucial times in our history.

I therefore think it is really important that the Standing Committee on Procedure and House Affairs consider the matter, and indicate very clearly what procedure should be followed from this point on. If we have to go as far as expulsion, we will do it then.

Privilege

● (1740)

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the comments, though I do not necessarily agree with them. We will have to agree to disagree.

I would ask the member if she is familiar with any aspect of the Canada Elections Act that would contradict the statement that upon conviction, a member should have no right to sit in the House for five years or run in an election. It does not say anything about appeals, and so forth. One could ultimately argue this could be appealed for the next two to five years. We have already been at this now for how many years?

We passed a law that says “upon conviction”, which is what it is. October 31 is the date. One would think, and the expectation would be with the Canadian public as a whole, that the House would act upon what the law very clearly states.

I am not aware and I would ask her if she is aware of any part of the Canada Elections Act that would allow for or accommodate something beyond just a straight out conviction. I do not see anything that makes reference to appeals.

[Translation]

Ms. Alexandrine Latendresse: Mr. Speaker, I wish to thank my colleague for his comments and his question.

There is something in particular that he has to understand. What the Elections Act states is that the member cannot sit. The Act does not say that he must be expelled as soon as he is convicted. We have to understand the difference.

With regard to the privilege of the House, only the House of Commons can decide whether or not a member is expelled. If that is the way we have to go, we will do so. For now, we are not at that point.

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am always proud to rise to represent the people of Timmins—James Bay, who put their trust in me, as indeed do all citizens of this country put their trust in all of us, regardless of whatever political party we represent.

We are called to this place to rise above our own personal, pecuniary, or familial interests to represent the people of this country. This institution is a work in progress. It often does not live up to the standard that Canadians expect of it, but it is the democratic House of the people of Canada.

I do not think that this is a debate that any of us engage in tonight with relish. I have worked with the member for Peterborough for a number of years. We have had many memorable drop-down, drag-'em-out scraps that were sometimes like Alli-Frazier. I am not saying that I was like Ali, but we did respect each other and we worked well in committee. We worked well in the heritage committee on a number of issues. We worked sometimes less well in the ethics committee, which was sometimes more of a circus, but thank God the member for Sherbrooke was there to keep order.

Privilege

We do develop relations across party lines, whether or not we agree with each other, and sometimes we have to call each other to task for not living up to the obligation that is upon all of us in this House. Tonight is one of those nights.

The finding of guilt in a court of law for electoral fraud is a very serious issue. It is a serious issue because it cuts to the heart of the democratic system of our country. The idea that people can game the system and buy elections cuts to the very credibility of whether or not we are a truly democratic institution. We have to take these breaches of the law seriously. We cannot just write them off as mere mistakes.

Unfortunately, we have seen in this last session of Parliament a number of incidents that have certainly raised questions to the Canadian people about ethical lapses within the parliamentary system. We have had the suspensions without pay of Patrick Brazeau, Pamela Wallin, and Mike Duffy, all three of whom are under investigation and going to trial.

We have Mac Harb, the Liberal Senator, who ran an extraordinary scheme to get money from taxpayers. Average Canadians would have to ask themselves why someone would do that. Mac Harb, to get the housing allowance, bought a property 100 kilometres from Ottawa so he could collect \$22,000 a year. Then he sold 99.99% of the property to somebody else, so he had a .01% claim, and then defrauded the taxpayers of \$22,000 a year. Seeing that kind of deviousness, the average Canadian would say, "What kind of person would think like that?" This is a serious breach of public trust, and we certainly expect that the RCMP will do full due diligence when we see the kind of fraud that has been committed in the Senate.

We see Senator Raymond Lavigne, who was charged and convicted for fraud and breach of trust and sent to jail, again for schemes to use the money that is supposed to be there to serve the parliamentary process and the senatorial process. To use it for personal interests is a breach of the trust of Canadians and cannot be set aside just because they are rich, just because they are powerful or just because they know people.

As parliamentarians, we are put in this House to be the lawmakers of this land. The fascinating thing about the parliamentary tradition is that to be lawmakers, we are appointed by the people who put their trust in us. We may have no background in law. We may be a baker, a cobbler, an accountant, or a bass player in a punk band. If the people believe we should be there to review the laws, then we are entrusted to review the laws.

That is a good process, because it says that the review of law in this country is done, and should be done, by ordinary people who have ordinary life experiences, people who are there to be reasonable in looking at legislation and in ensuring that legislation is done in the right manner.

• (1745)

When people breach the law knowingly, there has to be consequences, and that is what we are here to deal with tonight.

The issue before us is a case of breaching the electoral act, where the member for Peterborough spent \$21,000 during his election campaign through Holinshead to do voter outreach. That would have breached the electoral spending limits of his campaign, so he and his

official agent, Mr. McCarthy, only claimed \$1,575 in services. Issues were then raised with Elections Canada that these documents had been falsified to create a cover-up. Money was spent and services were hired, yet they tried to claim that this was parliamentary and outside the work of the electoral season.

A number of issues of trust were breached at that moment. Number one was exceeding the limits. Number two was falsifying documents. Number three was trying to claim that work, which was clearly within the purview of an election period, was somehow parliamentary and should be claimed.

My colleague, the member for Peterborough, would have been under investigation for some time on this. He did come into the House and plead his case as a matter of privilege. Unfortunately, his argument at the time, I think, was a false and misconstrued argument that his rights as a member of Parliament were somehow breached by the fact that he was under investigation for a crime. Certainly, I do not think that any Canadian would think that people under investigation for a crime have a higher level of privilege to be protected just because they are a member of Parliament.

I say that, again, more out of sadness than anything, because the charges against my colleague were very serious, and the conviction is serious. Justice Lisa Cameron stated, in terms of finding him guilty on all charges, that there were numerous inconsistencies and obfuscations in his testimony and that he simply was not a credible or believable witness, so she found him guilty. That then puts us in a very difficult position. What happens in the House of Commons if the people who are supposed to make the laws actually break the laws of this country?

My friend from Peterborough did himself more damage when he was asked about the judge's ruling, and he said that it was simply a matter of her opinion. To me, that speaks of a larger disrespect for the law. We get a sense that because he is a Conservative insider, it is the judge's opinion that is at stake here, as opposed to reflecting on the breach of trust and faith with his citizens, the voters, and his own party in terms of what he has done.

The need to take responsibility puts more pressure on the House to act. We simply cannot carry on and pretend that nothing happened.

Now, my colleague from Peterborough is saying that he has more evidence and that he wants to reopen the case. The fact is that he was found guilty, end of story. Having been found guilty, the House is forced to act.

It puts us in the situation that we have not really dealt with an issue of this manner within the House. We know that in the Senate, where we have a number of senators under investigation, moves were made earlier this year to suspend without pay the three senators, Brazeau, Wallin and Duffy, while they were under investigation. Mac Harb jumped ship at that point. At that point, none of them had been charged, but it was felt, because of a loss of faith by the Canadian people toward the Senate, they should be suspended without pay.

Privilege

In a case where a member of the House has been found guilty, the issue of suspension without pay is the first step. It is also a statement that the House takes breaches of the law seriously and that we, as members, regardless of our party, recognize that this is a serious breach.

What is the secondary step from this? The secondary step is that it should then go to the procedure and House affairs committee to review the numerous pieces that are going to have to be figured out with this conviction and the suspension without pay. This is not to protect or to give my colleague from Peterborough any kind of extra privilege that an ordinary citizen would not have. Rather, it is because we are, as parliamentarians, entrusted to make sure that we do due diligence in this. There are issues that need to be addressed.

• (1750)

For example, right now there are constituency staff who work for the member who actually do work for the Canadian people in Peterborough. They answer phones and make sure citizens are able to get that information. Even if the member is suspended, even if he cannot sit, we have to look at what that period is going to be.

The New Democratic Party has said that we have to send a clear message as a Parliament that he needs to be suspended without pay. He cannot come in here. He cannot sit. He cannot vote. We have to send that message. How we move forward from there, I trust all parliamentarians will put their partisan interests aside and make sure that this is done in a manner of due diligence.

There is the issue, for example, of his pension. Are we talking about retroactively stripping someone of their pension? That is a serious question. This is not something I want to stand up in the House and wave my fist on. I want due diligence done. I want it done right. I want this to be done in a manner that passes the test of the Canadian people, so that we can say we did the right thing in this instance.

It is unfortunate that the member for Peterborough has not chosen to resign and spare us all from having to deal with this, but we will deal with it. I think we can deal with it in a manner that is respectful to the traditions of the House. It is also a matter of respect for the voters of Peterborough. We have to approach this with the larger sense that we are entrusted to do the right thing.

We have had a number of tawdry examples of breaches of the law in the last four years that need to be addressed in terms of the lowering ethical standards of the House. We also had the unprecedented situation of Mr. Peter Penashue. He was elected up in Labrador. He was a man who came with a very impressive reputation. He broke the electoral laws of our country and was forced to resign. He lost his position and had to leave in disgrace. He was not here that long.

Again, why are the electoral laws so important? It is because in Canada we have established the principle that one should not be able to buy an election. The fairness of the Elections Act exists so that someone who wants to take on a long-standing incumbent, who has built up their team, their volunteers and has money in the bank, is treated fairly. The democratic process in Canada says there has to be a limit on how much a candidate can spend so that they are not

simply able to buy the kind of political exposure that another candidate could not buy.

This is something that is lacking in the United States. I know many people in the United States look to our system and ask how Canada has managed to maintain a more credible electoral system in some areas. A lot of that has to do with the electoral financing laws. Therefore, people who game the system, who believe they can buy those votes, have no business being in this House.

We had the resignation of Mr. Penashue. In 2006, we had the in and out scheme, where senior people in the Conservative Party had to cop a plea. Unfortunately, there was no punishment for them. In fact they were elevated to the Senate, which I think sent a very bad message. We had the robo-fraud case in 2011. The Federal Court found that there were numerous cases of robo-fraud taking place across the country. The judge found that at the heart of it was the phone database that was controlled by the Conservative Party. However, because of the electoral laws, Elections Canada was not able to get the kind of information it required from witnesses, so the case never went any further.

Right now, we have Michael Sona convicted but we do not know who ran the false phone calls, for example into Nipissing—Timiskaming, which was an election that was won by about 17 votes. Someone made those calls. Someone organized that database. We never got those answers. That is a question that reflects on the credibility of the House.

If this kind of electoral fraud is able to happen and there are no consequences then Canadians' faith in politics is going to suffer. It puts us back to the issue before us tonight. I think we can do the right thing. We can do the reasonable thing.

We do need to address the larger issues of accountability that have yet to be addressed from the abuses we have seen in the Senate. I am hoping that when we see the Auditor General's report on the Senate spending, we will get a better sense of how to deal with that very belligerent institution.

• (1755)

The problem on the other side is the refusal to put in some of the checks and balances that were put in on the House side. This is not to say that there are angels sitting in the House of Commons, but there are some fundamental differences between the House of Commons and the Senate. Number one is that people in the House of Commons have a democratic mandate. They were elected by the people; they can be fired by the people. Nobody can be fired in the Senate. They are there until they are 75, whether they show up to work or not. Our famous senator from Mexico used to show up once a year just to show off his tan, and he collected money for years.

There needs to be better accountability on the other side. We know that when the Federal Accountability Act was brought in, in 2006, it was one of the few times New Democrats put our faith in the Conservatives to actually work together with us on improving accountability after the horrific abuses of the Liberal sponsorship years. However, one of the things that interfered with our ability to bring better accountability was that the Senate refused to meet the same standards, which is very problematic.

What we are dealing with here—

Privilege

The Deputy Speaker: Order, please. the hon. member for Carleton—Mississippi Mills is rising on a point of order.

Hon. Gordon O'Connor: Mr. Speaker, I do not believe the speaker is relevant. I cannot understand what he is talking about. He is not talking about the issue that is under consideration here, and I would ask that he return to the issue.

Mr. Charlie Angus: Mr. Speaker, I will speak slowly. I am talking about the issue of how we address crime in the parliamentary precinct. That is what we are talking about. My colleague might find that uncomfortable, but this is the issue before us. We are dealing with the issue of crime. I have done this in a respectful manner. If he finds that offensive, I cannot really do anything about that.

How do we deal with crime in the Senate? We have three people under investigation. The fourth has left. Actually there were four under investigation, and there may be more. We now have two cases in the House of Commons. I am trying to compare how we do things in the House of Commons and what is incumbent upon us, in light of the decision to make those suspensions in the Senate.

The Deputy Speaker: We have had already from the previous occupant of the Chair this evening a couple of questions indicating that they were a long stretch from relevancy, and I think the member for Timmins—James Bay is falling into the same category. I would ask him to bring it back more closely to the motion that is before the House. I think he has wandered too far.

•(1800)

Mr. Charlie Angus: Mr. Speaker, I can certainly focus on the criminal activities that have occurred in this House and what we should do.

I said that in a light of non-partisanship, we have to suspend the member, and I think that is a reasonable thing to do. In terms of Mr. Penashue, who was up under the same situation, he was forced to resign and had to leave in disgrace.

As I was saying earlier, why do we have to have really clear penalties for a breach of the Canada Elections Act and issues of electoral fraud? It is because if Canadians cannot trust that the system is actually there to ensure fairness for people running, then there can be no basis for electoral or democratic credibility at any level. When someone breaks the law and knowingly breaks the law and is defiant about breaking the law, it puts us in the House in a much more difficult position, because we are forced to act. This is what we are being forced to do tonight.

The member for Peterborough stood in this House, claimed his privileges were being abused because he was under investigation, went to court, and was found by Justice Cameron to have absolutely no credibility in his claim. To have then walked out of that courtroom and responded to a criminal conviction as somehow just the opinion of the judge has put us as legislators in a very difficult position, because he has no business being in this House if that is the attitude he takes. At no point did we ever see that he took seriously the breaking of the law, the falsifying of documents, and the continual refusal to respond to the investigators, and now he has been convicted. Yes, tonight we have to show that these issues have to be taken seriously. In the same way we have to take seriously the issue of Brazeau, Wallin, Duffy, Mac Harb, and Raymond Lavigne, we have to take this seriously.

Mr. Arnold Chan (Scarborough—Agincourt, Lib.): Mr. Speaker, I listened with interest to the hon. member for Timmins—James Bay. I share his sadness that we have to engage in this debate tonight on the motion before the House.

I listened with interest to his explication of some of the recent practices of certain members in the House and in the Senate. I have to agree with the Speaker about the relevancy of the motion before the House.

The motion presented by the official opposition talks about suspension. I would like to ask the member for Timmins—James Bay to carefully examine the language of Section 502(3) of the Canada Elections Act. It talks specifically about the fact that a person who has been convicted of having committed an offence that is an illegal practice or a corrupt practice under this act, in addition to any other punishment for that offence prescribed by this act in the case of an illegal practice during the next five years or in the case of a corrupt practice during the next seven years after the date of their being so convicted, shall not be entitled to be elected or to sit in the House of Commons.

Does this provision under (3)(a) not require us to immediately expel the member?

Mr. Charlie Angus: Mr. Speaker, I welcome my hon. colleague to the House of Commons. As a new member, he would probably do well to listen to the Speaker's Ruling in which the Speaker ruled that only the House of Commons could decide how this act would be implemented in terms of the suspension of a member and that a member shall not sit. That is the rule of the House of Commons. For the Liberals to jump up and say that we should set fire to the member for Peterborough right now is their way of getting into the story where they can make those claims.

The fact is that the member for Peterborough has not been before the judge for his sentencing on November 21. If the Liberals want to get out in front of that as well, they can do that, but they are ignoring the fact that Justice Cameron will be ruling on this conviction on November 21. We want to hear what Justice Cameron has to say.

As the Speaker has told us, the House of Commons is the place that will interpret how this section in the Elections Canada Act will be implemented.

I would encourage the member to show respect for the House. This is the place where we make these decisions.

•(1805)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is with some passing reflection that I think of how we arrived at this place. The Conservatives came in here on the white steed of transparency and anti-corruption after years of the Liberal sponsorship scandal.

As my friend noted in his speech, we worked with the Conservatives on the Federal Accountability Act, hoping that they would abide by the rule and letter of the law. Now we see a second Conservative being thrown from the House for essentially cheating on an election and taking his seat in the House, which I consider an enormous privilege granted to me by electors in Skeena—Bulkley Valley. The member took his seat in a falsified way. He cheated. He knowingly spent more money than his opponents and then falsified documents in front of Elections Canada officials.

I wonder if the enthusiasm we are suddenly seeing from the Liberal Party in particular about cracking down on cheating during elections existed when they were in power. The sponsorship scandal was essentially manifested in the exact same way, but in a much greater magnitude. Millions upon millions of dollars were shuffled to Liberal coffers from the public treasury to help Liberals win elections, in Quebec in particular.

Initially, the Conservatives wanted to push this off to the procedure and House affairs committee, while still allowing the member for Peterborough to collect his salary. The change that we made and the ruling from the Speaker was to deny him access to his pay, which we suggest was being taken fraudulently because he took his seat fraudulently. How can an individual take money for a job that was not legally earned? Suspending the member and not allowing him to receive salary until the judge's ruling comes down is a natural consequence to the actions taken by the member for Peterborough, while respecting and trying to restore, in some small way, the faith of Canadians in the integrity of the House of Commons.

Is this a sequentially thoughtful and fair way to go about this terrible situation that has been put upon us by the member for Peterborough and, I would suggest, the culture of corruption that is too often pervasive in the Conservative Party of Canada?

Mr. Charlie Angus: Mr. Speaker, certainly the reason this motion had to come before us is the signal we are getting from the Conservatives that they would just move this off to committee, but they did not want to deal with the issue of the suspension of pay. The issue of suspension of pay has to be dealt with because it deals with the Canada Elections Act and it is also the signal that we do not take criminals lightly in this place.

My concern at the procedure and House affairs committee is the suggestion that the member for Peterborough then gets to come before us and plead his case again. I think that would be an undermining of the legitimacy of the court, because the court is ruling on this, and in terms of the conviction, the court is going to lay out what is going to happen to the member for Peterborough on November 21 in terms of civil penalties.

I am concerned that the member would get to come before us and plead his case. He was already given the chance to plead his case in the House of Commons under his so-called rights and privileges.

I believe that the procedure and House affairs committee needs to be focused only on how we dispense with this member in terms of our obligations as a House to make sure we follow the rules of the Canada Elections Act: if one is found guilty, one is no longer able to sit and no longer able, for a period of five years, to present oneself to

run for office. These are the issues that the procedure and House affairs committee needs to address.

The role of the New Democratic Party here is to say that we want this done in a manner that has due diligence and is fair; but it is not a chance for the member for Peterborough to come back and plead his case to his friends about how he was done wrong by a judge. I think that would be a real undermining of the credibility of what we should be doing here.

• (1810)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I think it is important that we are fairly clear on this issue. I have attempted to do that in my questions and in my statement in regard to the consequence of the action. As it has been pointed out by my colleague, the Canada Elections Act is very clear: one cannot sit.

In this situation, there has been a conviction dated October 31. The law says the member should not sit. Now, we disagree with the motion that is being put forward, because our preference is that we should be voting on the member being expelled.

The question I have for the member is this. Does he believe it is in the best interest of the people who live Peterborough that they would not have representation inside this House because a member has been suspended and we do not know how long that suspension might be? If it is left up to the government, it could be years until the next election.

The issue is this. Why would we suspend when the Canada Elections Act says we should expel?

Mr. Charlie Angus: Mr. Speaker, I sometimes feel, when I am talking to my dear friend the Ezra Levant of the Liberal Party, that I am banging my head against the wall. We just answered the question for him.

Only the House can decide how the law is to be implemented. Therefore, we actually need to do our due diligence. I know my colleagues in the Liberal Party do not like that. It might be more fun to just throw him out on the street right now, but this is the House of Commons and, for members of the House of Commons, the issue of due diligence is important.

Yes, the member needs to be suspended. The law is clear on what it means from there, in terms of his inability to sit, but there are a number of technical issues that will have to be addressed. That is the fair thing, the reasonable thing, and I think we can all leave at the end of the day saying we did the right thing in a very unfortunate set of circumstances.

NOTICE OF CLOSURE MOTION

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I give notice with respect to the consideration of the privilege motion of the hon. member for Burnaby—New Westminster and the amendment and subamendment, that at the next sitting of the House a minister of the Crown shall move, pursuant to Standing Order 57, that debate be not further adjourned.

S. O. 57

[Translation]

REFERENCE TO STANDING COMMITTEE ON PROCEDURE AND HOUSE
AFFAIRS

The House resumed consideration of the motion, of the amendment and of the amendment to the amendment.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I have the honour to speak to this very important issue. A few of my colleagues have already spoken about it, but I wanted to add a few interesting facts and mention a few resources I checked before rising to speak, with the little time I had to prepare.

The suspension of a member, one of our colleagues, is an extremely important matter, because we all work together and we all do the same job. We will have to decide on the suspension of the member for Peterborough, something that is not to be taken lightly. Nor should we demonstrate blind partisanship, as they seem to have done on the other side by asking us questions that seemed inclined towards partisanship. If we were in the position of the member for Peterborough, I do not think we would like to see our colleagues engaging in hyper-partisanship when deciding on a member's future.

Let us review the precedents, because members have been expelled in the past, and elections have been contested. We have to know how that happened, what powers the House has, and what are the various provisions of the Canada Elections Act that give us specific powers.

Four members have been expelled since Confederation. Louis Riel was expelled twice, in 1874 and 1875. At the time, no judge had passed judgment on him, and he was expelled. Following his expulsion, he ran again in a by-election, and won. He was then expelled a second time. There was also Mr. Rose, in 1947, and Mr. McGreevy, the member for Quebec West, in 1991.

It is only since 1873 that the courts have been responsible for considering issues surrounding offences under the Canada Elections Act, and handing down decisions.

Before 1873, it was the House of Commons, through various committees, that debated the evidence in order to determine whether a member had or had not contravened the Elections Act.

In 1873 the courts became responsible for deciding whether a member has breached the Canada Elections Act. Since then, it is the House that considers the issue, and has to take action through various mechanisms once a court has convicted a member of an offence under the Canada Elections Act.

In support of what I am saying, I would like to mention a book that is most helpful: O'Brien and Bosc. The expulsion of members is discussed on page 244:

Once a person is elected to the House of Commons, there are no constitutional provisions and few statutory provisions for removal of that Member from office. The statutory provisions rendering a Member ineligible to sit or vote do not automatically cause the seat of that Member to become vacant.

I would now like to quote the second edition of Maingot, which clarifies the question that my Liberal colleague has had since this sitting began and which pertains to subsection 503(3) of the Canada Elections Act. It reads as follows:

...the Canada Elections Act...stipulates that a person who has been found guilty of an illegal or corrupt practice cannot be elected to or sit and vote in the House of

Commons. Similarly, the Criminal Code...provides that a Member convicted of an indictable offence, for which the sentence is two or more years of imprisonment, may not be elected to or sit or vote in the House.

The last sentence is the most important. It says:

Nonetheless, neither statute contains provisions declaring the Member's seat vacant.

● (1815)

The following can be found on page 245 of O'Brien and Bosc:

By virtue of parliamentary privilege, only the House has the inherent right to decide matters affecting its own membership. Indeed, the House decides for itself if a Member should be permitted to sit on committees, receive a salary or even be allowed to keep his or her seat...The power of the House to expel one of its Members is derived from its traditional authority to determine whether a Member is qualified to sit. A criminal conviction is not necessary for the House to expel a Member; the House may judge a Member unworthy to sit in the Chamber for any conduct unbecoming the character of a Member.

It is not necessary for the individual to be convicted. The House of Commons is fully responsible for determining the future of members and sanctions in the case of misconduct.

I want to get back to Speaker Lamoureux's ruling on March 1, 1966. He confirmed that the House was responsible for ruling on these issues. The validity of the votes cast by Mr. Berger, from Montmagny—L'Islet, had been called into question on three occasions, because they had taken place before the date on which his election expenses were due to be submitted. After having heard from members, the Chair reserved his decision, since the matter at issue was to determine whether it was up to the Chair to rule on a member's right to sit and to vote. The Chair ruled that it was up to the House to rule on the member's rights.

He confirmed that it was up to the House to decide whether a member had the right to sit and vote in the House, and said that the votes in which the member voted when he was not eligible would be struck off the journals, which is not the case here. However, it is important to consider and review what happened when these types of issues came up in the past. This is not the first time this has happened. It is important to put the precedents in context.

I would also like to quote an important passage I found in Maingot, second edition, on pages 187 and 188 of the English version. It is a few paragraphs long, but they are important. I quote:

This right...also includes the right to determine whether Members of the House of Commons are qualified to sit and vote...though not the right to determine whether they are duly elected. In 1950, the U.K. House referred the case of MacManaway, a priest of the Church of Ireland, to committee to determine whether he was disqualified by the *House of Commons (Clergy Disqualification Act, 1801)*. The committee was unable to reach a decision, and the matter was referred to the Judicial Committee...The House agreed with this report on October 19, 1950, and on November 8, 1950, thereupon ordered a warrant to be addressed to issue a new writ.

This was at a time when the U.K. House of Commons, and not the courts, were still responsible for ruling on cases of election fraud. The passage continues:

The *Canada Elections Act* provides for the election of the Member, but when duly elected, the House alone is the body to determine whether a Member shall remain a Member. Thus, although a Member may be convicted of something as serious as a treason-related offence, or even sentenced to five years or more upon conviction of any indictable offence, a formal resolution of the House is still required to formally unseat him, at which moment the Speaker may not yet address his warrant for the issue of a writ for the election of a Member to fill the vacancy without an order of the House of Commons to that effect.

All of that is about expulsion, although today's motion talks about a suspension. We are not quite at that point yet. In this case, the Speaker would have to address his warrant for the issue of a writ for the election of a member, but that is not the subject of this motion. As a few members have already pointed out, the legal proceedings involving the member for Peterborough are not over. I therefore support the motion, because we believe that suspending him is the appropriate action to take at this stage of our deliberations.

• (1820)

This continues in the second edition of the work by Maingot:

A fortiori, conviction for a less serious offence is not an assurance that the Member will be unseated. It still remains the decision of the House itself and it is probable that, before the House expels a Member, all avenues of appeal will have been exhausted and the crime of which the Member was convicted will be one involving serious moral turpitude.

This goes to show, once again, that texts, resources or precedents have already been produced or established on these issues.

As parliamentarians, it is important to talk about our responsibility and to weigh these matters, given their importance.

In O'Brien and Bosc, page 193, we find the following:

An election may be contested if there are allegations that irregularities affected the outcome of the election in a particular riding or if there are grounds to believe a candidate was not eligible to seek election.

O'Brien and Bosc also states:

In 1873, the House transferred to the provincial courts exclusive jurisdiction over matters relating to the election of its Members.

I may be repeating myself. I did not have a lot of time to prepare.

I just wanted to share all these precedents, given the important decision we are being asked to make today, one that will have consequences on the future of one of our colleagues.

I will be pleased to answer any questions my colleagues might have.

• (1825)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, what a privilege it is for us to be here, but it is important for us to recognize that it is also important for members to be here in terms of representation. In order for all Canadians to have representation, we have to ensure that members are able to sit in the House. The Canada Elections Act is fairly clear about a member not being able to sit in the House.

We have agreement from the New Democratic Party to at least acknowledge that the member for Peterborough should not be able to sit in the House, but the NDP is also saying indirectly to the fine people of Peterborough that they will not have representation inside the House of Commons. That is what New Democrats are ultimately arguing here, and it could be indefinitely.

Why would the NDP oppose expelling the member for Peterborough?

[*Translation*]

Mr. Pierre-Luc Dusseault: Mr. Speaker, my entire speech was meant to answer the question that the member for Winnipeg North has been asking from the beginning of this debate.

S. O. 57

Once again, I ask him to refer to page 244 of O'Brien and Bosc. Of course, he can refer to the English version.

The paragraph entitled "Expulsion" reads as follows:

Once a person is elected to the House of Commons, there are no constitutional provisions and few statutory provisions for removal of that Member from office. The statutory provisions rendering a Member ineligible to sit or vote do not automatically cause the seat of that Member to become vacant.

I would also like to refer to Maingot, which O'Brien and Bosc refers to at footnote 471:

471. ...[The] Canada Elections Act, s. 502(3), [the paragraph the Liberals have been quoting all along] which stipulates that a person who has been found guilty of an illegal or corrupt practice cannot be elected to or sit and vote in the House of Commons. Similarly, the Criminal Code...provides that a Member convicted of an indictable offence, for which the sentence is two or more years of imprisonment, may not be elected to or sit or vote in the House.

The footnote concludes:

Nonetheless, neither statute contains provisions declaring the Member's seat vacant.

Maignot confirms that:

The Canada Elections Act provides for the election of the Member, but when duly elected, the House alone is the body to determine whether a Member shall remain a Member.

I hope this answers the member's question and that he is now enlightened.

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, here is my question for my colleague, whom I would like to thank for his speech and very relevant remarks.

Since we are talking about MP pensions, I would like to hear his thoughts about the fact that today in committee, when we were studying a Conservative bill about the ability to strip members of their pension, the Conservatives refused to support our amendment, which would have ensured that anyone convicted of an offence under the Canada Elections Act would be covered by the bill.

I would like to know whether he thinks that the Elections Act should be included and whether he finds it somewhat odd that the Conservatives decided to vote against our amendment today.

Mr. Pierre-Luc Dusseault: Mr. Speaker, I thank my colleague for her question and for mentioning what happened in committee. I find it indeed surprising and strange that a private member's bill would exclude offences under the Elections Act as grounds for removing the pension of a member who breaks the law.

How interesting that it happened today, considering that the decision about the member for Peterborough was handed down on October 31. What a surprise that this should happen today. Is it a coincidence? Was it planned and expected? Probably. It would be a great shame and disappointment to know that the Conservatives are trying to protect a former colleague by trying not to amend this private member's bill, an amendment that would make it cover the Elections Act.

That would be simple to do, after all. All laws, when broken, should be treated equally when it comes to pension matters.

*Adjournment Proceedings***ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

• (1830)

[*English*]

ABORIGINAL AFFAIRS

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, for a very long time, since the cancelling of the funding of Sisters in Spirit in the Native Women's Association of Canada, we have been calling for a national public inquiry into missing and murdered indigenous women. Indeed, in 2010 Anita Neville and Todd Ross made sure that it was clear that there needed to be a national public inquiry in order for us to get to the bottom of what this horrible tragedy was all about.

Later the AFN and the Native Women's Association called for a national public inquiry, and it has become clear to everyone across the country—except the Conservative government—that indigenous women and girls are dramatically more likely to be victims of homicides and to go missing in Canada. In fact, while only 4% of women in Canada are indigenous, this demographic accounted for a staggering 23% of female homicide victims in 2012. This means almost one in four female murder victims in Canada is indigenous.

The RCMP statistics identified almost 1,200 victims since 1984, doubling the previous Native Women's Association of Canada estimate. In fact, it was a year and a half ago, on February 14, when we debated in the House the need for a special parliamentary committee. It was because of that special parliamentary committee that the RCMP actually picked up the phone, called other levels of policing, and found out that its unbelievably low estimate was extraordinarily higher than it had thought, at almost 1,200 victims.

This epidemic of violence must end, and the Conservative government, which claims to be tough on crime and to stand up for victims of crime, cannot continue to ignore this national disgrace. The government's recent so-called “action plan” simply implements the whitewashed recommendations of the Conservative-dominated Special Committee on Violence Against Indigenous Women. In fact, that report ignored all of the recommendations of the witnesses that were heard from and put in place a laundry list of things that were already being done and were thought to be sufficient when, clearly, what was being done was not sufficient.

These piecemeal government initiatives that were articulated in its so-called action plan listed many things that were not even specific to indigenous women and girls. For instance, the \$25 million of so-called “new money” is simply a re-announcement of the funding of budget 2014, which is simply an extension of the temporary funding of \$25 million over five years first announced back in 2010. This kind of political smoke and mirrors is why a national action plan must be rooted in a non-partisan national investigation into why this problem has persisted for decades and why all of us in the House recognize that successive governments have been unable to fix it without articulating the facts.

The Prime Minister's stubborn refusal to call a national public inquiry into this ongoing tragedy of missing and murdered indigenous women and girls is in stark contrast to the overwhelming

consensus in Canada. The Prime Minister is on the wrong side of history. Grieving families, indigenous leaders, opposition parties, victims' advocates, civil society, and every single provincial and territorial premier have all urged the government to call a national public inquiry.

The Prime Minister's opposition is ill-considered and short-sighted and is killing people. We can and must rise to this challenge and call a national public inquiry now.

• (1835)

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, first let me be clear that these abhorrent acts of violence against aboriginal women and girls will not be tolerated in our society. Canada is a country where those who break the law are punished, where penalties match the severity of crimes committed, and where the rights of victims are recognized. That is why we committed in economic action plan 2014 to invest an additional \$25 million over five years to continue efforts to reduce violence against aboriginal women.

On September 15, the Minister of Labour and Minister of Status of Women released the Government of Canada's action plan to address family violence and violent crimes against aboriginal women and girls. It responds to the call for action from families and communities, and addresses the recommendations of the Special Committee on Violence Against Indigenous Women. That is what our government is doing. It is taking action.

There are three main areas in which our government is taking action. First, the Government of Canada is taking action to prevent violence against aboriginal women and girls. Specific actions set out in the action plan include the development of more community safety plans across Canada, including in regions the RCMP's analysis has identified as having a high incidence of violent crime perpetrated against women and girls; projects to break intergenerational cycles of violence and abuse by raising awareness and building healthy relationships; and projects to engage men and boys and empower aboriginal women and girls to denounce and prevent violence.

Second, the Government of Canada is taking action to assist and support victims of violence. Specifically, the action plan supports family-police liaison positions to ensure that family members have access to timely information about cases, specialized assistance for victims and families, and positive relationships and the sharing of information between families and criminal justice professionals.

Adjournment Proceedings

Third, the Government of Canada is taking action to protect aboriginal women and girls. Specifically, the action plan includes initiatives such as funding shelters on reserves on an ongoing basis, supporting the creation of a DNA-based missing persons index, and continuing to support police investigations through the National Centre for Missing Persons and Unidentified Remains.

The Government of Canada will also continue to work closely with provinces and territories, police services and the justice system, as well as aboriginal families, communities, and organizations to address violence against aboriginal women and girls.

Hon. Carolyn Bennett: Mr. Speaker, yet again, the parliamentary secretary and the Government of Canada continue to disappoint. In fact, they continue to disappoint by continuing to use the word “continue”. Again, it is as though everything that they are doing now is perfect, yet this tragedy continues.

They talk about funding shelters. There are 44 shelters in over 600 first nations in this country. This is not good enough.

We have not seen any commitment to an increase in resources. The people of Canada, the families and the friends of the victims of missing and murdered indigenous women and girls, and frankly the 96% of Canadians not from an indigenous background are fed up. They want to see action. They know it only begins with a national public inquiry that will get to the facts and be able to determine the actions that will work.

We will not let up on this, and we hope that the government will come onside. If not, we will wait until the next government, and we will do it.

Mrs. Susan Truppe: Mr. Speaker, I probably would not hold my breath if I were the colleague opposite.

The investments being made by the Government of Canada to address violence against aboriginal women and girls are very significant. The action plan released by the Minister of Labour and Minister of Status of Women on September 15 includes new funding of \$25 million over five years, beginning in 2015-16. There is further ongoing funding of \$158.7 million over five years, beginning in 2015, for shelters and family violence prevention activities. There will also be an internal dedication of \$5 million over five years, beginning in 2015, to improve the economic security of aboriginal women and promote their participation in leadership and decision-making roles through Status of Women Canada.

Measures outlined by the minister in the action plan represent a total investment of nearly \$200 million over five years. I do not understand why my hon. colleague opposite sounds so concerned about this, yet she never supports anything that we do.

EMPLOYMENT

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I am rising today in follow-up to a question that I put to the Minister of Employment and Social Development on September 25.

I commend the government for finally responding to my repeated requests for the minister, through his department, to develop an enforcement and compliance strategy to govern the temporary foreign worker program.

In my four decades of involvement in environmental enforcement and compliance, both domestically and internationally, a clear consensus has developed across the country and around the world that it is important to the credibility of a regulatory regime that there be a publicly available and endorsed enforcement and compliance strategy. It is important that policy also be opened up to the public, to impacted persons, to employers, and to employees to ensure that the government is delivering a credible policy.

I would again like to commend the minister for not only finally responding and producing an enforcement and compliance strategy but also making that available to various parties to provide feedback.

The questions I wish to raise tonight relate to the apparent final strategy that has been released by the government.

In that strategy, which I understand is the final enforcement compliance strategy for now, the government sets forth, to its credit, some clear, publicly known criteria for how it is deciding what the appropriate enforcement responses are to violations under that legislation. To my surprise, the criteria seem to have a few problems. I would like to reiterate one of the issues from the ironworkers, who were impacted by the temporary foreign worker program.

As I have previously raised in the House, there have been a number of occasions in the oil sands sector where in some cases more than 100 Canadian ironworkers have been surreptitiously laid off and replaced by foreign workers. I reached out to the ironworkers to ask what their thoughts were on the proposed enforcement compliance strategy. Here are some of their concerns. I noticed that despite their input, the draft strategy remains exactly the same. As the ironworkers have pointed out, and I agree with them, the fact that an employer has violated the temporary foreign worker program—for example, by replacing Canadian workers with temporary foreign workers—for an economic or competitive advantage, is given a very low rating.

In the system, the government has laid out the kind of offences that may occur under this regulation. Here is what we think the criteria are. There has been a lot of concern expressed by a number of parties with the way the criteria have been assigned. One of those is that an economic advantage is a major factor, and I agree.

I have asked these questions that I would like to put to the parliamentary secretary tonight repeated times in the House. The minister has said that he has quadrupled the number of inspectors. Exactly how many inspectors are now employed? What are their credentials? Are they employed full time? What is their training? How many of those officers are deployed to the oil sands sector?

• (1840)

Mr. Scott Armstrong (Parliamentary Secretary to the Minister of Employment and Social Development, CPC): Mr. Speaker, on September 25, when the member asked for a commitment to increased enforcement of the rules governing the temporary foreign worker program, the Minister of Employment and Social Development said he was happy to make that commitment, because it had already been made.

Adjournment Proceedings

As all hon. members know, the minister announced a comprehensive overhaul of the temporary foreign worker program earlier this year, on June 20. The primary objective of the changes is to make sure that the program is used as intended, namely as a last and limited resort to fill acute labour shortages on a temporary basis when qualified Canadians are not available.

The changes strengthen the enforcement provisions and provide tougher penalties for those who do not follow the rules. The new application process is more comprehensive and more rigorous. For example, employers must now reveal the number of Canadians who applied for the job in question. They must also reveal the number of Canadians they interviewed for the job and provide an explanation as to why they did not hire any of those Canadians.

Employers must now state that they are aware of the rule that Canadians cannot be laid off or have their hours reduced at a work site employing temporary foreign workers.

Contrary to the member's assertion in her question, serious criminal sanctions, including fines and even jail time, can result if employers break the rules. These sanctions include revoking their permission to bring in temporary workers and being named on a public list.

There will be four times as many government inspectors, and one in four employers using the program will be inspected each and every year. Inspectors will also have greater power to catch those breaking the rules through, for example, warrantless onsite visits, the ability to compel employers to produce relevant documents, and the ability to ban employers who break the rules from the program.

Any allegations of abuse of the temporary foreign worker program will be vigorously investigated. In addition to the tip line, a new complaints web page has been launched to allow the public to submit tips easily and securely online. We encourage all Canadians who have concerns or information to call our anonymous and confidential tip line with any allegation of abuse, and it will be investigated.

There can be no doubt whatsoever that our government has not only talked the talk when it comes to enforcing these rules but has also walked the walk to ensure that the temporary foreign worker program will remain a limited and last resort to fill acute labour shortages on a temporary basis when qualified Canadians simply are not available.

It is only our government Canadians can trust when it comes to putting Canadians first, and we will take no lessons from the NDP on this file.

• (1845)

Ms. Linda Duncan: Mr. Speaker, it is with great regret that I must ask yet again exactly the same questions I have asked continually in this place.

First, again, how many full-time inspectors are there, and how many are dedicated to enforcing the temporary foreign worker program in the oil sands?

Second, why is there public disclosure of only a small subset of the enforcement responses? It does not apply to the warning letters, the suspension or revocation of the LMIA, or the work permits. Why is that information not being disclosed to the public?

Mr. Scott Armstrong: Mr. Speaker, I am wondering, when the member was talking to the workers in the oil sands, an area where she is from, if she explained to them that her party, if it had its way, would launch a massive carbon tax on the oil sands and that the jobs they are talking about would not exist for anybody, whether they be Canadians or temporary foreign workers.

Let me reiterate that the temporary foreign worker program can only be used by employers as a last and limited resort to fill acute labour shortages on a temporary basis when qualified Canadians are not available.

The government has strengthened the enforcement provisions of the program. We have tougher penalties for employers who do not follow the rules, and that includes in the oil sands. Any allegation of an abuse of the temporary foreign worker program will be vigorously investigated. In addition to the tip line, a new complaints website has been launched to allow the public to submit tips easily and securely online.

[Translation]

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:48 p.m.)

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