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OFFICIAL REPORT
(HANSARD)

Thursday, June 15, 2017

Speaker: The Honourable Geoff Regan

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HOUSE OF COMMONS

Thursday, June 15, 2017

The House met at 10 a.m.

Prayer

ROUTINE PROCEEDINGS

● (1005)

[*English*]

COMMISSIONER OF LOBBYING

The Speaker: I have the honour to lay upon the table the annual reports on the Access to Information and Privacy Acts of the Commissioner of Lobbying, for the year 2016-17. Pursuant to Standing Order 108(3)(h), these reports are deemed permanently referred to the Standing Committee on Access to Information, Privacy and Ethics.

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[*Translation*]

PUBLIC SECTOR INTEGRITY COMMISSIONER

The Speaker: I have the honour, pursuant to section 38 of the Public Servants Disclosure Protection Act, to lay upon the table the case report of the Public Service Integrity Commissioner in the matter of an investigation into allegations of wrongdoing. This report is deemed permanently referred to the Standing Committee on Government Operations and Estimates.

[*English*]

I also have the honour, pursuant to section 38 of the Public Servants Disclosure Protection Act, to lay upon the table the report of the Public Sector Integrity Commissioner for the fiscal year ended March 31, 2017. This report is deemed to have been permanently referred to the Standing Committee on Government Operations and Estimates.

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GOVERNMENT RESPONSE TO PETITIONS

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's responses to four petitions.

[*Translation*]

OCEANS ACT

Hon. Jane Philpott (on behalf of the Minister of Fisheries, Oceans and the Canadian Coast Guard) moved for leave to introduce Bill C-55, An Act to amend the Oceans Act and the Canada Petroleum Resources Act.

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

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INTERPARLIAMENTARY DELEGATIONS

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian delegation of the Canadian NATO Parliamentary Association respecting its participation at the Defence and Security Committee meeting held in Washington, D.C., United States of America, January 20 to 23, 2017.

[*English*]

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian NATO Parliamentary Association delegation respecting its participation at the joint visit of the Sub-Committee on Transatlantic Defence and Security Cooperation, Sub-Committee on Transatlantic Economic Relations, and the officers of the Sub-Committee on the Transatlantic Relations in Svalbard, Norway, May 9 to 11, 2017.

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COMMITTEES OF THE HOUSE

NATIONAL DEFENCE

Mr. Stephen Fuhr (Kelowna—Lake Country, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the sixth report of the Standing Committee on National Defence, in relation to a study of North American defence entitled "The Readiness of Canada's Naval Forces".

I would like to thank our clerk, Elizabeth Kingston, and our analysts, Melissa Radford and Martin Auger.

This is a unanimous report.

INTERNATIONAL TRADE

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee of International Trade, entitled "The Canadian Steel Industry's Ability to Compete Internationally". Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this report.

I would also like to thank our clerk, our analysts, and especially our committee. We have a hard-working committee. We do a lot of travel across the country and internationally. We do well for this country when we do our business.

Hon. Gerry Ritz (Battlefords—Lloydminster, CPC): Mr. Speaker, I do not disagree with what the chair of the committee said, but I just want to underscore a couple of points that we put in our attached report to maintain the access we have with our great trading partner, the U.S.

The problem we have is that as these Liberals move forward with a China free trade agreement at some point, the first thing China asks for as a precondition is market economy status. What that does is change the whole atmosphere around countervail, dumping, and so on, as it is doing with steel.

The other thing is that we need a study on the cost of the carbon tax and how that will keep us out of the American market simply because we are adding that $50 a tonne on a number of different aspects of steel production.

Those two things need to be underscored in this report. I hope that the government will respond to those, especially, when it does.

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

Mrs. Deborah Schulte (King—Vaughan, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on Environment and Sustainable Development, entitled "Healthy Environment, Healthy Canadians, Healthy Economy: Strengthening the Canadian Environmental Protection Act, 1999".

I want to thank all the witnesses who came before the committee and those who sent briefs to share their expertise with us. I also want to give special thanks to the clerk and the analysts who helped us to sort through all the advice, write the report, and bring forward recommendations. We had many thoughtful discussions, engaging all members of the committee. I am glad to report that we did agree on many of the recommendations, despite not being able to develop a unanimous report.

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

● (1010)

Mr. Jim Eglinski (Yellowhead, CPC): Mr. Speaker, the Conservative members of the environment and sustainable development committee have filed a dissenting report on the Canadian Environmental Protection Act study. The Conservative members believe that had the study been more focused and had more time been allocated to receiving critical testimony, the report could have represented another step forward in improving the rigour of Canada's environmental protection regime. Sadly, the majority's recommendations are, in many cases, not adequately borne out by supporting testimony and evidence before the committee. The recommendations appear to reflect an ideological bias in favour of a wholesale remake of Canada's environmental protection regime that could have profoundly chilling effects on Canada's economic competitiveness.

In closing, I would like to also thank the clerk and analysts for their work, and I would like to thank all the committee members. We actually worked quite well together, although we had differences of opinion.

CANADIAN HERITAGE

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the sixth report of the Standing Committee on Canadian Heritage, entitled "Disruption: Change and Churning in Canada's Media Landscape". I want to thank the committee for working so well together. We had very important debates. We were passionate about this, and I want to thank the clerk and the analysts for trying to translate that into some kind of coherent sense. There was a difference of opinion, however.

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

Hon. Peter Van Loan (York—Simcoe, CPC): Mr. Speaker, the Conservative members of the heritage committee wish to present a supplementary report, as our view is very much in contrast with that of the Liberal majority. Overwhelmingly, the recommendations of the majority members on the committee have embraced an effort to turn back the clock in the media world and keep things the way they were to try to replicate the ways of the analogue world in a new digital world.

This is a fool's errand; the world is changing and change brings disruption. Some see this disruption as a problem, but higher taxes and government control of the news is not the answer to the problem. Efforts to turn back the clock to an earlier age are doomed to meet with failure. With the transformations of the digital world, the media are genuinely democratizing for the first time. No longer is a citizen's influence limited to choosing which newspaper to read or which television news to watch. Now every citizen can use the online digital world to report news and opinions and distribute them. This is a welcome environment.

The committee is seeking new ways to tax Canadians to pay for efforts by the government to involve itself in the production of news for Canadians. Canadians do not need more and new taxes. The Conservative members of the committee strongly oppose any proposal to implement a Netflix tax, Internet tax, or any other news tax on Canadians.

BILLS OF EXCHANGE ACT

Ms. Georgina Jolibois (Desnethé—Missinippi—Churchill River, NDP) moved for leave to introduce Bill C-361, An Act to amend the Bills of Exchange Act, the Interpretation Act and the Canada Labour Code (National Aboriginal Day).

She said: Mr. Speaker, I am honoured to introduce a bill that seeks to turn National Aboriginal Day into a statutory holiday. When this day was first declared a holiday, the National Indian Brotherhood—today's Assembly of First Nations—wanted a day to honour the indigenous peoples of this land. Designating this day as a national holiday is an important step and an opportunity to celebrate the cultures, languages, and contributions of the first nations, Métis, and Inuit peoples in Canada. This timely bill answers one of the TRC's calls to action, that Canada create a statutory holiday to honour residential school survivors, their families, and communities.

In the spirit of reconciliation, I introduce this bill to render June 21 a national statutory holiday, a day to reflect on treaty relationships, indigenous languages, and the legacy of residential schools. I look forward to getting my bill passed in the House.

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

* * *

● (1015)

TOBACCO ACT

Hon. Jane Philpott (Minister of Health, Lib.) moved for leave to introduce Bill S-5, An Act to amend the Tobacco Act and the Non-smokers' Health Act and to make consequential amendments to other Acts.

(Motion agreed to and bill read the first time)

* * *

PETITIONS

TAXATION

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, I am pleased to present a petition signed by campers who stay at Booth Landing Camping and Cottages in Chisholm, Ontario, on the peaceful and quiet Wasi Lake in the riding of Nipissing—Timiskaming. The petitioners call on the government to ensure that campgrounds with fewer than five full-time year-round employees be treated as small businesses and taxed as such.

PALLIATIVE CARE

Mr. Stephen Fuhr (Kelowna—Lake Country, Lib.): Mr. Speaker, I have a petition from my riding that calls on the House to specifically identify hospice palliative care as a defined medical service covered under the Canada Health Act.

SENIORS

Ms. Tracey Ramsey (Essex, NDP): Mr. Speaker, I rise to present petitions calling for a national strategy for Canada's seniors. In this petition, they reference the demographic shift that is happening in Canada, that there are more seniors in Canada today than youth under the age of 15, and one in six Canadians is a senior. In 14 years, one in four will be a senior in Canada. We desperately need this strategy.

I am proud to present these petitions from residents of my riding and across the country calling for a national strategy for seniors.

INTERNATIONAL DEVELOPMENT

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

The first is from constituents in Saanich—Gulf Islands who are calling on the government, particularly through its international development assistance, to consider targeting support to small-scale sustainable agriculture to work toward food security and food sovereignty for developing nations.

PENSIONS

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is also from many constituents in Saanich—Gulf Islands calling for a national approach for income security for seniors, particularly an increase in the guaranteed income supplement, the strengthening of the Canada pension plan and Quebec pension plan, developing a national pension insurance program, and creating a national facility to adopt workplace pension plans of companies that have slid into bankruptcy.

We all know the tragic stories of people who had their pension funds in companies and then discovered that the pensioners were not protected when the companies went into receivership. This petition calls for income security for seniors.

Mr. Robert Kitchen (Souris—Moose Mountain, CPC): Mr. Speaker, it is my pleasure to present a petition from constituents in my riding, who are calling on the government to raise the pension system, CPP, OAS, and GIS, to bring it in line with the cost of living.

ERADICATION OF POLIO

Mr. Matt Jeneroux (Edmonton Riverbend, CPC): Mr. Speaker, it is a privilege to present my petition to support the eradication of polio. I thank Global Citizen, Results Canada, Rotary International, and UNICEF for working with me to sponsor this petition, which asks for the government to take action on the eradication of polio.

Thanks also to the thousands of Canadians from across Canada, from every province and territory, who took the time to add their names to this petition. The adoption of this petition would not only help to eradicate polio but also to prevent outbreaks of other illnesses around the world. We are so close to eradicating polio and Canadians have the opportunity to achieve this final step to stop anyone from having to suffer from this horrible disease again.

150TH ANNIVERSARY OF CONFEDERATION

Hon. Peter Van Loan (York—Simcoe, CPC): Mr. Speaker, I rise today to present petitions from two Canadian historical societies. These are prompted, as many are, by the Liberal war on history. These historical societies want history to be respected and celebrated during the 150th anniversary of Confederation.

The first petition contains signatures from members of the United Empire Loyalists' Association of Canada. The association is committed to advancing knowledge of the important role Loyalists contributed to Canada's development. Many Fathers of Confederation, in fact, were Loyalists, including Sir Samuel Leonard Tilley and John Hamilton Gray, or were descendants of Loyalists. Loyalists were people who came to Canada from the United States to demonstrate their desire to have a place in North America separate and apart from the republic to the south.

Members of the Waterford and Townsend Historical Society have also signed this petition. One of its most recent projects was rehabilitating the heritage train station in Waterford. That rail station was part of the important focus on railways to connect the new country in the period following Confederation.

The petitioners call on the government to reverse the very regretful decision not to have Confederation included as a theme of the 150th anniversary of Confederation and to indeed celebrate Confederation in this very important 150th birthday.

* * *

● (1020)

QUESTIONS ON THE ORDER PAPER

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

CANADA ELECTIONS ACT

The House resumed from June 8 consideration of the motion that Bill C-50, An Act to amend the Canada Elections Act (political financing), be read the second time and referred to a committee.

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, it gives me great pleasure to rise in this House today to speak on Bill C-50, an act to amend the Canada Elections Act with respect to political financing.

I will just provide a little background on what the bill represents. It provides that fundraisers requiring a contribution of over $200, at which party leaders, ministers, or leadership contestants will be in attendance, must be advertised online by the party five days in advance, regardless of which party or non-party entity is hosting or is benefiting from the event.

It requires a report on each individual fundraiser. Fundraisers inside an election period are not subject to pre-reporting; conventions or leadership debates are not considered fundraising events for this bill's purpose; donor appreciation events are caught within the bill's provisions, except appreciation events that are held at conventions; fundraisers at conventions are caught within the bill's provisions; penalties for contravening these new rules include returning or paying to the Receiver General all contributions received in respect of a regulated fundraising event, and a fine of up to $1,000.

The definitions of leadership campaign expense and nomination campaign expense have been harmonized with those already in force respecting election campaign expenses of candidates.

On the surface, these may seem like honourable and noble changes to the Canada Elections Act. The reality is that this is an attempt by the Prime Minister and the Liberals to gain credit for solving a problem that they created. It is as simple as that. It is effectively smoke and mirrors, a red herring to try to provide some cover for something in a situation that they created. That situation is cash-for-access events and fundraisers.

Members will recall how we got here. The Prime Minister, throughout his campaign, spoke about the fact that the Liberals were going to do things differently. He said that they were going to be more open and more transparent. As I have said in this House many times, he held his hand over his heart, which makes it so, makes it sincere, and said he was going to do this.

The reality is that shortly after the election he gave mandate letters to his ministers, where he said unequivocally that there should be no undue influence, no perception, real or otherwise, of any political interference, and that ministers of the crown, and in fact he himself, should be held to a high standard when it comes to political interference, political influence, cash-for-access.

The words were very clear, when the Prime Minister wrote those mandate letters, that they were not going to do it. We found out, not long after the fact, that indeed cash-for-access fundraisers were occurring. Some of the highly publicized ones included the Minister of Justice showing up to a law firm on Bay Street in Toronto, where presumably there was a bunch lawyers who paid a certain amount of money to be there, to have the justice minister there, which was a complete contradiction and complete contravention of what the Prime Minister had stated in his mandate letters, in that appendix talking about perception, real or otherwise, of undue influence. It became known publicly.

The media picked up on it. Certainly the opposition parties picked up on it. Again, the House dealt with this issue for several weeks. It became a bad issue for the Liberals. The public perception of what they were doing with respect to cash-for-access was not playing well for them in the media, publicly, or in the House.

There were others that were publicly highlighted, only because people who had attended these fundraisers were talking to the media. They were actually saying that they were talking about government business with the Prime Minister. There were several that were held in Toronto and Vancouver that we are aware of. It became a bit of a cash cow for the Liberals. They actually did very well at these cash-for-access fundraisers, these private events where people could bend the Prime Minister's ear or bend the ears of ministers of the crown.

● (1025)

Presumably if people had business in front of the government, they could, for the price of upwards of $1,500—and I suspect they probably took the max—talk to ministers, talk to the Prime Minister about the business that was in front of the government.

Why is this important? Oftentimes during debate, we will hear members say that the opposition side did this. From my understanding, the opposition did not do anything similar to this, but it is important because ministers of the crown in one fell swoop can allocate millions of dollars in a direction or to an area where a lot of this influence may be going on. That is why this is important.

I think the Prime Minister probably understood that when he wrote those words in his mandate letters to his ministers, but the words were hollow, meaning nothing. We saw by the action of the ministers and the Prime Minister that they continued to do something that they said they were not going to do.

I can go through a list of things that the Liberals promised to do that they have not done, such as electoral reform, but I certainly do not want to get my colleagues in the NDP worked up on that. However, there are many things that the Prime Minister said he was going to do differently, which in fact the Liberals are not doing differently.

It is no surprise to any of us from Ontario why this is going on here in Ottawa. For years, the Ontario Liberals have been doing cash-for-access fundraisers, and it has worked out really well for them. In fact, ministers were provided with quotas. There were certain amounts of money that they were expected to raise through these cash-for-access fundraisers. In some cases, it was a quarter of a million dollars throughout the year, in others it was $500,000, and for the premier I am sure it was more.

I remember one time there was a cash-for-access event in Barrie. There were 12 people there. Each one of them paid $5,000 to sit around and have dinner with former premier Dalton McGuinty, and that night the Liberals raised $60,000. That is $60,000 in one evening. That is what cash-for-access meant in Ontario. Why is it no surprise that this is going on here in Ottawa? We have heard those names many times in the House: Gerald Butts and Katie Telford. It was the same situation that went on in Ontario, just like the moving van that came here to Ottawa, that same playbook that the Ontario Liberals used for all those years until again there was public backlash and the opposition highlighted this situation. It ended up with Ontario changing the rules.

It is no surprise to any of us in Ontario that this is happening, because that same failed playbook—not just cash-for-access, but other failed policies like debt and deficit that have handcuffed the economy of Ontario—is the same thing that is going on here. There is a common denominator throughout this whole thing, and that is Gerald Butts and Katie Telford.

What would this legislation do? In effect, in spite of the Liberal assertion that it would bring it out of the shadows and somehow legitimize and formalize this process of cash-for-access, it actually would change nothing because cash-for-access events can still go on. It would do nothing in terms of addressing issues of private fundraisers in houses. It would do nothing in terms of what the government committed to as far as holding these in public spaces. It would not formalize that at all, so what we would see is more of the same, more of these cash-for-access events where the Prime Minister and the ministers would be the stars of the show, where for $1,500 people would get to bend the Prime Minister's ear presumably because they have business in front of the government.

● (1030)

A quick search of the Liberal Party website shows that there is a cash-for-access event that is happening next Thursday. I apologize to my colleagues that I was searching the Liberal Party website, but it is important that we stay on top of this stuff. When we look at what is happening next Thursday, an evening with the Right Honourable Prime Minister, we see the price of the event is $1,500. If one is a youth aged 25 or under, it is $250. Nothing has changed. The Liberals are still having these cash-for-access events.

The government purports to be all about the middle class and those working hard to join it, but how many middle-class Canadians would be able to afford $1,500 at this cash-for-access event? I suggest not many. I can say that my friends cannot afford $1,500. If they could afford it, they would be giving it to our local EDA so that we can be a lot more powerful heading into the next election against the Liberals. They give what they can afford: $250, $300, $200, or $50 sometimes. Here is the Right Honourable Prime Minister in Mississauga a week from tonight asking for $1,500 at this event, and a youth would have to pay $250 to be there. That is a lot of money, and nothing has changed.

My hon. colleague from York—Simcoe said it best last week. What this would do is provide the Liberals cover for something they are already doing. It would be legitimized and formalized by these changes in law. If we look at the mandate letter provided to the new Minister of Democratic Institutions, we see the Prime Minister said, "Sunshine is the best disinfectant to concerns about our political process". If that is the case, the Liberals better have SPF 100 available, because there is a lot of sunshine being put on the government.

This piece of legislation would not do anything to change the issue of fundraising in private residences. This would continue to go on. Adding publicly accessible spaces, which the Liberals said they would do, would not change anything. Also, media access is still in question. Little would change with this piece of legislation, because cash-for-access would still exist. Cash-for-access, what people pay to bend the ear of the Minister of Justice or other ministers of the crown because they have business in front of them, or the Prime Minister himself, will still go into Liberal Party coffers.

Some people must be sitting at home wondering why we are arguing about $1,500 because it seems like a little amount, and questioning how anyone could be influenced by $1,500. I would suggest that it is not just the $1,500 but the potential for multiples of $1,500 being paid by stakeholders, perhaps with one organization, or with a Chinese investment firm looking to invest in retirement homes, looking for approval from the government for retirement homes in B.C. As we have heard recently, that is not working out very well. Perhaps it is for the sale of Canadian technology, which could impact our national security. Perhaps it is multiples of those $1,500 amounts that can make a difference with respect to the decision-making of our government and the ministers. With one swipe of the pen, they can allocate millions and billions of dollars into stakeholder interests, and also sell some of our assets by approval mechanisms, which they are doing.

The $1,500 is one thing, but I think the Minister of Democratic Institutions had a real opportunity here to deal with not just this issue but also the issue of third-party electoral financing. That is not addressed in this piece of legislation.

● (1035)

It is a shame it is not. The single biggest threat to democracies around the world and the principle of democratic institutions is that these third parties tend to influence, outside the scope of Elections Canada, rules on fundraising and financing. Many raise their eyebrows on this issue, raising the issue publicly.

Recently a new report alleged significant outside influence in Canada's 2015 federal election. Reading from a newspaper account, in the 2015 annual report of the California-based Online Progressive Engagement Network, OPEN, Ben Brandzel, one of Leadnow's founders, said, “We ended the year with...a Canadian campaign that moved the needle during the national election, contributing greatly to the ousting of the conservative Harper government.”

That is the elephant in the room. The fact that there is outside influence from other countries and organizations that can directly impact our democratic process needs to be addressed by the minister.

The Senate is dealing with this issue. Senator Frum introduced a private member's bill to look at the third party financing. I was also proud of my colleague, the member for St. Albert—Edmonton, who recently wrote a letter to the chief of Elections Canada in which he talked about the issue subsequent to that report coming out.

I will give an example of the impact third party influence can have: the Council of Canadians donated $67,000, money that came from the Tides Foundation; the Dogwood Initiative, $238,000; Ecology Ottawa $36,000; Équiterre, $97,000; Greenpeace Canada, $174,000; Toronto 350, $9,800; West Coast Environmental Law Association, $53,000; and the West Coast Environmental Law Research Foundation, $15,000, for a total of $693,000. Under election rules and laws, that money did not need to be noted by these campaigns. That money could be targeted directly against individual candidates and in a broader degree, against parties as well. There is nothing in the legislation to address that problem.

The legislation would fix a problem and provide cover. It would legitimize and formalize what the Liberals have been doing. It would give them an opportunity to do it legally, but that still does not make it right.

One of the issues my colleague from St. Albert—Edmonton put forth in his letter, and several facts taken together, with respect to third party influence on elections, was that together the third parties received a substantial amount of foreign money from the Tides Foundation in 2015, and none of those funds were reported to Elections Canada. This is a real threat to western democracies and to our democratic institution and processes.

The legislation will not change anything. It is quite mind-boggling that we are dealing with this. The Liberals created another problem for themselves, so they are trying to provide some cover by legitimizing the process through legislation.

What used to be brown envelopes that influenced in the past, and there is certainly a history on that side of this having happened, yesterday's brown envelopes are today's cash-for-access events, where significant influence can be borne on ministers and the Prime Minister to make decisions that are in the best interests of special interest groups, not in the best interests of Canadians.

● (1040)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, ah, the good old days when brown bags of cash would be handed over, sometimes to former prime ministers, by shady businessmen.

When the current Prime Minister was merely a candidate for the job, he said:

> There should be no preferential access to government, or appearance of preferential access, accorded to individuals or organizations because they have made financial contributions to politicians and political parties.

This is the rule the current Prime Minister set out for himself and for his cabinet, that there should be no preferential access to government or even the appearance of preferential access based on donations. My friend outlined that in a week the Prime Minister will be giving preferential access to those who can afford to pay $1,500 to have some time with him. This is incredible.

The bill, by the way, would do nothing to affect that. All the names that donate to political parties are published. This would change the timing of the publication. Therefore, pay to play continues, cash for access continues. This is just going to speed up when we tell people about how the government was bought and sold. We are going to inform the public online quicker as to how preferential access was given.

Just on this one rule, if we took nothing else about the Prime Minister's credibility, if his word means anything at all, does Bill C-50 do anything to help implement the Prime Minister's own promise to Canadians that no preferential access to government or appearance of preferential access would be given, based on financial contributions?

Mr. John Brassard: Mr. Speaker, I thank my hon. friend for his work on this file. He has done an incredible job exposing the cash-for-access situation. I give him a lot of credit for that. It has been a lot of work on the part of the opposition.

To his point and his question, this actually does nothing to change cash for access, and I gave an example. The hon. member reiterated the fact that next week, a week from tonight, the Prime Minister will be in Mississauga. People will be paying $1,500 to be there. Of course, he will get up, make a speech, mingle, but presumably those who go will be people who have business before the government. They are looking to bend his ear. They are looking for influence. They are looking to put their point forward.

The bill would do nothing to change that. All it would do is legitimize and provides cover for the government to continue doing what the Prime Minister said he would not do.

As a new member of Parliament, I have sat down with a lot of members who have a lot of experience. There is a common theme that comes back regularly from those conversations, and it is that one's word is one's word. One's word means everything around here. The Prime Minister put in writing a direction to his ministers, and to himself I would argue, that there would be no preferential access or the perception of preferential access because of political contributions. It took him literally a couple a weeks to break his word.

As I said during my speech, we could go through a long laundry list of broken promises that the Prime Minister made to Canadians during the last election campaign. For a party and a Prime Minister who said they would be open and transparent, nothing could be further from the truth. What this legislation would do is legitimize and formalize cash for access. If anybody complains about this, anybody at all, the Liberals will say that they passed legislation, that they were doing it by the rules and by the law.

● (1045)

[*Translation*]

Mr. Louis Plamondon (Bécancour—Nicolet—Saurel, BQ): Mr. Speaker, I have listened carefully to my colleague's remarks.

I agree with him about the influence of third parties, but there is a real solution precisely to stop undue influence on governments. When the Conservatives are in power, they are virtually attacked by lobbyists. Obviously, for lobbyists, the best way to work is attending cocktail fundraisers. The same is true when the Liberals are in power.

There was legislation that said that only those who had the right to vote could participate, and that the government had a duty to contribute $2 per vote to limit the influence of lobbyists. In this sense, would restoring this legislation not be the ideal solution?

I would add that, in the last election, for instance, the Conservative Party apparently collected about $10 million a year. They did not need cocktail parties at $1,500. The Liberals apparently received $12 million, and the other parties also had $2 per vote. This would ensure a democratic way of public financing. Furthermore, I would limit the amount for individuals to only $400. That way, the big financial players would no longer be interested in attending cocktail parties to win the Prime Minister's favour.

[*English*]

Mr. John Brassard: Mr. Speaker, we can always improve ways of openness and transparency for political fundraising. There is no question about it. We saw the lobbying commissioner's report recently that said lobbying had gone up significantly with the Liberal government, and there is a reason for it.

In all the discussions I have had with my colleagues, not being around this place in previous Parliaments, in the case of former ministers and prime ministers, any time they attended these types of events, those lists were vetted to find out who had business in front of the government. I have been assured of that. In fact, in many cases, ministers would move to strike names if they knew those people or groups had business in front of the government to ensure they did not attend those fundraising events.

I am confident that the previous government did adopt this practice, but that is not the case here. It has been reported publicly in the paper that there was influence in Vancouver, where someone with interests in our country said that he had been bending the Prime Minister's ear. He had been talking to him about what he was trying to do with respect to government business.

There certainly are ways to improve things. The bill is not one of them. It would do nothing to move away from cash for access. All it would do is legitimize and formalize for the Liberal Party to provide it cover for cash for access.

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, what is most troubling about the bill is the timing. The bill was tabled exactly at the point in time to turn the page on the fact the Prime Minister broke his promise, not just during the election, but in his throne speech and the specific mandate to his minister of democratic reform, which this would be the last election using first past the post. Then they come out with a bill that would supposedly reform our electoral process.

When we hear the Liberal members speaking to the bill, what is most troubling is that they say we are all in this together, that all elected members fundraise. They know we are not talking about that point. We are talking about influence on government, paying for access to government. We are not talking about members of the House raising money in their constituencies. We are talking about pay for access, and it is completely wrong.

● (1050)

Mr. John Brassard: Mr. Speaker, when the member is sitting there with 33 seats, she can promise the stars and hope to hit the moon. What the Prime Minister did with his election promises was he threw out everything he could, including the kitchen sink, to try to get Canadians to vote for the Liberals. With the promise of electoral reform, he extracted a lot of progressive votes. I believe he will pay the price for it. The one thing Canadians do not like is when people do not tell them the truth.

Mr. Andy Fillmore (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, I am honoured to rise today to speak to the bill to continue this government's important work to strengthen Canadian democracy. Bill C-50, an act to amend the Canada Elections Act (political financing), would foster a new era of openness in Canada's political parties. I would like to thank my hon. colleagues for sharing their thoughts on how we can strengthen our political financing laws here in Canada, and I look forward to moving ahead with this legislation so we can create an unprecedented level of openness and transparency for political fundraising events.

When I look across our country, I am deeply impressed by the millions of Canadians who are contributing to our democracy every day. Their creativity, collaboration, and commitment are a testament to the vibrant civic culture that thrives across our country. In Canada we are very proud of our diversity, and this is equally true when it comes to civic engagement. Canadians engage with their communities, the political system, and the country as a whole in diverse ways. They may be volunteering at their local community centres. They may be teaching a class about how a bill becomes a law. They may be running the local scouts group. They may be volunteering in their municipal, provincial, or federal elections. Whatever the form of civic engagement may be, they are furthering Canada's democracy, and I thank them all for that valuable contribution to our country.

During my own time in this House, I have had the privilege of speaking with and learning from many citizens who are behind these everyday acts of democracy. These many kinds of civic engagement help make our democracy the amazing, lively, and diverse place it is today.

One of the most common ways Canadians can get involved in our democracy is through political parties. Political parties are a key feature of Canada's political landscape. They encourage new people to enter the political arena, they bring important conversations into the political discourse, and they foster a healthy and rigorous dialogue. Whether joining a political party, making a donation, or attending a political fundraiser, people are participating in Canada's democracy. Canadians have the right to volunteer, to speak up, and to choose to financially support a political party. In fact, many Canadians see contributing to a political party or attending a fundraising event as a significant avenue for them to participate in our democracy. Our desire is to enhance openness and transparency in Canada's political fundraising. It is grounded in respect for all Canadians' right to democratic expression.

Political parties work with others in the public sphere to create an important forum for dialogue. One organization that is working to enhance political openness in Canada is openparliament.ca. As many will know, this website makes Canadian politics accessible by publishing votes, speeches, and other communications from the hon. members of this House. When looking at openparliament.ca, I was pleased, but not surprised, to find that my own favourite word to use in the House of Commons is “change”. This government has demonstrated its commitment to positive change in our democratic institutions. It has been an honour for me to work with the Minister of Democratic Institutions, who brings her incredible commitment to democracy to all her work. In my role as parliamentary secretary to the minister, I am proud to assist her in improving, strengthening, and protecting our democratic institutions.

The minister's mandate letter captures the scope and breadth of the positive change this government is bringing to our Parliament. We have transformed the process to appoint senators and judges. We are bringing back measures such as vouching to make our elections more accessible and inclusive. We are moving to better inform Canadians and to protect our democracy from the challenge of cyber-threats. Now it is time to update our political financing laws to create the level of openness and transparency Canadians expect from the political parties that represent them in the House of Commons.

Currently, the Canada Elections Act lays out the legal framework that governs fundraising and campaign financing. This is a framework that applies to all registered federal political parties, no matter what side of the House they may sit on. Under the current regime, donations can only be made by Canadian citizens and permanent residents. A strict upper limit exists for these individual contributions. Every year an individual can donate up to $1,550 to a national political party. In addition, that individual can also donate up to $1,550, in total, to riding associations, candidates, or nomination contestants in a party. In the case of an individual's preferred party having a leadership contest, he or she can donate up to $1,550, combined, to all the leadership contestants in the leadership race. In addition, we have robust rules that prevent corporations, industry associations, and trade unions from funding any political party or politician, period.

● (1055)

The current regime also outlines clear obligations for the recipients of these donations. Political parties, electoral district associations, candidates, leadership contestants, and others are required to report their fundraising activities. Through Elections Canada, all Canadians have the opportunity to view these financial reports. What is more, Elections Canada also publishes the identity and postal codes of those individuals who donate more than $200. All that information is available on the Elections Canada website, which is an important facet of the openness and transparency we seek to advance.

In Canada, it is clear that we prioritize the strict scrutiny of political fundraising. That is why, under the Canada Elections Act, there are penalties for any violation of these political financing rules. Penalties can include fines of up to $50,000, up to five years in prison, or both. This is one of the strongest political financing regimes in the world.

Part of the democratic process is looking critically at our own institutions and asking how we can make them even better. How can we make them even more open and transparent to Canadians? In answer to this question, our government has introduced Bill C-50. This bill truly is an opportunity to continue making positive change in our political process.

In Bill C-50, the government has proposed rules that would contribute to the culture of transparency here in Canada. Under these new rules, Canadians would have even more information about political fundraising events. Making this information accessible would enable Canadians to have trust in our system, a foundation of any healthy democracy.

The importance of openness and transparency in governance is widely recognized. Mr. Angel Gurría, long-time Secretary-General of the OECD, explains that "Openness and transparency are key ingredients to build accountability and trust, which are necessary for the functioning of democracies and market economies."

Mr. David Tilson: Mr. Speaker, I rise on a point of order. There does not seem to be a quorum.

The Speaker: I thank the hon. member for Dufferin—Caledon for noticing the lack of a quorum at the moment.

I do now see a quorum.

The hon. Parliamentary Secretary to the Minister of Democratic Institutions.

Mr. Andy Fillmore: Mr. Speaker, another key pillar of our democracy is an active media. I truly appreciate the work the Canadian press does every day to keep our democracy accountable. We respect the role journalists play informing and educating Canadians about their leaders, and we respect their role in holding us to account. Openness and transparency enable the press to do its important work in our democracy. Bill C-50 recognizes this and emphasizes providing journalists with the information they need to do this important work.

Bill C-50 would usher in a new approach to fundraising events for all parties represented in the House of Commons. It would apply to fundraising events with a ticket price of over $200 where cabinet members, party leaders, and leadership candidates were in attendance. These events would need to be advertized at least five days in advance, making them more accessible by providing all interested Canadians, including the media, with information to enquire further into the details of an event. Following the event, parties would have to report the event details, such as the names of all attendees, to Elections Canada within 30 days.

This legislation comes in a landmark year, when we celebrate 35 years of the Canadian Charter of Rights and Freedoms. At this unique juncture, we can look back on 35 years in which Canadians did not have to stop to ask whether they had the right to vote, whether they could run in a federal election, or whether they could associate freely. Those rights were enshrined in section 3 of the Canadian Charter of Rights and Freedoms by Prime Minister Pierre Trudeau 35 years ago.

Canadians and permanent residents have the right to participate in the political process. Being able to contribute financially to a political party is an important form of political expression. It is our responsibility to ensure that these rights are protected for future generations of Canadians.

Canadians expect us to work together to find opportunities to strengthen our democratic institutions. By introducing Bill C-50, we are continuing this work with a focus on strengthening the openness and transparency of our political parties.

Political parties are a celebration of the diversity and political expression that make Canada great. As Canadians, we all have the cherished freedom to support the political party we believe in. We may hold different beliefs, but we all have the right to participate in the political process.

I am honoured to be part of this House, where I see my colleagues working diligently to uphold their diverse political beliefs. It is this important work that allows us to continue to strengthen our democracy.

Bill C-50 would provide Canadians with more information than ever before about political fundraising events, providing them with the openness and transparency they need to have confidence in our democratic process. I look forward to hearing the opinions of all hon. members in this House on how we can further strengthen our democratic institutions.

● (1100)

Mr. Pat Kelly (Calgary Rocky Ridge, CPC): Mr. Speaker, I wonder if the member sees the irony in this whole sorry spectacle on this bill. There is only one party in this House that has conducted itself in a manner necessitating this type of reform. It is not even really reform. As the earlier speakers have pointed out, cash for access will continue. It will be business as usual, even after this law is adopted. A little quicker reporting will be required, and they will not be able to conduct cash for access quite as secretly under this new law. Again, the irony is that there is only one party here that conducts cash-for-access fundraising.

This Prime Minister, unlike the previous prime minister, attends fundraisers paid for by lobbyists who have business with the government, something the former prime minister did not do.

I wonder if the member would comment on the absurd irony of this whole bill and the circumstances under which it has been brought to this chamber.

Mr. Andy Fillmore: Mr. Speaker, I must say that it is very difficult for me and for Canadians to understand the member's concern about the fundraising efforts of my party, given that all the rules and laws have been followed, as the Ethics Commissioner has definitively stated. In fact, the same rules apply currently to the member's party and applied to that party when it was in government as well.

What I can understand is how the member would be concerned about Bill C-50, because it would expose his own party's fundraising methods to the disinfecting qualities of sunshine. As we saw in the recent Conservative leadership race, there were high dollar value fundraising events. Canadians will simply never know who was funding those campaigns.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I think that my colleague completely missed the point that his Prime Minister was trying to make when he said that there would be no preferential access or even the appearance of preferential access to ministers and government in return for donations to the Liberal Party.

The member said several times that his party follows all the rules, but although that may be true, his party is not honouring the solemn promise the Prime Minister made to Canadians. That is the problem, and that is the issue that my colleague did not want to address. The Prime Minister set a different standard and made rules that are different from those set out in the Canada Elections Act.

Can my colleague comment on the standard that the Prime Minister solemnly promised to uphold? The Prime Minister promised that there would be no preferential access or even the appearance of preferential access to government. If the member thinks that paying $1,500 to get access to the Prime Minister does not give the appearance of preferential access, then I would like him to explain how he defines preferential access.

● (1105)

[*English*]

Mr. Andy Fillmore: Mr. Speaker, the member is quite right. This is about standards that would apply to all members of this House and all parties. The standards that are being put forth in Bill C-50 would ensure that fundraising events would be advertised ahead of time, that those who attend would have their names and postal codes reported, that the dollar amounts would be reported, and so on. I am very pleased that the Liberal Party has already voluntarily taken it upon itself to follow these rules. We would welcome all parties in this House to similarly take on these standards, even before they become law.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, it is true that political party leaders do fundraisers, and people buy tickets to come to those fundraisers. However, when the political party leader becomes the prime minister, there is a very large and important distinction to be made that we do not want government policy influenced by those who can get in the room.

Does it not seem to the parliamentary secretary that it is time to actually face the reality that to ensure that politics in this country is not contaminated by those with undue influence through access of all kinds, but particularly for cash, it is time to have public financial support for political parties at a low level, to reduce the amount of spending political parties can do in terms of buying advertising during election campaigns, and to otherwise overhaul the system to eliminate, once and for all, the spectre of deep pockets influencing government?

Mr. Andy Fillmore: Mr. Speaker, I thank the member for Saanich—Gulf Islands for her excellent question and for her devotion to this place and this work.

As I dwelt on in the opening part of my earlier speech, this government feels, and I personally feel, that political fundraising is a fundamental part of our democracy. Canadians feel that when they support a party of their choice, whether it is through volunteering or through financial support, they are participating in the grandness of democracy in Canada. That is something that we are not looking to change yet.

What we are trying to do is to make sure that all sources of fundraising over $200 are clear to all Canadians so that Canadians can continue to have confidence in this democracy, regardless which party is raising the funds.

Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.): Mr. Speaker, I appreciate my friend's submissions. I want to ask him about access to the Prime Minister. I know the Prime Minister has been in my riding of Scarborough—Rouge Park, around Scarborough, and in Toronto a number of different times since the election in October 2015. I know he has engaged, I would say, thousands of Canadians. Last year, for example, he attended Pride events, where he encountered and talked with hundreds of people, and he has come back over and over again to my region.

I want to hear about the member's experience in terms of how an average Canadian can access the Prime Minister without making any contribution or giving any support to the party. As a Canadian, how does one reach our Prime Minister?

Mr. Andy Fillmore: Mr. Speaker, I thank the member for the question and for his hard work in this place. We currently have a Prime Minister who is the most publicly accessible prime minister we have ever had, a prime minister who repeatedly and tirelessly goes out of his way to connect with Canadians in their own communities, on the sidewalk, in community halls, in grocery stores, in markets, and in arenas throughout this country where no charge is ever made. It is entirely cost free.

There are innumerable ways that Canadians can connect with our Prime Minister and in fact with all of our political leaders.

● (1110)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I have a very straightforward question about this remarkable Prime Minister my friend just talked about, because he also said the following: "There should be no preferential access to government, or appearance of preferential access, accorded to individuals or organizations because they have made financial contributions to politicians and political parties."

There is an event next week at which Canadians can gain access to the Prime Minister if they donate $1,500. How would he not understand that to be anything other than breaking the Prime Minister's own solemn promise to Canadians?

Right here, he says, "You can't get access to my government just by making a donation", but next week, in the GTA, he is going to give special access to him for a donation of $1,500.

For all those middle-class Canadians and those working so hard to join them, how exactly is that not a straightforwardly broken promise, another betrayal from the Prime Minister of something he committed to do?

Mr. Andy Fillmore: Mr. Speaker, Bill C-50 is exactly about transparency and openness in how all parties are undertaking fundraising in Canada right now.

I want to underscore again that the Prime Minister has made himself available at no cost to tens of thousands, perhaps hundreds of thousands, of Canadians. That is unprecedented access to a prime minister in this country.

What is very important with Bill C-50 is that we are going to be establishing rules that all political parties, including leadership contestants, will have applied to them.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is a pleasure to rise today.

I just checked the stock market ticker, and there is a run on red Kool-Aid going on right now. The amount being drunk by the other side, believing their own noise, is exceptional. When it comes to fundraising and clearly broken promises to the Canadian people, it is most remarkable that Liberals say this makes it transparent. It makes it more transparent that the Prime Minister is breaking his promise to Canadians and makes it more transparent that people can buy access to the Liberal Party of Canada, directly to the Prime Minister and cabinet ministers.

I have a long list of all the various special access programs and all the various ministers. I hope I have the opportunity to read it.

Of course, it is not only the Prime Minister that people can buy access to—no, no. People can pay to play with virtually any minister on the front bench about an issue that they are engaged in if they have the money to do it.

Here we are with Bill C-50. This is an unusual moment for me, because this may be the most tepid and conditional support for a bill that I have ever given in my parliamentary career. That is because it does so little. In its vagueness and the cloud that it seeks to create, it borders on nothing, and sometimes it is hard to vote against nothing.

There is this bit of noise that says Liberals are going to follow the law. That is basically what the bill says. The law in Canada requires that the names of people who make donations to political parties eventually be made public, along with how much they have donated, so now they are going to follow the law. Wow. It is breathtaking. Oh, are they are going to do it a bit quicker? Congratulations.

It reminds me a bit of asking kids to clean up their rooms, which are total disasters. There are toys and clothes everywhere. They walk in, pick up one sock, put it in the laundry hamper, and say they are done. The Liberals have made an entire mess—of their own creation, by the way—of these cash-for-access events. They were invented, designed, and executed by the Liberal Party once it formed government. Liberals made the mess and then said they were going to fix it.

They even made the great mistake of over-promising and under-delivering, because they leaked this bill to *The Globe and Mail* before it came out. *The Globe and Mail* had a breathless headline saying that the Liberals were going to end cash-for-access fundraisers. I thought, "Great. That would be a good thing", because being able to buy access to the government is not only unseemly but also breaks a bunch of laws if those people happen to have any business with the government, which again, as we will see when I get to the list of all of the cash-for-access fundraisers, is happening with the justice minister, the natural resources minister, the finance minister, and the Prime Minister.

The Liberals were going to end it, said *The Globe and Mail*, as per a report of a Liberal insider, and then, lo and behold, we get Bill C-50. It is 16 pages that manage to do virtually nothing. Wow.

We are going to go through this exercise today and other days debating this most virtuous act that is all sizzle and no steak, as they say back home, and attempts to do something that I would suggest is quite cynical. As my colleague from Edmonton pointed out earlier, the timing of this bill was most suspicious.

In the wake of breaking yet another promise to Canadians—that 2015 was going to be the last election under first past the post—suddenly the Liberals said they were going to attempt to change the channel over to cash for access, because they did not want us to pay any more attention to the fact that when Liberals campaigned in the last election, they swore hand on heart that 2015 would be the last first-past-the-post election and that they would bring in a more fair and equitable voting system.

They were going to move it over. I thought if they were going to change the channel, they would have to change it to a better station. They decided to change the channel over to cash for access, this practice and culture within the Liberal Party that enables people who have a lot of money to speak directly, personally, intimately to ministers of the crown.

Let us clear up one thing. My friend from Saanich—Gulf Islands attempted to get the Liberals to say something about this. Liberals say that all members of Parliament fundraise. They are trying to say apples are oranges and night is day and there is no distinction between someone paying to go to a fundraiser for a minister of the crown, who is, pen in hand, writing laws as we speak, or to the Prime Minister himself, who under the political system we have has extraordinary powers, and a backbench member of the House of Commons holding a fundraiser. The Liberals are trying to say that the expectation of influence is the same for those who participate in those fundraisers.

● (1115)

What planet do the Liberals occupy? They know full well that the access they are selling is influence. People do not pay $1,500 to sit down with the Minister of Justice, the Minister of Natural Resources, or the Minister of Finance with the expectation that their words will have no effect on the laws, bills, or programs that emanate from the government.

There is a great quote by the Prime Minister from December 13 of last year. He admits that lobbyists are showing up to his fundraisers, which probably breaks another law, but okay. Lobbyists are showing up to the Prime Minister's fundraisers. It is a natural question to ask why a lobbyist would pay $1,500 to see the Prime Minister. I wonder what a lobbyist would want to do.

They would probably want to lobby on behalf of their clients, who pay their salaries. Industry, big banks, and pharmaceuticals hire lobbyists. The lobbyists attend the fundraisers, pay the money to the Liberal Party, and then get a little one-on-one time with the Prime Minister.

The Prime Minister explains it away this way:

> Any time I meet anyone, you know, they will have questions for me or they will take the opportunity to talk to the prime minister about things that are important to them.

I love it when he uses the third person. It so impresses me when someone uses the third person to talk about himself.

He went on:

> And I can say that in various Liberal party events, I listen to people as I will in any given situation, but the decisions I take in government are ones based on what is right for Canadians and not on what an individual in a fundraiser might say.

That is weird, because if we talk to these lobbyists about why they attended a certain event, they tell us they were lobbying the government on behalf of their clients, and that it was effective because they got some very good, close, personal time with the Prime Minister or various ministers, and it felt very effective.

Business is in the business of business, of advocating and encouraging the policies that work for it. This is not a charitable exercise for a lobbyist. My friend said earlier, it is "the grandness of democracy". I got a little wispy there for a moment. When someone who works for an industry drops $1,500 on the table to lobby the Minister of Natural Resources, he or she is participating in the grandness of democracy. "Here is my $1,500, on behalf of the mining companies that I represent, to spend time with the natural resource minister." The minister had promised the *Winnipeg Free Press* that he would never attend a cash-for-access event. Where was the Minister of Natural Resources two weeks later? He was at a cash-for-access event with people from the natural resources industry.

These dots are not hard to connect, yet for Liberals it seems that they are, because they just produced a bill that will enshrine the status quo. It will say that cash for access will continue. It even falls short of their promise that these events could not be held in private homes, because the bill allows for that to continue.

They said they were to be held in public spaces. That was in their speaking notes at the press conference, The Liberals said they would ensure that fundraisers would be held in public spaces that the public can attend. First of all, there is that slight little hitch: the public can attend if they happen to have $1,500. When I see a sign for public skating, I know what that means. A public swim at two o'clock would mean it was probably a couple of bucks or $4.00, and I can take my kids swimming or skating. If it says that there is public skating at four o'clock and it is $1,500 to get in, it does not feel so much like a public space anymore. Rather, it feels very much like a private space, a Boulevard Club or Granite Club sort of public space, which is a Liberal interpretation of what a public space is.

The bill also has a convenient loophole that has been deemed the Laurier Club loophole. if someone makes the $1,550 maximum donation at a Liberal convention, this law does not apply. Is that not convenient? Where do many people who attain status at the Laurier Club make their donation? It is at a Liberal convention. In fact, according to Liberal records, a quarter of the Liberal donations came from just 4% of their donors. Twenty-five per cent came from 4%. That is according to Liberal records.

If the Liberals scowl and tut-tut, then it must mean the Liberal Party of Canada is lying, which I would never suggest. That has never happened, even with all that sponsorship scandal. In any case, the Liberal Party has reported that this is where its money comes from.

● (1120)

The list of what the bill does not do is so much longer than what the bill does. It says we are going to report who attends cash for access quicker. We are going to notify the public a few days in advance that the event is happening, and the public is welcome to attend if they have $1,500. There is a special rate for youth, those under 25, because a lot of people I know under 25 have $250 burning a hole in their pockets. I speak with many people in high schools and universities, and I chat with the pages. I am always amazed how they are constantly leaving hundreds of dollars lying around at the coffee shop, the bar, of wherever we are having our chat. It is a funny thing.

Someone just triggered a name, which reminded me that I made an unfortunate comment about a former colleague during question period. Joe Volpe, a former Liberal, served many years in the House. I got a note from his family suggesting that was an unkind comment that caused them some pain. It is only fair for me, certainly because my former colleague is no longer here to defend himself in the way that we do, to apologize for making that comment about Mr. Volpe, and by extension, to his family.

There are two versions of how the Liberals operate. There are the ones who make the promises in the campaign. Sometimes they repeat the promises, even when they form government. Then there is the version of what the Liberals do when they are in government. We need to bring this into some sort of psychological disorder, because Liberals are able to countenance these two alternative realities at the same time.

In November 2015, the Prime Minister said:

> There should be no preferential access to government, or appearance of preferential access, accorded to individuals or organizations because they have made financial contributions to politicians and political parties.

That was a promise. He said one does not get access to the Liberal government simply by making a donation, even the appearance of access. That is a very high bar. I thought that was great and I wondered if they could attain it. Then we found out the justice minister, in April 2016, attended a Liberal fundraiser at a Bay Street law firm, Torys LLP, which is registered to lobby the justice minister. There is no problem there, right? We have the justice minister attending a fundraiser by a registered lobbyist with lawyers.

Then the finance minister held a private Liberal Party fundraiser for business executives at the waterfront mansion of a Halifax mining tycoon, and he was pleased to suggest that it was really just a way of holding pre-budget consultations. I have attended pre-budget consultations as part of the finance committee. In my own riding, we held a town hall and welcomed people to come talk to us about what they thought should be in the budget. What did we charge? It was nothing. In fact, I bought the coffee, because I thought that was appropriate. If we want to invite the public to inform how the government should construct the federal budget, which is their money anyway, we should not charge them for the privilege of the conversation.

The finance minister thought that was appropriate. Here is what he said:

> I am pleased to say that we have taken on a consultation process for our budget that allows us to listen to all Canadians. ...We have the most open process ever put in place, and we will continue to listen to Canadians as we craft the next budget on their behalf.

He just walked out of a millionaire's mansion, where people paid $1,500 to have that bit of time with him to inform him. That is the "their" he is talking about.

For the middle class, and those struggling to join it, unless people have the $1,500, they do not get to talk to the finance minister the same way.

On October 21, 2016, the finance minister assured us that these events are "open to the public". Like every member of Parliament, I am actively involved in fundraising activities for my party. Invitations are sent out to hundreds of people, and they are in fact open. Trying to say that access to the finance minister, who is writing the federal budget, is the same as access to any other member of Parliament, muddies the water.

We looked at the email the Liberals sent out inviting people to this event. I do not know a lot about the Internet, but I did learn that when one uses robots.txt that makes the invitation non-searchable.

● (1125)

Why would they send out an invitation that was not searchable? Do they not want people to know about their event? Usually, I do. I would never use a sneaky backdoor way to make sure that nobody could actually find it. Now we find that the government House leader—this is interesting—had a fundraising event held by a pharmaceutical billionaire who has a lawsuit challenging the federal government's ban on importing two of his company's drugs into Canada. He held a fundraiser for the Liberal House leader. She argued that this event is an example of "lawful and ethical fundraising". That is her quote.

A billionaire pharmaceutical-company owner who is fighting the federal government trying to get his drugs into Canada held an event for the government House leader and she said that it is an example of ethical and lawful fundraising.

A week later, the natural resources minister told his local paper in Winnipeg that he would never attend a cash-for-access event. He called it a pay for play. Later, he attended a fundraiser by a major law firm that actively lobbies on issues relating to permits regulating the mining and gas sector. Why would they want to talk to the natural resources minister? After attending the event, the minister's spokesperson claimed that these fundraisers were entirely correct because the term, "pay to play" implies a connection to government business and party fundraising. My God, how thick do they have to be? Why would a law firm that lobbies on behalf of mining and natural resources want to have a special fundraiser for the Minister of Natural Resources? This wilful blindness continues, and it goes on and on.

The Prime Minister held a secret Liberal fundraiser, which is what the Liberals are trying to improve, with Chinese Canadian billionaires. This fundraiser was in Canada's national interest, for engaging positively with the world to draw in investment. A headline in *The Globe and Mail* editorial just this week asked why the current government is doing Beijing's work. This is the radical left-wing newspaper, *The Globe and Mail*, wondering out loud why the Liberal government is doing Beijing's work. Then we find out that there are fundraisers connected to investors in Canada by Chinese Canadians and others.

The list is too long. I am going to run out of time. This is unfortunate. It is unfortunate that the list is so long. The Prime Minister himself set the bar initially, saying that there was going to be no preferential access. He said this loud and clear, in black and white on Liberal.ca, and repeated it a bunch of times and then set the example for his ministers, which they dutifully followed and held their own fundraisers and special access events with people directly connected to their ministries. It is unfortunate that they see no problem in this. What did they not do?

They did not give Elections Canada the investigative powers that Elections Canada has been asking for to go after illegal fundraising. That is weird, is it not? They were going to try to clean up fundraising in Canada and the Chief Electoral Officer of Canada said, "I need this tool over here to do my job properly." Then when the government introduced its bill to clean up fundraising, they neglected to put it in.

Liberals sit on the ethics committee and recommended proposals to the government. Not a single recommendation from that made its way into Bill C-50. Therefore, we must pull back and look at this smokescreen attempt by the government and ask what pattern the government has when it comes to how it treats Parliament. Chantal Hébert, of all people, wrote a column yesterday wondering out loud again, who this government is because it looks so much like Stephen Harper's approach to Parliament. We see that the Liberals cannot properly name watchdogs of Parliament. When we offer them a solution they say, "We don't like it, change this", and when we change that one aspect of our proposal, they still vote against us. They have a nominations problem. They have performance anxiety.

When the Prime Minister, eight months ago, promised to clean up nominations and get rid of the backlog, the backlog went up 60% for nominating important positions around this country, including watchdogs of Parliament and judges on the bench. We now have Jordan's law, and cases, maybe thousands of them, are about to be thrown out because the government cannot be competent enough to do its job.

● (1130)

We say to the government with respect to Bill C-50, this is an opportunity to make things better, to give Canadians more confidence not less. This is an opportunity to follow through on the Prime Minister's own promise. Let us not miss this opportunity. We will amend the legislation at committee. We will see where Liberal ethics truly lie.

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, I want to thank my hon. colleague for his excellent assessment of the bill. He would probably agree with me that in contemporary terms if we were to call the bill anything, it would be the Jerry Seinfeld bill, because it is a bill about nothing and it would change nothing.

My colleague spoke about the middle class and it is really important to understand that when we are talking cash for access, we are talking not about the middle class and those working hard to join it who will end up at these cash-for-access fundraisers to try to find influence. We are instead talking about millionaires and billionaires who have business in front of the government and are looking to bend the ear of the Prime Minister and ministers of the crown because they make the decisions.

This is not about the minivan crowd. This is not about listening to those who hang around the hockey arenas, those who hang around the soccer fields. This is about hanging around the cocktail circuits so that they can fill Liberal Party bank accounts with these donations from these millionaires and billionaires.

Would the hon. member agree with that assessment as well?

Mr. Nathan Cullen: Mr. Speaker, when the Prime Minister was not the Prime Minister he had a hard time defining the middle class. He took several shots at it. At one point he said if people are able to live just on the means of their investments then that means they are not middle class, except for people who are retired and may be scraping by. He keeps searching for what "middle class" means.

I am not sure what is more worrisome in the exposure of "Liberal ethics" here, either they know that this is a problem and do not care or they do not know that this is a problem. Middle-class Canadians, who open up their hydro bill every month hoping it is not too bad, who look at fees for soccer practice, and have car payments, do not have $1,550 burning a hole in their pocket so that they can spend 15 minutes with the Prime Minister or any of his ministers who are the chief fundraisers.

The Prime Minister has talked about coming from means. He comes from a wealthy family. He talks about his family's wealth all the time. That is fine. He was born into it. However, not being able to fully appreciate and understand the reality for the vast majority of Canadians creates blind spots.

It is a difficult choice for the Liberals to make. They either understand the problem and do not care because the money is too good and they do not want to fix the problem because that is how they are built, because they attend exclusive events at the homes of wealthy Canadians to fundraise, or they are just unable to see this as a problem.

Both circumstances are worrisome because this always leads to the same place: corruption. This special access always leads to the same place. Any student of history will look at this and understand where this is going. We need to stop it. We need to curb it. We need to change it. The Liberals had this opportunity to do just that, but to this point, they have failed.

● (1135)

Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.): Mr. Speaker, I have the highest level of regard for my colleague across the way. We served on the environment committee together. I appreciate his passion.

However, we have a Prime Minister in this country who has truly made himself accessible to so many Canadians from small towns like those in my riding. In Napanee, 180 people came out to meet the Prime Minister. He met with each and every one of them. He stopped and had a conversation with them. They had serious issues that they wanted to raise directly with the Prime Minister and they had the opportunity to do so. They were so appreciative afterward of that opportunity. Many of them came up to me afterward and said they voted NDP or Conservative in the last election and did not even think they would be able to get through the door given how these things had typically been done in the past.

Would the member not agree that this level of accessibility is truly what Canadians are looking for? Would he not agree that fundraising is a reality that exists within our political system?

Mr. Nathan Cullen: Mr. Speaker, I, too, share a great amount of admiration for my friend from Hastings—Lennox and Addington. I very much like the preface of his question, right up until the "but" part.

One does not preclude the other. A prime minister making himself or herself available to Canadians is the job description. That is the bare minimum. The Prime Minister, certainly on social media, has a great following and likes the selfies, the photos and stuff, and that is fine. However, the notion is this. To make equivalent the passing by of a line and a picture together to a private fundraiser at a millionaire's home over several hours is a real problem. Issues are discussed that affect the crown and it is in that person's self interest. The other thing is that the individual got into that room because he or she happened to be wealthy. This is an inherent and real problem for a government that said, many times, that it was different. "We are not like the old Liberals", the Prime Minister said. He said the Liberals were not like other politicians, that they were different, that they would not allow privilege and special access of wealthy individuals. It is proven that was not the case, not just for the Prime Minister but for his cabinet.

Here is an opportunity to stop that, to curb it, to rein it in, to lower the limits, to change the rules so it will make that promise true. The expectations were raised, saying that the Liberals would end cash for access. The Liberals are choosing not to end cash for access; in fact they are codifying it into law.

Stopping cash for access does not mean a prime minister does not go around and meet Canadians. He or she should always meet Canadians. That is the job description. That is the job description for all of us. We hold fundraisers and meet citizens free of charge. However, the special privilege that has been granted to lobbyists, insiders, the wealthy and well-connected is the problem. It is the elephant in the room, and Liberals just simply do not see the elephant at all.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, it is interesting to hear Liberals talk about how accessible the Prime Minister is. I would love to have him come to my riding to see the energy jobs there, to see the impact on the industrial heartland. By the way, Vegreville is not that far away, so he could kill two birds with one stone and talk to people in Vegreville about the impact of the Liberal policies. They certainly will not have $1,500 to raise those important issues. It is important for the Prime Minister to be accessible in all parts of the country, especially to hear from those who are suffering job losses.

I want to ask my friend a specific question. So often we have these ethical discussions. We talk about rules, for example, we have to change the justice rule. I am of the view that it is not just about the rules. The rules have to be followed but not every possible contingency can be in them. There has to be something more behind the rules, call it character, call it virtue, call it an appreciation of the underlying philosophical concepts that are supposed to inform the rules. Every time a possible ethical breech exists, we cannot just try to tighten up the rules, because we will never get there. There has to be a development of those underlying concepts.

Does my friend agree with that, especially as we approach this legislation, which is on the tighten rules front but does not address the underlying problem.

● (1140)

Mr. Nathan Cullen: Here is the thing, Mr. Speaker. It is not just that the Prime Minister put this marker down and said that if he were prime minister, people would not get special access to him or to his cabinet just because they were wealthy. It is not just that they went out and then broke that sacred promise to Canadians immediately. We listen to the justifications that get used, that pharmaceutical lobbyists and CEOs get special access, while they have pending business with the government. They are in conflict with the government. They have a financial interest in convincing the government of something that will make them potentially millions of dollars .

It is the rationalization and the justification we hear from Liberals after the fact that speaks to my friend's point. We have this promise, and it should be just bolted into the wall over top of every minister's door, "no special access". That is job description number one. However, the rationalization afterwards is the Liberals just see no problem with it. There is this ethical blindness. They might meet pharmaceutical lobbyists who are trying to get their drugs into the company. They might meet with a legal law firm that hosted a $1,500 a plate fundraiser for them, or lawyers who want to get onto the bench. However, who controls who gets onto the bench? The Minister of Justice .

The first problem is that it happens. The second problem, and it is just as worrisome, if not more so, is that it then gets rationalized. Lets say the Minister of Natural Resources meets with lobbyists from the mining and oil and gas sector at a special access event, where they have to pay to get in. It does not take a genius to realize why they are paying the money. It is because they want to help themselves out. It is an investment, and it is cheap as far as they are concerned. If they are able to get a pipeline or a mine through, they would make millions. These things are cheap for them. Of course there is no rule that can definitively end it, but gosh, some ethics on that side would sure help.

Ms. Dianne L. Watts (South Surrey—White Rock, CPC): Mr. Speaker, I will be splitting my time with the member for Battle River —Crowfoot.

I rise to speak to Bill C-50, an act to amend the Canada Elections Act, political financing.

I want to talk about integrity, openness, and transparency.

Several members this morning have talked about what that means and the ethical aspect of all of those elements that are intrinsic, or should be intrinsic, in each one of us, and that therefore we would not have to introduce legislation, if we merely had a moral compass.

This bill would not stop the cash-for-access fundraisers. The bill is about formalizing and instituting a system for cash-for-access fundraisers. When we look at the bill, it is silent on the very issues that the Liberals promised to address. As well, it is silent on third party financing. None of that is addressed.

When we talk about integrity and our moral compass as elected officials or as people in our society, it really behooves us to understand where that moral compass lies.

People attending these fundraisers have clearly stated on numerous occasions that they have discussed and lobbied the ministers and the Prime Minister, that they have had business before the government, and they were proud to speak openly about doing so.

As my colleague so eloquently laid out, it is the rationalization around why these fundraisers are taking place. It is the rationalization that the ministers and the Prime Minister believe this is the normal course of business. However, the $1,500 gets people in the door and then they have access to discuss business with the Prime Minister and the ministers. Clearly, it does not take a rocket scientist to figure out that this is wrong.

It is wrong on so many fronts. It is wrong because the Prime Minister was very clear in his comments, and I will it read them out, that this practice would not be undertaken, that this was sunny ways, that things would change, that the Liberals would have the most open and accountable government in history. They were going to ensure they would kept their word and promises, and Canadians would be proud of the work that was undertaken. That sounded really great.

During the election, the Prime Minister went around the country, and that was his message on behalf of the party. The government was going to be open, transparent, and ensure Canadians had access to the government. What he did not say was that lobbyists would have access to government and ministers for $1,500.

The Prime Minister stated general principles. I will read them so we can grasp the context here. He said:

> Ministers and Parliamentary Secretaries must ensure that political fundraising activities or considerations do not affect, or appear to affect, the exercise of their official duties or the access of individuals or organizations to government.
>
> There should be no preferential access to government, or appearance of preferential access, accorded to individuals or organizations because they have made financial contributions to politicians and political parties.
>
> There should be no singling out, or appearance of singling out, of individuals or organizations as targets of political fundraising because they have official dealings with Ministers and Parliamentary Secretaries, or their staff or departments.

● (1145)

As we have heard over and over again, there is a litany of events where that precisely took place, not only for the ministers and parliamentary secretaries but also for the Prime Minister. When a statement is issued publicly, is reported on, and is distributed among the Liberal members of Parliament, that should be the defining moment where people have their moral compass intact and do not go to these events. However, that did not happen. Those events took place. The Prime Minister and ministers went, and business was discussed. It was quite astonishing because they were very proud of undertaking that practice.

When we talk about openness and transparency, which the government had said it would be, at every turn the language continues to be about openness and transparency. If we look at any of our freedom of information requests, the majority of it is redacted. Public servants are not permitted to speak publicly for life. The Liberals refuse to answer questions in question period, which I find astonishing because it is question period. Reports are not forthcoming to the House. The Auditor General has raised concerns regarding the lack of financial information. There was an actual refusal to give the AG documents and it impeded officials from doing their job.

We can look at the appointments process. The Liberals say it is open, transparent, and merit-based, which is further from the truth.

The Liberals promise one thing during the election and another when they are in government. The general public deserves better than that. This is about integrity and ethical behaviour, and it starts at the top. If the Prime Minister sees nothing wrong with cash-for-access fundraising, how possibly can that translate to the Liberal members of Parliament? I would suggest it does not.

Producing this legislation, which really now covers the Liberals to continue this behaviour, speaks to the ethical void in the Prime Minister. If there were an actual willingness to address this issue, then the bill certainly would be more comprehensive. Furthermore, it is around following the rules. Not every situation can be legislated, but surely I would think the Prime Minister would know that when there is business before the House and when lobbyists pay $1,500 to go to a fundraiser, it is wrong. The Liberals cannot justify it. They cannot rationalize it. Plain and simply, it is wrong. Canadians deserve far better.

● (1150)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, given who the member is, has she had fundraising events? In the Surrey area not in one year, but in several years, there were events, and former prime minister Stephen Harper would visit that community. My understanding is that a special group was invited to participate. I understand the member across the way also participated.

Would the member provide some information to the House on whether Stephen Harper attended those events and charged money to have access to him inside hose tents?

Ms. Dianne L. Watts: Mr. Speaker, I think we have to be very clear. We are talking about lobbyists who have business before the House, who are paying and are proud to publicly state that they are lobbying the Prime Minister and ministers. That is a very different context than that of the former prime minister having a barbeque and having the community members there. I, on a couple of occasions, attended. Most certainly, there were people from the community. Those lists were vetted very carefully because, on this side of the House, the Conservatives know it is wrong. It does not matter how we slice it up; it is wrong. We do not have lobbyists pay money when they have business before the House and lobby us, whether it is in a private residence or anywhere else.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I thank my colleague for her speech. I would like to come back to something that has been mentioned several times in this debate, and that is the fact that Bill C-50 is completely pointless.

This bill seeks to publish the names of people who participated in events where they paid $1,500 to get access to ministers and the Prime Minister, when their names will be published one day or another anyway. As my colleagues are well aware, the names of people who donate over $200 are already published on the Elections Canada website.

Could my colleague comment on the fact that this bill seems to be just a smokescreen to give the Liberals talking points since it seeks to do something that is already being done, namely, publish the names of people who donated over $200?

[*English*]

Ms. Dianne L. Watts: Mr. Speaker, I appreciate my colleague articulating that very point because, through Elections Canada, the names have to be published at any rate. To put it in this piece of legislation and say we are reforming fundraising is absolute nonsense. Through this legislation, I guess they will do it more quickly, which I guess is something they want to do, and that is fine. However, at the end of the day, there are very strict guidelines and rules that have been in place for a very long time. Elections Canada makes sure that all of those names are recorded with the amounts of money that are given to the party or to the member. That is how it has been.

I am really astonished, actually, when I look at this legislation, to actually see the relevance, but it is smoke and mirrors. They can tick a box and then say to the media, "Well, we fixed the problem." No, they did not fix the problem. The problem is a moral issue, it is a moral compass, it is about ethics and integrity, and that is vacant in this legislation.

● (1155)

Hon. Kevin Sorenson (Battle River—Crowfoot, CPC): Mr. Speaker, it is a pleasure to rise in this place to speak to Bill C-50. When I arrived this morning, I had no intention of speaking to this, but the topic we are discussing is relevant and of major concern to most Canadians. For those who are not certain whether it should be a major concern, I suggest that it should be. I will give a couple of examples as to why.

Before I get into the examples of why it should be, let me say that this has always been a question we have battled with in Canada. I recall, between 2000 and 2004, the Liberal Party got into problems much the same as today, with cash for access and monies rolling in. Out of part of that came the sponsorship scandal and the Gomery inquiry. Much of it was access to Liberal fundraisers, at which huge amounts of money would be raised. Indeed, even after the audits and the Gomery inquiry, there were $40 million left unaccounted for.

I remember LaVar Payne from Medicine Hat asking where the $40 million was. Out of that, Conservatives made some changes to political fundraising. The way the Liberal government responded was not, in the Conservatives' opinion, the right way either. It said there would no longer be an ability to give massive amounts of money to the federal government for lobbying and influence, but it would be done through the public purse. For every vote cast for the Conservative Party, it would receive a certain amount of funding, as well as the Liberal Party, the NDP, and the Green Party. We realize that just going to the public purse is not the way to raise funds for political parties, so Parliament said it is up to political parties to raise their own funds. It is up to political parties to call on their membership and people who want to support them and raise funds. That is exactly what we have seen: fundraising letters to membership, saying there is an election coming and asking the membership to help out. That is certainly what the Conservative Party has done.

The Liberal Party has fallen back into the trap of saying it now has something that it did not have for 10 years. It has influence. There is a Prime Minister who makes decisions of what is coming in legislation and what may come to Canada. There are cabinet ministers in all of the different portfolios who go out and speak to their stakeholders. They are money-making machines to the Liberal Party of Canada. We have seen some of it happen already, and it has been mentioned a number of times.

We have seen it with the justice minister from British Columbia. There are hundreds of openings for appointments to the bench, and she met with a group of lawyers whose goals would be to some day be a judge on the bench, and they were the ones invited to the fundraiser at a law firm in downtown Toronto. These were the ones who paid $1,500 to rub shoulders with, speak with, and get their pictures taken with the justice minister of Canada.

It was brought up about the finance minister, who in budget consultations made the rounds to all the different groups of stakeholders who want to invest in jobs, businesses, or such and such. We saw it with the Prime Minister, which was brought up, who attended a meeting in Vancouver with billionaire Chinese investors, who paid $1,500 to attend the meeting. One wanted to be involved in a financial institution and gave $1,500 to the Liberal Party of Canada. Then one of the attendees at the same meeting, who paid the $1,500 at that Liberal fundraiser, also wanted to give $1 million to the Trudeau Foundation. It is not the Prime Minister's foundation but the Prime Minister's father's foundation. How convenient. It is cash for access to cabinet ministers and prime ministers.

● (1200)

I had the privilege of serving in the government in the last Parliament as a minister. I worked closely with Jim Flaherty, Joe Oliver, and with our former prime minister, in budget consultations, as other cabinet members did. Before we went to events, if there was even any thought of speaking to the membership, we were not even allowed to advertise that we were ministers. I would go out as the member of Parliament for Crowfoot, as it was called at that time. If there was any publication, I would not be able to say that I was a minister, because we wanted to be above reproach.

I appreciated a question that came earlier. The Prime Minister meets with all these people. He meets in my small town. He meets with these individuals. That is exactly what we are expected to do. However, when lobbyists show up and say they are willing to give us $1,000 to be at a meeting, and wink-wink, nudge-nudge—that absolutely did not happen. The government is now trying to put cover on what is its common practice. That is not being accepted by the Canadian public.

I also want to say something that may not exactly illustrate the point of what we need here, but we have two problems. Another problem that we have in this country, and it has been dealt with in Parliaments past, and Elections Canada deals with it, is how we bring young people into this whole idea of becoming involved politically. How do we engage them?

This past week I had a board meeting. I had met young James from Three Hills at an event; he was a grade 11 student, going into grade 12. He asked how he could get involved in politics. He was not sure if he was a Conservative or what. We invited him out to our board meeting. He was involved in the discussion, and he really started to enjoy the discussion.

The way we engage Canadians, and especially our youth, is not by saying, wink-wink, nudge-nudge, "If you want access to the Prime Minister, $1,500 is the going rate." It is unethical and, as my former colleague says, it is immoral. It is immoral to say, "We will listen and you will have our ear if you provide the $1,500 to the Liberal Party of Canada."

One member on the other side says it is up to all parties to decide how they fundraise. This is giving the Liberal Party of Canada an avenue of fundraising that no other party in Parliament has. That is why the Liberals are attracted to it. They are attracted to the fact that they have one up on every other political party, because they have ministers making decisions.

When I leave this place, I want to be able to say that in my opinion there has been nothing that I have done that has in any way infringed on the rules of how conduct should be for an honourable member of Parliament. I believe with everything I have that the average Canadian says that this is not honourable behaviour, and that this is the way we expect things to be done in third world countries, or other countries, but not our Canada.

Our democracy is worth protecting. Our democracy tells us that even the smallest, the most uninfluential, whoever that may be, has the same right as the most wealthy. That is what this country stands for. The government is going out and setting a very serious, sad practice of how it is going to conduct and fight the next election.

We have a problem. This bill is to solve the problem. It is really an admission by the Liberal Party that it has a scandal called "cash for access", or "your cash for access to our cabinet minister or our Prime Minister". The Liberals promised they would deal with this problem, and Bill C-50 is coming along and that is their response to the problem. The Liberals have already said that there are rules set for themselves, and that is what the description of this bill is all about.

● (1205)

I could go on, but I will say this. The member for Barrie—Innisfil and the member for York—Simcoe gave two speeches that were amazing, with great stories of the history of fundraising problems and scandals the Liberal Party has had. I would encourage people to read those and to call their members of Parliament about what they believe is—

The Assistant Deputy Speaker (Mr. Anthony Rota): Questions and comments, the hon. member for Hastings—Lennox and Addington.

Mr. Mike Bossio (Hastings—Lennox and Addington, Lib.): Mr. Speaker, I find it rich to hear members on the other side talk about fundraising and how they are so lily-white about everything they do.

A member on the other side was talking in the same manner, when in fact, she would have barbecues, and the barbecues would be open to the public—

Ms. Dianne L. Watts: Mr. Speaker, I rise on a point of order. I just want to correct the record. I never hosted any of these barbecues, and I think the member is wrong.

The Assistant Deputy Speaker (Mr. Anthony Rota): I believe we are getting to the area of debate, and I will let the hon. member continue.

The hon. member for Hastings—Lennox and Addington.

Mr. Mike Bossio: Mr. Speaker, I will retract that. There was a barbecue hosted at Senator St. Germain's ranch. The original barbecue was open to the public, but then there was a special tent set off to the side for special Conservatives, who would pay $1,000 to have the then prime minister come and meet with them and have—

Mr. Pat Kelly: Were any lobbyists or businesses of the government there?

The Assistant Deputy Speaker (Mr. Anthony Rota): Order. It is nice to have everyone engaged, but that is not the process of the House of Commons. Therefore, I would ask everyone to respect each other. I would ask for respect for me, as well, from the hon. member for Calgary Rocky Ridge, if he does not mind not screaming while I am explaining the process.

I will let the hon. member continue. The hon. member for Hastings—Lennox and Addington.

Mr. Mike Bossio: Mr. Speaker, it is all smoke and mirrors. The Conservatives like to talk a good game. Let us face it. The Conservatives created a system that was flawed. Bill C-50 would fix those flaws and add a level of transparency. These events in future would provide a list of individuals who paid more than $200 to attend a fundraiser.

Does the member not agree that Bill C-50 would correct the issues that existed under the previous system and add transparency and accountability to those fundraising rules?

Hon. Kevin Sorenson: Mr. Speaker, it is not the former government that was selling cash for access; it is the current government. It is the current Minister of Finance. It is the current Minister of Justice. It is the current Prime Minister. We can go right down the front row here. It is the very same in Queen's Park with the Liberal Party in Ontario, where Gerry Butts and Katie Telford brought the fundraising machine to Ontario. They have now brought that very same fundraising machine to Ottawa. It is unethical.

Bill C-50 would only be put in place to cover the practices that are common practice in the Liberal Party of Canada. If we go to the website and look at the political parties that receive money, not just publicly funded money but money from fundraising within the membership, we find that the Conservative Party of Canada can fundraise with 50% more membership giving to it. The average amount of money given by the average member in my riding is about $75, and the average amount to our Conservative Party is around $100 or $200. Those are the facts.

The Liberal Party does not have that grassroots. It has the elite groups that say they will give $1,500 at the fundraiser and then a million dollars to the Trudeau Foundation if it gives them the bank, the commissioner, or the position.

The member for South Surrey—White Rock was right. It is immoral. It is unethical. It is a practice the Liberal government has been caught at, and it needs to stop.

● (1210)

Hon. Tony Clement (Parry Sound—Muskoka, CPC): Mr. Speaker, it is an honour to participate in the debate on Bill C-50. I will not be sharing my time, so I will be taking the full 20 minutes.

Let me start by making a comment about the debate as I have heard it this morning so far. The gist of the defence of the bill by the Liberal side appears to be, "Everyone's been doing it, so what's wrong with us doing it?"

That is actually not accurate. Everyone is not doing it. What the Liberals in government have done is create a whole system, a racket, of shaking down lobbyists and stakeholders to gain access. I want to be absolutely clear and on the record on this. The previous Harper government did not do that. Stephen Harper, as prime minister, did not attend these events. Full stop. Period.

When I was in cabinet, which I was for the duration of the Harper years, it was absolutely required and understood that if we were to attend a fundraising event, people who were lobbying our department were not allowed to attend. They were forbidden from attending. It was the practice in my office, and I dare say this was the common practice throughout Stephen Harper's ministry, to have a vetting process to go through the names of the attendees who were signed up to attend an event, who had bought a ticket. If there was any hint that a particular individual, or the individual's organization, was registered to lobby me, as a minister, the money was refunded before the event and the person was not allowed to attend the event. That was the practice under the previous Conservative government.

As we have learned through the past months, that is not the practice that has been exhibited by the current Liberal government. Indeed, when I use the word "racket", I am not trying to convey a criminal enterprise. I want to make that clear. The racket I am trying to convey is a systematic approach to shake down these stakeholders and lobbyists to enrich the coffers of the Liberal Party of Canada and to thereby help fund their pre-election and election activities.

How did this come about? Where did this come from? As my colleagues have already mentioned and as my colleague from the NDP has already mentioned, this came about because this was the practice in Dalton McGuinty's and Kathleen Wynne's Liberal Ontario.

I was an Ontario PC cabinet minister. We were given a nominal target. For example, a cabinet minister could perhaps find a way to raise $10,000 for the PC Party of Ontario during the course of a year. What did Wynne, and Dalton McGuinty before her, do? They made it $500,000. The target for Dwight Duncan, the Liberal finance minister, was $1 million.

By the way, if I did not meet my $10,000 target as a PC minister, there was no sanction. Nobody said anything. It was, "If you're raising money for your own riding, you might want to make sure you give a little bit to the central party." That was the suggestion.

● (1215)

In Dalton McGuinty's and Kathleen Wynne's Ontario, if a Liberal cabinet minister did not make the target, he or she would be drummed out of cabinet. It was made explicitly clear to these individuals. Dwight Duncan wrote in his memoir or in his commentaries that one of the reasons he left provincial politics was that he was sick and tired, as a finance minister, of the obligation to fundraise for the Liberal Party of Ontario. That is how pervasive it was in Liberal Ontario until finally, the public became fed up and the media trained its attention on this, and the laws were changed.

Eric Hoskins, a successor of mine as provincial minister of health, had a target of $500,000. From my contacts in the health sphere in Ontario, I know that hospital presidents, deliverers of other health care services, and retirement homes all felt pressure. The only way they could talk to the minister about a public policy issue was to pony up dough. That is how pervasive the system was in Ontario.

As my colleagues have already outlined, the people who helped set up that system in McGuinty-Wynne Ontario set it up for the federal Liberal government once it obtained power across this country.

If people watching today are wondering how this came to be, it came to be because that rot that was part of the McGuinty-Wynne era, which hopefully is drawing to a close, which will be up to the voters of Ontario to decide, was transferred holus-bolus to—

The Assistant Deputy Speaker (Mr. Anthony Rota): Order. The hon. member for Abitibi—Témiscamingue.

[*Translation*]

Ms. Christine Moore: Mr. Speaker, I rise on a point of order. Could you please check for quorum?

The Assistant Deputy Speaker (Mr. Anthony Rota): Indeed, we do not have quorum.

And the bells having rung:

The Assistant Deputy Speaker (Mr. Anthony Rota): We now have quorum.

Resuming debate. The hon. member for Parry Sound—Muskoka.

[*English*]

Hon. Tony Clement: Mr. Speaker, I always like to have more of an audience, so thanks to the members of the House.

As I was saying, that is where this came from, and it was transferred holus-bolus in full form to the governing Liberal ethos once it obtained power here in Ottawa. When this came to light, the reaction of the Liberal government was to say that it was going to fix things. However, and the member for Skeena—Bulkley Valley said the same thing, what the Liberals have done in their "fix" on this is to actually sanctify the situation where they were shaking down people for money, making sure that stakeholders and lobbyists were contacted, and telling them if they wanted to see the Prime Minister, the Minister of Justice, or the Natural Resources Minister they would have to pay to play.

I want this to be very clear for those who might be listening or watching. Cash-for-access is not going away. The bill somehow creates a hardened resin of legitimacy over what is essentially a rotten process. Now we have amber hardening on this illegitimate process through the bill. That is why we are objecting to the bill.

This is not about us wanting to have more cash-for-access fundraisers. We want the opposite. We want a bill that works. That is why we were so disappointed to see that the solution of the Prime Minister, his cabinet, and the Liberal backbench was to merely say that these cash for access fundraisers would go on, but there are hoops to jump through.

I have been up in the House over the last week talking about the Norsat deal, where, in a mystifying way, absolutely baffling, the Liberal government has refused to do a national security review before accepting and allowing an investment from a Chinese company, Hytera, to take over Norsat, a very specialized IT and tech company involved in our own national defence, with our friends to the south, and the Department of Defense in the U.S.A. and elsewhere. It would be normal practice to have a national security review.

I will tie this together to the bill, I assure you, Mr. Speaker.

We have been asking the government why it is doing this. Why not just have a review and let the security agencies do their jobs, and talk to our allies, not just perfunctorily to say it has made its decision but actually have a dialogue with our allies? When the same company, Hytera, was taking over a British company, the British government added five pages of conditions after a full national security review prior to that takeover taking place. Nothing of this order is happening here.

Forgive us on this side of the House for connecting the dots, because of course many of these cash-for-access fundraisers involve individuals who have been connected to the official mainland People's Republic of China government. We know part of the motive here is that the Liberal government is enamoured and has a fetish—if I dare use that term—for a free trade deal with China. Let me put on the record right now that it will not end well if the government pursues and concludes a free trade deal with China. I predict, we will be losing our shirts, and more.

● (1220)

That is why we wanted real reform in political fundraising so that no one is suspect, even if it is not true. I do not know facts. I do not know whether there is a connection between political fundraisers with Chinese nationals and their surrogates who have deep connections with the People's Republic of China's government. I do not know whether there is a connection, but we have to be Caesar's wife in this place, perhaps an old term, maybe not as appropriate now, but the point is that we have to be cleaner than clean. We have to make sure that the public has confidence that public policy decisions are being made for the right reasons, for the reasons built after a public policy debate has taken place by government. Maybe I would disagree with their decision, but the government would be making a decision with full legitimacy and full credibility. That is what we want. I know we are going to disagree, but it is so important to have the legitimacy of decision-making unquestioned.

I would say to members opposite that they are not doing themselves any favours by creating this regime and continuing this regime of cash-for-access because then every decision they make is susceptible to question, to delegitimization, to incredulity, and to cynicism. It is a government that professed to be the answer to cynicism. The hon. members rode in and were going to slay the dragon of skepticism and cynicism in our polity.

However, now they are doing this. They created this system of cash-for-access, imported it from the province of Ontario from the McGuinty-Wynne era, which I state for the record I hope to be drawing to a close but that is up to the voters of Ontario. They imported it, improved upon it, and created a cash-for-access machine and I dare say, while we on this side of the House have every right to question any decision that we think is contrary to the Canadian interests, it pains me that part of that dialogue is always going to be about the underlying motive of the Liberal government decision-making because of this cash-for-access racket, which will continue under the bill.

My friends who have stood up already talked about some of the details. I want to state for the record that this is different from the way the previous government raised money in degree as well as function. We just did not do things this way and we are proud as the Conservative Party that most of our donations are smaller donations, $10, $20, $30, $50, $100, that is what we rely on overwhelmingly and the statistics prove that out.

I would encourage hon. members on the other side to think before they vote on the bill. There is still time to amend and to have a better bill that will actually do what the Liberals promised it would do, but we are a far journey away from seeing that in the bill today.

● (1225)

Mr. Frank Baylis (Pierrefonds—Dollard, Lib.): Mr. Speaker, the member opposite made a number of statements that are designed to mislead the Canadian population, carefully chosen words such as "cash" for access, which he used 10 times. "Cash" speaks to anonymity, criminality, and envelopes full of money. They know full well there is no cash for access. There is no cash used.

I have a simple question, which I doubt will be answered with a yes or no. Does the member have any knowledge of any member here accepting cash—not a cheque, not a credit card, but cash—which he used nine times, to be precise? Does he have knowledge of any member accepting cash, yes or no?

● (1230)

Hon. Tony Clement: No, Mr. Speaker, that is a term of art. The hon. member knows that. Please amend the *Hansard* so that I said "pay to play", rather than "cash for access", if it makes the hon. member feel better.

The point, and what people watching at home should know, is that the Liberal Party created a system where it was expected, in order to get access to high-ranking individuals in the Liberal Party and the Liberal government, an individual had to write a cheque, use their credit card, or whatever. That is pay to play. If the hon. member does not want me to use "cash for access", I will use "pay to play".

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, since my colleague has such a good grasp of the financial system and tax credits, I have a question for him.

Any time people pay to have access to a minister or the Prime Minister, not only does this raise an ethical problem, but it also ends up costing all Canadian taxpayers. Those people are already wealthy enough, so they will receive the full tax credit of about $600. Meanwhile, if poorer Canadians who earn $15,000 or $20,000 somehow managed to shell out $1,500 to gain access to a minister, they would not get a tax credit because they do not earn enough money. Thus, there would be no point.

Hon. Tony Clement: Mr. Speaker, I agree with my hon. colleague. This is not only about the effectiveness of our democratic system, but also about taxpayers.

Of course we have a system that allows people who can take part in political fundraising activities to receive some compensation.

[*English*]

An individual can get a tax receipt.

The hon. member is quite correct. This is not just a question of the efficiency and efficacy of a democratic process. It is also a question for every taxpayer in this country. Do they want a system created where pay to play is sanctified in the bill?

Mr. Mike Bossio: I rise on a point of order, Mr. Speaker. There have been a number of misleading statements around the cash for access—

The Assistant Deputy Speaker (Mr. Anthony Rota): I think we are going into debate unless they have to do with the member for Hastings—Lennox and Addington.

Is there a rule that the member could point to in the procedure?

Mr. Mike Bossio: There is an imputed motive that the Liberals are—

The Assistant Deputy Speaker (Mr. Anthony Rota): I am afraid that is debate. We will have to pass on that, sorry.

Is there another point of order?

Mr. Frank Baylis: Mr. Speaker, the member made a statement that was patently untrue. Can we call it out? He has made a patently untrue statement that the donations to the Conservative Party are smaller on average than the donations to the Liberal Party. This is patently untrue. Can he retract it, yes or no?

The Assistant Deputy Speaker (Mr. Anthony Rota): Unless the hon. member wants to retract it, what I will do is take it on advisement and then come back to the House, if necessary.

● (1235)

Mr. Frank Baylis: Is he going to retract it right now?

The Assistant Deputy Speaker (Mr. Anthony Rota): I think we are getting into debate here. I will take it on advisement.

Questions and comments, the hon. member for Calgary Rocky Ridge.

Mr. Pat Kelly (Calgary Rocky Ridge, CPC): Mr. Speaker, I want to thank the member for Parry Sound—Muskoka for adding to the debate. We have had some excellent speeches from both of the parties on the opposition benches this morning. We have heard how attendees at cash for access fundraisers have actually boasted publicly about the access they gained and about how that managed to smooth the wheels of getting what they wanted from the government. I thank the member for his contribution in establishing the difference between raising money, which of course all parties do, and trading and exchanging payment for access from people with vested interests in the government, people who have business and are carrying on business with the government, paying secretly to see the government.

I would like the member to comment on the absurd irony of this debate, where the government has introduced a bill it claims would enhance openness and transparency, in response to its own secretive and opaque practices, and then claiming virtue for doing so.

Hon. Tony Clement: Mr. Speaker, the member has hit the nail on the head. That is what is so bizarre about this debate. First we had multiple scandals involving Liberal governments across the land and their cash for access regimes. We had a scandal here, and the answer to the scandal was supposed to be this bill, Bill C-50, which would actually just rinse and repeat what was going on before, under the sheen of political legitimacy through an act of Parliament. I would suggest for my friends and hon. members around this House that we not buy into that logic, because what it actually does is offend the nature of democracy and parliamentary democracy and, indeed, means that this kind of behaviour will be sanctified and repeated in the future.

Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.): Mr. Speaker, I have just listened to the member for Parry Sound—Muskoka list the virtues of the behaviour of his party. I would like him to reflect and answer a couple of questions about the Toronto port authority, an agency that the former government and the party opposite has spent no shortage of time prosecuting its case for a business change to the model.

The Toronto port authority is composed of the following people. There is the outgoing chair, about whom in the last term of Parliament we raised the issue that as a government council appointee he made illegal donations to the Conservative Party after being appointed. That was dismissed as being a constitutional right that people have, to make donations after getting appointed. That was Mark McQueen, who subsequently threatened to sue us for raising the issue. That board also included Mark Curry, a former adviser to the Harris government and someone who has donated to the Conservative Party. Sean Morley also was a policy adviser to the Harris government, but also happened to be the official agent for Jim Flaherty's wife in her leadership campaign bid while Mr. Flaherty was the minister responsible for Toronto. It also included Jeremy Adams, known here as a tobacco lobbyist, but actually somebody who was also the campaign manager to Jim Flaherty while Jim Flaherty was the minister responsible for Toronto and the person recommending these appointments. It also included the past president of the Albany Club, Amanda Walton, another Conservative donor. However, the most interesting person appointed to the port authority in the last term was the chair, Robert Poirier, who hosted an $1,100 cash for access event for the member for Parry Sound—Muskoka while he was the minister of transport; $1,100 per person at the Albany Club while he was the industry minister.

All of these Conservative appointees with direct ties to ministers, to ministers' campaigns, and to ministers' fundraising campaigns were appointed to the port authority. Is that the level of virtue we are supposed to attain as a party?

Hon. Tony Clement: Mr. Speaker, I live in Port Sydney; that is the port I know best. I do not know anything about the Toronto port.

I can say that I never had an $1,100 fundraiser. Maybe the member is referring to the time when I was minister of transportation. That was in 1997, so I am not sure how relevant that is to the previous PC government. If the hon. member wants to dredge that up, he can be my guest, but we are talking about Bill C-50 and the fact that the Liberal government is trying to say everyone is as bad as the Liberals are. Their number one argument for passing the bill is that everyone is as bad as they are, which patently we are not.

Some hon. members: Oh, oh!

● (1240)

The Assistant Deputy Speaker (Mr. Anthony Rota): Before we go on to the next speaker, I just want to remind members that I am trying to listen. It is very interesting to hear what the hon. members have to say, but it is very difficult to hear with all the shouting going on. I kind of envy the folks at home, because there is a microphone and they just hear the speech; they do not get to hear the clatter back and forth.

Resuming debate.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, it is a pleasure for me to participate in this important debate. We are debating Bill C-50, a government bill, which in my judgment aims to whitewash the government's record when it comes to what we have been calling cash-for-access fundraising, and to put in place a system that sort of regularizes and normalizes this process.

Obviously we in the opposition are very concerned about that. We are very opposed to the government's record on cash-for-access fundraising and the continuing inclination that it has to do this. I am proud of our team for repeatedly raising this in question period and for helping to drive the public discussion on it. The public has responded with significant concerns, which is why we now see this legislative effort on the part of the government to whitewash its record.

The idea of cash for access is quite simple to understand. It is the idea that people who do business with the government or who have specific interest in lobbying the government would pay to attend a party fundraiser in order to gain access to a minister or the prime minister, whom they are directly involved in lobbying.

It is important that we make clear distinctions here. Fundraising is a part of our political process, but in principle the expectation is that people donate to political parties or political candidates because they believe in what those parties or candidates stand for. They wish to support the activities of those parties or those candidates, and they are doing so out of conviction aligned with the objectives of the party, not out of a calculation of personal interest that involves their private lobbying activities and involves their getting access to a minister or a prime minister, so that they can lobby with the implication that they are going to have a greater influence than a member of the public would.

When Conservatives were in government, we did fundraise. We had ministers involved in fundraising, but we were very clear about the fact that ministers should not have fundraisers that include those who are directly involved in lobbying them. That was a distinction that we made, and we were consistent. There was one case, and I want to actually talk about this case because I think it is quite revealing. There was one case in which there was a problem with a Conservative fundraiser. I will read some of the article. This is from CBC, published on January 18, 2014. It involved Shelley Glover, the then-heritage minister. Here is what happened:

> The federal Heritage Minister attended an event in her Saint Boniface riding on Thursday evening.
>
> But when she got there, she learned that many of the attendees were members of Winnipeg's arts community, who have dealt with her department.
>
> Everyone at the event made a $50 donation to attend, and one person made a $500 donation.
>
> The problem is, under federal conflict of interest rules, cabinet ministers cannot solicit donations from anyone who has asked for money or who may ask for money from her department.
>
> In a statement released late Friday, Mike Storeshaw, Glover's director of communications, said the minister wasn't personally involved in organizing the event.
>
> Storeshaw said Glover has refunded the money and has written the Conflict of Interest and Ethics Commissioner.
>
> He said she's instructed her electoral district association which organized the fundraiser not to hold similar events.

Here is what happened. Accidentally, somebody else organized a fundraiser for the then-heritage minister in which there ended up being members of the arts community who had lobbied her department. It was $50 to get in, and immediately the minister acknowledged the problem and refunded every single dollar. These were $50 donations. This is the one time that this happened, and immediately the error was recognized and the money was refunded.

Contrast that with the Liberal Party approach: consistent $1,500 events with people who are involved in lobbying the government, and no apologies, no refund. In fact there is consistent defence of those activities.

If we compare the record when it comes to the nature of the fundraising activities undertaken under the previous government and under the current government, there really is no comparison. In 10 years, there was one case where a mistake was made. The minister was not involved in organizing the event, and the money was refunded. It was a $50 price of admission. With the Liberal government, there are consistently $1,500 events, where people are buying access to the Prime Minister and to the ministers.

● (1245)

What is striking is that these are always defended. It is not a matter of something happening and people saying they recognize that this should not have happened, they will pay the money back, and they will not do it again. No, these things are being defended. That is what cash for access is, that is what the government is trying to do, and Conservatives take the position that it is not acceptable. The government should go back to something that existed under the Conservatives, which was a real clarity in the guidelines. Yes, parties can fundraise. Yes, ministers and prime ministers can attend fundraising events for which people pay to attend, but those people cannot be lobbyists or people who receive money from the government, who are paying for access to a minister whom they directly lobby. That is a very clear and easy distinction to make, and it is not one being made by this legislation.

Interestingly, this legislation completely excludes, even from reporting, events where the cost is less than $200. That would completely cut out the one event under the Conservative government, about which members of the then opposition were absolutely apoplectic and called it the end of the world as we know it.

Having explained the context, what cash for access is all about, I want to delve a little into what I think is an underlying philosophical problem with how we often approach these questions of ethics in politics. We are talking about the questions of corruption, ethics, and morality in politics. Very often we approach these discussions from the assumption of what I would call a sort of rule-based moral framework, the idea that we have to define rules that deal with every possible contingency and that is the solution, that it comes down to the rules. This bill, purportedly, was introduced because people were upset about what the Liberals did, so they have to twist and tighten the rules a bit.

This comes out of a rule-based assumption about the way morality works, and I want to posit that there is a better alternative. I think that generally a virtue-based framework for thinking about ethics is a better one and would give us the tool kit we need to effectively address some of these issues. I will provide some definition and context for this.

This idea of rule-based morality is most often associated with the enlightenment philosophical project, which is the idea that, although we recognize that we may have certain aspects of ethics and morality that are part of our culture that may come from different kinds of texts and authority, actually we need to come up with a way to codify and specifically rationalize in a narrow sense of pure reason, disconnected from authority or sentiment, come up with the basis for morality and the rules we have. This was the precursor of various moral philosophers who came out of that period, who were trying to define these very specific, narrowly reason-based concepts of moral. The big debate one will often encounter in philosophical discussions that come out of this tradition is a debate between a utilitarian school, which is all about adding up the impacts on people, and a more deontological approach to ethics or morality, which says that it is more about certain lines that we cannot cross and things we cannot do, explained in whatever way. It is not about just adding up to good or bad effects, but saying there are certain things one ought never do or ought to do in general.

In any event, these distinctions all exist within a larger framework, which is that basically it is all about the rules. Through that discussion, finer and finer distinctions are made, asking what one philosophical lens tells us about a situation. Very often, for those who have studied philosophy, we get into what are often called hard cases, the frequent discussion of a narrowing set of hard cases. It is the idea that if we do not have a clear rule to answer a hard case, then we have to invent new rules that help us explain it. One of the classic ways in which these are adjudicated are so-called trolley problems. If there is a trolley coming down a hill that could go on one of two tracks and we have to decide whether to flip the switch, knowing it would impact different people depending on where it goes, how do we make that decision, depending on the situation?

Through all of this, it is this idea that the sum total of ethical and moral conduct can and should be defined in rule form, and it can be done by anyone looking at the details in a purely rational sense without reference to sentiment or authority and then following the rules, as defined.

● (1250)

There are a number of problems that I think are evident with a purely rule-based approach to ethics or morality.

Fairly obvious is that if the rules are the sole basis of morals or ethics, then what is the basis for the rules? If following the rules is all that matters, then what justifies the rules as they exist? Also, a purely rule-based morality does not provide a sufficient basis for understanding the roots of moral motivation or for a discussion of moral competency—

Mr. Adam Vaughan: Ayn Rand.

Mr. Garnett Genuis It is really interesting, Mr. Speaker, that there is a member opposite who always shouts “Ayn Rand” at me when I talk about virtue ethics, which shows how philosophically illiterate he is that he does not understand the difference between Ayn Rand and virtue ethics. I look forward to getting into that further with the member during questions and comments.

A purely rule-based morality does not give us an adequate account of the basis for understanding moral competency. In other words, we might have the rules but we have people who are failing to live up to the rules. How do we explain the fact that some people have a greater ability to live up to those rules than others?

As I introduce some possible criticisms of a narrowly rules-based approach to morality, we need to understand that the Liberal government is not even able to follow the rules that are in front of it. This is an issue of not just a failure to align with deeper principles of ethics and morality, but a breaking of clear rules as they are laid out. That is often a product of the narrowing of questions of ethics to rules. Without a broader account of moral motivation and moral competency and where it comes from, we often see a loss of even that motivating force to follow the rules.

People have complained about cash for access, so with this legislation the government is going to change some of the rules. It does not really address the fundamental problem but it also is fundamentally missing the real problem, which is not a matter of the rules but a matter of the decisions that the government has made and a lack of ethical formation around what it ought and ought not to be doing when it comes to how it acts towards the public.

The alternative is an emphasis on virtue-based morality. Virtue-based morality or ethics highlight the importance of qualities of character. Rather than focus exclusively on narrowing sets of harder cases, one comes to a greater understanding of ethics and morality by seeking to develop particular virtues.

Acting out those virtues in different situations, intellectual as well as moral virtues, helps one to understand and know what to do in different challenging situations. This is an ancient tradition that reaches back to Aristotle and likely before, but it has had a great deal of resonance all the way up to and through modern moral philosophy. Mill's approach to this is very good as well.

Aristotle identified four cardinal virtues: prudence, courage, justice, and temperance. What is at issue here fundamentally with cash for access is not just a transgression of the rules but it is a violation of fundamental principles of justice. It is a principle of national justice that all people should have a fair and equal opportunity to influence decisions and to see decisions made that reflect notions of the common good, that reflect common interests, common values, and the common good.

When some people, because of privileged access, because of their political affiliation, because of their willingness to give money to a political party, have a preferential ability to access the government and influence government policy decision-making, then that is clearly an offence against justice. I am not defining that in a purely legal context but in a context of justice as a virtue, justice as what should be a universal value.

More than trying to find ways to change rules over and over again to tighten the screw, the Liberals need to reflect on what the objective should be, which is a society, government ministers, a government, that reflects these principles of justice. They should endeavour in their fundraising activities, as well as in all of their activities, to ensure that people have the equal ability to provide input on policies that marshal towards the common good.

● (1255)

Virtue is important. It is not just about a set of rules, but it is about the tone and how we shape our actions and how we make decisions. This is part of the problem with the bill. It does not address many of the fundamental issues. I would say this as well outside of the bill and outside of the specific context that we are discussing this in, because we are going to have these kinds of discussions about corruption, ethics, ethical fundraising, probably over and over again at least for the immediately foreseeable future. We need to take a step back from saying, "What are the rules?" and we need to ask what kind of a country we want to be in and what kind of conduct we expect from our ministers even when perhaps the rules are not there.

Again, the rules are clear in this case, but even when they are not clear, what kind of conduct would reasonable people, thinking from a framework that emphasizes justice, seek to see acted out?

One of the other issues I want to bring up because it has been discussed in this debate is the issue of access to the Prime Minister. Repeatedly we are hearing in questions and comments from members of the government that they have the most accessible Prime Minister in human history and that they know of people who have met him at events in their ridings. Let me say first of all, it is not at all true that any Canadian who wants to spend time with the Prime Minister can get that access. That is ridiculous to even suggest. I invite anyone watching this speech who thinks it is that easy to call the Prime Minister's Office and seek to set up a meeting.

The point is that there are different kinds of access. There can be a big public town hall in which many people come and some have an opportunity to ask questions, but that is very different from having a small, intimate cocktail reception where a small number of people have the privileged opportunity to have a detailed discussion with the Prime Minister or with a minister about the issues. Those are qualitatively, fundamentally different kinds of access. It is not the same being at a $1,500 private fundraiser with the Prime Minister as being able to ask one question in a public setting at a town hall. Those are fundamentally different kinds of access.

On the point of access, I would be remiss if I did not take this opportunity to invite the Prime Minister, if he wants to be accessible, to come and spend more time in my constituency. I am sure the local Liberal Party association would appreciate it as well, but I would be happy to take him on a tour of our industrial heartland. Without anyone paying $1,500, he can actually meet the workers in the energy sector that he has talked about phasing out, not the workers but the energy sector itself. He could then understand the importance in my riding of the downstream part of the energy sector, the jobs it creates, and the spinoff opportunities that are there and available for work right across the country.

So many of the products we use come from the energy sector. When we think of energy and oil sands development, most people think of driving cars and flying in airplanes, things that we all do, but they do not think of the fact that plastics, election signs, for example, come from petroleum products. There are so many things that we use on a day-to-day basis that have their basis in energy-related manufacturing, much of which happens in my riding.

I said in questions and comments that Vegreville is fairly close to my riding, so if the Prime Minister wants to be accessible to people who are losing their jobs and to a community that is going to be fundamentally damaged as a result of a decision of the government's former and present immigration ministers, then he could come to Vegreville and actually meet the people who are impacted.

I suspect that will not happen. If the Prime Minister wants to come to my riding this summer, I would be happy to make the arrangements. However, the reality of access is that if people are wealthy and well-connected Liberal Party donors, they are going to have access to the Prime Minister that the workers in Sherwood Park—Fort Saskatchewan and the people in my colleague's riding in nearby Vegreville who are losing work are not going to have. Even if there were some big round-table event, even if people are able to send a tweet and hope it is seen by the Prime Minister, they are not going to have qualitatively the same kind of access as someone who is paying for it.

Canadians are frustrated by this and the bill simply does not at all address the issues that are there.

● (1300)

Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.): Mr. Speaker, putting aside the debate about moral ethics, virtue ethics, and the sense that we can somehow promote a moral utopia by having no rules and regulations and just imply that people act in an ethical way and the challenges of that philosophical bent, as I said, I still fear the member's parents read too much Ayn Rand to him as a child at bedtime.

The issue is this. I would like the member to reflect on the port authority, again, because I did not go through the full list of Tory patronage appointments. We used to call it the "pork authority" in Toronto. The port authority also had the member for Milton run her campaign out of a federal agency, using the fax machine to solicit donations, until she was caught. That same body, which had Jim Flaherty's campaign manager, Tim Hudak's spokesperson, and the wife of Jim Flaherty's campaign manager, also hosted somebody who hosted a pay for play or cash for access, whatever the Tories want to call it, donation scheme where if people paid $1,100 per person they got to be appointed to the port authority, apparently, under their reasoning.

With all of this patronage around, the port authority of Toronto had so many Conservatives, if the member for Parry Sound—Muskoka had had that many in his campaign, he might have been on the final ballot at the leadership campaign, but he could not raise them a second time. I guess because he was out of power, he could not get them back into his fold.

The issue is this. As they run cash for access themselves, as they hand out federal appointments to campaign staff, campaign managers, campaign official agents, advisers of the Harris government, as they conduct all of that, how does that fit into his moral view of the world as being ethical?

Mr. Garnett Genuis: Mr. Speaker, I always find it entertaining listening to my friend, the member for Spadina—Fort York. I will have to say his understanding of political financing in this country is about as good as his understanding of political philosophy. He would do well to actually listen to what I said earlier. Of course, I never, at any point in my speech, advocated the abolition of rules or said that there is not a place for moral rules alongside a broader framework of virtue ethics. It is interesting that he always refers to Ayn Rand. Maybe he is more familiar with those texts than I am. However, Ayn Rand was not an advocate of virtue ethics. I think he should know that. If he does not, maybe he should focus his questions in a different direction.

He said a lot about things that happened in the Toronto port authority, apparently. He repeatedly asserted the word "apparently", "Apparently, you just had to pay this money and you got on the port authority." I do not really think a lot of the assertions of that member are necessarily worth dignifying with a response. I would rather we talk not about his constructed vision of "apparently", but rather about what we know happened.

I spoke in my speech about what we know happened under the Conservative government. We had one fundraiser where it was $50 a person. It was done by mistake, without the minister's prior knowledge, all of the money was refunded, and there was proactive engagement with the Ethics Commissioner.

With the present government, we have repeated $1,500 cash-for-access fundraisers. There has been no recognition of how inappropriate that is, no apology, and no pullback from that. The government is proudly standing up to defend it and is now trying to enshrine cash-for-access in the legislation. That is not an "apparently". That is something we know happened. Those are events that are on the record. The government, frankly, should be ashamed of them and it should be reversing course, not trying to justify them.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, it is funny to see the Liberals trying to appear less corrupt than the Conservatives. It seems as though there is a contest to see who is the least corrupt.

The member for Spadina—Fort York is trying to say that when it comes to political fundraising, the Liberals are breaking the rules, but not as much as the Conservatives. It is quite an interesting debate.

Can my colleague speak to the Liberals' argument, which puts all members in one basket by saying that the rules are the same for everyone, that all members follow the rules, that all members must do fundraising in their ridings, and that this is part of the electoral process?

The rules or codes of conduct, ethics, and political fundraising that apply to the real decision-makers on the front bench of the Government of Canada should be quite different, since they have quite different roles than do members such as my colleague from Sherwood Park—Fort Saskatchewan.

● (1305)

[*English*]

Mr. Garnett Genuis: Mr. Speaker, my colleague makes an excellent point in general about the obvious reality that ministers have a different role from members of Parliament. Ministers are part of the government. They are running departments and making policy decisions in a way that we as members of the legislature are not. We are here to debate legislation, propose changes to it, and vote on it, but also to hold the government to account for the decisions it makes with respect to specific files.

The point my friend makes as well is that the government in this argument is always trying to muddy the waters a bit. Rather than responding to the issues of cash-for-access fundraising, it is trying to insert confusion by saying that another event might have been similar, which was probably actually different, or looking at things that are far removed from reality, trying to insert confusion into the discussion.

Instead of trying to provide clarity and answers to questions from its perspective, because it will have a different perspective, the government is trying to insert confusion in to the debate. It is like smudging dirt on the windows so we cannot see what the details are. I think the Liberals hope Canadians will give up paying attention because it is confusing, it is kind of a pox on all their houses, or whatever the case may be.

We need to search for that clarity in this debate and ask what has happened, what has the government done, and why are those things inappropriate. As I explained in my speech, quite directly and specifically, what the government has done is completely different from practices under the previous Conservative government.

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, one of the things we have heard all morning is that the bill does not change a thing, that it allows the Liberal Party to continue down the path of cash for access. In the opinion of hon. member, does this change anything?

Mr. Garnett Genuis: Mr. Speaker, the legislation is supposed to address these issues but, frankly, it contains loopholes we could drive an official languages commissioner through. There are gaps in it with respect to what is still allowed.

Fundamentally, the bill is about reporting, not stopping the practice of people paying money for access, and we object to that. We object to the fact that someone who is involved in lobbying the government can pay $1,500 to get preferential access to the person he or she is lobbying. The bill has some mechanisms for the disclosure of that, but it continues to fully allow that practice to take place.

Instead of proceeding in the direction the Liberals have proposed, we are asking them to align themselves with the practice under the previous Conservative government, and also to look deeper into these questions of what a just approach to this issue looks like, aside from the rules. What is just and fair vis-à-vis the common good in giving people equal access to government. We have not seen that under the Liberal government. We have not seen a proper set of rules, nor alignment with rules nor the kind of disposition and character we would expect to align with the kind of decision-making we want to see in our country.

● (1310)

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, I am pleased to rise today.

In my opinion, several details about fundraising are insufficiently clear or are still misunderstood. Of course, most members engage in fundraising. I could also add that most members do not enjoy doing it. Indeed, it is far from the favourite part of our jobs.

Regarding fundraising, these are usually events attended by party members and people who support the party and share its values. Often there are close friends and family members who help and encourage us by making a few contributions. Quite often, the amounts are far from the $1,500 donated for special access. That is what happens when it comes to most MPs. They organize local events for people who share their values.

The problem is that the Liberal Party holds events attended by the Prime Minister and ministers, which includes just about everyone seated in the front row of the Liberal benches. In order to attend these events, people pay up to $1,500 so they can speak with ministers and the Prime Minister. These are exclusive events attended by about 10 or 15 people.

Everyone can understand the difference between an event attended by only about 15 people who each pay $1,500 to get in, and an event attended by 600 people with a ticket price of only $20 or $30. Those are two completely different events. That is the first distinction that must be made.

It is important that candidates and donors alike remember that we are under no obligation to accept donations. If we believe that accepting a donation from a certain person could raise an ethical problem, we are entitled to refuse the donation.

Some individuals might want to meet with us because they really stand to gain something. If they are not motivated to meet us because we share the same values, because they are really satisfied with our performance, or because they want to encourage us to keep up the good work, then we are most likely talking about individuals who want preferential access. This is where the problem arises.

This can also become an ethical issue. Personally, if Maurice "Mom" Boucher wanted to give me $1,500, I would refuse, obviously. If someone wanted to give me money and that person was somehow directly involved in a bill I had introduced, I would refuse because that would raise an ethical problem. I think it is important to understand that limits are needed. However, limits often have more to do with personal ethics than the law. We need to be able to set limits. Since we cannot anticipate every possible scenario, common sense is needed. That is what is missing entirely from the Liberal Party's current practices. Some people clearly have a hidden agenda. Anyone who has any common sense knows that the fact that these individuals are attending fundraising events is completely inappropriate.

People are condemning the Liberals' fundraising methods. There have been a lot of allegations. The Liberals said they would put a stop to these activities, that they would be a thing of the past, but in fact, this bill is purely cosmetic. They can keep holding these events, they just have to advertise them ahead of time. If it is a ticketed event, the tickets might just happen to be sold out by the time it is announced. It has to be advertised ahead of time, and it has to happen in a public place. A private home can be considered a public place as long as anyone can go there, but what difference does it make if the event is sold out?

● (1315)

These are just cosmetic changes that will not put a stop to anything. This is a big problem because we are talking about people with vested interests. Anybody would jump at the chance to spend $1,500 of their own money to meet the Prime Minister and get the ball rolling on some project that is worth millions to their company and hence to themselves, through dividends. Plus, that $1,500 is not a total loss, especially for millionaires who get a $600 tax credit. Worst-case scenario, they are just out $600. That is not a huge loss.

Obviously, people are interested in meeting with members of the governing party. The Conservative government did not have the same dynamic as the Liberal Party, but these events have nothing to do with party values and everything to do with the ruling party. People will donate money to whichever party is in power to advance their interests. It is not about a party and its values; it is about business. That is why this is such a big problem.

My riding happens to be home to the dean of the Quebec National Assembly, the longest-serving member, who has been a member for 40 years. I was not even born yet when he was first elected. We are fortunate to be able to consult a walking encyclopedia on Quebec's political history, and he and I talk about it often. He witnessed all those fundraising activities first-hand and noted that some members were no longer even doing their job; all they did was raise money.

We have even seen instances where ministers were given fundraising quotas, although unofficially of course. Ultimately, all they want to do is raise money, because that is what matters most if they want to keep their position, rather than simply doing a good job in order to stay in the role. This is a serious problem.

With the Charbonneau commission in Quebec, we saw what a complete mess political financing had become, which is why we decided to take a serious look at the problem in Quebec. We decided to restore a system of public financing and limit individual donations to $100. We also cut the ties between federal and provincial parties. Now they are completely separate entities, and there is no sharing or exchanges between them. Sweeping changes were made.

When I spoke to Mr. Gendron again, he said it had really changed the dynamic. Now, MNAs no longer spend their time running around fundraising for their party and can focus more on their work as MNAs. There are still fundraising events, but they are much less important and do not become their primary task. They can do their jobs effectively without being stressed because they have to raise funds at all costs, even if it means compromising their ethical principles and values.

This has also greatly increased the level of transparency. All the details about the donors are now known. The system may not be perfect, but it has greatly changed the dynamic of political financing in Quebec. This leads me to believe that we would do well to follow Quebec's example instead of introducing a purely cosmetic bill that allows a little more openness but is useless in the end since it changes nothing to the fact that people can pay for privileged access.

● (1320)

We ought to have changed political financing from the ground up, which would have been much more significant, to have had the courage to rethink the way we do things and to find ways to neutralize money's influence over politics.

This could have been done, for instance, by studying what is being done in Quebec and not just the bill. Indeed, what led to the bill was the topic of much discussion. We have things to learn from these discussions, and we could have applied them in practice to introduce a much more meaningful bill. That way, once at committee, we would have been a lot further ahead.

What we are currently proposing will not change the dynamic. People will continue to try to buy ministers or even the Prime Minister. This will not mean that elected officials will devote more time to their work as MPs, especially the ministers, who are in great demand for this kind of event, as far as I can see from the dynamics of the Liberal Party. I believe they should focus much more on their work.

As members, we are paid by all taxpayers to help Canadians and talk to them. When we hold political fundraisers, we are compromising our work a little because our primary duty is to talk to these people, to be available for them, and to do that without asking for anything in return. It is part of our job, and it is what we get paid to do.

I would like to digress for a moment. This reminds me of something that the Prime Minister used to do, which may have been legal but was extremely questionable from an ethical standpoint. When he was an MP, organizations used to pay him thousands of dollars to be guest speaker, on top of which he was able to claim his travel expenses if the travel was related to his Parliamentary duties. He could easily have chosen not to charge the organizations, which were charities at that. From an ethical standpoint, he had no problem at all getting his travel and meals paid for, while also getting paid extra to speak, even though what he was doing was actually part of his job.

There are still a lot of questions about what is being done. I find the government's approach totally inadequate. It lacks vision. The government should have thought much bigger and tried to resolve, once and for all, the issue of money's influence over politics. Unfortunately, this is not what happened. There is a clear lack of political will, also. Not a single Liberal MP managed to convince me that they had actually thought things through and were really looking for a solution.

The Quebec system may not be perfect, but at least there is an attempt at finding solutions. Here, were are content with doing a bit of damage control in order to legitimize an activity that makes no sense to begin with.

The money always flows to the party in power. We saw it in Quebec. It just so happens that the Liberal Party was the one raking in the most money when it was in power. Then, it was the Parti Québécois's turn to get paid. The same thing happens over and over in federal politics, as well. The Liberal Party rakes in the most money when it is in power, and then the Conservative Party takes over.

We need to get our heads out of the sand. Some people choose a party because it reflects their values, but there are those who are interested in party politics and hope to meet MPs and ministers of the governing party in order to gain favour. We need to step up and pull our heads out of the sand.

I would like to remind you that we are not obligated to accept donations if we believe them to be ethically questionable. This is an important point, and yet, people will still gleefully take money from anyone just to line their pockets.

● (1325)

I would really like us to come up with solutions. I would like us to do better and consider, once and for all, introducing a system acceptable to all the parties and solve the influence problem for decades to come, rather than make cosmetic changes to political financing that basically will not change anything at all.

I look forward to my colleagues' questions.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I thank my colleague for her contribution to the debate. I thank her especially for drawing a comparison between federal and provincial fundraising.

Some provinces are much more liberal, if I may use that word, while Quebec is much stricter. I think that the point of the recent financing reform was clear. There was an effort to remove money from politics, and some compelling results were achieved, as the member said in her speech. That is certainly something parliamentarians should consider when trying to take the influence of money out of public policy as much as possible. It goes without saying, but I think that all the members of the House share the same goal. Nobody can be against this principle.

We thought this was what the Prime Minister had in mind when he said he would attempt to eliminate the practice of granting special access in exchange for donations as well as all appearance of preferential access. When the Prime Minister said that, we believed that he was heading toward that kind of political financing reform for federal parties.

I would like to ask my colleague whether, in light of what the Prime Minister said, Bill C-50 meets her expectations regarding changes to political financing. Does the bill also meet her expectations with respect to special access? Is it really what we were expecting when we heard the government say that it wanted to correct this situation? We really thought it would fix it. Can the member say whether her expectations were met by Bill C-50?

Ms. Christine Moore: Mr. Speaker, my expectations have most definitely not been met.

In fact, a number of government bills have been a major disappointment to me, since the fine promises made during the election campaign were never kept. I err on the side of caution when the government says that it will solve a problem, because I know that, in reality, it never does. What the government does is far from keeping its campaign promises.

That being said, I was expecting something much more substantial. I was expecting that the limit for public funding of political parties would be reviewed and that those with vested interests would be prevented from donating. At the end of the day, there may be a little more openness, but the changes are cosmetic and will not prevent cash-for-access-to-a-minister-or-Prime-Minister events from taking place.

I think the government has not measured up at all with this bill and it is clearly not solving the underlying problem, the influence that people can have on ministers when they pay for access, which in turn fills party coffers. Surprise, surprise, these people often get favours in return that benefit whatever company they represent or cause they promote. The problem is still there and the government has done nothing to solve it.

[*English*]

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, the mandate letter to the Minister of Democratic Institutions, which is connected to Bill C-50 on political financing, says to set up an independent commissioner to oversee future debate forums held between leaders of major political parties.

We saw what happened with the failed appointment of Madam Meilleur to the official languages commissioner role. The New Democratic Party is trying to move a reasonable motion in this House to make sure that all these officers of Parliament are appointed in an independent, open, and transparent fashion.

I do not see this part of the minister's mandate letter in Bill C-50. It is deeply troubling that the government is not moving ahead with this important part of the minister's mandate letter. Could I have the member's comments and observations on that?

● (1330)

[*Translation*]

Ms. Christine Moore: Mr. Speaker, clearly, if they want to appoint an independent commissioner, they must consult with members of all parties to uphold the principles of independence. It is important to hold real consultations. When we are told that a decision has been made to appoint someone, that is not consultation. It is important to take the time to talk to everyone.

When we really take the time to consult and take the work seriously, we can find a common solution. We can find a man or woman who is capable of discharging the mandate and is to everyone's liking. To that end, the government must be ready to hold real, not cosmetic or bogus, consultations. Unfortunately, that is what the government is doing with its legislative measures and its approach.

Mr. Pierre-Luc Dusseault: Mr. Speaker, my thanks to my colleague for her response just now.

I would like her to comment on one of the Liberals' arguments. They actually say that the $1,500 fundraising activities are open to everyone. Anyone can register and attend a cocktail party for $1,500, no problem. They add that these events are open and posted on their website, and that anyone can attend. They say that they are a government open to discussion, since everyone is invited and welcome, as long as they pay the $1,500.

With her experience in her riding, can my colleague tell us whether a lot of people are able to afford a $1,500 cocktail? The government is saying that it is open to everyone, that there is no problem, that theirs is an open party, and that the cocktail receptions are open to everyone. What does a $1,500 event mean in the member's riding?

Ms. Christine Moore: Mr. Speaker, I can assure you that the young mother in my constituency who had $26,000 in family allowance seized by the Canada Revenue Agency over more than five years absolutely could not afford to buy for a $1,500 ticket to go see the Minister of National Revenue. She could have told her how totally disconnected from reality the Canada Revenue Agency has to be to require endless documents from a mother who no longer receives any family allowance. I can assure you that she could not afford a ticket.

I can tell you that a lot of young mothers and young fathers are having their family allowance cut off in my constituency. They do not know who to turn to anymore to get it back. This can drag on for several years. Those people cannot afford to pay $1,500 to go see the Minister responsible for the Canada Revenue Agency to tell her to do her job and to hire people who will serve Canadians instead of preventing them from receiving the money they need to put food on the table for their children.

The Assistant Deputy Speaker (Mr. Anthony Rota): I would remind members to direct their questions through the Chair, not directly to other members.

The hon. member for Red Deer—Mountain View for a very brief question.

[*English*]

Mr. Earl Dreeshen (Red Deer—Mountain View, CPC): Mr. Speaker, the hon. member spoke about some of the discussions she has had with people from Quebec. If we tie this into the federal Liberal Party, there was the Gomery issue. I am wondering if, in her discussions, some of that was presented. The Liberals perhaps have not changed that much.

[*Translation*]

Ms. Christine Moore: Mr. Speaker, we have not directly addressed what was discussed at the Gomery Commission. That said, we had similar experiences in Quebec, where there was a big issue with the financial contributions of various industries, for example. This caused quite a mess before new laws were passed. The provincial government realized that it no longer had any choice and that it had to go in a completely different direction, take real action and not cosmetic action as we see here. That is what led to the bill and the reform of election financing.

What must be learned from the experience in Quebec is that, if we look at political financing in Canada in the past, we can no longer be content with cosmetic changes. One of these days, we will need to stand up and make real changes that will solve the problem once and for all, instead of making patchwork legislation that, in the end, does nothing to solve the problem of influence in government.

● (1335)

[*English*]

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Mr. Speaker, I would like to thank you for the opportunity to stand and address the Commons today regarding the political financing rules and changes to those rules here in Canada.

Political financing has obviously become a hot topic in the government, a topic that has been marred with suggestions of cash for access, of preferential treatment for those who attend fundraisers. Obviously it is important to the Canadian people to know that every Canadian is seen as equal under the law, every Canadian is seen as equal by their government, but that does not seem to be the case as of today, because what we have seen is minister after minister, including the Prime Minister himself, engage in activities related to fundraising for the Liberal Party of Canada that have caused members of the public, members of the opposition, and members of the media to question whether that is in fact the case.

The government has been accused of selling access to ministers who are key decision-makers and creating a quid pro quo environment, an environment in which, if one wants to influence the outcomes of government decision-making, all one needs to do is donate to the Liberal Party of Canada.

That is the same Liberal Party that makes up the government and literally determines the future of our country and its policies.

It is seen as a trade. One person can have influence if they provide grease to the Liberal wheels through big donations or through many donations or through hosting fundraisers.

The irony here is that the Prime Minister and his government outlined their expectations for the conduct of the government, its ministers, and in fact the Prime Minister himself through several tabled documents. In the mandate letters the Prime Minister gave out to each of his ministers, he required all of the ministers to maintain relationships with stakeholders related to their portfolios that were not only above reproach but seen to be above reproach.

The Prime Minister also produced a document called "Open and Accountable Government". Here he went one step further than just the outlines provided in the mandate letters. The general principles were these:

> Ministers and Parliamentary Secretaries must ensure that political fundraising activities or considerations do not affect, or appear to affect, the exercise of their official duties or the access of individuals or organizations to government.

This further reiterates that it is not just a question of whether there is influence occurring but also of whether it is perceived that there is undue influence occurring because the individual has preferential access to said minister.

A second principle was this:

> There should be no preferential access to government, or appearance of preferential access, accorded to individuals or organizations because they have made financial contributions to politicians and political parties.

Again, this just reinforces the principle that the Canadian people need to not only know or see that there is no undue influence but also need the government to provide the image that there is no undue influence occurring because of some sort of financial donation to the Liberal Party of Canada.

A third principle was this:

> There should be no singling out, or appearance of singling out, of individuals or organizations as targets of political fundraising because they have official dealings with Ministers and Parliamentary Secretaries, or their staff or departments.

If we are looking for examples—and I will not say this happened—perhaps seeing people who were looking for court appointments buying tickets to a fundraiser with the Minister of Justice would appear to be just that. Perhaps seeing Chinese businessmen who were looking to do business in Canada meeting directly with the Prime Minister would appear to be just that.

The Prime Minister's own documents iterate that there needs to be not only no undue influence but the appearance that there is no undue influence.

● (1340)

I would like to take this opportunity to say that I will share my time with the member for Calgary Rocky Ridge.

The Prime Minister also tabled the throne speech. This throne speech, entitled "Making Real Change Happen", went even further, because it not only talked directly about fundraising but also about the narrative, about the ideals toward which the government would strive. I would like to compare some of the statements within the throne speech to what we are seeing happening with political financing in Canada with the Liberal Party today.

The throne speech states, "Let us not forget, however, that Canadians have been clear and unambiguous in their desire for real change. Canadians want their government to do different things, and to do things differently."

I am not sure that the Canadian people would agree with the things that the current government is doing differently or with how it is doing things differently. The previous Conservative government had very high standards for its ministers and its parliamentary secretaries. The former prime minister demanded that his ministers strictly follow these guidelines for both ministers and parliamentary secretaries so that no conflict of interest would result from political donations. Those members could not attend fundraisers related to their own portfolios.

The current government is doing the exact opposite, confirming conflicts of interest by encouraging its ministers to take part in cash-for-access fundraisers. I could be wrong, but I do not believe this is what the Canadian public had in mind when "real change" was offered as the Prime Minister's slogan.

The second sentence that I would like to outline from the throne speech is "They want to be able to trust their government." How can mom and pops back home trust a government that is selling access to ministers, possible access to decision-making, and access to wealth through that decision-making? The actions of these ministers breed further distrust between politicians and the public and sow the seeds of doubt that politicians do not in fact have the best interests of Canadians in mind; they have the best interests of their own political fortunes.

The third is, "And they want leadership that is focused on the things that matter most to them." I can guarantee that there is not a single Canadian in this country who thinks the most important matter to deal with today is the fundraising prowess of the Liberal Party of Canada. I know what Canadians are worried about. They are worried about jobs. They are worried about how they are going to put food on the table, how they are going to take care of their families, and what their future looks like.

Canadians are worried about a ballooning deficit: how are my children going to be able to afford to live in 10 years, in 15 years? How are they going to be able to repay the debt? How are they going to be able to afford university and college? How are they going to be able to take on the inflation that is likely coming down the line?

They are worried about rising real estate prices: how are we going to be able to afford to find a place to live?

The Liberals are worried about fundraising. Unfortunately, that is not what the Canadian public is interested in.

It is interesting, just 18 months after this throne speech, how far we have come, because the next paragraph, after saying "focused on the things that matter most", says, "Things like growing the economy; creating jobs; strengthening the middle class, and helping those working hard to join it."

After just 18 months, this throne speech is no longer worth the paper it is written on, because the most important things to the Liberal Party today are these: where are they going to find the money, how are they going to use it, and who can they exploit to encourage more money going to Liberal coffers?

This bill does not go to the place it needs to go. The government needs to stop what it is doing in terms of providing cash-for-access events for ministers with stakeholders within their portfolios. Today, we as Conservatives are calling on the government to stop this practice and move forward.

● (1345)

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, my hon. colleague and I, being from Ontario, understand where this all started, and we understand the reasons it has come to Ottawa. The common denominator throughout this whole thing is Katie Telford and Gerry Butts. They were doing the exact same thing when they were running Dalton McGuinty and Kathleen Wynne's office, and they are doing the exact same thing now running this country. We have experienced cash-for-access fundraisers in our part of the world.

How does the hon. member feel about a very similar practice in Ontario happening now federally?

Mr. Alexander Nuttall: Mr. Speaker, I love talking about my feelings in the House of Commons, so I will continue to do that.

In terms of what is happening in Ontario and what has happened in Ontario, all we have to do is look at is the Green Energy Act and those companies that are reaping the benefits of what I will refer to as corporate welfare and the donations that are attached to those back to the Liberal Party in Ontario. Yes, it did start under Dalton McGuinty and it continued under Kathleen Wynne, and today it is continuing under the Prime Minister of Canada and his staff.

What Canadians expected was a government that was going to put them first; unfortunately, what Canadians got is a government that is putting its own coffers first.

Enough is enough. Enough of the politicians looking out for politicians. We need a government that is going to look out for Canadians.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I guess one of the indicators we look for when a new government comes in is what its priorities are and what the response is from the larger political ecosystem, if we can call it that. In this case, it was almost like a dinner bell was rung for lobbyists around Ottawa. The Commissioner of Lobbying just issued a report about lobbying activity since the government was formed, and it is like a hockey stick curve. All of a sudden, everyone came running with cheques in hand.

I will remind the House of what the Prime Minister of Canada promised Canadians way back in November 2015. Hearken back to those heady times. He said, "There should be no preferential access to government, or appearance of preferential access, accorded to individuals or organizations because they have made financial contributions to politicians and political parties."

Fast forward to April 2016, October 2016, then another in October, and then a third, a fourth, a fifth fundraising event. Liberals were really busy in October of that year, and then it continued on. One fundraising event after another was held by the senior ministers of the cabinet—finance, natural resources, justice—with people directly implicated in their ministries. Lawyers were lobbying the Attorney General. The Minister of Natural Resources was being lobbied by oil and gas and mining companies at Liberal fundraising events. The Minister of Finance was holding what he called pre-budget consultations at a millionaire's house in Halifax with the wealthy and well connected.

Holding up that one promise of many about more open and transparent government, what is it that the Liberals do not understand about this problem? Is it that cash for access is the issue that most Canadians see as a fundamental complaint, or is that we will publish the names of those who have bought access to the Prime Minister and his cabinet in three weeks rather than in three days?

Mr. Alexander Nuttall: Mr. Speaker, obviously it is cash for access. Obviously the government does not understand that Canadians do not want a government that is going to sell access to its ministers, access to its decision-makers, access to all parts of its infrastructure to those who are looking to gain. Canadians want a government that is going to do what is best for its people, and the Liberals are not going to find that through consultations at $1,500 fundraisers; they are going to find it through speaking with regular Canadians and working on their behalf.

I know my time is coming to an end, so I will end with this: going forward, we are demanding that the government put these ethical issues aside and focus on Canadians, not its own coffers.

● (1350)

Mr. Pat Kelly (Calgary Rocky Ridge, CPC): Mr. Speaker, it is always a pleasure to rise in this place to speak on behalf of my constituents in Calgary Rocky Ridge.

I have followed the debate on the bill throughout the morning. I have listened to various interventions by members of all parties. We have had some great discussions and some interesting points have been made.

I will take a minute to review how we got here.

In 2015, the Liberal Party ran an ambitious campaign. It ran an idealistic campaign in an attempt to capture the imagination of Canadians. It was the third party in the House. When being a third party in the House, perhaps it puts pressure on itself to promise a great many things to try to regain the support of Canadians, which it had not enjoyed for some time.

Many bold and idealistic promises were made. The Liberals conveyed to Canadians an impression of being different, different from their former selves in the scandal-ridden governments they had in the past, different from a current government that had been in office for 10 years, and it worked. They managed to get elected on the strength of those idealistic promises.

The Liberals promised many things during the campaign. They promised to be the most open and transparent government in history. They promised a deficit of only $10 billion, which would be spent explicitly on infrastructure to stimulate the economy and would immediately return to balance. We know what has happened with that promise. They promised electoral reform. They promised reform to the access to information system. Many promises were made that were thrown out the window fairly closely after the election.

On the business of being the most open and transparent government in history, the Prime Minister, shortly after his election, put out a 90-plus page document, the Prime Minister's statement on "Open and Accountable Government". In this document, as has been recounted by others this morning, he promised, among other things, to hold his ministers to the highest possible ethical standards. In his document and in his mandate letters that he made public, he said that there could be no preferential access given to ministers by the wealthy or well-connected. He said that there would not even be the appearance of conflict of interest or preferential access. He said that his ministers were to be held to these standards and that their ethical responsibilities would not be fully discharged by mere compliance with the law.

What has happened since then? Almost immediately, the Prime Minister and his party, to raise funds, started to hold cash-for-access fundraisers. We know they have held fundraisers with Chinese billionaires. We know they have held cash-for-access fundraisers with pharmaceutical lobbyists and firms that are in litigation with the government. We have media reports of lobbyists hosting cash-for-access fundraisers in private homes, in contravention of the Lobbying Act.

We have heard these events not only are not open to the public, but they are by invitation only and secretly distributed, using Internet protocols to bury search results that attempt to look for these events. We have heard of the Minister of Natural Resources meeting with energy lobbyists. We have heard the Minister of Finance characterizing a cash-for-access fundraiser as part of his pre-budget consultation process.

● (1355)

There has been, more or less, a year of this. We spent the better part of the first year of the Liberal government being in office uncovering these events. Here we are today, in the final days of our sitting, when members are getting ready to spend the summer in their constituencies and time with their families, rushing through a new bill.

Many Canadians may be wonder why we even have this bill.

The bill purports to increase openness and transparency. It was touted by the Parliamentary Secretary to the Minister of Democratic Institutions this morning as a new, much-needed reform. What created the need for this reform? There is only one party that has an ethical fundraising problem, and it is the Liberal Party.

Why do we even need a new bill at all when it is the conduct of one party that could simply choose not to sell access for cash? We would not need to be here debating a bill at all if Liberals would simply not do it, but this is the essence of how they raise money. The bill would not create increased ethics in fundraising. It would create a system where conflict of interest is, indeed, open and transparent, that the Liberals can openly and transparently engage in conflict of interest by shaking down supporters, stakeholders, and lobbyists who do business with the government at $1,500 a pop.

The new minister came to her job in the wake of the unmitigated disaster of her predecessor's failed electoral reform agenda, a broken promise, much like a series of other broken promises I mentioned already. With the reset button being hit on her department, we now have this bill before us, which, as I have said, merely gives cover to the Liberals' practice of raising cash by selling access.

The Assistant Deputy Speaker (Mr. Anthony Rota): Is the House ready for the question?

Some hon. members: Question.

The Assistant Deputy Speaker (Mr. Anthony Rota): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Assistant Deputy Speaker (Mr. Anthony Rota): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Assistant Deputy Speaker (Mr. Anthony Rota): All those opposed will please say nay.

Some hon. members: Nay.

The Assistant Deputy Speaker (Mr. Anthony Rota): In my opinion the yeas have it.

And five or more members having risen:

The Assistant Deputy Speaker (Mr. Anthony Rota): Pursuant to order made on Tuesday, May 30, the division stands deferred until later this day at the expiry of the time provided for oral questions.

STATEMENTS BY MEMBERS

● (1400)

[*Translation*]

OFFICIAL LANGUAGES

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Mr. Speaker, there is an elephant in the room here in the House of Commons, and that is the assimilation of francophones and the anglicization of Quebec.

Minority languages are being assimilated in systems like Canada's around the world, systems that are based on institutional bilingualism and individual rights. What is the Minister of Canadian Heritage doing? She is on a tour to promote the same old model. That is why I am going on a tour of my own to promote French, the common language. We will promote a model based on collective rights that has proven its worth in order to secure a future for our national languages.

I invite everyone to participate. We will start with Quebec. Securing the future of French is not just our right; it is our duty to cultural and linguistic diversity. The best way to achieve that is to make Quebec a country.

* * *

[*English*]

MENTAL HEALTH

Hon. Hunter Tootoo (Nunavut, Ind.): Mr. Speaker, the lack of mental health services in Nunavut continues to have a profound and tragic effect on Nunavummiut. Years of societal and cultural disruption have led to increased multi-generational trauma among Inuit.

As a result, many have turned to alcohol and other substances. Sadly, this reality has led to a suicide rate that is 10 times the national average, a statistic that has not changed since it was declared a crisis in 2015.

I do not think there is a family in Nunavut that has not been affected by suicide, or alcohol and substance abuse. I know mine certainly has. I know all too well the forceful, lasting impact it can have.

This is unacceptable in Canada in 2017. The Government of Nunavut urgently requires adequate federal funding to provide the mental health services needed to break this cycle and ensure a brighter future for Nunavummiut.

* * *

SOFTWOOD LUMBER INDUSTRY

Ms. Karen Ludwig (New Brunswick Southwest, Lib.): Mr. Speaker, as we prepare to return to our home communities this summer, I encourage all members of the House to look at how trade supports jobs and growth in their ridings.

Thanks to the Canadian softwood lumber industry, North American home and cottage owners will again have the unique pleasure of backyard projects, such as building that new deck, staining a fence, building a dock at the cottage, and so many other wood related projects, all thanks to the Canadian softwood lumber industry.

The Canadian softwood lumber industry has been ground zero for the infamous "honey do" list. All around the House, we can see many softwood products: Kleenex in the lobby; the labels on the envelope, and the envelope itself; even the occasional child's diaper. Softwood lumber products can be found everywhere.

What else do these products have in common? They were produced in my province of New Brunswick and are shipped across Canada and internationally.

* * *

FOREMOST UNMANNED AIR SYSTEMS TEST RANGE

Mr. Glen Motz (Medicine Hat—Cardston—Warner, CPC): Mr. Speaker, southern Alberta is home to the Foremost unmanned air systems test range.

The Foremost test range is 2,400 square kilometres of restricted airspace up to an altitude of 18,000 feet, set aside for drone research and testing. It is the only location in Canada to receive Transport Canada's authorization, and is one of a handful worldwide with comparable capabilities.

Although started as an economic development initiative by the Village of Foremost, the test range is now a national asset that benefits Canada's large and small companies alike. It enables the next generation of civil and commercial drone applications in agriculture, forestry, oil and gas, and the environment, where drone use will improve soil and water quality and create low-cost methods for monitoring pipelines and power lines.

The Foremost unmanned air systems test range gives Canadian companies a home to develop their technology in order to meet domestic requirements and those of the rapidly expanding global marketplace.

* * *

[*Translation*]

DENIS ROLLAND

Mr. Jean Rioux (Saint-Jean, Lib.): Mr. Speaker, communities of tomorrow are built on the strength and dedication of today's municipal officials. I would like to acknowledge the contribution of the mayor of Sainte-Anne-de-Sabrevois, Denis Rolland, a former colleague on the Haut-Richelieu RCM municipal council.

Mr. Rolland has dedicated nearly 45 years of his life to public office, including over 25 as mayor of Sainte-Anne-de-Sabrevois. Thanks to his approach, the municipality became one of the first in Quebec to have a city plan involving the construction of modern infrastructure. He was able to help the region change with the times and he instilled in its residents a feeling of belonging that has helped forge a strong community.

One example of Mr. Rolland's commitment to the community is the creation of the Musée Honoré-Mercier in that premier's birthplace. Mr. Rolland is a community builder who is helping the riding of Saint-Jean to grow and flourish.

* * *

● (1405)

FESTIVITIES IN ALGOMA—MANITOULIN—KAPUSKASING

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, summer is just around the corner, and I invite everyone to visit my beautiful riding, Algoma—Manitoulin—Kapuskasing. This weekend, we will be throwing Ontario's biggest Saint-Jean party in Kapuskasing.

[*English*]

On June 21, National Aboriginal Day celebrations are taking place in communities across the riding.

To celebrate Canada 150, there are hundreds of activities taking place.

Wawa will reveal its new Wawa goose, the largest landmark of its kind in Canada and one of the most photographed landmarks in North America. Echo Bay celebrates the 30th anniversary of the circulation of the loonie, a coin that has become a national symbol, and the 25th anniversary of the big loonie monument, built to honour the loonie's artist, Robert-Ralph Carmichael. If this is not enough, on August 10, Lester B. Pearson's granddaughter will be in Kagawong for the official launch of the Old Mill Heritage Centre's exhibit of the Lester B. Pearson collection. We hope the Prime Minister will attend to celebrate the life of a close family friend.

All this and so much more is happening in AMK this summer. I hope to see everyone there.

* * *

SPEAKERS' SPEECH WRITING CONTEST WINNERS

Mr. Darrell Samson (Sackville—Preston—Chezzetcook, Lib.): Mr. Speaker, "I see Parliament as a stunning tribute to the Canadian values of peace, freedom, equality, respect for cultural differences and law and order." Those are the words of Braden Marshall, a student in grade 8 from Fall River, Nova Scotia, in my riding. He is here today with his dad Mark and five other finalists in the national Speakers' Speech Writing Contest.

[*Translation*]

Braden has been in French immersion since kindergarten and is here to be recognized for his contribution.

[*English*]

I would ask all members to join me in welcoming Braden Marshall and the five other finalists—Charlotte, Lindsay, Arman, Asha, and Ophélie—to Parliament today and thank them for their—

[*Translation*]

The Speaker: While I appreciate the intention of the hon. member for Sackville—Preston—Chezzetcook, he should know that only the Speaker can recognize people in the gallery. Members must not do so. I hope he will comply with that practice in the future.

* * *

[*English*]

STEPHEN LEACOCK MEDAL

Mr. Bruce Stanton (Simcoe North, CPC): Mr. Speaker, last week Heather and I attended the 70th annual Stephen Leacock Memorial Medal for Humour awards in Orillia, Ontario. Orillia, after all, is Leacock's fictional Mariposa, from his famous novel, *Sunshine Sketches of a Little Town*.

The Stephen Leacock medal is awarded to the best literary work of humour by a Canadian author, and some of Canada's best have received it: Mordecai Richler, W.O. Mitchell, Will Ferguson, and Terry Fallis, to name a few.

This year the Leacock Associates have awarded the medal to Gary Barwin, of Hamilton, Ontario, for his novel *Yiddish for Pirates*, the same work that put him with the finalists for last year's Governor General's Literary Award and the Giller Prize.

I would like to thank the Leacock Associates and TD Financial Group for recognizing another outstanding contribution to Canadian literature. I invite all hon. members to join me in congratulating the 2017 winner of the Leacock medal for humour, Gary Barwin.

* * *

150TH ANNIVERSARY OF CONFEDERATION

Mr. John Aldag (Cloverdale—Langley City, Lib.): Mr. Speaker, we are in the midst of one of the most significant celebrations in our history, Canada 150. Festivities are ramping up in all corners of the country. My riding of Cloverdale—Langley City is no different, with significant celebrations planned for Canada Day and throughout the rest of the summer.

As we celebrate 150 years of Canadian Confederation, we must also remember that the history of this land goes back well beyond 1867. Long before Sir John A. Macdonald became our country's first prime minister, indigenous peoples lived on the territory that would one day become Canada. It is this rich history that reminds us that just as this is a time of celebration, it is also a time of reconciliation.

I also remind Canadians that all Parks Canada national parks and national historic sites are free throughout 2017. These parks and sites are national treasures, set out for the enjoyment of all Canadians. I encourage everyone to take advantage of our country's natural and cultural marvels.

From everyone in Cloverdale—Langley City to all Canadians and everyone in the House, happy Canada 150.

* * *

● (1410)

150TH ANNIVERSARY OF CONFEDERATION

Ms. Sonia Sidhu (Brampton South, Lib.): Mr. Speaker, this is a great year for all Canadians. On July 1, we will mark 150 years of Canada's Confederation.

Canada is known around the world for many things that make us such a special country: the brave soldiers and peacekeepers who protect our values around the world, the image of a maple leaf waved and worn proudly around the world, the indigenous communities with a deep history, and multiculturalism that enriches each of our lives. We are a country of open arms, welcoming people from around the world.

In Brampton South, we are also celebrating the 150th anniversary of Brampton's Grace United Church, Alderlea historic home, and the PAMA courthouse.

Canada Day speaks to all Canadians. I want to encourage all Canadians to connect with neighbours, family, and friends and celebrate what it means to be Canadian. In Brampton South, that can mean spending time at Gage Park, learning about our heritage at PAMA, or enjoying an evening at the Rose Theatre or Garden Square downtown.

As we approach July 1, I would like to wish—

The Speaker: The hon. member for Calgary Confederation.

* * *

STROKE MONTH

Mr. Len Webber (Calgary Confederation, CPC): Mr. Speaker, June is Stroke Month in Canada. More than 400,000 Canadians live with long-term disability from stroke. That number is expected to double in the next 20 years. Due to increased awareness of the signs of stroke and improvements in early stroke management, most people, 80% in fact, now survive a stroke. Recovery can take months or years, even for milder strokes, and many people never fully recover. It is a long, costly, and difficult road.

Acute care has improved dramatically. Unfortunately, the system has not kept pace. There are gaps in rehabilitation, community services, and support. Family caregivers play a critical role in rehabilitation, and it is stressful and exhausting.

The Heart and Stroke Foundation is ready to help, but it needs our support, support for both patients and caregivers. Together with stakeholders, we can raise awareness and improve stroke outcomes for thousands of Canadians.

UV INDEX

Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.): Mr. Speaker, it is critical that we trust in science and in our scientists. Despite recent challenges, I remain hopeful about global efforts to tackle climate change because of our history of innovation and leadership in science.

With that history in mind, I rise to recognize the 25th anniversary of the UV index, a scale invented here in Canada and adopted by the WHO and the UN Environment program internationally. In particular, I want to recognize the three Toronto-based Environment Canada scientists who invented the index: Jim Kerr, David Wardle, and Beaches-East York constituent Tom McElroy, now a professor at York's Department of Earth and Space Science and Engineering.

"In a sense, we managed to put a hat on everybody in the world." That is Tom's modest way of describing an incredible accomplishment, an accomplishment that has not only improved public health awareness but serves as a reminder of the progress we can achieve when we put our trust in science and give our scientists both freedom and funding to do their work.

* * *

ATTACK IN VIRGINIA

Hon. Andrew Leslie (Orléans, Lib.): Mr. Speaker, Canada has no closer friend, partner, and ally than the United States of America. Canadians were deeply concerned to hear about an attack in Alexandria, Virginia, yesterday that targeted a Republican congressional baseball practice. This was a cruel and heinous attack, and we condemn it in the strongest possible terms.

Every year, Republican and Democratic Senate and House members get together for the annual congressional baseball game, where they solidify friendships and raise money for charity.

Following this attack, Democrats and Republicans got together and called for bipartisan unity, and today the congressional baseball game for charity will be played as scheduled. We commend their bravery and their determination not to let this attack cause rifts. We wish all those injured in the attack a complete and speedy recovery.

On behalf of all Canadians who value our friendship with our American friends and neighbours so dearly, we wish the best of luck to both teams as they stand fast against this act of hate and play their annual game.

* * *

● (1415)

RICK PLAISIER

Mr. Larry Maguire (Brandon—Souris, CPC): Mr. Speaker, I rise today in the House of Commons to recognize the life of Rick Plaisier. Rick was a husband, a father, a friend, and a teacher. My heart goes out to his wife, Marie, their three sons, Kent, Todd, and Shawn, and their families.

Through his career, he inspired generations of students as a teacher and then later as principal of Virden Junior High School. After retirement, Rick began evaluating educational programs on first nation reserves in an effort to improve learning outcomes in these areas.

Rick defined what it means to be an advocate for his community through his work as mayor of Rossburn, as mayor of Virden, as reeve of the Rural Municipality of Sifton, and finally, as western Manitoba's representative on the Association of Manitoba Municipalities. He was concerned about regional flooding and the very existence of Oak Lake as a water sport and fishing mecca. As a Lions Club member, he rose to district governor.

I am proud to have known this man and to have called him a friend. I thank Rick for his tireless work. Westman is undoubtedly a better place because of him.

* * *

RCAF GOLDEN HAWKS

Mr. Pat Finnigan (Miramichi—Grand Lake, Lib.): Mr. Speaker, today, June 15, the Golden Hawks, Canada's first national aerobatic team, will be inducted into the Canadian Aviation Hall of Fame.

In 1959, the Royal Canadian Air Force Base Chatham was chosen to be the home of Canada's first official national aerobatic team. The program was then established as a permanent unit of the RCAF, thanks to the tremendous success of the Golden Hawks. In 1967, RCAF Chatham honoured the Golden Hawks by dedicating an F-86 Sabre in front of the base's recreation centre, where it stood until it was moved to the Atlantic Canada Aviation Museum. This monument not only honoured the members of the team but also all the men who flew that same aircraft during the Cold War.

I invite all members to my beautiful riding of Miramichi—Grand Lake this summer, where there will be a community celebration honouring the RCAF Golden Hawks and their significant role in Canada's aviation history.

* * *

NORTHERN MANITOBA

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): Mr. Speaker, today I rise to share the sense of frustration and abandonment that many face in our region of northern Manitoba, frustration that the federal government is nowhere to be found in these tough times.

Churchill and the Bay Line communities are devastated. The American billionaire that owns the rail line and the port has left people completely stranded. Fishers in Norway House, Wabowden, and Fisher River, as well as many others, are fighting the dismantling of the Freshwater Fish Marketing Corporation. Workers and families in Thompson and Flin Flon are worried as they receive news of major job losses, including the loss of value-added processing jobs. First nations are not seeing the commitment to increased funding for education, housing, and child welfare or to treaty land entitlement.

Northern Manitoba has given a great deal to Canada. It is time for the federal government to step up, to nationalize the port and rail line, to protect FFMC, to stand up for good jobs, and to live up to its commitment to first nations. We demand that the Prime Minister act. It is time to stand up for our north and our Canada.

* * *

FREEDOM CHALLENGE

Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC): Mr. Speaker, earlier this month in my riding I was honoured to attend the Long Table Feast: Hope, hosted by Denise Heppner and Brenda Wiens. This event was a fundraiser in support of Freedom Challenge.

Freedom Challenge is a movement of passionate women who participate in physical challenges dedicated to raising funds and awareness to combat the injustice of human trafficking, which affects hundreds of thousands of women and children worldwide. Freedom Challenge has led women to climb the Rockies, the Alps, Kilimanjaro, and to the Everest base camp. More importantly, Freedom Challenge has raised millions of dollars to support the work of combatting human trafficking.

I want to recognize and thank the hosts and volunteers of this fundraiser, as well as all those who attended to support the important work of Freedom Challenge. I wish everyone who participated in addressing this struggle all the best as they strive to set women and children on the pathway to freedom.

* * *

COMMENCEMENTS

Mr. Serge Cormier (Acadie—Bathurst, Lib.): Mr. Speaker, as the member of Parliament for Acadie—Bathurst, I would like to rise to congratulate all those receiving their diplomas this spring.

[*Translation*]

Graduating is a major accomplishment, and I am extremely proud of all the graduates from the five high schools, the two community colleges, and the university in my riding. I hope this will serve as an opportunity for them to take everything they have learned in the course of their studies and use it to set goals for a promising future. I encourage them to nurture their desire to learn and find ways to use their unique talents to contribute to our society. We are counting on them to make sure Canada remains a great place to live where people can enjoy freedom and security.

● (1420)

[*English*]

A new phase of life is about to start for these graduates. Whatever path they choose, I want them to know that each of them will shape the future of tomorrow.

[*Translation*]

I congratulate you on this tremendous achievement, and I urge you all to stay safe at your graduation parties.

ORAL QUESTIONS

[*English*]

FOREIGN INVESTMENT

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, the Prime Minister has already misled Canadians once when he said that our allies were A-okay with us pulling out of the fight against ISIS. We know now that just was not true. It is clear he is doing it again when he says that the U.S. was consulted and gave the green light to Canada selling defence technology to the Chinese.

Will the Prime Minister just admit the U.S. was not happy about this sale, but he did not care and so he approved it anyway?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, we have enormous confidence in our national security agencies to do their work properly. They examine all the relevant facts, follow the process, and make thoughtful recommendations. They made a recommendation and we followed that recommendation. We followed their advice.

This is exactly the multi-step review process that exists under the Investment Canada Act. We never have and we never will compromise on national security.

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, the Prime Minister said that the U.S. had been consulted, but if it had been consulted, would our ambassador on the ground in Washington not have known about it? He did not seem to know about it and now the Prime Minister has put our ambassador in a very difficult situation.

Why is the Prime Minister so intent on appeasing China that he is willing to not only put the safety and security of Canadians at risk, but also jeopardize the important relationship we have with our closest ally, friend, and trading partner, the United States?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, we have been very clear that we have followed the process under the Investment Canada Act. All transactions are subject to a national security review.

However, more broadly, we are focused on the economy, and we are focused on investments coming to Canada, which is why, in the first quarter, we saw growth up by 3.7%. It is why, since we formed government, the unemployment rate has gone from 7.1% to 6.6%, which is 250,000 good-quality full-time jobs over the past six months.

* * *

TAXATION

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, the Prime Minister says he wants middle-class Canadians and those working hard to join them to pay even more for Internet services. We know that the Liberals are proposing a 5% additional tax on everyone's Internet bill. Canadians are hoping that this is the Prime Minister's version of a very late April Fool's joke. It is ridiculous.

Will the Prime Minister commit today that he will not implement an Internet tax on hard-working Canadian families, yes or no?

Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.): Mr. Speaker, let me be clear, our government will not be introducing a tax on the Internet. Since we were elected, we lowered taxes for the middle class and increased them for the wealthiest 1% of Canadians.

Canadians of all walks of life rely on Internet services for business and personal use, and we will not be introducing a tax on the Internet that would further burden them.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, Canadians will not be facing a Netflix tax after all. The Liberals are considering a streaming tax instead. We know that the Liberals have lost control of public finances, but the only solution they have found to solve their financial problems is to tax, tax, and tax Canadians.

Can the government come to its senses and tell Canadians that it will not be imposing a streaming tax, as recommended by the Liberal and NDP members?

Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.): Mr. Speaker, let us be clear: the government will not be implementing a tax on Internet services. We have been clear on that issue all along.

Since our government came to power, we have increased taxes for the wealthiest 1%, in order to reduce them for the middle class. Canadians across the country depend on Internet service for their businesses and personal use. We are not introducing any taxes that would cause them undue harm.

* * *

● (1425)

FOREIGN INVESTMENT

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, the Prime Minister approved the sale of a firm that manufactures equipment used to keep us and the Americans safe without conducting a national security review. Now we learn that we are not the only ones concerned. The Americans are as well.

Can the Prime Minister finally tell us, once and for all, what the American officials specifically told him about it?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, national security is an absolute priority for our government.

All transactions reviewed under the Investment Canada Act are subject to a multi-stage security review process. We have never compromised on national security.

* * *

PRIVACY

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Mr. Speaker, after almost two years, the Liberals have not made a single change to former Bill C-51, despite their promises and serious constitutional concerns. The no-fly list is still in effect, intelligence agencies still enjoy enormous powers, and the list goes on.

By maintaining this legislation, which they supported when it was introduced, the Liberals are allowing gross violations of Canadians' privacy to continue.

My question is clear: will they finally repeal Bill C-51 with the bill they intend to introduce next week?

[*English*]

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, I have been very clear that following the most extensive consultation with Canadians in Canadian history on the issue of national security and intelligence activities, we will be introducing important legislation. That legislation will accomplish two things. It will make sure that our agencies are keeping Canadians safe and it will also safeguard Canadian rights and freedoms.

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Mr. Speaker, the only action we have seen from these Liberals on Bill C-51 is when they supported the Conservative bill in the last Parliament. It is not very reassuring when they decide to table legislation in the dying days of a sitting of Parliament. It gets worse. We are also looking at warrantless access to the private information of Canadian Internet users, something the Supreme Court has judged is unconstitutional. When we see the minister's office saying that it is "developing proposals for what legislation could look like", that is of concern.

Could the minister assure the House that we are not going to be giving police and spy agencies the powers to take Canadians' private Internet information?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, it is a frequent opposition tactic to try to spook people with innuendos and questions. The fact of the matter is that the legislation will accomplish the two objectives that I mentioned: number one, to keep Canadians safe, and parallel with that at exactly the same time, to safeguard the rights and freedoms of Canadians, which includes their privacy rights.

FOREIGN INVESTMENT

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, the proposed sale of Norsat to China's Hytera has been botched by the government. This is a company that is accused of stealing intellectual property and is under investigation in the United States. The Liberals continue to mislead Canadians by saying a security review was done. That is simply not true. U.S. officials raised the alarm, experts in the field recommend a review, and the government has not said anything about protecting Canadian jobs here.

Why is the government misleading Canadians instead of admitting what it should have done in the first place: order a formal security review and do its job?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, since the member opposite wants to talk about jobs, let us take the opportunity to highlight the government's investment in Windsor. When we were in Windsor, through the strategic investment fund and the automotive innovation fund, Ford Motor Company of Canada invested $1 billion. That would help the city of Windsor in creating up to 800 jobs in Windsor and Ottawa at the connectivity centre.

These are the kinds of investments that are coming under the Investment Canada Act as we go out there explaining to the world that we are open for investment, open for trade, and making sure we are open to people. We are going to focus on growth. We are going to focus on the middle class and those working hard to join it.

* * *

[*Translation*]

EMPLOYMENT INSURANCE

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, a legislative change cost hundreds of Aveos employees their jobs. Because Air Canada took 11 months to compensate them, those hundreds of workers now owe thousands to employment insurance.

That is what happened to Annie Bellemare. Her husband lost his job with Aveos. Two years later, he died of cancer. Now employment insurance is demanding Ms. Bellemare pay back $11,500. If the government does nothing, she will have to take that money out of the funds set aside for their three children's education. More than 700 people are in similar unacceptable situations.

Will the minister show some compassion and do something about these cases?

● (1430)

Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.): Mr. Speaker, everyone in the House is sorry to hear about the difficult situations workers and families are facing. The employment insurance system is meant to help these families. I invite the member to forward all the relevant information to my department so that families and workers can get the services and benefits they need.

* * *

FOREIGN INVESTMENT

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, the more we learn about the Norsat scandal, the more the government gets tangled in its own web. The worst part is that not only has our national security been compromised, but our diplomatic relations are also struggling to recover.

Yesterday, the Canadian ambassador to the United States told a Senate committee that he believed the Americans had been consulted. However, he then had to retract his statement and admit that he did not actually know anything more than what the Prime Minister had said in the House. That is embarrassing and humiliating.

Will the Prime Minister finally come clean with Canadians?

[*English*]

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, the record is very clear. Under the Investment Canada Act, all transactions are subject to a national security review. We have enormous confidence in our national security agencies and the advice that they give us. The advice that they gave us is the advice that we followed. We never have and never will compromise on national security.

The member opposite is creating allegations and innuendo. We are focused on growing the economy. We are focused on the middle class. We are focused on making sure those working hard to join the middle class have every opportunity to succeed.

[*Translation*]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, are they really allegations?

What is clear is that the company has said that it never underwent a serious review. What is also clear is that the Canadian Security Intelligence Service, CSIS, said that cabinet made the final decision. What is clear is that an American committee is worried about the national security of the United States and Canada.

When will the government come clean on this?

[*English*]

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, it is clear that Canada's national security agencies examined the deal. What else is clear is that the government followed the security agencies' recommendations. Those are the facts.

Our security agencies have all the relevant information. They did their due diligence. They did their homework. They followed the process. They made a recommendation. We accepted that recommendation and that advice. That is how the process works under the Investment Canada Act. We have always followed the process. We have done our homework. We always will advance Canada's national interests.

Hon. Diane Finley (Haldimand—Norfolk, CPC): Mr. Speaker, under the previous government, we launched a full national security review into the sale of military grade technology to China. It warned that if approved, China could produce western military technology, significantly reducing our and our allies' military advantage. With the Norsat sale, the Liberal minister has completely ignored that warning, putting Canadians' and our allies' security at risk.

When will the minister stop buddying up with China and start standing up for Canadians and our allies?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, we are always focused on advancing our national interests. That is why we listened to the advice and feedback given by our national security agencies.

They examine all the relevant facts. They actually have access to all the relevant facts. They also engage with our allies, as well. In doing so, they make a recommendation to us. Based on that recommendation, we agreed with their assessment. We took their advice, we followed their advice, because we understand it is always important to make sure that we advance our national interests and never compromise on national security.

Hon. Diane Finley (Haldimand—Norfolk, CPC): Mr. Speaker, it is clear that the Liberals did not do their homework when approving the sale of Norsat to Hytera Communications from China, because Hytera is currently being sued by Motorola for committing massive intellectual property theft. Protection of IP rights is crucial for successful innovation.

My question of the minister is simple. How can we believe that the Liberals are sincere about wanting to promote innovation, when they go ahead and approve the sale of Norsat to a Chinese company that has been accused of stealing intellectual property rights?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, we have been very clear that we respect our national security agencies. We respect the capacity that they have to do their due diligence, to be able to examine all the relevant facts, and to make sure they advance our national interests. They did exactly that.

They followed the process. They made a recommendation to me. Based on that recommendation, we followed their advice and proceeded with the transaction. We have been very clear. We have been very transparent with Canadians. There is a clear process. We followed it under the Investment Canada Act, and we will always advance our national interests.

● (1435)

Mr. Mark Strahl (Chilliwack—Hope, CPC): Mr. Speaker, the sell off of B.C.-based Norsat to China-based Hytera raises significant national security concerns here in Canada and with our closest ally, the United States.

Norsat is developing military technology for drones and F-35 fighter jets, and putting it in the hands of the Chinese military is a betrayal. We know the Prime Minister is an admirer of the Communist dictatorship of the People's Republic of China, but how can he possibly justify selling out our national security for these 30 pieces of silver?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, let me be absolutely clear. We never have and we never will compromise our national security.

We listen to the advice of our national security agencies. They have the ability to examine all the relevant information, all the relevant facts. They examined the situation very thoroughly. They made a recommendation. They gave us advice. We have followed that advice. We never have and we never will compromise on national security.

The Speaker: Order. I would ask the member for Battle River—Crowfoot and others to try to restrain themselves and listen to what people say during question period.

Let us listen now to the hon. member for Chilliwack—Hope.

Mr. Mark Strahl (Chilliwack—Hope, CPC): Mr. Speaker, the hon. member already has compromised national security. Norsat is a world leader in affordable satellite communications terminals, with customers that include the U.S. Marine Corps and the U.S. Army. Allowing the transfer of such advanced military technology to Hytera, a company already accused of stealing proprietary technology from the west, jeopardizes the national security of Canada and our allies. Such a deal demands a full, formal national security review.

Will the Prime Minister order such a review on this deal, or is he more concerned with pleasing his Chinese friends and backers than protecting the national security of Canadians?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, I do not know why the member opposite is attacking our national security agencies. We have full faith in our agencies. We understand that they have the capability and the resources to do the appropriate job. We understand that they are always going to advance our national interests. I do not know why the members opposite continue to attack our national security agencies. We have full confidence in them. That is why we have followed their advice and that is why we proceeded with the transaction, because we support our civil service and we support our national security agencies.

* * *

INDIGENOUS AFFAIRS

Ms. Georgina Jolibois (Desnethé—Missinippi—Churchill River, NDP): Mr. Speaker, the Ontario Superior Court found Canada liable for failing to protect survivors of the sixties scoop. When the NDP stood in the House and asked the minister to uphold the judgment, she said, “We will not be appealing” and the Liberals would resolve this “as quickly as possible”.

Four months later, government lawyers are stopping the case from moving into the next phase. Why, despite all their talking points, are Liberals still fighting indigenous people in court?

Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.): Mr. Speaker, the government is taking action on the outstanding childhood claim, and I have a mandate to negotiate with all sixties scoop plaintiffs. As the courts have clearly laid out, no two experiences are the same, no two voices are identical. We believe that each individual deserves the justice he or she is entitled to. This goes beyond what the courts can prescribe, with revitalizing and restoring language and culture through community programs. Resolving these cases is an important step in our journey of reconciliation with indigenous peoples.

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, when indigenous children were taken from their parents and placed with non-indigenous families, they were denied their rights and stripped of their identity. When the court ruled in their favour, the Minister of Indigenous and Northern Affairs said she would never appeal, and many felt redeemed.

Now the Minister of Justice continues to deny those survivors justice by appealing this decision. Will she withdraw her appeal and repair this serious breach of human rights against these survivors? There can be no reconciliation in this country in the absence of justice.

[*Translation*]

Hon. Carolyn Bennett (Minister of Indigenous and Northern Affairs, Lib.): Mr. Speaker, I have no interest in going back to court about this. We have been given the mandate to negotiate, and that is what we want to do.

Let us be clear. The government is committed to working with first nations to resolve this issue. That is why we have already begun negotiations to reach a national settlement for Sixties Scoop victims. The negotiations will allow all parties involved to work together to address the legacy of the Sixties Scoop. We have—

● (1440)

The Speaker: The hon. member for South Surrey—White Rock.

* * *

[*English*]

INFRASTRUCTURE

Ms. Dianne L. Watts (South Surrey—White Rock, CPC): Mr. Speaker, in an interview, the Prime Minister's special adviser on the infrastructure bank was asked how the bank would protect taxpayers from high user fees imposed by private investors. He replied "that's not...the role of the...bank".

When asked how the bank will protect taxpayers if an investor abandons a project or defaults, he said, "I don't really understand how that's an issue."

If it is not the role of the bank to protect taxpayers and the Prime Minister's special adviser does not even understand why taxpayers need to be protected, how can the Liberals continue to support the development of the bank?

Hon. Amarjeet Sohi (Minister of Infrastructure and Communities, Lib.): Mr. Speaker, we have put forward a very ambitious agenda to build and rebuild Canadian communities, and the infrastructure bank will allow us to do that. Today, we made a $1.2 billion investment in the Province of Quebec to build Montreal's public transit service, which will create 34,000 jobs and other partnerships with the Province of Quebec. The leadership of our Quebec caucus is producing tangible and real results for Quebec.

[*Translation*]

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Mr. Speaker, continuing with the infrastructure bank, the government's arrogance is on full display yet again. The two chambers have not even completed their study of Bill C-44, but the Liberals have already advertised the position of chairperson.

Today the Prime Minister announced that an independent bank that does not yet exist could potentially invest $1.3 billion in Quebec, thereby replacing a federal investment. I think it is time to press the pause button.

Will the Prime Minister split Bill C-44 and finally allow parliamentarians to have their say on the bank the Liberals are setting up for their friends?

[*English*]

Hon. Amarjeet Sohi (Minister of Infrastructure and Communities, Lib.): Mr. Speaker, let me state again how proud we are of our partnership with the Province of Quebec and the City of Montreal to support this project. It is the largest infrastructure project, largest public transit project in the recent history of the City of Montreal. I am so proud to be working with my Quebec MPs to have this project become a reality, so we can keep on building the infrastructure communities need.

* * *

TAXATION

Mr. John Barlow (Foothills, CPC): Mr. Speaker, in 16 days, Canada will turn 150 years old and Canadians will be celebrating across the country with friends and family.

Many of those celebrations will include some of the world's best beer, wine, and spirits, made right here in Canada. Unfortunately, the Liberals are looking at this as an opportunity to increase taxes on Canadians. This year, and every year after, the Liberals will be increasing taxes on beer, wine, and spirits.

Could the minister please explain why the Liberals are so intent on taxing the fun out of Canada Day?

Hon. Ginette Petitpas Taylor (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, it is always a pleasure to rise in this House and to speak about the good work that our government has been doing.

Our government's first action that we took when we formed government was to increase taxes on the wealthiest 1% so that we could lower them for middle-class Canadians.

We also introduced a Canada child benefit program that has lifted hundreds of thousands of children out of poverty.

We are moving ahead with our plan to provide fairness, grow the economy, and strengthen the middle class by creating jobs and giving people the skills they need for the economy of tomorrow.

Mr. John Barlow (Foothills, CPC): Mr. Speaker, whoever came up with that answer and whoever proposed a never-ending tax hike was certainly drinking something.

In fact, our Canadian craft alcohol producers are already on the hook to pay some of the highest taxes in the world. In fact, an escalating tax was tried once before by the previous Trudeau government. It failed miserably. Many businesses closed, costing us thousands of jobs.

It is not too late for the minister to put this policy in the drunk tank. Will the Liberals stand up for Canadian craft alcohol producers and the thousands of jobs they create? Will they cork this tax?

Hon. Ginette Petitpas Taylor (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, we know that we have an economy that works for the middle class. We have an economy that works for Canada as a whole.

Our government has cut taxes for nine million middle-class Canadians. We have introduced a Canada child benefit program that has lifted hundreds of thousands of children out of poverty.

Our plan is working. We are moving forward, and we will continue working for Canadians.

* * *

● (1445)

[*Translation*]

HEALTH

Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, in 2016, the government cut funding to 33% of the organizations that provide care to Canadians living with HIV. In April, the Minister of Health stated at committee that she had reversed those cuts by investing $30 million in new money from the budget in the federal initiative to address HIV. Oddly enough, the public health directorate later said that the minister had misspoken.

Why is she so confused about her own department, and is she reversing the cuts made to those organizations, yes or no?

[*English*]

Hon. Jane Philpott (Minister of Health, Lib.): Mr. Speaker, I am very pleased to answer this question.

Responding to the needs of people affected by HIV and preventing new HIV infections is something that is very important to us. We did, in fact, put new investments in the budget. There will be an additional $35 million in the Canadian federal initiative of HIV and hepatitis C prevention. That is in addition to the money that we are putting through the first nations and Inuit health branch to also prevent new infections and treat those already affected by HIV.

We will work through the Public Health Agency of Canada to address the needs of Canadians affected by HIV.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, I have in front of me the department's spending documents that prove there is not a single dime in extra funding for the federal initiative on HIV. These documents prove there is not an extra nickel for the community action fund, the very program that funds the groups providing HIV care. The minister stated that she secured "investments in the budget to expand the federal initiative on HIV...of $30 million of new funding". This is demonstrably false. Will she apologize to the organizations she misled?

Hon. Jane Philpott (Minister of Health, Lib.): Mr. Speaker, I will be very happy at some point to sit down with the member opposite and clarify to him that in fact the federal initiative on HIV/AIDS is expanding in the order of over $30 million. I have been speaking with the Public Health Agency of Canada. We are making sure that good community organizations are getting expansion to their programs and continue those good programs. We are also expanding programs like the know your status program in Saskatchewan, which has demonstrably decreased its rates of new infections. We will work with those agencies to make sure we protect Canadians.

* * *

[*Translation*]

PUBLIC TRANSIT

Mr. Frank Baylis (Pierrefonds—Dollard, Lib.): Mr. Speaker, Canadians know how important transportation is when it comes to ensuring a reliable and efficient trip to work, to visit their friends or families, or to go home after a long day. In the greater Montreal area, it is more important than ever to have a world-class public transit system for our city to thrive.

Can the Parliamentary Secretary to the Minister of Infrastructure and Communities, who was present at the announcement today, tell us how the government supports the expansion of public transit in Montreal?

Mr. Marc Miller (Parliamentary Secretary to the Minister of Infrastructure and Communities, Lib.): Mr. Speaker, my thanks to the hon. member for Pierrefonds—Dollard for his question.

Today, I was proud to be with the Prime Minister in Montreal, where he announced a Government of Canada investment of $1.3 billion in Montreal's Réseau électrique métropolitain.

This investment will create jobs for the middle class and support a modern and efficient transit system that will help Montrealers and those living in the regions spend less time commuting and more time with their families. I would like to thank the entire Quebec Liberal caucus for this. It has worked very hard. Long live our beautiful city of Montreal.

[*English*]

FOREIGN INVESTMENT

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, the innovation minister assured this House the government had done its due diligence regarding the billion-dollar Chinese takeover by Anbang Insurance of seniors homes in British Columbia. Anbang is built on risky investments controlling over a quarter of a trillion dollars in assets worldwide. The minister claimed he had done his homework and there was no reason for Canadians to be concerned, but now with the imprisonment of the company chairman on allegations of corruption and the ownership of Anbang's assets now in question, does the minister still think this is a good idea?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, as the Prime Minister reiterated yesterday, British Columbia has a strong, robust regulatory regime, and it imposes rigorous standards of care on operators. Under the Investment Canada Act, when we reviewed it, we made sure that we were able to obtain strong commitments on employment levels, and more important, we wanted Cedar Tree to have the additional financial resources to create more jobs and more growth in British Columbia. As I said before, we are focused on growth and jobs, and that is how we did our analysis under the net benefit process.

● (1450)

Mr. John Brassard (Barrie—Innisfil, CPC): Gotta love that Cedar Tree; I love that, Mr. Speaker.

The chairman of Anbang, Wu Xiaohui, was escorted by police out of his office last week, and no one knows where he is. Mr. Wu is the company's mastermind, and 92% of Anbang is owned by him or his relatives. With Wu's arrest, the Chinese regime could seize control of seniors care facilities in B.C. What does the minister say to B.C. seniors who may end up with the People's Republic of China as their new landlord, and why did he put Liberal Party interests ahead of those of vulnerable Canadian seniors?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, when it comes to vulnerable seniors, our government understands the importance of investing in them. That is why we increased the guaranteed income supplement for seniors, that is why we changed the old age security levels from 67 to 65, and that is why we are focusing on investing in seniors.

With respect to the specific transactions, we did our due diligence and we followed the process. It was done under the Investment Canada Act. With regard to the regulatory requirements, British Columbia is responsible for that and it is overseeing that process.

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GOVERNMENT APPOINTMENTS

Mr. Todd Doherty (Cariboo—Prince George, CPC): Mr. Speaker, the only thing the minister has done is sold our seniors down the road.

Once again we find ourselves talking about the Liberals' open, transparent, merit-based appointment process. We know that at the Halifax Port Authority, five of the seven board members are appointed by the federal government. Can members guess what all five Liberal appointed board members have in common? Every single one of them is a Liberal donor. The evidence is overwhelming.

Will the Prime Minister finally admit that when it comes to appointments, only Liberals need apply?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, I totally reject the premise of that question. We have always been very clear that in our new, open, transparent, merit-based process also looks at diversity, including gender diversity. We are looking for the best and most qualified people to occupy these important positions in our port authorities. I am very proud of the selection we have made for the fine Port of Halifax.

The Speaker: Order. It is not appropriate to keep on bellowing and heckling throughout the answer to a question, so we are going to go to the hon. member for Nanaimo—Ladysmith.

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STATUS OF WOMEN

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, violence against women in the Northwest Territories was nine times the national rate, according to StatsCan. About 80% of Northwest Territories communities do not have access to victim services. About 85% not have domestic violence shelters, and some women do not even have access to phones.

If this self-described feminist government truly believes in equality and ending violence against women, how will Liberals ensure every woman has support, and no woman is ever turned away from a shelter, no matter where she lives?

Hon. Maryam Monsef (Minister of Status of Women, Lib.): Mr. Speaker, I thank my hon. colleague for her advocacy. I can assure her that we put gender at the heart of the work we do. No relationship is more important to our government than that with first nations, Inuit, and Métis peoples of this land.

To that end, we will be announcing very soon the gender-based violence strategy, which aims to do exactly what the member opposite wishes it to do. I thank the committee for its work. This morning, we announced a significant investment in an organization that will be doing great work in northern communities across the country.

* * *

[*Translation*]

THE ENVIRONMENT

Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP): Mr. Speaker, the saga of the *Kathryn Spirit* is turning into a real joke. Taxpayers are being forced to pay the price for the Liberals' bad management.

In November 2016, the Minister of Transport said that and RFP would be posted in the spring of 2017 and the work would be done after that. Here we are mid-June, and nothing has happened. It gets worse. According to *Le Journal de Montréal*, the work is slated to begin in 2018 and may end in 2019.

Can the ministers be straight with the people of Beauharnois, for once? Will they finally meet with the mayor of Beauharnois and myself next week so we can find out what is really going on with this?

● (1455)

Mr. Steven MacKinnon (Parliamentary Secretary to the Minister of Public Services and Procurement, Lib.): Mr. Speaker, our government pledged to protect Canadians' health and safety and our waters. We are making all the necessary arrangements for the safe, efficient, permanent removal of the vessel. In July 2016 and June 2017, the department conducted a number of environmental studies and assessments that were required prior to dismantling the vessel. The RFP will be posted by the end of June. The contract will be awarded and work will begin in the fall.

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[*English*]

IMMIGRATION, REFUGEES AND CITIZENSHIP

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Mr. Speaker, an explosive report shows that in the last 18 months Canada has seen a massive spike in asylum claims that will cost taxpayers a staggering $2.97 billion in welfare payments that have not been budgeted for. By doing things like lifting the Mexican visa requirement and turning a blind eye to the illegal border crossing crisis, the Liberals have created a huge processing backlog, failing both taxpayers and the world's most vulnerable alike.

How is the Prime Minister going to pay for his hashtag welcome to Canada? Hashtag fail.

[*Translation*]

Mr. Serge Cormier (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.): Mr. Speaker, once again, I am very proud of our government's commitment to welcoming people fleeing war, terror and persecution.

The board recently introduced new measures, including shorter hearings for simple cases, which would make the process more efficient, and in turn, lead to greater productivity and increased fairness.

We have also put in place an independent review to identify options to further increase our asylum system's productivity. Our government will continue to work with the board to ensure that our refugee protection system is fair and compassionate.

* * *

[*English*]

FOREIGN AFFAIRS

Hon. Peter Kent (Thornhill, CPC): Mr. Speaker, the air and land blockade of Qatar by Saudi Arabia and other Gulf states is continuing. Saudi Arabia cites Qatari links with militant groups in the embrace of various terrorist entities, including Iranian groups. Saudi Arabia is demanding that Qatar break all links with the Muslim Brotherhood, Hamas, and Iran.

Canadians have not heard a peep from the Liberals on this dispute, which includes both allies and enemies. Can the minister explain why?

Mr. Matt DeCourcey (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Mr. Speaker, the stability of the Gulf Cooperation Council and the broader Middle East is certainly of importance to this government and to all Canadians. Canada is following recent developments in the region. We strongly encourage all parties to work together to resolve disagreements. Canada's consular travel advice has been updated to reflect the ongoing situation. We are advising travellers to exercise a high degree of caution. We hope that issues between the parties will be addressed in a constructive manner.

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AGRICULTURE

Mr. Larry Maguire (Brandon—Souris, CPC): Mr. Speaker, today another two cases of the deadly PED virus have been reported in Manitoba hog barns, yet the Minister of Agriculture has offered nothing more than bafflegab, and more talk. This morning we heard from industry pork experts that the Canadian Food Inspection Agency, at the very least, needs to immediately bring back the biosecurity measures the Liberals eliminated, particularly the trusted truck wash protocol.

Will the minister finally listen to these industry experts, and stop needlessly putting these Canadian farm families at risk?

[*Translation*]

Mr. Jean-Claude Poissant (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, we are determined to protect the health of animals in Canada and we are working with our partners to ensure that the disease is contained.

Our government supports Manitoba in its efforts to manage the current outbreak of porcine epidemic diarrhea and will continue to do so. We want to ensure that we have very effective and efficient transport protocols in place to protect the livestock.

[*English*]

CONSTRUCTION INDUSTRY

Hon. Judy A. Sgro (Humber River—Black Creek, Lib.): Mr. Speaker, late payment of contractors in the construction industry has been a significant problem for far too long. Contractors who complete their obligations deserve to be paid in a timely manner. Too many workers and small businesses in the construction industry face severe hardships while they wait for payment of their work.

Can the parliamentary secretary please inform the House of recent steps taken to ensure the prompt payment to these contractors?

Mr. Steven MacKinnon (Parliamentary Secretary to the Minister of Public Services and Procurement, Lib.): Mr. Speaker, we have very good news today. I want to thank the hon. member for Humber River—Black Creek for her hard work on this file.

Our government strongly supports the prompt payment of contractors and subcontractors. Last week, we were able to announce that we will publicly disclose payments to contractors to eliminate this unfair situation. This will provide our subcontractors with the information they need to get paid on time. Of course, along with the hon. member, we will continue to work with our industry partners to find further tangible solutions to bring prompt payment fairness to our trade workers and businesses.

* * *

● (1500)

[*Translation*]

NATIONAL DEFENCE

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, we are still waiting for the official announcement that university-level programs have been restored at the Collège militaire royal de Saint-Jean, and yet the first group of students is supposed to start this September. Obviously, military officials are growing impatient considering all the delays on this file.

First of all, can the Minister of National Defence confirm the number of announcements that have been cancelled over the past 18 months?

Second, can he confirm whether the Collège militaire royal de Saint-Jean in September will be offering university-level courses to its students come September?

Mr. Jean Rioux (Parliamentary Secretary to the Minister of National Defence, Lib.): Mr. Speaker, if my colleague had read the new defence policy, he would know that it says right there in black and white that we are restoring the Collège militaire royal de Saint-Jean as a full degree-granting institution. This is good news, and it has already had an impact. Many students have enrolled in college courses so they can pursue a university degree at the Collège militaire royal de Saint-Jean.

* * *

[*English*]

PORT OF CHURCHILL

Ms. Niki Ashton (Churchill—Keewatinook Aski, NDP): Mr. Speaker, Churchill, Manitoba is facing a crisis. Almost a year ago the port was shut down. Now it is the rail line. The community is suddenly isolated. Businesses are hurting; people are worried. We need immediate federal action. What Churchill is facing is a national disgrace. Our north deserves better.

Will the federal government step in to address the immediate crisis, and finally work to re-nationalize the port and the rail line, and work with northern and indigenous communities to get it working again?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, we as a government always stand ready to provide assistance to any province or territory that requests assistance in the event of a natural disaster, such as flooding. The Minister of Public Safety has been in contact with the Government of Manitoba to make that offer clear to it, and we are monitoring the situation. From the Transport Canada point of view, we are developing a plan to make sure that both the Port of Churchill and the airport are capable of addressing the needs with respect to supplies for the people of Churchill.

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LABOUR RELATIONS

Mr. Francesco Sorbara (Vaughan—Woodbridge, Lib.): Mr. Speaker, the previous government used every opportunity to attack middle-class Canadians who were part of unions in this country. The Conservatives undermined the collective bargaining process and made it more difficult for Canadian workers to organize.

[*Translation*]

The previous government regarded unions as obstacles. Our government knows that unions are important partners in growing our economy and creating high-quality jobs.

[*English*]

Can the Parliamentary Secretary to the Minister of Employment provide the House with an update on measures the government has taken to support the labour movement at home and abroad?

Mr. Rodger Cuzner (Parliamentary Secretary to the Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, I would like to thank the member for Vaughan—Woodbridge for his work on behalf of Canadian unions. This week was a great week for Canadian labour and Canadian workers.

Yesterday, the Senate passed Bill C-4, which is an act that repeals two Conservative bills that were both egregious, and deliberate attacks on organized labour. As well, our minister ratified ILO Convention 98, which is an act that guarantees workers' right to organize and bargain collectively. This government ran on a platform of fair and balanced labour laws, and we will deliver that to Canadian workers.

[*Translation*]

OFFICIAL LANGUAGES

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Mr. Speaker, yesterday, the Minister of Canadian Heritage claimed that she was part of an exemplary government that is leading the way when it comes to official languages.

If that is indeed the case, how does she explain the fact that the Commissioner of Official Languages received 40% more complaints in the past year and that, yesterday, her colleague, the Minister of Environment sent my office here in Ottawa a letter written in English only about my riding, one of the most francophone ridings in Canada?

Can the Liberals spend less time appointing their friends to important government positions and—

The Speaker: Order.

The hon. Minister of Canadian Heritage.

Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.): Mr. Speaker, of course, our two official languages are a priority for our government. When it comes to bilingualism, we know that there is always room for improvement.

That being said, we are going to abide by the process and appoint a Commissioner of Official Languages. The Official Languages Commissioner is an important officer of Parliament who is part of our vision for official languages, which involves making them a priority in our government's approach.

I would also like to remind my colleague that we have already taken action on this issue with regard to national defence, justice, early childhood education, and community infrastructure. I invite him to participate in the discussions that are taking place as part of the consultations.

* * *

● (1505)

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

Ms. Monique Pauzé (Repentigny, BQ): Mr. Speaker, all those who work in Quebec television, actors, technicians, directors, screenwriters, producers, in short, all of Quebec's industry, are calling on the minister to review the decisions made by the CRTC on May 15.

The heritage minister has the power to do so; it is set out in legislation. However, does she have the will to do so?

Will the heritage minister abandon Quebec television, or will she stand up to this attack on our culture?

Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.): Mr. Speaker, I would like to remind my colleague of our major investment in arts and culture. The 2016 budget provides for an investment of $1.9 billion, the largest investment in 30 years. We are still the only G7 country to have made such a significant investment.

That said, I hear the various artists, artisans and entrepreneurs of our creative sector. The CRTC issued its decision and there is legislation that allows for recourse. I intend to use the time I have at my disposal to hear the various industry perspectives before I make a decision.

* * *

INFRASTRUCTURE

Mr. Gabriel Ste-Marie (Joliette, BQ): Mr. Speaker, that answer is a real letdown for our artists.

Many constitutional experts, a unanimous National Assembly, and now the Union des producteurs agricoles have all appealed to members of the House of Commons.

What they want is simple: divide Bill C-44 to ensure that the infrastructure bank will be subject to Quebec laws, especially the Act Respecting the Preservation of Agricultural Land and Agricultural Activities.

The government has ignored our National Assembly. Will it now listen to Quebec farmers, yes or no?

[*English*]

Hon. Amarjeet Sohi (Minister of Infrastructure and Communities, Lib.): Mr. Speaker, as I have often assured the House and the hon. member, any project undertaken by the Canada infrastructure bank will have to abide by all the rules and regulations of every province and municipality and we will work very closely with the provinces to ensure that is exactly what happens. The role of the bank is to build infrastructure in partnership with the provinces and municipalities and we will respect local jurisdictions.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of Michèle Coninsx, President of Eurojust and National Member for Belgium.

Some hon. members: Hear, hear!

The Speaker: I would also like to draw to the attention of hon. members the presence in the gallery of the Honourable Lisa Harris, Minister of Seniors and Long-Term Care, and the Minister Responsible for Celtic Affairs, for the Province of New Brunswick.

Some hon. members: Hear, hear!

[*Translation*]

The Speaker: To commemorate Canada's 150th anniversary, the Speakers of the Senate and the House of Commons are hosting a speech-writing competition for Canadians aged 12 to 17. Today, we welcome and congratulate the six competition finalists.

[*English*]

I would therefore like to draw to the attention of hon. members the presence in the gallery of the six competition finalists: Arman Barzkar, Ophélie Desfossés, Charlotte LaFleur-Marcotte, Lindsay LeRoux, Braden Marshall, and Asha Mior.

Some hon. members: Hear, hear!

Mr. Don Davies: Mr. Speaker, it is said that it is one of the foremost responsibilities of parliamentarians to scrutinize government spending. Twice now the Minister of Health has testified in committee and now before the House that there have been increases in the budget to the federal initiative on HIV. I have in my possession the actual departmental spending estimates that show that this is not the case, not this year, not next year.

I would seek unanimous consent in the interest of allowing the minister to prove that this is the case. I am sure the minister would not want to leave us—

● (1510)

The Speaker: Does the member have unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

[*Translation*]

The hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup is rising on a point of order.

Mr. Bernard Généreux: Mr. Speaker, if I may, I would like to seek the unanimous consent of the House to table the infamous letter I received from the Minister of Environment and Climate Change, which was sent to me in English only. Here in the House and in committees, we respect official languages, so this is totally unacceptable. I seek unanimous consent to table this letter.

The Speaker: Does the member have the unanimous consent of the House to table this letter?

Some hon. members: Agreed.

Some hon. members: No.

GOVERNMENT ORDERS

[*Translation*]

CANADA ELECTIONS ACT

The House resumed consideration of the motion that Bill C-50, An Act to amend the Canada Elections Act (political financing), be read the second time and referred to a committee.

The Speaker: It being 3:10 p.m., pursuant to order made on Tuesday, May 30, 2017, the House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-50.

Call in the members.

● (1515)

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

(Division No. 335)

YEAS

Members

Aldag
Alleslev
Anandasangaree
Arya
Aubin
Bagnell
Baylis
Bennett
Bittle
Blair
Bossio
Bratina
Brison
Caesar-Chavannes
Carr
Casey (Charlottetown)
Champagne
Cormier
Cuzner
Damoff
DeCourcey
Dhillon
Donnelly
Dubé
Duclos
Duncan (Etobicoke North)
Duvall
Easter
El-Khoury
Erskine-Smith
Eyolfson
Fillmore
Fisher
Fortier
Fraser (West Nova)
Fry
Garneau
Gerretsen
Goodale
Graham
Hardie
Housefather
Hussen
Iacono
Jolibois
Jones
Kang
Khera
Lametti
Lapointe
Laverdière
Lefebvre
Leslie
Lightbound
Long
Ludwig
Malcolmson
Masse (Windsor West)
Mathyssen
May (Saanich—Gulf Islands)
McDonald
McKay
McKinnon (Coquitlam—Port Coquitlam)
Mendès
Mihychuk
Monsef
Morrissey
Nantel
Nault
O'Connell
Oliver
Ouellette
Peschisolido
Petitpas Taylor
Picard
Quach
Ratansi
Robillard
Romanado
Rudd
Saganash
Saini
Sangha
Scarpaleggia
Schulte
Sgro
Alghabra
Amos
Arseneault
Ashton
Ayoub
Bains
Beech
Benson
Blaikie
Blaney (North Island—Powell River)
Boutin-Sweet
Breton
Brosseau
Cannings
Casey (Cumberland—Colchester)
Chagger
Chan
Cullen
Dabrusin
Davies
Dhaliwal
Di Iorio
Drouin
Dubourg
Duguid
Duncan (Edmonton Strathcona)
Dzerowicz
Ehsassi
Ellis
Eyking
Fergus
Finnigan
Fonseca
Fragiskatos
Fraser (Central Nova)
Fuhr
Garrison
Goldsmith-Jones
Gould
Grewal
Holland
Hughes
Hutchings
Johns
Joly
Jowhari
Khalid
Lambropoulos
Lamoureux
Lauzon (Argenteuil—La Petite-Nation)
Lebouthillier
Lemieux
Levitt
Lockhart
Longfield
MacKinnon (Gatineau)
Maloney
Massé (Avignon—La Mitis—Matane—Matapédia)
May (Cambridge)
McCrimmon
McGuinty
McKenna
McLeod (Northwest Territories)
Mendicino
Miller (Ville-Marie—Le Sud-Ouest—Île-des-Soeurs)
Moore
Murray
Nassif
Ng
Oliphant
O'Regan
Paradis
Peterson
Philpott
Poissant
Ramsey
Rioux
Rodriguez
Rota
Ruimy
Sahota
Samson
Sarai
Schiefke
Serré
Shanahan

Sheehan	Sidhu (Mission—Matsqui—Fraser Canyon)
Sidhu (Brampton South)	Simms
Sohi	Sorbara
Spengemann	Stetski
Stewart	Tan
Tassi	Tootoo
Vandal	Vandenbeld
Vaughan	Virani
Weir	Whalen
Wilson-Raybould	Wrzesnewskyj
Young	Zahid– — 194

NAYS

Members

Aboultaif	Albas
Albrecht	Anderson
Arnold	Barlow
Barsalou-Duval	Beaulieu
Benzen	Bergen
Berthold	Bezan
Blaney (Bellechasse—Les Etchemins—Lévis)	Block
Brassard	Brown
Calkins	Carrie
Clarke	Cooper
Deltell	Diotte
Doherty	Dreeshen
Eglinski	Falk
Finley	Gallant
Généreux	Genuis
Gill	Gladu
Godin	Gourde
Hoback	Jeneroux
Kelly	Kent
Kitchen	Kmiec
Kusie	Lake
Lauzon (Stormont—Dundas—South Glengarry)	Leitch
Lobb	Lukiwski
Maguire	McCauley (Edmonton West)
McLeod (Kamloops—Thompson—Cariboo)	Nater
Nicholson	Nuttall
O'Toole	Paul-Hus
Pauzé	Poilievre
Rayes	Reid
Rempel	Richards
Ritz	Schmale
Shields	Sopuck
Sorenson	Stanton
Ste-Marie	Strahl
Stubbs	Sweet
Tilson	Trost
Van Loan	Viersen
Wagantall	Warawa
Warkentin	Watts
Waugh	Webber
Wong	Yurdiga
Zimmer– — 83	

PAIRED

Nil

The Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Procedure and House Affairs.

(Motion agreed to, bill read the second time and referred to a committee.)

* * *

[*English*]

PARLIAMENTARY PRECINCT

The Speaker: I have the honour to lay upon the table a document regarding the extension of the parliamentary precinct for the purposes of the celebration of Canada Day, pursuant to section 79.51 of the Parliament of Canada Act.

Business of the House

BUSINESS OF THE HOUSE

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, I would like to ask the government House leader if she can let us know what the government is planning for the rest of this week as well as next week, which I am sure everyone knows will hopefully be our final week.

Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.): Mr. Speaker, this afternoon we will resume second reading debate on Bill C-51, to remove the outdated provisions from the law books.

Tomorrow the House will be—

The Speaker: Order. I would ask those having conversations to have them in the lobbies. Perhaps the minister of environment, the Treasury Board president, and the Minister of Natural Resources could carry on their conversations in the lobby.

The hon. government House leader.

● (1520)

Hon. Bardish Chagger: Mr. Speaker, tomorrow the House will debate Bill C-49, on transportation modernization, at second reading.

On Monday we will debate our changes to the Standing Orders. Following that debate, we will resume second reading debate on Bill C-51.

Tuesday the House will debate Bill S-3, on Indian registration, at report stage and third reading.

Following that debate, we hope to make progress on the following bills: Bill S-2, the bill respecting motor vehicle recalls, at second reading; Bill C-17, respecting the environmental assessment process in Yukon, at second reading; Bill C-25, on encouraging gender parity on the boards of federally regulated organizations; Bill C-36, the bill to give Statistics Canada greater independence; Bill C-48, the bill to impose a moratorium on oil tankers off the B.C. coast; and Bill C-34, the bill to reinstate sensible conditions for public service employment.

* * *

TRANSPORTATION MODERNIZATION ACT

BILL C-49—TIME ALLOCATION MOTION

Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.): Madam Speaker, I move:

> That, in relation to Bill C-49, An Act to amend the Canada Transportation Act and other Acts respecting transportation and to make related and consequential amendments to other Acts, not more than one further sitting day shall be allotted to the consideration at second reading stage of the Bill; and
>
> That, 15 minutes before the expiry of the time provided for Government Orders on the day allotted to the consideration at second reading stage of the said Bill, any proceedings before the House shall be interrupted, if required for the purpose of this Order, and, in turn, every question necessary for the disposal of the said stage of the Bill shall be put forthwith and successively, without further debate or amendment.

[*Translation*]

The Assistant Deputy Speaker (Mrs. Carol Hughes): Pursuant to Standing Order 67.1, there will now be a 30-minute question period.

I invite hon. members who wish to ask questions to rise in their places so the Chair has some idea of the number of members who wish to participate in this question period.

The hon. member for Carlton Trail—Eagle Creek.

[*English*]

Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC): Madam Speaker, I am completely dismayed that time allocation has been moved on this bill. It needs to be known that this is an omnibus bill, yet it has received less than two and a half hours of debate. We are allocating one more day tomorrow, Friday, which is another two hours to debate a bill that would change quite substantively 13 acts in all three modes of transport.

The minister was not in a rush to deal with the measures that were going to be sunsetting in Bill C-30 to ensure that there was not going to be any gap, so why is he in such a hurry to get this debate finished in such a short period of time?

● (1525)

Hon. Marc Garneau (Minister of Transport, Lib.): Madam Speaker, actually I have been in a rush for a long time to get this bill passed, but there was an enormous amount of important consultation that needed to take place in order to put together a very solid bill, one that I know opposition members support.

I should clarify one thing: 90% of the legislative changes actually deal with one act, the Canada Transportation Act. This is not an omnibus bill.

[*Translation*]

Mr. Robert Aubin (Trois-Rivières, NDP): Madam Speaker, I have already had the opportunity to say a number of times in the House that the Minister of Transport is a minister who studies a lot and for a long time. We are still waiting for answers on a number of matters. I am thinking, for example, of the high-frequency train and the problems navigating Lake Saint-Pierre.

How is it that the minister so disrespects the opposition members by imposing, with respect to measures that the government has had sometimes two years or so to study, five hours of debate on a bill that will amend no less than 13 pieces of legislation? A quick calculation tells us that this is about 20 minutes for 338 members of the House to address each one. This seems to me to be a lack of respect, to say the least.

Hon. Marc Garneau: Madam Speaker, as I said, this is a bill that affects many aspects of transportation in Canada, and I am very proud of it. It covers passenger rights and experience. It modernizes rail freight, and also includes measures to increase rail safety with the use of voice and video recorders.

As we know, transportation is a vast sector. The fact that my colleague is talking about navigation on Lake Saint-Pierre and high-frequency rail, while other MPs have talked about things like the Canadian Wheat Board, clearly demonstrates that they are not focused on this bill because they have no objection to it, which is why it is important for Canadians that we move forward as quickly as possible.

[*English*]

Mr. Robert Sopuck (Dauphin—Swan River—Neepawa, CPC): Madam Speaker, as the minister knows, I represent a constituency in western Canada where the shipment of grains and oilseeds is the lifeblood of our economy. Often there is a strong tension between shippers and the railways and how the railways operate.

One of the policies that our government brought in that was very important was the concept of interswitching, which greatly improved the efficiency of grain transport and reduced the cost for shippers.

I gather from my own consultations that the issue of interswitching has not been dealt with in this bill. If the minister could clarify that, I would appreciate it. Does the minister know how many grain elevators and shippers will lose access to a second railroad once the 160-kilometre regulated interswitching expires?

Hon. Marc Garneau: Madam Speaker, I would like to clarify for the member what has been done in the act. It is a complex act.

The extended interswitching of 160 kilometres was a temporary measure that was put into the Fair Rail for Grain Farmers Act. It was a temporary measure that was put in place because of the exceptional circumstances in 2013 and 2014. It has been replaced by something that is more comprehensive, called long-haul interswitching. It does apply to grain out to 1,200 kilometres, not 160 kilometres, but it also applies across the country and to all commodities.

This is the approach we have taken to fix something that has needed to be fixed for a long time. I will point out that after bringing in Bill C-30 in 2013-2014, the government had a golden opportunity to modernize freight rail legislation. Why did it not do it?

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Madam Speaker, we are asking why the government is bringing in closure after such a short debate on such a long bill, a bill that the minister just said in his response is quite complex, and basically his response is that it is a really good bill and the government really likes it.

I hope the minister thinks it is a good bill, because he proposed it. That is his job, to propose good legislation. However, it is also our job to debate that legislation, to drill into it, and to have time to challenge it.

If the House just rubber-stamped every bill that the minister thought was a good bill, there would not be much point in the House of Commons. Since I believe there is a point in the House of Commons, could the minister explain, aside from just telling us how he likes his own bill, why he is shutting down debate after such little discussion and examination here in the House of Commons?

● (1530)

Hon. Marc Garneau: Madam Speaker, the answer to that is very simple. I have been listening to what the opposition has been asking about. Instead of talking about the content of this bill, opposition members have been talking about things like carbon pricing and the Canadian wheat board, which is part of our past.

It is very clear to me that they do not have any substantive items to discuss with respect to this bill. We think it would be much more constructive for it to go to committee. I want to thank the Standing Committee on Transport, Infrastructure and Communities for agreeing to come back to Parliament a week early in order to discuss this bill and hear from witnesses, and perhaps to make some constructive changes to this bill.

Mr. Brian Masse (Windsor West, NDP): Madam Speaker, this minister just epitomizes the arrogance of the government and the shame that it brings upon itself.

This is a very serious matter. This affects not only public safety but the economy as well, yet we have only two hours. The minister cannot even make sense of his own answers.

It is unacceptable to ram this bill through at this point in time. If the minister wants specifics in terms of questions, could he tell us exactly the penalties and the content of the airline passenger bill of rights in this legislation? Exactly how is it going to protect consumers? Could the minister give us the numbers and the amount of compensation they will get? What types of things will they have from this minister in this bill?

Hon. Marc Garneau: Madam Speaker, it is very clear from the feigned indignation that just came from that member that he has not actually read the bill.

The bill very clearly says that we are putting in place legislation that will ask the Canadian Transportation Agency to specify the specific rights and the numbers in terms of compensation. That is what this bill would do, and it will do it through a regulatory mechanism, so that if we make changes in the future, we do not have to come back with legislative changes.

I wish the member had actually read the bill.

Mr. Brad Trost (Saskatoon—University, CPC): Madam Speaker, I listened to the minister's answer to the question my colleague from Swan River asked about changing from the 160-kilometre regulated interswitching to the new proposal for the long-haul interswitching. The minister said this covered all commodities. I could be wrong, but according to the notes I have in front of me, fertilizer shippers are going to be excluded from the long-haul interswitching.

If that is correct, I would like to know why the fertilizer shippers are being excluded. Are there any other commodities being excluded, or are all commodities going to be included under the new long-haul interswitching the bill is proposing?

Hon. Marc Garneau: Madam Speaker, I am very glad to answer that question. What we are talking about here with long-haul interswitching is specifically to address captive shippers. Those shippers may have commodities such as potash, which is used for fertilizing, also lumber, coal, minerals, and grain, which is a very important part of it. It would apply to those commodities and for the full length of Canada, not just the western provinces and grain.

Imagine captive switchers in the north of Alberta or Saskatchewan and they only have one rail line. Now there is a mechanism in place to offer those captive shippers more competitive rates with respect to the moving of their products.

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, we are very proud of the hon. minister's service in Parliament and his service in space, but it is time for him to come back down to Earth. He was deriding the opposition for not bringing substantive debate to this place. The government, in almost two years, has passed only 19 bills. That is it. It has had over 30 time allocation motions limiting debate on a very small record.

In the last few weeks, the Liberals are limiting time on a substantive bill, but they put forward motions on Paris and had a speech by the Minister of Foreign Affairs that really did not amount to anything. They also have Bill C-51 and Bill C-39, which are not substantive legislation either.

I agree with the minister that there are some serious issues addressed in the bill. He is limiting debate on the serious issues affecting Canadians, affecting rail safety, and affecting our transportation system, while having nothing before Parliament to justify limiting debate in the House. I would like to ask the member why they have only passed a small number of bills, and then when bills have an important element, like this one, they are not allowing debate in the chamber.

● (1535)

Hon. Marc Garneau: Mr. Speaker, we believe in the process of allowing debate to occur on bills and allowing proper scrutiny of bills, but we also have a responsibility as the Government of Canada to move forward with legislation. That is why we are invoking time allocation today, after the bill has been debated sufficiently.

It is quite clear to me, from reading the transcripts of the questions that have been asked over the debate time that the opposition supports the principle of the bill in general. They may have some exceptions to it, and we welcome their opportunity to come forward when the time comes in committee.

The committee has agreed to meet a week before Parliament resumes so that we can expeditiously reach the point of royal assent with the bill. The bill will have an important influence in modernizing freight rail legislation, and a host of other things, such as providing a passenger rights bill, which, and I know members agree with me, all Canadians would like to see as soon as possible.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, there is an old expression that says, “A lack of planning on your part doesn't make for a crisis on mine.”

The pace of legislation from the government in its first 18 months is about one-third of the average rate for new governments coming into office. The Liberals have passed a little less than 34% of the legislation that a new government typically passes in a year and a half. What do they do when they realize this? They hit the panic button.

With all due to respect to my friend, the Transport Minister, who I respect and admire, to suggest that he does not like the quality of the questions in the first two hours of debate on a bill and, therefore, he is shutting down the debate, reveals a level of intolerance and arrogance that is worrisome to me over such important legislation. If, as he admits, the bill is vital to rail, air, and marine transportation, then give it the respect it deserves, which is the scrutiny of the legislative body. This is our job. It is the job of all members of Parliament.

I am sorry if the minister does not like the quality of certain questions or interventions that MPs have made. If that was the test for debates of various governments, there would be no Parliament because government at any point could say it did not like the quality of a question and it would shut down the conversation.

This is Parliament. By its very definition, it is where we come to speak together as Canadians. The minister is preventing us from doing our job, to make our rail, air, and marine safety as good as possible. If we cannot do our jobs, if we cannot scrutinize things, mistakes get made. We saw that in the last government, when the minister was one of the chief critics of both omnibus bills and time allocation.

However, I think he may have studied the last government too closely. There are 30 time allocations from a government that has a problem moving legislation because it is preoccupied with things that do not actually matter to Canadian safety and the Canadian economy. I think he owes the House an apology for demeaning the level of debate that comes from other members in the House.

Hon. Marc Garneau: Mr. Speaker, to make it clear to my hon. colleague, I did not say that I did not like the kinds of questions that were being asked. I was pointing out that the questions really did not address the issues that are pertinent in the bill. They were talking about all sorts of other things. I would welcome a series of robust discussions about the issues that are actually in the bill.

I would also like to point out to my hon. colleague that the opposition cannot have its cake and eat it too. Those members are telling us that we are not passing enough bills, yet they are trying to hold things up now.

● (1540)

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, I, too, was struck by the member opposite addressing the issue of the quality of the questions. He said he did not like the quality of them and did not like the content of them. I have read the bill, and there is a reason why these questions were asked the way they were. It is because there is a complete lack of detail in the bill.

When we talk about the air protection bill, the minister said that the government is going to set up some sort of regime, but the Liberals do not have any answers about what that might be. Also, we can see clearly that Transport Canada is going to benefit in huge ways from the bill, but very few producers and shippers are going to get any benefit.

The changes that we made impacted interswitching directly, it provided for minimum movement of grain product, and made sure that the system was working. The new changes the Liberals would make, such as the 1,200 kilometres, for the most part, cannot affect the areas they should because they have taken out a section of lower British Columbia that will not be applicable to that part of the bill. Therefore, we need to have debate on the bill. It is a complex bill that needs more explanation from the government side than it is certainly getting. I would like to see some more of that.

The minister talks about other issues coming into play. However, things like carbon pricing should be discussed on a bill that is a transportation bill. I pay a carbon price that is generated in British Columbia, because I ship grain. Therefore, for the minister to try to remove all of these other issues from the important parts of a transport bill, that is just making a mockery of what we are doing here. He needs to be able to sit down and listen to some of the criticism, and then come back in the fall and improve the bill.

Hon. Marc Garneau: Mr. Speaker, I am not sure where to start, but the bill has nothing to do with carbon pricing. It is a very specific set of measures that deal with the air traveller experience, with modernizing freight rail legislation, with bringing in locomotive audio and video recorders, and with making changes to the Coasting Trade Act with respect to cabotage.

Another example is that the member said he has read the bill, but he is asking where the specific measures with respect to the passenger bill of rights are. If the member had read the bill, he would know that what the bill does is that it mandates the Canadian Transportation Agency to produce the specifics of this passenger rights bill. Therefore, if one read that clearly, one would understand that when the legislation passes, the Canadian Transportation Agency will go away, do its homework, and come back with the specifics of the passenger rights bill. It is as simple as that.

Mr. Nathan Cullen: Mr. Speaker, let me say something just to help the minister out a bit here. Because the government has invoked time allocation, the debate we are having right now is on the procedure of its shutting down this conversation. He seemed to suggest that any of the questions coming from the opposition right now about his shutting down debate are not warranted and that we should be talking about the bill itself. We would love to. However, his government has just invoked time allocation, which shuts down the opportunity to ask those very questions. I think it is a fair comment for the opposition, on behalf of Canadian consumers, to say if all the government has done is simply set up the regime, which can be from zero to anything the department wishes to see, in terms of fines, then that is a worthy conversation to have.

With the way the House of Commons works out, we get 20 minutes, plus 10 minutes for questions. That means in less than two and a half hours about four or five MPs will have had the opportunity to speak to the bill, which means a couple of government members and maybe a couple of opposition members out of 338 members.

How many of our ridings are impacted by marine? How many of our ridings are impacted by rail service or air service? Let me wager a bet here: all of them.

We have not even suggested that all of us need to speak, but the idea that two or three opposition members is sufficient and the reason the government has to close down to debate is that the Minister of Transport simply did not like the quality of questions is not right. He must admit that this is just simply the government hitting the panic button, running out of time in the calendar, which the government composed by the way, and its lack of planning is causing this panic and only makes for the possibility of mistakes and errors in important legislation like this.

The Assistant Deputy Speaker (Mr. Anthony Rota): Before we go to the transport minister, I notice there are quite a few people who want to ask questions of the transport minister, so perhaps we can make our questions and answers concise. Also, if we can cut down on the chatter, I and most of us will be able to hear the answers and the questions much better.

The hon. transport minister.

Hon. Marc Garneau: Mr. Speaker, I just want to correct my hon. colleague, once again, about the statements that he makes. When he talked about the passenger bill of rights he almost gave the impression that the CTA was going to go away and bring it back to the Minister of Transport who is then going to make the decisions about what is going to happen.

Actually, there is a very robust process in place where the Canadian Transportation Agency will be consulting with Canadians. In fact, it will be consulting with the airline industry. I can tell members that since we talked about creating a passenger rights bill, I have never heard as much support from Canadians for something that should have been done a long time ago.

● (1545)

Mrs. Kelly Block: Mr. Speaker, let us see if the minister likes this question.

The bill guts the Competition Bureau's powers to block joint ventures between carriers that would reduce competition on key routes. In 2012, the Competition Bureau blocked the consolidation of 14 routes by Air Canada and United. If the bill passes, the minister would be able to overrule the work of the Competition Bureau.

Why is the minister legislating anti-competition and anti-consumer measures?

Hon. Marc Garneau: Mr. Speaker, again, I have to explain to my hon. colleague what is actually in the bill.

The bill, very clearly, talks about joint ventures, which is what she is referring to. However, what she has failed to understand is that any decisions with respect to joint ventures will be in concert with the commissioner of competition. That part of the bill is very clear. It has to take place. We are concerned about anti-competitive behaviour. That is something that, unfortunately, my hon. colleague somehow seemed to miss.

[*Translation*]

Mr. Robert Aubin: Mr. Speaker, I have the impression that the minister would really like us to work more quickly. We did not refuse, far from it; we even agreed to meet starting in early September, before the business of the House began, to move the bill forward.

However, if we are seeking efficiency, why did the minister refuse to split the bill in two so that, for example, grain carriers would have answers and concrete measures on the prerogatives of Bill C-30, which is ending on July 31?

Grain producers are currently negotiating contracts. They have lost all competitive advantage in the negotiation because the measures will not be extended from the day the measures in Bill C-30 expire to the day Bill C-49 is passed.

Why is the minister refusing to extend the measures set out in Bill C-30 in the meantime?

Hon. Marc Garneau: Mr. Speaker, the reason is that we want to introduce the new regulatory system for grain transportation. It has been welcomed by associations that represent farmers and that are responsible for grain in general. Here is a statement that was released when the bill was introduced:

[*English*]

The Alberta Wheat Commission announced that it was "pleased to see the Federal Government has introduced historic legislation that paves the way for permanent, long-term solutions to the rail transportation challenges that Canadian farmers have faced for decades."

This is a long-term solution. I hope that all of us here are going to pass this legislation as quickly as possible so that we do not continue to use Band-Aid measures.

[*Translation*]

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Mr. Speaker, I support the comments of my NDP colleague. On this side, with the other members of the committee, we were prepared to proceed quickly on Bill C-30. In my opinion, time allocation was not even necessary, as all the parties consented to proceed. We could have taken this part that was accepted by those from the west, including Calgary, and proceeded very quickly so that these permanent measures would be passed by August 1, before Bill C-30 expires. We could have therefore passed a permanent solution to a problem that has gone on for too long.

However, that is not how the government decided to act. It decided to limit debate and prevent us from bringing forward our suggestions for improving this bill. Today, I learn that the opposition questions are not good. Yesterday, I was told that I was not worthy of a seat in the House. Therefore, I think that this government has a problem with respect regarding the opposition.

I am asking the minister, for whom I have a lot of respect given everything he does, to recognize the opposition's role. We have to ask questions, and when he imposes time allocation on us, preventing us from asking questions about a bill that will amend 13 other pieces of legislation, that is a lack of respect for the opposition.

● (1550)

Hon. Marc Garneau: Mr. Speaker, once again, I must comment on my colleague's last sentence, which leaves the impression that this bill involves 13 different pieces of legislation. I would remind him that 90% of the measures in this bill concern a single statute, the Canada Transportation Act.

I have another correction to make. I never said that I did not like questions. Instead I disputed the relevance of the questions on the specific bill we are currently debating. That is the issue.

Therefore, the fact that the questions and comments often had nothing to do with this bill convinced me that the opposition supports it.

[*English*]

Mr. Brian Masse: Mr. Speaker, when one starts to lose credibility in the House, it is up to the Speaker to decide relevancy. It is not up to a minister or an individual in this place. It is up to the Speaker to decide what is part or not part of a debate.

The minister's name-calling and suggesting that people do not read things really shows his weakness in appreciating that his colleagues are trying to do the right thing. We have legitimate concerns when legislation like this is dumped on us. It is a big piece of legislation that the minister himself described as complex.

I would simply follow up on a question my colleague asked about the Competition Bureau. Right now, in the airline industry, many of the issues are enforcement related in terms of the current laws that protect passengers. I have read the bill. It goes to regulations. How much money has the minister provided in the bill for the new regulations for enforcement?

Hon. Marc Garneau: Mr. Speaker, I am not sure what question was asked there. The member talked about money for enforcement. If we establish that there must be enforcement of regulations, which by the way is Transport Canada's primary mandate, then we can use Transport Canada's budget to not only produce regulations but enforce them, and that is what we do.

Hon. Gerry Ritz (Battlefords—Lloydminster, CPC): Mr. Speaker, there are a number of issues. The minister quoted the Alberta Wheat Commission saying how much it looks forward to this, but it says that the devil is in the details. We see that the CTA has been put back into the negotiations among commercial entities, the shipper and the railways, which is going to drag out the timeline on making those things work. We saw interswitching go from 160 kilometres, which was working and being embraced by more and more shippers all the time, to 1,200 kilometres. The problem with the new 1,200 kilometre interswitch is that it does not take into account the southern corridors, where there is a real opportunity to move to other rail lines.

I wonder why the minister left those types of details out and if there will be the flexibility, moving forward in this long-term plan, to add them in.

Hon. Marc Garneau: Mr. Speaker, it would take me a long time to explain the complexity of this bill, and I know I do not have very much time to do it. We look forward to the Alberta Wheat Commission appearing before committee and bringing up the devil in the details. That is part of it.

Second, I want to finish on a really high note. The president of the Canadian Federation of Agriculture said, when this bill came out, "The entire package will create a more competitive environment while also providing an increased level of service for farmers." This is good news for farmers.

[*Translation*]

The Assistant Deputy Speaker (Mr. Anthony Rota): It is my duty to interrupt the proceedings and put forthwith the question necessary to dispose of the motion now before the House.

[*English*]

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

Some hon. members: Agreed.

Some hon. members: No.

The Assistant Deputy Speaker (Mr. Anthony Rota): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Assistant Deputy Speaker (Mr. Anthony Rota): All those opposed will please say nay.

Some hon. members: Nay.

The Assistant Deputy Speaker (Mr. Anthony Rota): In my opinion the yeas have it.

And five or more members having risen:

The Assistant Deputy Speaker (Mr. Anthony Rota): Call in the members.

● (1630)

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

(Division No. 336)

YEAS

Members

Aldag	Alghabra
Alleslev	Amos
Anandasangaree	Arseneault
Arya	Ayoub
Bagnell	Bains
Baylis	Beech
Bennett	Bittle
Blair	Bossio
Bratina	Breton
Brison	Caesar-Chavannes
Casey (Cumberland—Colchester)	Casey (Charlottetown)
Chagger	Chan
Cormier	Cuzner
Dabrusin	Damoff
DeCourcey	Dhaliwal
Dhillon	Di Iorio
Drouin	Dubourg
Duclos	Duguid
Duncan (Etobicoke North)	Dzerowicz
Easter	Ehsassi
El-Khoury	Ellis
Erskine-Smith	Eyking
Eyolfson	Fergus
Fillmore	Finnigan
Fisher	Fonseca
Fortier	Fragiskatos
Fraser (West Nova)	Fraser (Central Nova)
Fry	Fuhr
Garneau	Gerretsen
Goldsmith-Jones	Goodale
Gould	Graham
Grewal	Hardie
Holland	Housefather
Hussen	Hutchings

Iacono	Joly
Jones	Jowhari
Kang	Khalid
Khera	Lambropoulos
Lametti	Lamoureux
Lapointe	Lauzon (Argenteuil—La Petite-Nation)
Lebouthillier	Lefebvre
Lemieux	Leslie
Levitt	Lightbound
Lockhart	Long
Longfield	Ludwig
MacKinnon (Gatineau)	Maloney
Massé (Avignon—La Mitis—Matane—Matapédia)	
May (Cambridge)	
McCrimmon	McDonald
McGuinty	McKay
McKenna	McKinnon (Coquitlam—Port Coquitlam)
McLeod (Northwest Territories)	Mendès
Mendicino	Mihychuk
Miller (Ville-Marie—Le Sud-Ouest—Île-des-Soeurs)	
Monsef	
Morneau	Morrissey
Murray	Nassif
Nault	Ng
O'Connell	Oliphant
Oliver	O'Regan
Ouellette	Paradis
Peschisolido	Peterson
Petitpas Taylor	Philpott
Picard	Poissant
Ratansi	Rioux
Robillard	Rodriguez
Romanado	Rudd
Ruimy	Sahota
Saini	Samson
Sangha	Sarai
Scarpaleggia	Schiefke
Schulte	Serré
Sgro	Shanahan
Sheehan	Sidhu (Mission—Matsqui—Fraser Canyon)
Sidhu (Brampton South)	Simms
Sohi	Sorbara
Spengemann	Tan
Tassi	Vandal
Vandenbeld	Vaughan
Virani	Whalen
Wrzesnewskyj	Young
Zahid– — 159	

NAYS

Members

Aboultaif	Albas
Albrecht	Arnold
Ashton	Aubin
Barlow	Beaulieu
Benson	Benzen
Berthold	Bezan
Blaikie	Blaney (North Island—Powell River)
Blaney (Bellechasse—Les Etchemins—Lévis)	Block
Boutin-Sweet	Brassard
Brosseau	Calkins
Cannings	Caron
Carrie	Clarke
Cooper	Cullen
Davies	Diotte
Doherty	Donnelly
Dreeshen	Dubé
Duncan (Edmonton Strathcona)	Duvall
Eglinski	Finley
Gallant	Garrison
Généreux	Genuis
Gladu	Godin
Gourde	Hoback
Hughes	Jeneroux
Johns	Kelly
Kent	Kitchen
Kmiec	Kusie
Lake	Lauzon (Stormont—Dundas—South Glengarry)
Leitch	Lukiwski
Maguire	Malcolmson
Masse (Windsor West)	Mathyssen
May (Saanich—Gulf Islands)	McCauley (Edmonton West)
McLeod (Kamloops—Thompson—Cariboo)	Moore
Nantel	Nater
Nicholson	Nuttall
O'Toole	Paul-Hus
Quach	Rayes
Reid	Rempel
Richards	Ritz
Saganash	Schmale
Shields	Sopuck
Sorenson	Stanton
Stetski	Stewart
Stubbs	Sweet
Tilson	Trost
Van Loan	Viersen
Wagantall	Warkentin
Waugh	Webber
Weir	Wong– — 96

PAIRED

Nil

The Assistant Deputy Speaker (Mr. Anthony Rota): I declare the motion carried.

* * *

● (1635)

POINTS OF ORDER

BILL C-50—CANADA ELECTIONS ACT

Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.): Mr. Speaker, I am rising on a point of order. In a debate earlier today, I identified a donation made by a Governor in Council appointee by the Conservative Party, and I described it as an illegal donation. It in fact is not an illegal donation; it is a donation that the standards authorize against. The standards explicitly say they "should not" show partisan support or donate to political organizations. I just want to correct the record in that, while Mark McQueen did made donations after the appointment, it is not illegal to make those donations; it is just highly suspect. When people do it, they are showing partisan support when they are Governor in Council appointees. I just want to correct the record.

[*Translation*]

The Assistant Deputy Speaker (Mr. Anthony Rota): 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 North Island—Powell River, The Budget; the hon. member for Edmonton—Wetaskiwin, Persons with Disabilities; the hon. member for Nanaimo—Ladysmith, Status of Women.

* * *

[*English*]

CRIMINAL CODE

The House resumed from June 6 consideration of the motion that Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act, be read the second time and referred to a committee.

Mr. Marco Mendicino (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, it is with great pleasure that I take the floor to discuss Bill C-51, an act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another act. This legislation reflects our government's deep commitment to ensuring that our criminal justice system protects Canadians, holds offenders to account, upholds the Charter of Rights and Freedoms, and shows the utmost compassion for victims.

By amending the Criminal Code and related legislation, we can contribute to a fairer, clearer, and more accessible criminal justice system. We are committed to changes that will have a positive and lasting impact on victims' experiences in the criminal justice system and that affirm the charter rights of all Canadians. This bill would do just that. These changes reflect our government's deep respect for the charter. The bill also represents another deliverable flowing from the ongoing review of the criminal justice system that the Minister of Justice has been mandated by the Prime Minister to carry out.

Broadly speaking, the bill's proposals fall into four categories, the majority of which involve amendments to the Criminal Code. First, there are amendments to clarify and strengthen the law of sexual assault. Second, there are amendments to remove or amend provisions that have been found unconstitutional by the courts, building on the amendments set out in Bill C-39, which the Minister of Justice introduced on March 8. Third, a number of obsolete or duplicative offences would be removed. Finally, the bill would amend the Department of Justice Act to create a new statutory duty for the minister of justice to table a charter statement for every government bill, setting out any potential effects a bill may have on the rights and freedoms of Canadians.

Let me begin by addressing the proposed sexual assault amendments. As is well known, in the past few years we have seen a dramatic increase in public interest in and concerns about sexual assault and how the criminal justice system responds to it. The Minister of Justice and her department continue to collaborate with partners and stakeholders to learn, share, and discuss a broad range of issues and ideas for improving how we, as a society, address the ongoing problem of sexual assault. One of the most important roles of the federal government is to ensure that we have the best possible legal framework in place to ensure our communities are protected and victims are treated with respect.

The measures proposed in this legislation today are one step in this process. They seek to ensure that the law is as clear as it can be, in order to minimize the possibility of the law being misunderstood or applied improperly. The bill seeks to amend the Criminal Code to clarify certain circumstances where consent is not obtained and where the defence of mistaken belief in consent is not available to the accused. It would also introduce stricter rules for the admissibility of complainants' prior sexual history, as well as their private records. In addition, the bill would provide that the complainant has standing and is entitled to be represented by legal counsel during rape shield proceedings.

The Criminal Code already clearly defines consent as voluntary agreement to the sexual activity in question. It also sets out a list of circumstances when consent has not been obtained as a matter of law. For example, the Criminal Code currently states that no consent is obtained where the complainant is incapable of consenting. One of the proposed amendments to the bill would make it clear that there is no consent when the complainant is unconscious, as set out by the Supreme Court of Canada decision in J.A. As the court reminded us there, consent must be contemporaneous or received at the time of the sexual activity in question. To most of us, it seems obvious that an unconscious person cannot consent to sexual activity. Nevertheless, providing for this additional clarity in the Criminal Code promises greater protection for victims of sexual assault.

While many have welcomed these amendments, some have also expressed concern. Specifically, some have noted that this amendment may pose a risk of being interpreted in a way that would disadvantage victims. They argue that codifying the rule that consent cannot be obtained from an unconscious person could lead to defence counsel arguing in court that the law no longer recognizes incapacity to consent short of full unconsciousness, such as when a complainant is extremely intoxicated or only semi-conscious. While our government shares the viewpoint of these critics—that consent must be ongoing and affirmatively given—respectfully, the government does not believe that this is a legitimate concern. Our government agrees entirely that the law should remain clear on this point. Consent cannot be obtained from an unconscious person, and the law also remains that consent cannot be obtained from a person who is conscious but incapable of consenting, for other reasons.

● (1640)

However, this is already clearly reflected in the bill. Unconsciousness is set out in a different subsection from the one that refers to incapacity generally, and new language is proposed to make it abundantly clear that incapacity to consent can be for reasons other than unconsciousness. This demonstrates that the unconsciousness provision is not intended to preclude or replace the many other situations that may be captured by the incapacity provision. Simply put, unconsciousness does not subsume all of the existing circumstances of incapacity to consent. Both would be reflected in the text of the Criminal Code.

The legislation would also amend the defence of mistaken belief in consent. This defence operates where it has been proved as a matter of fact that there was no consent, but the accused asserts that he genuinely, albeit mistakenly, believed that the complainant consented. The law already sets out restrictions on the accused's ability to use this defence. The accused cannot raise the defence if the accused's belief was due to the accused own recklessness, willful blindness, intoxication, or failure to take reasonable steps to confirm consent.

Bill C-51 would amend the law to clarify, in accordance with the Supreme Court of Canada decision in Ewanchuk, that this defence is also not available if the accused's belief is based on a mistake of law. For example, if the accused believed that the complainant consented, even though she was unconscious, or if the accused believed that the complainant's silence or passivity meant that she consented, there would be mistakes of law, and the defence, therefore, would not be available. I believe these changes would help to minimize errors by making the code clearer, more accessible, and easier to apply.

Another amendment concerns the rape shield provisions, which regulate the admissibility of evidence of a complainant's past sexual activity in a manner that balances the complainant's dignity and privacy interests with the fair trial rights of the accused. These provisions were introduced by then minister of justice the Right Hon. Kim Campbell in the early 1990s in order to guard against courts relying on what are known as the twin myths, those being that a complainant's past sexual activity is evidence that she is more likely to have consented to the activity in question, or that she is less worthy of belief.

Bill C-51 would amend the rape shield provisions to clarify that they apply not only to past sexual activity but also to communications made by the complainant that are of a sexual nature or are made for a sexual purpose. Just as it would be inappropriate to infer complainants were more likely to have consented based on their past sexual activities, it is equally inappropriate to find that they are more likely to have consented because of the sexual nature of their past communications. Some courts are already applying the rape shield process to such communications. Bill C-51 would standardize this procedure.

The bill would also fill a gap in the law by introducing a specific procedure for determining the admissibility of private records relating to the complainant, such as private journals or therapeutic records, which are in the possession of the accused. Specifically, if those accused seek to adduce complainants' private records, they must bring an application under the new provisions. As is the case under the existing rape shield provisions, such records would be admissible if the judge determines that they are relevant to an issue at trial and have significant probative value that is not outweighed by the danger of prejudice to the proper administration of justice.

It is worth noting that these changes would implement a recommendation of the Senate Standing Committee on Legal and Constitutional Affairs from its 2012 report on the third party records regime.

Other changes to the sexual assault regime include expressly clarifying that complainants must be informed of their right to be represented by a lawyer in the course of rape shield proceedings, as well as an extension of the notice period associated with such proceedings, to ensure that all parties have adequate time to prepare.

I would like to briefly address some comments that have been made regarding these last two proposals and their impact on charter rights. Our government respects the charter rights of all Canadians, including those accused of crimes. This holds no less true in the context of sexual assault proceedings. We believe that these amendments maintain the fair trial rights of the accused, and at the same time, they recognize the privacy rights of victims. Indeed, the amendments' objectives are largely the same as those that underpin the rape shield provisions, which were found to be charter compliant by the Supreme Court.

More information on the charter compliance of these changes can be seen in the charter statement, which was tabled in this House on June 6.

● (1645)

Ultimately, these important amendments to the law of sexual assault would help ensure that victims are treated with the utmost respect and the compassion they deserve, and that offenders are held to account.

I would now like to address the other Criminal Code amendments proposed in this bill. In keeping with the Minister of Justice's mandate, this diverse set of changes would make the law more relevant, more modern, and more consistent with the charter.

One cluster of amendments involves the repeal of Criminal Code provisions that have been found unconstitutional by appellate courts. For instance, the bill proposes to remove the restriction that prevents sentencing courts from giving enhanced credit to those detained prior to trial because they had breached a condition of bail. This part of the provision was found unconstitutional by the Manitoba Court of Appeal last year in Regina v. Bittern. This amendment would complement the change proposed in Bill C-39 that would remove the restriction on giving enhanced credit to those who were detained due to a previous conviction. This was found unconstitutional last year by the Supreme Court of Canada.

The bill also proposes to remove a variety of evidentiary presumptions that have been found unconstitutional by appellate courts, including presumptions related to gambling offences. Presumptions are shortcuts designed to help the prosecution prove an element of the offence by instead proving a different but related fact. These provisions may sometimes violate the presumption of innocence, which is a fundamental precept of our criminal justice system and one we are committed to upholding.

Another set of amendments would repeal what is known as a “reverse onus”, which refers to placing a burden on the accused to prove a fact. Normally the presumption of innocence places the burden of proof on the crown throughout the trial, and any transfer of that burden of proof to the accused may unjustifiably violate the presumption of innocence. Some reversals can be upheld constitutionally; an example is the reversal of the burden of proof associated with the defence of mental disorder. However, numerous other reverse onuses are likely to violate the rights of Canadians and should therefore be removed from the Criminal Code.

This bill would amend 32 offences that contain the phrase “without lawful excuse, the proof of which lies on him”. The second part of this phrase, “the proof of which lies on him”, is generally interpreted to create a reverse onus such that any time the accused wanted to raise a lawful excuse in defence against a charge, the accused would need to prove it on a balance of probabilities rather than just raise a reasonable doubt.

Our government does not believe that accused persons charged with these offences should be put to the task of challenging the constitutionality of these clauses, which present avoidable charter risks. Forcing people to challenge unconstitutional laws or laws that are likely unconstitutional delays criminal trials and burdens the justice system. This is not in the interests of victims, accused persons, or justice. Instead, our government is committed to continued leadership on proactive criminal justice reform while defending the rule of law.

I want to be clear that these amendments will not negatively impact public safety. These provisions being removed are either already found to be unconstitutional or likely to be found so, and as such they would not be operative in any case.

The bill also proposes to repeal offences that are outdated or otherwise redundant. It would repeal 20 such offences. Many Canadians may not know that the criminal law currently prohibits conduct such as challenging someone to a duel, posting a reward for the return of a stolen item with no questions asked, possessing crime comics, advertising a drug to enhance sexual virility, publishing a blasphemous libel, and fraudulently practising witchcraft.

Canadians are far better served by a Criminal Code that is focused on conduct that actually causes harms or risks causing harms to Canadians and our fundamental values.

Finally, the bill would amend the Department of Justice Act to create a new statutory duty for the Minister of Justice. This duty would require the minister, and future ministers, to table a charter statement for every government bill that is introduced. That statement will set out any potential effects a bill may have on the charter rights and freedoms of Canadians.

The Minister of Justice has already been tabling these statements in relation to bills that she has introduced. The proposed amendment to the Department of Justice Act would formalize this practice and extend it to all government bills. This would complement the existing duty on the Minister of Justice to examine every government bill for inconsistency with the charter.

Going forward, charter statements will identify and highlight key charter rights and freedoms that are engaged by any government bill tabled after this legislation comes in force. They will also set out considerations that support the justification of any limits that a bill may have on a charter right or freedom.

That said, charter statements are not the same as the legal advice provided by a minister of justice or his or her officials during the course of a bill's development. That advice will remain confidential and protected by solicitor-client privilege.

● (1650)

Rather, charter statements are intended to provide Parliament and the public with legal information about the charter implications of proposed legislation. They are meant to flag key charter issues and to be a resource to Parliament and the public for the purposes of enriching debate.

This initiative is motivated by the Minister of Justice's commitment to openness and transparency and is intended to further the commitment in relation to one of our government's core responsibilities: enacting legislation that respects the Constitution, including the rights and freedoms guaranteed by the charter.

This amendment is particularly timely, as 2017 marks the 35th anniversary of the Charter of Rights and Freedoms. This initiative recognizes the essential role the charter plays in our free and democratic society, and our government is very proud to propose it.

I urge all members to support this important legislation, which represents one more step in the minister's review of the criminal justice system, one more step in our government's commitment to the charter, and one more step toward ensuring that our laws are relevant, fair, and accessible to all Canadians.

● (1655)

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, I want to ask a specific question and mention one thing.

This is, after all, a justice omnibus bill, and so let us get that first part out of the way.

I think everyone on this side of the House will support the sexual assault provisions that are being proposed by the government. I think those are quite good.

I want to ask about clause 14. The government is proposing to get rid of section 176 of the Criminal Code, which is a general prohibition against interrupting religious services or interfering with members of the clergy.

I think that is very expansive as a definition. I see it affecting not just clergy in its 150-year-old definition, but members of all faiths with religious leaders who can undertake a rite such as a funeral. This section is not obsolete. It is actually being used right now in a criminal case in Ottawa. The charges were laid June 9, 2017.

I want to better understand why the government is proposing to go ahead with this. It is a portion of the Criminal Code that is actually quite useful and gives extra protection to members of all faiths.

Mr. Marco Mendicino: Mr. Speaker, I take issue with the member's characterization of this bill as an omnibus bill. This bill is designed to create a judicial system that is more open, clear, transparent, and fair to all of the parties involved and engaged in it.

With respect to the provisions being removed, all of the provisions that are proposed to be removed in this legislation have been found to be either unconstitutional, redundant, or obsolete. Those are the guiding principles that informed the government's position in this bill, and I urge all members to support it.

Ms. Sheri Benson (Saskatoon West, NDP): Mr. Speaker, I would like to say on the record that of course we welcome the changes to protect victims of sexual assault. The rape shield changes that allow a complainant to have a lawyer during the proceedings are very welcome.

This will be an option for those who can afford a lawyer, but unfortunately many in my riding would not be in a position to have access to a lawyer. I wonder if my colleague could comment on whether the government will be looking at committing increased funding so that folks can get legal aid or get a lawyer to help them through the process.

Mr. Marco Mendicino: Mr. Speaker, I am very happy to hear that the member is supportive of the measures that have been included in this bill to ensure that victims have a voice in sexual assault trials, which is squarely within the fundamental objectives of this bill. I also want to echo the member's concerns regarding access to justice. She will recall that last year, this government provided additional resources for legal aid in an effort to ensure that we enhanced access for those who are engaged in the criminal justice system.

We continue to have good, productive, constructive discussions with all of our provincial partners.

Mr. Earl Dreeshen (Red Deer—Mountain View, CPC): Mr. Speaker, I want to get back to the point that the member for Calgary Shepard presented. There was some discussion about a bunch of other things, but there was no direct answer to the question about section 176, which was used earlier this month and is indeed not obsolete. I wonder if there is any evidence the member could show us or if the government was aware that this provision is being used.

If obsolescence is the rationale, then perhaps this section should be brought out of that.

Mr. Marco Mendicino: Mr. Speaker, just to return to the fundamental principles that have informed the sections being targeted for removal, we have identified two principal categories: those that have already been found to be unconstitutional or are likely to be found unconstitutional, and those that are either redundant or obsolete. That is not to say that there could not be a scenario in which charges would be laid even though the provisions in question would fit into one of those two categories.

We are mindful of the questions that have been raised by our colleagues, but I return to the two principles that have informed those impugned provisions in the bill.

● (1700)

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, there is a lot in this omnibus justice bill that we agree with when it comes to sexual assault and other provisions, but what I found ironic was the member's comment about a "deep commitment" to victims and our criminal justice system.

Last week in this chamber, we highlighted the fact that the government is not funding a registry that would protect victims and families from some of the most dangerous criminal sexual offenders. The member's rhetoric is certainly not matched by the government's commitment. If they were being penny-pinchers, I might understand, but with $30-billion deficits and the registry costing a paltry sum, I would like the member, particularly given his experience as a crown attorney and his knowledge of how dangerous some of these offenders are, to explain why the government would not fund this registry.

Has he matched his rhetoric in the House with his rhetoric in caucus? Has he been pushing his minister and his government to fund this registry?

Mr. Marco Mendicino: Mr. Speaker, my colleague knows that I hold him in high regard.

With regard to rhetoric, it was his government that introduced legislation for this registry but refused to fund it with a single penny. On this side of the House, when we introduce legislation, we put our money where our mouth is every single time.

With respect to the provisions to give victims a voice, he well knows that there is $28 million a year in base funding for victims. In addition to that, this government recently provided additional resources in budget 2017 to ensure that judges and members of the court are able to give voice to victims who are engaged in sexual assault trials.

In addition to that, we worked collaboratively with the former leader of the member's party to ensure that even more additional resources were given to judicial officers to ensure that everyone has a fair trial and that victims get the justice they deserve.

Mr. Mark Holland (Ajax, Lib.): Mr. Speaker, despite the fact that the bill was introduced at the end of his government's 10-year mandate and the government did not provide funding for it, is the registry of which those members speak an aggregator of existing data?

Would he agree as well that when the police believe somebody is dangerous and release that information, there are real concerns? This is one of the reasons we have to be so careful. We must not just jump to rhetorical conclusions, but actually look at the evidence. Would he agree that a registry such as the one that they are proposing might actually make our communities more dangerous, because individuals will go underground and not say where they are or else move to jurisdictions that have no such registry, such as Quebec or New Brunswick?

Would he agree with me that what he is proposing in his rhetorical flourish would make our communities potentially more dangerous and that we should be careful?

Mr. Marco Mendicino: Mr. Speaker, I want to begin by congratulating the parliamentary secretary and the Minister of Public Safety for their work on this issue.

We are an evidence, fact-based government. We will absolutely ensure that our law enforcement actors have the resources they need so that our communities and our families can be kept safe.

I also agree with my colleague's comments that it is very important that we place trust, faith, and confidence in our police officers to work with communities to ensure that when offenders are released back into the community, it is done in a completely safe manner.

Hon. Rob Nicholson (Niagara Falls, CPC): Mr. Speaker, I am pleased to rise in the House to speak to this latest bill introduced by the Minister of Justice, an act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act. Our colleagues are right when they call this the justice omnibus bill, and this is one of the discussions I have had with my colleague, the member for St. Albert—Edmonton, on all the different areas that are covered by this bill.

One of the things I have notice in question period is that any time Liberal cabinet ministers get up, they always thank the members of the Liberal Party for all their hard work and support. I wanted to use that precedent to thank the hon. member for St. Albert—Edmonton for all the work he has done in the justice area.

He is correct, and my colleagues are correct when they call this an omnibus bill. I believe it was in March of this year, the government House leader introduced a paper on the whole subject of omnibus bills, and stated:

> Omnibus bills can be defined as a bill that contains separate and unrelated themes packaged into one bill. Members are then forced to vote for or against a bill that could have elements that Members would support or oppose. The only recourse for Members has been to seek to divide omnibus bills in committee, but these motions rarely come to a vote or are agreed to by way of unanimous consent.

Bill C-51 fits that description, because rather than dealing with one issue, the bill proposes to tackle at least four different matters at once. First, the bill sets out to clarify and strengthen certain aspects of sexual assault, relating to consent, admissibility of evidence, and legal representation for the complainant; second, the bill repeals a number of provisions in the Criminal Code that have been found unconstitutional by appellate courts, and other provisions that, in their opinion, might likely be found unconstitutional; third, the bill repeals several obsolete or redundant criminal offences; and fourth, it introduces a requirement of a charter statement to go along with any new government bill proposed by the Minister of Justice in the future.

In addition, as the government House leader's paper reads, "Members are then forced to vote for or against a bill that could have elements that Members would support or oppose."

The bill has elements that we support, but there are some elements that we oppose. First, let me be very clear. We strongly support what Bill C-51 does in terms of clarifying and strengthening the sexual assault provisions. I appreciate the comments from the parliamentary secretary when he said that Kim Campbell introduced these in the early nineties, when I had the privilege of being her parliamentary secretary. It was great to work with her. There were so many different elements that we had to move on in the Criminal Code, and of course, this had the support of the Right Hon. Brian Mulroney throughout, and our efforts to stand up for victims and to protect law-abiding Canadians.

We support the provisions that the government has put in, among other things: to clarify that an unconscious person is incapable of consenting; to clarify that the defence of mistaken belief in consent is not available if the mistake is based on a mistake of law; to expand the rape shield provisions to include communications of a sexual nature or sexual purpose; to provide that a complainant has a right to legal representation in rape shield proceedings, that is an excellent idea; to ensure that an individual's previous sexual history has no bearing on questions of consent; and to create a regime to determine whether an accused can introduce a complainant's private records at trial that are in their possession. These are all very important. I believe they are all changes that we as Conservatives support.

In addition, we are supportive of Bill C-51 where it repeals and amends a number of provisions of the Criminal Code that have been found unconstitutional by appellate courts . We have seen before the risks and hurt that can be caused when sections of the Criminal Code have been ruled unconstitutional and are not removed.

One does not have to look any further than the Travis Vader murder in Alberta, during which the judge convicted the accused under an unconstitutional provision. Consequently, and unfortunately, the case had to be re-tried, causing difficult hardship, and unnecessary pain for the victims' families. Removing provisions that had been ruled unconstitutional by the courts is an important measure to take.

● (1705)

With that said, we take issue with some parts of this legislation. For one, we disagree the government needs to introduce a charter statement for every new piece of government legislation that is introduced by the Minister of Justice and Attorney General of Canada. Although the required charter statement sounds like it might be a good idea, Canadians know that many safeguards already exist. First and foremost is the Charter of Rights and Freedoms itself. Coming into effect 35 years ago, the charter's objective is laid out in section 1:

> The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

The Canadian governments, both Liberal and Conservative, have been introducing justice legislation since 1982, after the charter came into effect. It has never been a requirement that the government create a charter statement for every justice legislation. It is simply not necessary.

Any legislation that is controversial can be challenged by citizens or groups in court. This will always happen regardless of this new charter statement. I have no problem with the idea of charter statements in general. In fact, if this minister so desires, I would welcome her attaching this to all the legislation that she puts forward. However, to require these as statements by law is another matter. I think it is unnecessary.

If she wants to put out a statement that she believes it complies with the Charter of Rights and Freedoms, she should also include that it complies with the Canadian Bill of Rights that has been in place in this country since 1960, since John Diefenbaker was prime minister. She could do that, but it is unnecessary to bind all future governments and justice ministers by putting that in.

Lastly and most importantly, the Conservatives disagree with some of the sections that the government claims are obsolete. In particular, I want to bring to the attention of the House our opposition to clauses 1 and 14 in Bill C-51.

First of all, in clause 1 of Bill C-51, the government is proposing to repeal section 49 of the Criminal Code. This is what that section currently says:

> Every one who wilfully, in the presence of Her Majesty,
>
> (a) does an act with intent to alarm Her Majesty or to break the public peace, or
>
> (b) does an act that is intended or is likely to cause bodily harm to Her Majesty, is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years.

I do not really get why the Liberals are doing this. I was thinking about this on Sunday. I was in Niagara-on-the-Lake for the 225th anniversary of St. Mark's Church. The sermon was given by Bishop David Ralph Spence, who said there were three themes he wanted to talk about. One was the 225th anniversary of St. Mark's Church, and all the good that this church has done, and all the good that has come from the people who attend that church, and what an asset that has been. That church goes right back to when Governor Simcoe was the Governor of Upper Canada, back in 1792. That was one of the themes he wanted to talk about.

Then he said he wanted to talk about the 150th anniversary of Canada, and what an asset our country has been since Confederation in 1867. Then he also made a very interesting point. He said that this year is also the 65th anniversary of Her Majesty Queen Elizabeth's accession to the throne. He talked about, and I was thinking about it at the same time, what a wonderful individual she has been in terms of public service to this country as our head of state. Why would the Liberals decide in her 65th anniversary on the throne that it is a good idea to get rid of the section that specifically protects our head of state against anyone threatening or attacking her? It makes no sense to me.

● (1710)

I am also disappointed about the proposed clause 14 in Bill C-51, which would repeal a number of sections and replaces them with something entitled "Trespassing at night". In short, that clause would get rid of section 176. One of my colleagues raised this matter with the parliamentary secretary.

This section does nothing other than protect the safety and well-being of religious clergy and ministers against dangers and threats. This section also deters someone from disturbing or interfering with a religious worship and ceremony. By repealing this section, the government would be removing the only provision in the Criminal Code that directly protects the rights of individuals to freely conduct the practice of their religion, whatever that religion may be. At a time when news stories are increasingly reporting attacks on religious communities, this concerns me. I have to stand up for the rights of my constituents and all Canadians to practise their religion without fear, recrimination, violence, or disturbance.

The irony of this is that we had a number of debates in the House when the Liberals were telling us how concerned they were about people's right to practise their religion without fear, intimidation, hatred, or prejudice. That is what they said. I did not get into the debate with the parliamentary secretary. This is not obsolete, it is not unconstitutional, it is very important. It is important enough, I can tell the House, that just this year a woman was charged under this offence for allegedly breaking the statue of Jesus at Saint Patrick's Basilica in downtown Ottawa. That section is being used right now, so I cannot imagine why the Liberals would want to repeal it.

I suggest to the Liberals that when they go home this summer, they should tell members of their clergy and people in their ridings that they are removing the section that protects people's right to conduct religious ceremonies, and getting rid of the section that specifically outlaws people who disrupt a religious service. I would be very interested in the feedback they will get on this.

I will be talking to my constituents about this, because they have a right to know that this is the proposal from the Liberal Party. In September, I am going to ask my colleagues what their constituents said and whether they thought it was something they have to get rid of, that anybody who causes a disturbance or threatens somebody is the same thing as a fight in a bar somewhere. I am willing to bet that their constituents will say that it is very serious for anybody to threaten a member of the religious community, or in any way disturb a religious service.

I am hoping the Liberals will reconsider both of those provisions. They are both important to continue. In keeping with the comments I made earlier with respect to this omnibus legislation about how we support some sections and do not support others, I move that notwithstanding any Standing Order or usual practices of the House, when Bill C-51, an act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another act, is referred to the Standing Committee on Justice and Human Rights, it be an instruction to the committee that during its consideration of the bill, the committee be granted the power to divide the bill into three pieces of legislation, one bill containing clauses 1 and 14, one bill containing sexual assault provisions, and one bill containing the remaining provisions of Bill C-51.

● (1715)

The Assistant Deputy Speaker (Mr. Anthony Rota): Does the hon. member have the unanimous consent of the House to propose the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Assistant Deputy Speaker (Mr. Anthony Rota): Questions and comments, the hon. member for Lanark—Frontenac—Kingston.

● (1720)

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Mr. Speaker, this spring, we debated and voted in favour of a motion dealing with the issue of Islamophobia. The provision of the law to which the member draws attention, the disturbance of religious services, was designed at a time when Protestants and Catholics were bad neighbours and would disrupt each other. Is it not the case that today those groups that are perhaps newer to our society and perhaps not as accepted as they should be, for example Jews and Muslims, who want to practise their religion in peace, whether in a mosque, a synagogue, or in a public place, where the law of trespass does not provide additional protection, ought to have some form of legislative protection for their sacred rights, even when they occur in public places? For example, funerals can happen in a public place at memorials.

Hon. Rob Nicholson: Of course they should have that, Mr. Speaker. This section of the Criminal Code does that. This section protects all individuals performing religious services. It makes a specific reference to anyone who might try to disrupt a religious service.

I have never heard of anyone ever having a problem with this section. If we sit down with people and talk to them about different possibilities of a disturbance or anything like that, many would agree on the seriousness of anybody disrupting a religious service or threatening somebody who practises his or her religion.

The member mentioned the motion. We heard again and again how concerned the Liberals were about people having the right to practise their religion without fear, without hate, without prejudice, without any disruption whatsoever. Therefore, I was surprised when I picked up the bill. After the Queen, this is one of the first things the Liberals wanted to get rid of. I do not get it, getting rid of the specific protection that our head of state has. What is the problem with that?

The timing of this is terrible in my opinion. It is the 65th anniversary of the Queen's reign, and now members decide to get rid of the specific protection that is accorded to her. However, the other section is the only area of the Criminal Code that specifically delineates religious services and those who perform those religious services. Why would they get rid of it? I wanted to have a motion here to have these separated. I hope the Liberals will reconsider this.

I think there is great consensus on a lot of the different sections in here. A lot of the sections make the Criminal Code gender neutral. A lot of the sections update the wording and get rid of sections that have long had no relevance. Most important, the area with respect to sexual consent and the other laws, like the rape shield laws, are extremely important. The Liberals should have had this as a separate bill rather than toss this all into it, but we on this side of the House do not run the show.

Again, I have invited my colleagues to mention it to their constituents and ask them how they feel about the Liberal Party getting rid of the section that protects people in the practice of their religion. I am going to look forward to getting some feedback from them in the fall.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I want to come back to a theme the member touched on earlier, the theme of anniversaries. This is the 30th anniversary of Canada's Charter of Rights and Freedoms.

One of the things our government has been practising, which I think he would admit in fairness, as a former minister of justice, his government did not do, is our Minister of Justice, since becoming the minister, has been tabling with every justice bill a statement of the bill's potential effects on the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms. This bill would codify it. It would formalize it. It would require, going forward, any government to provide that statement so we could get a better sense as Canadians, as legislators, to what extent the bill would or would not be at variance with the charter rights, which are guaranteed and have evolved through our court system.

Could he take a minute to explain what his party's position is with respect to this? In the past, the Conservative Party's position was not to do so. I remember asking the member, the former minister of justice, on repeated occasions why he would not give Canadians assurances that when justice matters came forward to the floor of the House, they would in fact be in compliance with the Canadian Charter of Rights and Freedoms.

● (1725)

Hon. Rob Nicholson: Mr. Speaker, that is a fair comment. We were very cognizant and compliant with all the laws, including the Charter of Rights and Freedoms and the Canadian Bill of Rights. The minister of justice was always advised on these, and we certainly took that advice.

The details of it are solicitor-client privilege, and the parliamentary secretary to the justice minister mentioned that. I have said right here, if the minister wants to put out a charter statement, she should go right ahead and say it complies with the charter. I have no problem with that. Say it complies with the Canadian Bill of Rights as well. That is a wonderful thing. However, to make this a part of every piece of legislation is absolutely unnecessary.

Again, I do not see why the Liberals are doing this. There is some sort of statement or something. However, nonetheless, and I pointed this out, if people feel the bills are unconstitutional, for whatever reason, they have the ability to challenge that. This has been going on for the last 35 years, and John Diefenbaker's Bill of Rights has been here for almost 60 years now.

The rights of our country have been protected by every Conservative government. No one has a better record of standing up for rights and freedoms of Canadians than the Conservative Party.

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, this is a matter that has troubled me deeply in the eight, almost nine years I have been elected. There was a concern in the last government, the Harper Conservative government, that they would come forward and say they had reviewed these bills for charter compliance. As I understand it, the policy put in place by the Liberals was that as long as it was thought there was a 2% chance of charter compliance, people could say it was charter compliant. If the intention of this provision is to make available the analysis by the Department of Justice on whether it is charter compliant, I am all for it.

Hon. Rob Nicholson: Mr. Speaker, that would be fascinating. I would like to hear from the Liberals if they will table the solicitor-client advice that is given to the justice minister.

Under the Conservative government, we were very consistent. We were very compliant with all the constitutional provisions. It is true, we were always worried about victims of crime and law-abiding citizens who had the right to live in the country and not be victimized. I am very proud of that record. Stephen Harper was always consistent. Anything that was brought before the House in the area of justice, he was interested in knowing whether victims were being protected and whether law-abiding Canadians and their interests were being heard. I am confident all our bills were legitimately compliant with the rules.

People can challenge these things if they like, but for the Minister of Justice to start putting this extra thing into every bill is not necessary. I am not quite sure why the Liberals are doing it. However, if the minister wants to put out a statement that she is confident that it complies with the Charter of Rights and Freedoms and the Canadian Bill of Rights, go ahead. However, having this as part of every piece of justice legislation is completely unnecessary.

● (1730)

The Assistant Deputy Speaker (Mr. Anthony Rota): It being 5:30 p.m., the House will now proceed to the consideration of private members' business, as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

HOLIDAYS ACT

The House resumed from May 4 consideration of the motion that Bill C-311, an act to amend the Holidays Act (Remembrance Day), be read the third time and passed.

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, it is my pleasure to rise to support the bill, although I have to admit I am deeply disappointed that the member has relented and reduced his bill substantially.

Initially, as I understand, Bill C-311 proposed that Remembrance Day be a statutory holiday. Remembrance Day is already a statutory holiday in my province of Alberta and in every province except Manitoba, Ontario, Quebec, and Nova Scotia.

My experience is, and the experience of those in my city, that making this day of remembrance a statutory holiday enables and encourages families to participate in memorial services. Events are well-attended in Edmonton, at cenotaphs located across the city. Schools do host events and there is no conflict, as has been raised I think by some veterans. Most schools host their November 11 activities days before November 11. I have regularly participated in events in both McNally High School and Vimy Ridge Academy and they are a pleasure.

While the largest service held with the Lieutenant Governor is hosted at the University of Alberta in my riding, for the past few years, I have been honoured to be invited to join the premier and the South Alberta Light Horse regiment in a very special service at Holy Trinity Anglican Church. We then march with the soldiers to the cenotaph at the now renamed Light Horse Park.

I have also had the privilege of working with a committee of Edmontonians determined to refurbish the old Strathcona cenotaph, an effort led by the South Alberta Light Horse Regiment Foundation, nicknamed Sally Horse.

I am joined on this committee by our local MLA, the premier of Alberta, the rector for Holy Trinity Anglican Church, the Royal Canadian Legion, our city council, the Old Strathcona Foundation, the Strathcona Community League, Fringe Theatre Adventures, the Old Strathcona Business Association, and finally the Youth Empowerment and Support Services, or YESS.

YESS is an organization that supports youth who are homeless. It is located in the adjacent Connaught Armoury, the oldest in the province. Each Remembrance Day, they kindly host all who attend the ceremonies at our cenotaph.

This joint initiative to refurbish the cenotaph has been inspired by the growing interest in participating in this community-based ceremony and in recognizing the deep connection of the Light Horse to Old Strathcona.

The official birthdate of the SALHties was July 1905 and Old Strathcona was the regimental headquarters until 1964. Their flags still fly in Holy Trinity church.

The regiments were horse-mounted in the early days. Albertan regiments are famous for the horsemanship, going back to World War I, when Albertans were tasked with breaking in new mounts at Swaythling Remount Depot because of their natural horsemanship.

Members of the then-called Dragoons were dispatched from the Old Strathcona train station in 1914, during World War I, and also in 1939 during World War II. Their current Colonel-in-Chief is Her Royal Highness, the Countess of Wessex, who has attended some of the November 11 services and ceremonies. She honoured us at the groundbreaking of the new cenotaph park, Light Horse Park.

The 31st Battalion was one of the key Alberta battalions. It drew approximately 50% of the men from Edmonton and its surrounding area. It was active in all major campaigns throughout World War I and was awarded many battle honours, to name only a few: Ypres, Mount Sorrel, the Somme, Arras, Vimy, Hill 70, Passchendaele, and Flanders.

The 15th Light Horse continues to service Calgary on horseback and trains regularly as part of the Canadian Cavalry Brigade, 5th Cavalry Division, alongside the 19th Alberta Dragoons. In 1942, the unit was converted to a tank regiment re-designated as the 29th Armoured Recognizance Regiment, and fighting in France, Belgium, the Netherlands, and, finally, German, with continuous action from 1944 to 1945.

In 1954, the South Alberta Regiment merged with the 15th Alberta Light Horse to form the South Alberta Light Horse.

Planned additions to the memorial will commemorate the Alberta Light Horse history and its strong links to the community, creating a place of interest and gathering year-round. The changes will provide new educational materials for students, families, and community members helping bring the local military history alive. The Light Horse Park cenotaph rehabilitation project is an important legacy project, not just for November 11, but benefiting the community year-round, including for our famous Fringe Theatre festival and for the Strathcona Community League.

● (1735)

We are hopeful that it will soon be completed so that all may gather in a beautiful location in Edmonton Strathcona to observe Remembrance Day. Again, I am very grateful that everyone, every family in my city, has the opportunity to come and celebrate with us on Remembrance Day.

Mr. Lloyd Longfield (Guelph, Lib.): Madam Speaker, I rise today in support of Bill C-311, an act to amend the Holidays Act (Remembrance Day).

Before I begin, I would like to thank the member for Central Nova for bringing this forward. It is long overdue and is an issue that we need to discuss in the House today.

Growing up in Manitoba, Remembrance Day was always a holiday. I can still recall my confusion upon arriving in Ontario to find that it was not recognized as a holiday. This bill would ensure that from coast to coast to coast, Canadians would have the opportunity to reflect and remember the sacrifice of the fallen.

Remembrance Day holds special significance for all Canadians, whether they are serving members of the Canadian Armed Forces, relatives of those who have fought, or even new Canadians, because all Canadians enjoy the rights and freedoms fought for and preserved by those who fought and those who continue to fight.

Guelph knows the importance of remembrance because of our strong history and connection to Canada's military past. With the arrival of the First World War, 3,300 people enlisted in Guelph. Local union and business leaders spearheaded campaigns to raise money for war bonds and charity efforts.

Soldiers who enlisted would arrive at the freshly constructed armoury, completed in 1908, which is now almost 110 years old. The armoury is home to Guelph's 11th Field Artillery Regiment, RCA, affectionately known as “the Gunners”, and is Canada's oldest artillery regiment. Thousands of troops were accommodated and trained at the armoury during the First World War. The local militia unit was renamed the 1st (Howitzer) Brigade, Canadian Forces Artillery. After their training, new recruits were sent east to Sydney or Halifax, Nova Scotia, on their way to France.

Lieutenant Colonel John McCrae, the celebrated war poet, was just one of the dedicated volunteers from Guelph and one of thousands of Canadians who shared the experience of war. His poem, *In Flanders Fields*, is inscribed in the memorial chamber of this place and has earned worldwide recognition as a symbol of the costs of war and the duty of those left behind to remember the fallen. His contribution was by no means the only one made by the people of Guelph in support of the war effort.

The University of Guelph, then known as the Ontario Agricultural College, was charged with doing what it could to offset food shortages. The war attracted many faculty, staff, and students as recruits. The War Memorial Hall was opened in 1924 in honour of the 109 who died. In total, Guelph lost 281 men and one nursing sister. The end of the war in 1918 brought peace, but it would not be long before Guelphites were called upon again to serve.

When war was declared in 1939, Guelphites once again answered the call. By the end of the Second World War, Guelph had lost 173 citizens. This included Isaiah Acker, who died while on duty serving with the RCAF. As a tribute to his service, the Jewish community in Guelph named their synagogue after him in 1949.

Guelph contributed to the war effort in many ways, whether it was manufacturing furnaces and fridges for the navy or women pitching in as constables due to labour shortages.

Today the spirit of remembrance is alive and well in Guelph. Every November 11, at the Guelph Cenotaph on Eramosa, the Legion, the 11th Field Artillery Regiment, 121 Red Arrows Squadron, and community members gather to pay their respects.

However, remembrance in Guelph is by no means confined to just one day a year. Our local Legion and regiment participate in charitable events, such as the United Way campaign kickoff barbecue for Guelph, and they also hold Decoration Day and many other events within the community. These events remind the community of the active role the military and the Legion play.

● (1740)

This year, thanks to the MP for Scarborough—Guildwood and the Vimy Oaks Legacy Corporation, members were able to adopt oak saplings, descendants of the original oaks brought over from Vimy Ridge by Lieutenant Leslie Miller. Guelph was able to acquire two of these living memorials to the First World War. The first sapling was planted last week at the Guelph Legion, which will be celebrating its 85th anniversary next week. Fittingly, the second tree was planted at the home, now museum, of Lieutenant Colonel John McCrae, who also fought at Vimy.

Even foreign governments have seen fit to recognize the contributions and accomplishments of Guelphites during wartime. Earlier this year, the Government of France bestowed one of its highest honours on a pair of Guelph veterans, Frank Taylor and Donald Sutherland. In a ceremony with the French consul, they were both named Knights of the French National Order of the Legion of Honour for their contributions during World War II in the liberation of France. I was deeply honoured to participate in this ceremony.

Guelph has always had a strong connection to Canada's military past and present. However, this connection is not unique. It is mirrored in communities from coast to coast to coast. It is for this reason that Remembrance Day should be listed as a national holiday under the Holidays Act. This will ensure that all Canadians are free to gather at local cenotaphs and participate in remembrance ceremonies.

I would once again like to offer my thanks to my colleague from Nova Scotia for bringing this important bill forward.

In closing, I encourage all my colleagues in this House to support this legislation as a means to further unite Canadians in the spirit of remembrance.

Mr. John Brassard (Barrie—Innisfil, CPC): Madam Speaker, it is an honour to rise on behalf of the great residents of Barrie—lnnisfil and as the opposition critic for veterans affairs. I am pleased again to speak to Bill C-311 at third reading.

Today we speak to address only one amendment to the Holidays Act for Remembrance Day, which is to add the word "legal".

I want to commend the hon. member for West Nova for his inspiration for this bill and to recognize his work on behalf of the men and women of our armed forces, not only with respect to this bill but also for his work as a member of the Standing Committee on Veterans Affairs. We have had some spirited discussions at that committee.

I would also like to state that the previous Conservative government, and the current government, continue to show the respect due to our veterans. The 100th anniversary of Vimy celebrations in France were outstanding. Thousands of Canadians stood with government and military representatives remembering and reliving the actions of the thousands who fought in those days of the Battle of Vimy Ridge. The commemoration services in Ottawa were just as moving, with a sunset candle-lighting ceremony, Saturday, April 8, and a touching passing of the torch to Canada's future military from our veterans. The Saturday evening service was followed by a full commemoration on Vimy Day, April 9, in full sun, weather conditions our soldiers in 1917 certainly would have preferred to the rain and mud they experienced on that April morning.

Services in Ottawa and across Canada were attended by Canadians of all ages from all communities. Canadians have shown that they have a birth-born respect for our current members of the Canadian Armed Forces and our veterans to whom we owe so much. These feelings of respect and long-standing admiration do not need to be legislated to Canadians.

From the earliest school day memories of services in our school auditoriums and cafeterias, presence on Remembrance Day was never a forced obligation. With Bill C-311, there would be a forced obligation on Canadians, a forced obligation that is, quite frankly, not needed.

Let me take a few minutes to provide a few examples for this House.

Each year the Canadian Legion launches its poppy campaign on the last Friday in October, and it runs until Remembrance Day. Of all money raised from the 20 million poppies distributed, 85% goes back to veterans and their families through services and programs.

When I think of all the military events in our nation's history we commemorate, I find it hard to believe that some people think we do not honour those who have fallen enough. Last week we remembered June 6, 1944, D-Day, the raid on Normandy. We have annual services at the National War Memorial and across Canada for the Battle of the Atlantic. On July 1, in Newfoundland and across Canada, we will remember the loss of a generation at the Battle of Beaumont-Hamel. Coming up, we will remember the 75th anniversary of Dieppe in August. National Peacekeepers' Day is August 8.

If this House and the government really want to recognize the sacrifices of our armed forces, there could be another way we could do this. In 2017, while Veterans' Week is taking place, from November 5 to 11, all MPs will be here in Ottawa and only able to return home on November 9 or 10 to attend services for Remembrance Day. Would it not make more sense to have our House leaders agree to permanently reschedule our November break to coincide with Veterans' Week so that all MPs can participate in their ridings? I do not speak for all members, but I know that I will miss several important Remembrance Day ceremonies in the communities of Barrie—lnnisfil while I am in Ottawa that week.

I applaud the effort and sincerity of the member for introducing Bill C-311. However, it would have made much more sense to introduce a bill or motion that would have made a permanent change that positively affects how we can be with our constituents for Veterans' Week, the whole week, not just November 11, as will be the case this year.

What this bill would do is only one thing, which is label Remembrance Day a "legal" holiday. I am not quite sure what impact that would have, because it is still up to the provinces to determine whether they will impose a statutory holiday.

● (1745)

I would like to restate to the House my comments at the heritage committee when the bill was debated, where, in committee, two of the three clauses were removed from the bill. When we pass pieces of legislation in the House of Commons, we do not do so because they feel good. We do so because they support the intent to make the lives of Canadians better. Understandably, there can be an argument that this will help elevate the status of Remembrance Day, but as we heard from Mr. White, with the Royal Canadian Legion's Dominion command, and from others, and as I can tell you anecdotally from being as involved in Remembrance Day week as I was, the status of Remembrance Day continues to grow in this country without the help or the need for legislation.

A significant number of Canadians participate in the remembrance of those who gave their lives in sacrifice for the freedoms that we enjoy. As I said when the bill was being dealt with in committee, there is not a day that goes by that I or any of us who have the privilege of sitting in the House of Commons do not realize that those sacrifices were real, that blood was spilled and that families were torn apart to allow each and every one of the 338 of us the privilege of sitting in our symbol of democracy: the House of Commons.

As I and others in committee mentioned to the member for West Nova, if the intent was to emphasize the importance of Remembrance Day to Canadians, we could have easily done that through a motion that would have reaffirmed Parliament's commitment to our veterans and to Remembrance Day. We did not necessarily need a piece of legislation to change an act of Parliament to do that.

● (1750)

Mr. Brian Masse (Windsor West, NDP): Madam Speaker, I am pleased to rise today to support Bill C-311, an act to amend the Holidays Act, regarding Remembrance Day. It is important to recognize that the bill will not make this a national holiday for all provinces such as my own, although Ontario will continue to have that as an option. It is still much a matter of debate as to the value of having that day as a national holiday or whether, as the Legion professes, it should not necessarily be so because honouring and respecting veterans takes place all the time. They argue school campaigns are just as effective and having the children in the school at that time is effective.

I personally will be supporting it as a national holiday for a number of different reasons because I believe that the work that is done and the argument that is made in the school is very profound and very proficient. I come from an area in Windsor in Essex County where many battles of the War of 1812 were fought. We had a number of different interventions with regard to wars, conflicts, and even peacekeepers over the years. It has not just been World War I and World War II. It is the Korean War, Afghanistan, peacekeeping missions, a series of encounters across the globe involving my constituents from the Essex and Kent Scottish Regiment, the HMCS *Hunter*, and as well the HMCS *Windsor*, which is now in the field, that have all been part of the national construct of why we pay tribute and honour them.

I support this as a day to reflect as some workers cannot have that opportunity to take a moment. I know that some establishments no longer even have the 11th hour of the 11th day and the minute of silence, which we are supposed to observe. I remember when I was in school that would take place in Ontario and it still does to this day, but I know it does not take place in other places of business and work. Having that day, we have done a lot in Windsor and Essex County over the years to heighten awareness. It is also important for a diverse culture and community to do so.

I have been fortunate to grow up in the shadow of different experiences, in particular, my biological grandfather John Clifford Addison perished in the fall of the Burma campaign on the HMS *Scorpion*. I do not know much about my grandfather. I have his medals and his war record. I have a photograph of the ship that he served on, but my grandmother remarried Fred Attwood when he came to Canada. He raised me as his own grandson, so I would go over every weekend and talk to my grandparents and he would share the stories. He served on the *MacCallum* and the HMS *Ark Royal*. He was a merchant marine as well as in the Royal Navy. He told stories of how he slept at night making sure to put sugar at the bottom of the grease tins so that the different insects would not get past it and the camaraderie he had as an electrician with some of the pilots on the aircraft carrier that he served.

We have those personal elements that we can share, but how do we transfer that? I would say that there has been a tremendous effort and I want to thank the Windsor Veterans Memorial Services Committee, as we recently had a ceremony. For over 100 years, it has provided services for the men and women of good service to Canada who have passed away and for those who came back from the field of combat to be part of our community. They have a number of different support mechanisms for our veterans, including an honour guard for funerals, and my grandfather was one of the recipients of that. We have a service every year especially for that. It is very unique in Windsor and Essex County. It is ongoing throughout the year. The services have reached into the hundreds in the last number of years because of the number of veterans we have lost most recently.

I am also very proud to represent a region where we already have a connection to Ottawa. When Korea was not recognized as a war, on our city council, I was proud with Charles Hotham to move a motion to put the only city funding and federal funding into the current memorial in Ottawa for South Korea. Losing our veteran, Henry Martinak , this year was very difficult as well as Larry Costello from the Windsor Veteran Memorial Services Committee who passed away.

● (1755)

The point I also want to make in relation to this is that the bill would just be adding a legal aspect to the current terminology, so nothing will really change.

The legislation has been diluted and I do not understand why. I do not sit on committee so I do not know why that was done, but I will support it because it is an improvement to what we presently have. However, questions will remain as to whether the remaining provinces should join the six provinces and three territories that currently observe Remembrance Day as a holiday. For example, banks and federal employees observe this as a day off.

What happened in Windsor and Essex County is really unique. New Canadians who have come from countries around the world and who have no personal connections, who do not have that gift as I and many others do, are able to attend our Remembrance Day ceremonies. This is an opportunity to further showcase that. It is also an opportunity to teach them about the real connections Canadians have.

It is not just about the fact that some people made the ultimate sacrifice. It is also about the fact that so many came back and they have contributed a lot to their communities and families. This is so critical to mention because many of those helped to establish unions, community groups, and many different organizations. They led to the many diverse ways that Canada has expressed itself and contributed so predominantly in the world.

I will be supporting the bill and I thank the member for bringing it forward. The reality is that at the end of the day, we will still be having the discussion in places like Ontario as to whether Remembrance Day will become a full holiday or not. Until that time and until that discussion, at least we in this place continue to recognize our veterans as well as their families for their continued contributions to our communities.

[*Translation*]

Mr. Greg Fergus (Hull—Aylmer, Lib.): Madam Speaker, I am pleased to take part in this debate. First, I want to acknowledge the incredible work that my colleague from West Nova did on drafting this private member's bill concerning Remembrance Day. I am encouraged to hear my colleagues across the way take part in this debate and those who say that they support the bill.

This bill is important because it gives Remembrance Day a federally legislated legal status that it did not have before. It will be given the same legal status as Canada Day and Victoria Day. We will be able to say that it is now a statutory holiday to commemorate the armistice that ended the Great War of 1914-18. There will be no exception under the legislation.

When I first looked at this file I thought perhaps that the fact that Remembrance Day had not been given the same legal status as other statutory holidays in Canada was just a fluke. Unfortunately, this exception lingered for quite some time. My colleague from West Nova, Nova Scotia, is to be commended for introducing a bill to right this wrong in Canadian law.

● (1800)

[*English*]

It is very important to understand what this private member's bill would contribute, in no longer allowing for this exception that we have of having two classes of holidays in Canada. We have one class, the legal holiday that is recognized within the Canadian legal parliamentary context, like Canada Day and Victoria Day. However, for some reason, we have taken one of our most sacred commemorations and put it at a lower level than the other two.

For me, that is not acceptable. I applaud my colleague, the member for West Nova, for taking the initiative to make sure we can do this. I would like to thank also other members from across the way for lending their support to this initiative. This is very important for us to do.

Let me also talk about what this private member's bill would not do. There is a sense sometimes; people feel that this would be creating another statutory holiday, a day when people all across Canada would have the day off. That actually is not the case. What we discovered, which is very interesting, is that holidays in this country, in terms of whether people have a paid day off, are determined by the provinces. When we have Canada Day or Victoria Day, or in my province *la Fête de Dollard*, it is determined by the provincial body whether people will have a paid holiday.

At the federal level, we determine whether this is being considered for bodies that are regulated by the federal government; for example, the federal public service. This would be considered a legal holiday when the federal government would not be at work. For all of us here in Parliament, it is a similar kind of thing. That is where we have that aspect of where it applies.

For other industries and employment situations that are regulated by the provinces, it is up to the provinces to determine whether they can take part in this holiday. That is what they do for Canada Day. I think it would be politically unwise and impossible to do, but a province theoretically could determine that Canada Day would not be considered a statutory holiday, a paid holiday, for the purposes of employment. People in that province would have to show up to work. That is beyond what would be reasonably acceptable, and we would not expect that to happen.

I think Bill C-311 has been warmly received by Canadians across the country. I find more and more in my riding of Hull—Aylmer that people recognize the importance of Remembrance Day, even though we move further away in time from World War I. There are no living survivors of World War I. As we move away from the wars in which Canadian troops have participated, I find it a funny thing that the younger generations in schools in our communities are participating more in Remembrance Day activities. Either people will cross the river to come to the national cenotaph here, or they will go to the cenotaph in the Aylmer sector of my riding.

Last year, we had close to a thousand people who celebrated on November 11. We had women and men taking part, of course, who were serving in our forces. We had veterans come out in uniform to participate. What was really encouraging was seeing regular folks from Hull—Aylmer take part in this, people who came out to recognize the importance and the service that the women and men in uniform have made over time and the sacrifices that they and their families have made. It was really touching to see.

I think we owe it to them, and to all Canadians, to make sure that Remembrance Day shares the same legal definition that other federally regulated holidays have, such as Canada Day and Victoria Day. That is why I feel it is important for us to recognize the sacrifice that our brave women and men have made, to bring it up to the same level, and to allow Remembrance Day to finally have the same legal status in the Holidays Act.

● (1805)

[*Translation*]

I also want to touch on some of the provisions in this bill. One of them addresses the fact that if November 11 falls on a Saturday or Sunday, the following Monday will be considered a statutory holiday and celebrated as Remembrance Day.

That is important. Through this bill we are making sure that Remembrance Day is treated the same as all the other statutory holidays under the Holidays Act.

Most importantly, not only does the main clause of the bill raise the legal status of this holiday, but the bill also provides that the Canadian flag on Parliament Hill will fly at half-mast on Remembrance Day in recognition of the sacrifice made by our troops and our veterans.

[*English*]

Hon. Erin O'Toole (Durham, CPC): Madam Speaker, it is a privilege for me to rise today and debate Bill C-311. It is an honour as a parliamentarian, but also as a veteran and as a former minister of veterans affairs. In many ways, this speech will have elements of my speech in this place in 2014 because this issue keeps coming back to the floor of the House of Commons. Any time we debate remembrance of those who have served our country, it is worthy of debate in this House, probably the most important debate we can have. Therefore, I thank the member for West Nova for bringing this modest contribution. His bill would add a word creating a legal holiday with respect to November 11, and it builds in part on the bill in the last Parliament, Bill C-597, which I spoke to, brought by MP Dan Harris from the New Democratic Party, then member for Scarborough Southwest, who had a slightly more substantive bill with respect to this, which was not successful. He also had provisions with respect to the flag.

However, I can say that several Parliaments have had this debate. Several members have mentioned that really the statutory holiday elements of this are provincial. In 1982, former premier Bill Davis removed the statutory element for Remembrance Day in Ontario. I am an Ontario MP. I certainly know that schools and other organizations make an effort to remember. I served in Nova Scotia when I was in the RCAF, and certainly I saw the large cenotaph gatherings in that province because of the holiday, so it really is at the discretion of the provinces. Several members have mentioned that. I am going to bring a history of the day to our debate today because that is important. I hope some Canadians want to see how our country has evolved our remembrance.

Especially in our 150th year, we really have to thank the people who served and sacrificed for us. In our 150 years, 1.5 million Canadians have served our country throughout our history, so debates about Remembrance Day or Armistice Day are important. I would also like to say that nobody has fought for this issue to come to debate in the House of Commons more than Wilma McNeill from Sarnia. I have met Ms. McNeill, I have seen her letters, and I know her advocacy, so I thank her for that. She has been doing this for over 27 years, trying to have all provinces recognize it as a holiday, and I thank her for that advocacy. I certainly agree that more Canadians need to remember; it is how we remember that is important.

It was in this place in 1919, following the Great War, following the rebirth of this Parliament when the buildings were reconstructed and our Peace Tower was a reminder of the sacrifice of the Great War, that a motion was brought by MP Isaac Pedlow in 1919 to recognize Armistice Day. The Great War ended at the 11th hour on the 11th day of the 11th month, and November 11 became significant for the peace that was finally secured after the terrible horrors of the Great War. It was just a motion to acknowledge that, in 1919, and it was two years later that an act came before this House for the first time, the Armistice Day Act. It was still called Armistice Day at that time.

What is interesting is that our country's early marking of this remembrance, Armistice Day, was not on November 11 for pretty much the first decade. It was on the first Monday of the week of November 11. Because at that time Thanksgiving was at the discretion of the federal parliament, it was tied together in a holiday alongside Thanksgiving. However, in the years that followed that, a lot of Great War veterans did not like the fact that those holidays, Thanksgiving and the remembrance of Armistice Day, were attached to each other and there was a floating date. Increasingly, veterans, regardless of what day was recognized as the holiday, were gathering at cenotaphs across the country and gathering here in Parliament, and a decade later at the great War Memorial that was built, to recognize November 11 in moments of silence, on the 11th.

It is interesting that in the years after the Great War all of these veterans organizations, Great War empire veterans, finally gathered together into one national organization, the Royal Canadian Legion, in 1925.

● (1810)

I know many members on both sides of the House are members of that very important service organization. I thank all of the Legion members and the service officers for the critical work they do, and I saw that first-hand as veterans affairs minister. They are the front line serving our veterans, and they have been since 1925.

At their founding convention in Winnipeg, the Great War veterans addressed the issue of remembrance, and they did not want the Monday observation of Armistice Day alongside Thanksgiving to be maintained. The Great War veterans spoke and that led to change.

I want to take this opportunity to remind members of the House of the act to incorporate the Royal Canadian Legion. I would also remind the Minister of Veterans Affairs and his parliamentary secretary, who I know is very passionate about her role. She has children serving in uniform, and is very proud of them, and should be.

However, at that founding convention, veterans put themselves together to help one another and to mark remembrance. The next year, Parliament passed another act in 1926 to incorporate the Royal Canadian Legion. I would refer members to section 4, the purposes and objects of the Legion. I would note that no other service club has its mandate from an act of Parliament, but in section 4(f), Remembrance Day and remembrance was actually given to the Legion, and it reads:

> (f) to promote and care for memorials to their valour and sacrifice, to provide suitable burial, to keep an annual memorial day...

There are a number of other purposes and objectives that Canadians and parliamentarians should get to know, because long before there was a Veterans Affairs Canada, there was the Royal Canadian Legion. It was empowered by Parliament to help care for our veterans, and to help preserve their service and sacrifice. Therefore, it was actually the Legion that wanted November 11, and not a floating holiday, to be significant in the history of our nation, and to have the moment of silence surrounding the Armistice at the 11th hour.

From the direction of the Great War veterans, the Royal Canadian Legion, there was finally another motion brought to this chamber by the MP for Comox—Alberni. The motion's intention was to fix November 11 as the permanent Armistice Day. The interesting part of that debate was that most members had heard the Legion loud and clear and said, “November 11 it will be”. However, another member from Vancouver Island, the MP for Nanaimo, added to the debate and to the motion, and said the day should no longer be called Armistice Day, because it is not just marking the Armistice agreement, but that it should be marked as Remembrance Day. The member, C.W. Dickie, at the time said, “We wish to remember and perpetuate” the Armistice, and the peace secured at tremendous sacrifice to Canada.

It was interesting that, in those same years, the formation of what we know as Remembrance Day was just being formed by our country. The Peace Tower and the Book of Remembrance was being put in place just above us on most hallowed ground in this building. Each day a page is turned for the thousands of Canadians who fell in service to our country.

The debate that comes before us today is significant. To echo my friend from Barrie who quoted the executive director of the Royal Canadian Legion, we must respect the Legion's opinion with respect to Remembrance Day, because a previous Parliament empowered the Royal Canadian Legion by an act in 1926 to maintain the memorial to our fallen. The motion in 1931 created that on November 11 and called it Remembrance Day. Therefore, I support Bill C-311 today, and we should adhere to what the Legion, the true guardians of this day, want with respect to how the provinces handle it.

I want to thank the member, I want to thank the Legion, I want to thank Wilma McNeill, and all those Canadians who make sure that we live up to the expression “Lest we Forget”.

● (1815)

Mr. Colin Fraser (West Nova, Lib.): Madam Speaker, I want to thank everyone who has participated in the debate on my private member's bill, Bill C-311, an act to amend the Holidays Act (Remembrance Day). I sincerely thank all the members of the Canadian heritage committee for their work after second reading, and reporting the bill back to the House with constructive amendments.

I want to thank the other members of Parliament who, over the past number of years, have introduced similar legislation, but for one reason or another did not make it all the way through the legislative process. These members include members from the Conservative, NDP, and Liberal parties. As well, I sincerely want to thank all of the organizations and individuals, both opponents and proponents, for their thoughtful and respectful contributions to the debate.

Most notably, and as the member a moment ago did, I want to recognize Wilma McNeill of Sarnia, Ontario, who has been a champion of this bill, and similar ones before it for almost 30 years. Her dedication to the issue of elevating the status of Remembrance Day is an inspiration, and I have enjoyed getting to know Wilma throughout this process. It has been a great privilege to put forward Bill C-311 and work with colleagues in getting this piece of legislation through the various steps in the House.

As I mentioned in my speech at second reading and earlier in the first hour of debate at third reading, the bill would afford Parliament the opportunity to do a couple of things. First, it would help fix inconsistent language in the federal Holidays Act, so that Remembrance Day would be put on an equal footing with other days such as Canada Day and Victoria Day in federal statute. This would elevate the status of Remembrance Day to ensure it is being properly recognized in federal law. A motion alone could not add the consistency and elevate the status of Remembrance Day by changing the language in the Holidays Act. Only another bill or act of Parliament can do that.

The other thing it would do is affirm Parliament's commitment to this important day of November 11 as a solemn day of remembrance in Canada. I believe it is important for us as parliamentarians to shine a light on the significance of this day, and state clearly why it is unique and deserving of prominence, while at the same time allowing us to reflect on the way we mark November 11 across our country.

I want to be very clear, as I have throughout this entire process at every single step. This bill would not and could not create a national holiday across Canada. That is not within the purview of Parliament to do. It is up to each province and territory to decide for themselves whether people get the day off work or school on November 11. This bill would not give anyone the day off who does not already have the day off. For federal employees, that day is determined through the Canada Labour Code.

Throughout the debate, the main contention raised against Bill C-311 is that the Royal Canadian Legion Dominion Command does not support the bill. First of all, I have tremendous respect and admiration for the Royal Canadian Legion, and the good work they do across Canada, especially in smaller communities, where not only is it a gathering place for veterans but in many ways is at the very heart of the community.

There are 14 Legions in my riding of West Nova, and I am so proud of the work they do in our community supporting veterans. I am also proud of the support they have shown me with this bill, and the great relationships I have built with them in my time representing them as their member of Parliament.

It was mentioned in debate that the matter of a national holiday for remembrance has been the subject of many resolutions at the national Legion conventions over the years. There has always been a healthy debate about it. In the end, the position has been to be against it. Bill C-311 would not and could not make a national holiday. Again, it will remain up to the provinces and territories to make those determinations.

At the heritage committee, while studying this bill, a Legion member and former president of the Kingston, Nova Scotia branch, Dave Geddes, came before the committee and said:

> ...when that came to the floor, it was never brought forward like this bill is—that it would be a federal one, and it would be up to the provinces to enact it as they see fit. I think that if it had been brought in that manner, you would have seen a different vote.

This bill and the intention behind it is definitely not what the Legion members were actually voting on in those resolutions. While I totally respect the point of view of the Dominion Command on this topic, I respectfully disagree, because this bill would not do what they seem to say it would.

With regard to the comments from the member for Edmonton Strathcona, there was no change to the bill in the first section. Therefore, it was not watered down.

● (1820)

In conclusion, we can all agree on the importance of Remembrance Day in Canada. We also share the desire to ensure this day appropriately honours the sacrifices, and I ask for passage of this bill.

The Assistant Deputy Speaker (Mrs. Carol Hughes): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Assistant Deputy Speaker (Mrs. Carol Hughes): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Assistant Deputy Speaker (Mrs. Carol Hughes): All those opposed will please say nay.

Some hon. members: Nay.

The Assistant Deputy Speaker (Mrs. Carol Hughes): In my opinion the nays have it.

And five or more members having risen:

[*Translation*]

The Assistant Deputy Speaker (Mrs. Carol Hughes): Pursuant to an order made Tuesday, May 30, 2017, the recorded division stands deferred until Wednesday, June 21, at the expiry of the time provided for oral questions.

The hon. member for Laurentides—Labelle on a point of order.

[*English*]

Mr. David de Burgh Graham: Madam Speaker, I would seek the consent of the House to see the clock as 6:30 p.m.

The Assistant Deputy Speaker (Mrs. Carol Hughes): Is it agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

● (1825)

[*Translation*]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-51, an act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another act, be read the second time and referred to a committee.

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Madam Speaker, I am pleased to rise in the House today.

We just decided to see the clock as 6:30 p.m. As a member of Parliament I always find it fascinating and somewhat magical to see how this place works.

That segues nicely into the bill before us. There are several parts to this bill, but one part seeks to remove outdated provisions from the Criminal Code, including a provision on magic. I find that especially interesting as a matter of discussion.

One example of an outdated section of the Criminal Code is the provision under which it is prohibited to fraudulently pretend to practise witchcraft. It is not hard to see that these measures are no longer of any real use. Over the past few years, only one case of fraudulent practice of witchcraft was prosecuted under section 375. When the person being prosecuted agreed to reimburse their clients, the charges were dropped.

Another example of an outdated measure that will be removed through this bill is the ban on challenging another person to a duel. It will therefore now be permissible to challenge someone to a duel.

As a former fencer, a sabre fighter, I find it particularly interesting to know that I could now challenge someone to a duel. That is interesting. All kidding aside, those types of provisions in the Criminal Code have not been used in a very long time and are no longer really relevant. It makes complete sense to remove them from the law and it is something that could have been done quite quickly.

Before we move on to private members' business, I just want to mention that the former Conservative justice minister proposed that the bill be divided so that we could study the different measures separately. This would have enabled us to get through these outdated Criminal Code provisions very quickly.

For the sake of the debate, I will list a few other sections that will be withdrawn. Many of us have probably done this without knowing it was against the law, but it is prohibited to offer a reward without questions for the return of a stolen item. We see this occasionally, especially for items with sentimental value. For example, it might be a camera containing all our vacation photos and the birth of our children, so photos that are very important and meaningful. It is the photos that give value to the device. Many people who really wanted their photos back often said that they would not ask questions if the camera was returned because all they wanted was to get their pictures. Most people did not know that under the Criminal Code it was illegal to do that. I think it is appropriate to remove those measures.

Possessing a crime comic is also a criminal offence. It was believed that reading a comic showing a crime could lead young people to criminal behaviour. We have moved well past that, in any case. Young people still read comics, but society has moved on to more advanced technologies like video.

It is a good thing to remove these outdated measures. Unfortunately, eliminating all these provisions from the Criminal Code will not solve the problem set out in Jordan, namely that our courts are bogged down and that proceedings must move more quickly if we want to provide better justice. Neither will it prevent the release of criminals due to overly long delays.

● (1830)

This situation will not be fixed because unused sections are being removed. Even if they are taken out of the Criminal Code, there will not be fewer cases before the courts, because these sections were not being used anyway.

The bill will ensure that, with respect to government bills, the Minister of Justice will table a notice of compliance with the charter of rights. That is fine, because it is important to have access to that information.

The rest of my speech will focus on one of the other provisions of the bill, a particularly interesting one. It will clarify the notion of consent with respect to sexual assault. This is particularly important, and I believe that when the bill is examined in committee it would be worthwhile to seriously think about further clarifying some of the other aspects.

As for sexual assault, the bill clarifies the fact that someone who is unconscious is unable to give consent. I know that this seems like common sense for most people, but this will be explicitly clarified. Consider what happened recently when a taxi driver was caught with his pants down with an unconscious victim in his taxi. Unfortunately, he managed to win in court because he said that when the act began, the individual was conscious and then lost unconsciousness afterward. By explicitly setting out that an unconscious individual is unable to give consent, this avoids having victims not being recognized as such, and it prevents perpetrators from getting away with assault through what, for goodness' sake, is some offensive legal trickery. To any reasonable person, it is patently clear that someone who is unconscious cannot give consent and that, by extension, someone who becomes unconscious withdraws consent.

Therefore, the defence of mistaken belief will no longer be available. The bill clarifies that a person must have confirmation of consent and cannot simply say that they were certain of having obtained it; that line of defence will no longer be sufficient. That is also important, because it specifies that you cannot simply say that you are sure to have obtained consent, and that is it. The bill goes much further in the notion of consent. It says that you must be really sure and that you cannot simply rely on your own judgment to deem that a person is consenting.

That broadens the scope of the rape shield provisions. For instance, it prevents the use of communications of a sexual nature. The courts have already demonstrated that it is not possible to use a victim's sexual history to undermine her credibility. What is being added is the electronic version of all that. For instance, you cannot use text messages, messages sent by the victim to her Messenger contacts or by email to suggest that she is promiscuous. The prohibition on using a victim's prior sexual history is being updated with the addition of new technologies. That is a useful aspect.

Right now, I would like to talk about another concept, which is all too often ignored and truly deserves serious consideration. When we do the study in committee, I would very much like to see this concept corrected as well. Much like in the bill, this revolves around consent.

● (1835)

What I will be talking about also revolves around consent. I am talking about stealthing, the act of deliberately and secretly removing a condom during sex without consent from the other person. Often people do not realize that it is a crime, but it is. According to some articles I read, this practice is on the rise. It is important to state clearly in the bill that this is a criminal offence.

When someone consents to having protected sex with another person, then removing the condom without discussing it first amounts to withdrawing consent. It is sexual assault. Victims find that they are not taken seriously when they report this assault to the police. They are told that if they are not pregnant and did not catch an STD, then they have no reason to complain because they consented to the act in the first place. The victims feel extremely bad, dirty, and very misunderstood. They are often told that it is not a crime.

Police officers need to be better educated, but we also have to amend the bill in committee to clarify the concept of sexual consent. We must make it clear that when someone consents to having sexual relations under certain conditions, using a condom for example, and another person secretly removes the condom, that constitutes sexual assault. This would help make the victims feel better understood and would avoid minimizing what they went through. That clarifies consent.

Moreover, just because someone consents to sexual relations that does not mean they have consented to anything and everything. Partners have the right to set their limits. There are some things that people do not want to do. Just because someone consents to having sexual relations with another person that does not mean that they are agreeing to engage in sodomy. If a person does that against their will, even though they may have consented at the beginning to the sexual relations, any action that goes beyond that consent becomes sexual assault.

Unfortunately, this is poorly interpreted. When victims complain to the police, they are told that it is partly their fault because they consented at the outset, that nothing can be proven, and it will be their word against their partner's. Therefore, people do not complain and, since there are no complaints, there are no convictions. As a result, in people's minds, this may or may not be a criminal act.

On the subject of stealthing, in January, a French man was convicted of rape in Switzerland, because he had removed the condom during sex. I have not found any case law on the subject here, but this might apply to some cases.

For example, there is the case where the male partner intentionally put holes in the condoms so that his partner would become pregnant. He was afraid of a breakup and believed that his spouse would not leave him if he made her pregnant. The court eventually recognized that this was sexual assault, because she had not consented to unprotected or unsafe sex. She had consented to sexual relations with a condom.

● (1840)

With regard to consent, we must take the opportunity afforded to us by Bill C-51 to broaden the scope and add amendments to really clarify this concept. That way, there will no longer be any doubt when the courts have to interpret consent in sexual assault cases.

If all of the amendments are passed, the concept of sexual consent will eventually be clarified. I think it is a good idea to ensure that this information is passed on to police officers. We also need to ensure that the police have more training so that they have a better understanding of what constitutes sexual assault, because in some cases they may think that a person has not been sexually assaulted when in fact he or she has and they should be investigating. Crown prosecutors who analyze these cases and police investigations must also receive training, obviously.

Another important thing to point out about sexual consent and sexual assault is that, although legal measures can be taken to clarify these concepts, funding is also necessary to help victims. We need to ensure that they are properly represented and have the help they need to cope with this ordeal. We need to be logical about this. If we really want to help victims of sexual assault, we cannot just look at this issue from a legal perspective. We also need to look at it from a financial one. Victims need access to legal programs and support programs.

Sexual assault has an enormous impact on victims and their ability to contribute to society. I think we would be wise to invest in better support for them so they can recover more easily. Recently, there has been a lot of talk about post-traumatic stress disorder. However, we need to bear in mind that many people suffering from it are victims of sexual assault. Too often they stay silent or avoid talking about it much. We must be able to support victims and provide them with the necessary care. When looking at compensating victims of crime, we need to avoid subjecting them to a never-ending administrative process. They have already gone through enough psychological trauma. They do not have the energy to fight to be recognized as victims. For many of them, just saying that they are victims of rape or assault is very difficult.

We still have a lot of work to do. I sincerely hope that the committee will study this bill carefully. I also hope that we will accept amendments to explicitly clarify consent by including "stealthing" and by clearly explaining that consent can be withdrawn at any time during sex. Even during the act, a person can withdraw consent if things are not happening the way they should. If the individual withdraws consent but the partner does not respect this decision, this is sexual assault.

I hope we will do the work required for the sake of victims. The concept of consent must be clarified to avoid such cases in court. In some cases, if we had used common sense, we would have clearly seen that this did not make sense, that the individual could not have given consent. I believe that, if we clarify this concept, we will be able to avoid traumatizing victims going through the legal process and having them come out of it in worse shape than they were at the beginning.

I look forward to answering my colleague's questions.

● (1845)

Mr. Tom Kmiec (Calgary Shepard, CPC): Madam Speaker, I would like to thank the hon. member for her remarks.

As I see it, we all agree that the provisions in the bill dealing with sexual assault are good ones. Good amendments have been proposed and they will provide assistance for the victims of this shameful crime.

I would like to ask my colleague a question. When the Parliamentary Secretary to the Minister of Justice gave his presentation on the bill, I asked him why we were taking out section 176 of the Criminal Code. He replied that one of the reasons why some sections of the code were being removed was that they were no longer being used. I gave him an example of one case in Ottawa, on June 9, 2017, in which one of the sections was used in the criminal proceedings that are currently going on.

Why does the hon. member think that the parliamentary secretary was not aware of that fact?

Ms. Christine Moore: Madam Speaker, I am afraid that I do not have a very good head for figures. Perhaps the hon. member could tell me what he is referring to. I would like to know what specific section he is talking about.

Mr. Tom Kmiec: Madam Speaker, I should have said that it was specifically about clause 14 of the bill. That clause refers to section 176 of the Criminal Code. It reads as follows:

> **176 (1)** Every one who (a) by threats or force, unlawfully obstructs or prevents or endeavours to obstruct or prevent a clergyman or minister from celebrating divine service or performing any other function in connection with his calling…

It continues along the same lines. I therefore wanted to ask my colleague why she thinks the parliamentary secretary was not aware of the fact that, as of June 9, 2017, there has been a criminal case going through the courts, right here in Ottawa, that involves this same section, which prohibits a person from interrupting divine service or a funeral officiated by a clergyman.

Ms. Christine Moore: Madam Speaker, I think it would be a good idea to research when and where all these sections were used.

They were applied recently in some cases, as in the example I gave earlier of using magic. Sometimes sections are removed from the Criminal Code because it is felt that other statutes might offer the same protection. For example, while there is a Criminal Code provision on preventing clergymen from celebrating divine service, other sections might talk about religious discrimination and could apply, meaning there would be no need to look specifically for the first section. Another more generic provision might apply. That may be the parliamentary secretary's interpretation, but I must say that I did not do his work for him. It is up to him to do his research. I have no idea why he was unaware of this case.

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Madam Speaker, in her speech, my colleague spoke quite a bit about consent during sexual relations and sexual assault. Currently in the United States, there is a case in the headlines involving Bill Cosby. He said that a person he had sex with had given her consent, but she had been drugged. I would like my colleague to comment on a situation where the alleged attacker says that the person consented because she was conscious, when she was in fact drugged.

Ms. Christine Moore: Madam Speaker, the concept of consent implies that the individual is capable of giving it when he or she is asked. I will give an example that is not really related, but nevertheless shows how pertinent this is.

Before patients are taken to the operating room, as a nurse, I have to have them sign a consent form indicating that they consent to the surgery. If we realize that a patient has not signed the consent after he is already in the OR and under sedation, it is too late to have him sign the form. We have to wait for the effects of the medication to wear off and seek consent once we are sure that he is fully lucid.

If drugs are involved, even if the person is capable of giving consent, that means absolutely nothing, in my view. In the medical field, we do not allow patients to give their consent to any care or treatment if they are already under the effects of a substance that might prevent them from giving their free and informed consent.

● (1850)

[*English*]

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Madam Speaker, I will be splitting my time with the member for Yorkton—Melville.

I am pleased to speak in support of Bill C-51, and will focus my remarks on proposed amendments to the Criminal Code that pertain to sexual assault.

In light of testimony we heard at our status of women committee during our recent work on violence against women, this is extremely welcome legislation. I am pleased to see the work of our committee reflected in Bill C-51.

At the heart of the legislation, there is better protection for survivors of sexual assault. These proposed reforms flow from the complex legislative history in this area and must be understood in that context.

Major reform of the criminal law's approach to sexual violence began in 1983 and continued throughout the 1990s. These reforms were in response to concerns expressed by women and survivors groups, and to certain court decisions that were viewed as failing to adequately protect survivors of sexual assault, who were disproportionately women and girls. These legal reforms were intended to encourage reporting, improve the criminal justice system's response to reports, and change discriminatory views of complainants that resulted from myths and stereotypes about survivors of sexual violence and how a "true victim" was meant to behave.

The 1983 reforms introduced new gender-neutral sexual offences that captured a broader range of conduct, which focused on the level of violence used by the assailant, rather than the type of sexual act committed. Specifically, these reforms brought into force the three general sexual offences that we have in the Criminal Code today.

The 1983 legal reforms also brought into force Canada's first "rape shield" law that was designed to prevent the admission of evidence of a complainant's sexual history for an improper purpose.

Prior to 1983, evidence of the complainant's prior sexual activity was admissible in court to show that she was more likely to have consented to sexual activity or that she was less worthy of belief. Additionally, an accused was permitted to interpret a complainant's passivity as consent. These inferences, which were being applied in the courts, were based on harmful and discriminatory stereotypes about how women and survivors of sexual assault were meant to behave.

In 1991, the Supreme Court of Canada struck down the 1983 version of our rape shield law. In 1992, Parliament responded to the court by enacted the charter-compliant rape shield law that we have today. Specifically, then minister of justice, the Right Hon. Kim Campbell, amended the rape shield provisions to create two distinct rules. One categorically excluded evidence of a complainant's sexual history when it was introduced to infer one of the rape myths. The other presumptively excluded evidence of a complainant's sexual history when introduced for other purposes, unless specific criteria were met.

The 1992 amendments also included a clear and affirmative definition of consent as the "voluntary agreement of the complainant to engage in the sexual activity in question", as well as the non-exhaustive list of circumstances in which no consent could be obtained in law, for example, where the complainant was incapable of consenting, or where she expressed a lack of agreement.

The 1992 amendments also limited the accused's ability to advance the defence known as "mistaken belief in consent". The law is now clear that the defence is not available where the accused's belief in consent arose from self-induced intoxication, recklessness or wilful blindness. Nor is the defence available where the accused failed to take reasonable steps to ascertain that the complainant was consenting.

In 1997, the Criminal Code was again amended to prevent the accused from engaging in so-called fishing expeditions by seeking production of complainants' private records in order to undermine their credibility. The third party records regime was enacted as a specific response to the Supreme Court of Canada's 1995 O'Connor decision, which did not require consideration of sexual assault complainants' privacy rights in determining whether their private records that were in the possession of third parties should be produced in a sexual assault trial.

This "third party records regime" enacted by Parliament limits the accused's access to the complainant's private records. Consideration of the complainant's right to privacy must be considered when determining whether her private records should be produced to the accused, in addition to the accused's right to make full answer and defence.

● (1855)

Crucially, the Supreme Court upheld the third party records regime as constitutional in its 1999 Mills decision. The Supreme Court also clarified our existing sexual assault provisions in its 1999 Ewanchuk decision. In that case, the survivor was a 17-year-old woman who was sexually assaulted in a van by a man purporting to interview her for a job. The accused was acquitted at trial, and his acquittal was upheld by the Alberta Court of Appeal in an infamous decision involving a finding that consent was implied because the complainant failed to resist, she was sexually experienced, and she did not present herself to the accused, as one of the judges called it, in a bonnet and crinolines. Both the lower and upper courts acquitted the accused of sexual assault, despite the fact that the trial court found that the survivor clearly expressed her lack of consent a number of times.

The Supreme Court's decision in Ewanchuk overturned these findings and continues to state the law on sexual assault to this day. Specifically, the court held that there is no defence of implied consent to sexual assault. An accused is not entitled to interpret passivity as "yes". Consent requires an affirmative communication of "yes" through either words or conduct, and "no" can never mean "yes". The Ewanchuk standard of consent is often expressed as "only yes means yes". In other words, there is no consent unless it is voluntary and clear and given without coercion, and it can be withdrawn at any time.

In clarifying the law in this regard, the Supreme Court found that the lower courts had improperly relied upon myths and stereotypes about sexual assault complainants that are not valid in Canadian law.

Finally, in the 2011 J.A. decision, the Supreme Court held that consent "requires the complainant to provide actual active consent through every phase of the sexual activity", and that therefore it is not possible for an unconscious person to satisfy this requirement.

Unfortunately, we know that some of these myths and stereotypes have persisted despite these Supreme Court decisions. The proposed amendments in this bill are therefore aimed at clarifying the law to assist in avoiding its misapplication.

Consistent with previous Supreme Court decisions, they would clarify that no consent is obtained if the complainant is unconscious; that the accused cannot advance the defence of mistaken belief in consent where that belief is based on a mistake of law—for example, because the accused believed that valid consent can be obtained even when the complainant expresses lack of consent; that the rape shield provisions never allow an accused to adduce evidence of a complainant's prior sexual activity to support any of the rape myths; and that for the purposes of the rape shield provisions, prior sexual activity includes communications made for a sexual purpose or whose content is of a sexual nature, which would include emails or text messages that involve sexualized texts or images, often referred to as "sexting".

The proposed amendments in this bill would also clarify that a complainant has a standing and a right to counsel in rape shield proceedings, just as the complainant already has a right in the context of third party records proceedings, and the amendments would create a new regime that would apply to the admissibility of the complainant's private records that are in the possession of the accused, just as the current rape shield provisions apply to the admissibility of evidence of the complainant's sexual history.

These proposed amendments strengthen our already robust sexual assault provisions by clarifying and bolstering the law and facilitating its proper application. This is just one response to a complex issue that has raised significant concern over the past decades. Complainants continue to lack confidence in the criminal justice system, as reflected in the fact that the vast majority of sexual assaults go unreported, and when they are reported to the police, the vast majority never make it to trial.

Recent media reports have brought this critical issue to the forefront, and I urge all members to join me in supporting this important step toward ensuring that the criminal justice system responds effectively and appropriately to this gendered crime by giving survivors of sexual assault the respect and dignity they deserve.

● (1900)

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Madam Speaker, I want all members of the House and all Canadians to know that Conservatives fully support any changes in this bill that would clarify and strengthen sexual assault provisions in the Criminal Code.

The health committee recently conducted a study on the effect of pornography. The health committee heard all kinds of evidence that violent and degrading material can result in harm to our children and violence toward women and girls, yet this evidence was totally omitted from the final report. Because the evidence was omitted, there is also very little in terms of recommendations. In fact, there was a failure to forward meaningful recommendations.

Why would the Liberals talk about strengthening sexual assault provisions on the one hand, yet at the very same time, just a few days ago, reject the evidence and fail to put forward meaningful reports that would protect our children from this kind of material?

Ms. Pam Damoff: Madam Speaker, it was actually the status of women committee that did the study. We had an abundance of testimony that all forms of violent and degrading sexual images of women contribute to sexual assault. It was not just limited to pornography. In fact, one witness testified that she had gone through over 300 studies on the issue and verified that whether it is a bus shelter ad or a music video, regardless of where violent and degrading images are seen, there is an impact on sexual assault. As a result, our recommendations reflected the testimony that we heard about all forms of violent and degrading sexual assault.

Ms. Rachel Blaney (North Island—Powell River, NDP): Madam Speaker, the NDP is happy to see the rape shield changes move forward. They would allow a complainant to have a lawyer present during the proceedings. That is very welcome.

However, one of the realities is that this legislation does not address in any way the income disparity of so many women across Canada. The Liberal government, being a feminist government, has announced many times that it wants to make sure women are safe and protected, but that means making sure that they have the resources.

I am wondering if the hon. member would tell us a bit about the investment that I hope to see soon to address these issues in legal aid for women.

Ms. Pam Damoff: Madam Speaker, the hon. member is absolutely correct that it is difficult for many women to access the legal system.

In our study on violence against young women and girls, we saw that many of the challenges facing them are under provincial jurisdiction. Things like the availability of legal aid, training for crown prosecutors, and training for police officers fall under provincial jurisdiction. Much of the testimony we heard was outside the scope of the federal government.

That is why we asked the Minister of Justice, the Minister of Public Safety, and the Minister of Status of Women to work with their provincial and territorial colleagues to not only pass along the concerns that we have found but also to encourage them to look at making it easier for women to come forward and have access to the justice system. We never want a woman to feel that she is unable to come forward and that she will not be fully supported throughout the process.

Ms. Kamal Khera (Parliamentary Secretary to the Minister of National Revenue, Lib.): Madam Speaker, I thank my hon. colleague and my friend for all the excellent work she does on the status of women committee.

As my colleague just mentioned, in recent news reports we have heard that many women do not come forward in sexual assault cases. Could the member please elaborate on how this extremely important piece of legislation will encourage victims and survivors of sexual assault to come forward and seek help?

● (1905)

Ms. Pam Damoff: Madam Speaker, I addressed a lot of my colleague's comments in my speech, but there is certainly a perception that things like consent, or no means no, will allow women to have confidence to come forward knowing that their concerns will be taken seriously by the justice system.

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Madam Speaker, on June 5 the Minister of Justice and Attorney General of Canada introduced Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another act.

Bill C-51 seeks to make changes to a number of matters within the context of this one bill. This justice omnibus bill seeks to amend or remove or repeal passages and provisions that have been ruled unconstitutional or that raise risks with respect to the Canadian Charter of Rights and Freedoms, as well as passages and provisions that are obsolete or redundant or no longer have a place in the Criminal Code. I would suggest that this seems fairly subjective to the government's agenda when we are saying "no longer have a place in the Criminal Code" at this point in time.

It would also modify certain provisions of the Criminal Code relating to sexual assault in order to clarify their application and provide a procedure applicable to the admissibility and use of the complainant's or a witness's record when in the possession of the accused.

It would also require, for any bill tabled in either the House of Commons or the Senate, a charter statement outlining each bill's potential effects on the rights and freedoms guaranteed by the Canadian Charter of Rights and Freedoms.

The government House leader has called for major reforms on the introduction of omnibus bills by government, yet here we have the justice minister introducing just that.

The portion that clarifies and strengthens the sexual assault provisions in the Criminal Code, helping to support victims of horrific sexual assault crimes, is certainly the right thing to do. I am very pleased with that portion of this bill. Unfortunately, it puts many of us in an angst situation, because although we support that portion of the bill, other sections make it very difficult to support the rest.

This provision is victim-centric. That portion of the bill is good. It is sensible and reasonable, and it is certainly appropriate.

It is unfortunate that Bill C-51 is attempting to require a charter statement for all future government justice legislation. This would be a redundant process that is not necessary.

The Charter of Rights and Freedoms has been in force for 35 years now. Many governments, both Liberal and Conservative, have introduced justice legislation without a charter statement. To require charter statements on all new bills would not, nor should it, pre-empt controversial legislation from being challenged in our courts by groups and everyday citizens. After all, it is the responsibility of legislators to create law, the courts to interpret law, and the right of Canadians to challenge that law.

The Liberals were very supportive of Motion No. 103, which protects Muslims from an undefined term, "Islamophobia", yet Bill C-51 proposes to remove the only provision in the Criminal Code that protects all religious communities and all religious officials. I am very concerned that the government has decided to remove section 176, which specifically states:

> (1) Every one who
>
> (a) by threats or force, unlawfully obstructs or prevents or endeavours to obstruct or prevent a clergyman or minister from celebrating divine service or performing any other function in connection with this calling, or
>
> (b) knowing that a clergyman or minister is about to perform, is on his way to perform or is returning from the performance of any of the duties or functions mentioned in paragraph (a)
>
> (i) assaults or offers any violence to him, or
>
> (ii) arrests him on a civil process, or under the pretence of executing a civil process
>
> is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.
>
> (2) Every one who wilfully disturbs or interrupts an assemblage of persons met for religious worship or for a moral, social or benevolent purpose is guilty of an offence punishable on summary conviction.
>
> (3) Every one who, at or near a meeting referred to in subsection (2), wilfully does anything that disturbs the order or solemnity of the meeting is guilty of an offence punishable on summary conviction.

This section protects the rights of religious clergy and their members to practise their faith at an event or ceremony in safety without interference or disruption.

Last evening, I attended the sixth annual Iftar dinner at Ottawa City Hall, hosted by the Progressive Muslims of Canada. President Mobeen, whom I met at an Embassy Connections Canada event earlier on, kindly invited me, and I was really pleased to attend.

● (1910)

I am a Christian, not a Muslim. My faith does not celebrate Ramadan or Iftar dinners. However, we do fast and pray, gather together for mutual encouragement, teaching, worshipping, prayer, and meeting the needs of those who are marginalized or hurting in our midst, our communities, and the world.

My question is this. Why would the government want to remove a piece of legislation that speaks to all faiths' right to the freedom to worship and to gather without fear of reprisal? Why would the Minister of Justice want to take away legislation that affirms the safety of all clergy and protects from the disturbance those who gather in mosques, gurdwaras, synagogues, sweat lodges, churches, schools, homes, camps, cemeteries, prayer rooms, and chapels in hospitals, and in public spaces, like Ottawa City Hall, and want to replace it with a singularly focused no trespassing at night law?

I cannot fathom the rationale behind this decision. It makes no sense to me. Have the Liberals consulted their constituents, the faith communities in their ridings, to hear what their feelings are on removing section 176 from the Canadian Criminal Code?

I am very confident that this is not what Canadians or landed immigrants in our country expect from the government. This should not be part of Bill C-51. It should be removed. That being said, to make sure that I am not just expressing my own views, I will be sharing this with faith leaders in my communities and through social media, and I will make them aware of what this section says and what the government is expecting to do. I will ensure that they have every opportunity to express their concerns over what I see as a dangerous and dismissive decision to remove section 176 through Bill C-51. I will be encouraging them to contact directly the Minister of Justice.

Mr. Chris Bittle (St. Catharines, Lib.): Madam Speaker, the hon. member is going to mention to clergy in her community the repeal of this section. Is she also going to mention that there are already offences related to all of these things, such as causing a disturbance, hate crimes, assault, uttering threats, and intimidation? Section 175 covers impeding or molesting other persons and causing a disturbance; section 264, uttering threats; section 423, intimidation; and section 319, public incitement of hatred.

Would she not agree that it is not necessary to create a specific offence for a clergyman when other offences of general application apply to not only clergymen but everyone in our community?

Mrs. Cathay Wagantall: Madam Speaker, I am so pleased that the member has asked that question because what I am hearing from the member is doublespeak. We cannot have it both ways. That very argument was specifically used for why we did not need Motion No. 103, because so many of these things are already covered in our laws.

However, I want to express that this particular section was actually used recently, on June 9, in a criminal case here in Ottawa. It has been applied.

"Sins" are the term we use in my faith to represent that one has missed the mark in some way. There are sins of commission and there are sins of omission: things that one should not do that one has, and things that one should have done but did not.

This would be a sin of omission in my books because we are removing something that speaks very strongly to Canada's values and democracy, of which we are celebrating 150 years, and it is a statement within our Criminal Code. We value those who lead religious communities, their facilities, and their right to share their faith in the public square, just as we did with the Muslim community in Ottawa City Hall last night.

● (1915)

Ms. Rachel Blaney (North Island—Powell River, NDP): Madam Speaker, one of the things that we know is true in the House is that there are significant court delays that have had very tremendous ramifications in this country.

We also know that for decades now the justice system has not received the amount of resources that it needs. That is under both Liberal and Conservative governments. I am just wondering if the member could talk to us a little about what the ramifications would be and what the ramifications are of simply not having enough resources in our justice system?

Mrs. Cathay Wagantall: Madam Speaker, I am not quite sure how the question applies to the topic here.

We know that the government is behind in appointing judges. I think that is a big concern for all of us, because there are criminals being freed when they should not be. However, my focus here tonight is on the fact that we have a section of the Criminal Code that is significant in stating a value in Canada. It is the only part of the Criminal Code that specifically protects religious leaders and religious communities, all religious faiths in our country. To remove it would be inappropriate, and I believe would cause a great disservice to protecting those in our country who have faith values.

Mr. Tom Kmiec (Calgary Shepard, CPC): Madam Speaker, earlier this session, and I think it was just a month ago, this Parliament passed Bill C-305, which actually increased penalties for vandalism motivated by hate of sacred property and property used by religious institutions. We already had provisions that covered it, but we felt that even more protection, a special protection, was needed from that particular crime.

I think that is the same point my colleague, the member for Yorkton—Melville was trying to make, that section 176 offers an extra protection for members of the clergy and spiritual leaders. I would just like the member to expand on that. Could the member give us a further explanation on the comparison of Bill C-305 and the provision of Bill C-51 on—

The Assistant Deputy Speaker (Mrs. Carol Hughes): We have to give the member a chance to answer. She only has 10 seconds.

Mrs. Cathay Wagantall: Madam Speaker, that is actually a very good example of why this needs to stay in our Criminal Code.

[*Translation*]

Hon. Peter Van Loan (York—Simcoe, CPC): Madam Speaker, I will be sharing my time with the member for Mégantic—L'Érable, who is doing such a good job for his constituents.

[*English*]

However, I would first like a go at it.

This is a bill that everyone knows the Conservative Party of Canada is supporting. However, it is one of those bills that we are told is a question of modernization and to consider it to be somewhat technical. I was given this good advice long ago when I was a minister that whenever bureaucrats or officials tell us this is about modernization to start looking quickly because it is a Trojan horse; it is not all technical. Modernization is designed to wear down resistance, because anybody standing in its way clearly is somehow backward. This is a bill offered in that fashion. While there are indeed meritorious aspects of it and elements that represent a modernization, there are parts that give one cause to wonder why they are necessary or included.

There is certainly a difference between a Conservative and Liberal approach. The first of these is the very first provision in clause 1 of the bill, which proposes to repeal section 49 of the Criminal Code. This section of the Criminal Code states:

> Every one who wilfully, in the presence of Her Majesty,
>
> (a) does an act with intent to alarm Her Majesty or to break the public peace, or
>
> (b) does an act that is intended or is likely to cause bodily harm to Her Majesty,
>
> is guilty of an indictable offence....

Why would we want to say that is no longer an offence? I am sure the answer is that it is no longer an offence because there are already offences about intimidating people, harming people, or assaulting them, and Her Majesty can benefit from their protections. That is an interesting argument, except that in this very same Criminal Code they are maintaining, for example, the provisions on the intimidation of Parliament. Therefore, one wonders what the motivation is. It seems clear to many of us that the motivation is a hidden agenda of diminishing the very important role of Her Majesty in this place, and in this country. That is something that does cause us trouble.

Another example I find cute when we look at the difference between Conservatives and Liberals is that Conservatives say if something works well it is good. If the Liberals say something works well, clearly, it is irrelevant. A perfect example of this is the proposal to eliminate the provisions on duelling. Duelling is not a pressing social ill these days. I think we would all acknowledge that. The last fatal duel in Canada took place on June 13, 1833, not too far from here, in Perth, Ontario.

Therefore, I would say that tells us that those Criminal Code provisions are pretty good at doing what we want laws to do, which is to tell people what is right and what is wrong so they stay away from it. The Liberals say that since everybody is following the law we do not need it anymore. I am not sure that I agree with that. If we went through a great spurt where suddenly nobody was murdered, would they be eliminating the murder provisions from the Criminal Code? I would certainly hope not. It is a different approach. Although, it is not a great pressing social ill this day, I think it speaks to the odd approach of legislating that we have here by the Liberals.

There is another provision, which is the one that my friend from Yorkton—Melville was just speaking to, which is a Criminal Code provision the Liberals are proposing to repeal that deals with threats or force that, "unlawfully obstructs or prevents or endeavours to obstruct or prevent a clergyman or minister from celebrating divine service or performing any other function".

Why would they want to get rid of that? They say there are other provisions that exist. There has been a debate about these things. We can think of two high-profile examples in recent years. One is the group in Russia with the interesting name Pussy Riot that launched a protest on stage during a Russian Orthodox service in Russia against the way that Vladimir Putin has essentially taken control of the Russian Orthodox church and made it an agent of government will and policy. That was generally celebrated in the west as an act of free speech and expression.

On the other hand, we have examples here in North America that we condemn. One thinks of the Westboro Baptist Church, a group that has made a habit of, I think very unfortunately, protesting at the funerals of dead American servicemen who have been returned. They have threatened to do the same thing in Canada. Their argument is that the death of these military servicemen abroad is evidence of God's anger at society's acceptance of homosexuality, so they traumatize families by disrupting these funerals and services.

I think we would all agree that is not necessarily a good thing and is a reason to have a good provision like that. My friend on the other side mentioned that there are other things that already protect this, and we will talk a bit later about the charter and the role of the charter.

● (1920)

If one is balancing the general question of disrupting an event, such as an assault causing discomfort, then something like the Westboro Baptist Church activity could be protected, as it is in the United States under its free speech provisions. It could be protected under our charter provisions. However, if we have a Criminal Code provision, as we have right now, that creates a specific offence for disrupting a religious service or ceremony, such as a funeral at a graveside, that might mean that the charter threshold is a little bit higher because of the specific nature of the offence. While free expression is a good thing under the charter, the right of people to worship is also important. Parliament has said that it is important.

What would a future court do? It would say that this Parliament expressed its intention by taking away that special protection. That would no doubt change how that charter argument plays in the future. Again, it is a reason I would encourage the government to consider removing those provisions from the bill.

There is another one I find interesting and am very puzzled about. It is the proposal to remove section 370, which creates an offence for fraudulently publishing a government proclamation or notice of appointment. It seems to me a pretty reasonable thing to do. If someone is creating false government documents that order people to do things, as proclamations do, why would we want to suddenly take away that offence? It just puzzles me. Why would we want to make it legal for people to produce false government proclamations that would mislead people?

Then, of course, there is section 365, which is the offence of fraudulently practising witchcraft. We all chuckle and laugh, but I can understand why the party of Mackenzie King would want to make legal the practice of witchcraft, sorcery, and talking with people who have passed from this world, as Mackenzie King enjoyed doing. The concern is, and we have all heard stories like this, that people use these kinds of fraudulent witchcraft powers to persuade people that, for example, if they put $10,000 in an envelope, which they say will be burned but they slide it under the table instead, he or she will be saved from whatever curse they say the person is under. These things really happen in our society, even in this day and age. Does that provision, as it exists right now, cause any harm? No. Does it give the police an avenue or resource in the case of those particular unusual offences? Yes, it does.

This is why I ask why we need to look around for things to change, in the name of modernization, for the sake of changing. Some people would say it is very simple: the government does not have much of a legislative agenda. I can appreciate that this might be the case. However, the Conservative approach is that if something works, and it is not causing any harm, why change it? If it might, in the past, have provided some demonstrable good and protection, perhaps it does not need to be changed. Absent evidence of some demonstrable harm, why would we need to go there?

The last thing I want to talk about is the question of the charter statement. This, as a lawyer, is something I find very puzzling. Proposed subsection 4.2(1) states:

> The Minister shall, for every Bill introduced in or presented to either House of Parliament by a minister or other representative of the Crown, cause to be tabled, in the House in which the Bill originates, a statement that sets out potential effects of the Bill on the rights and freedoms that are guaranteed by the Canadian Charter of Rights and Freedoms.

I thought that was the job of the courts. The courts are there to pass judgment on it. If the government is saying to the courts that it has already looked at it and it complies, and one should hope that it is only introducing bills it believes comply, does that create undue pressure on the court to treat it as being charter valid? We often hear people say that they are not going to comment on something because it is before the courts. A minister will say that, because we are not supposed to, as a government, be interfering in that fashion. Would this do that?

Even worse, what happens when a court starts striking it down? What is served by a notice like that if it is then proven repeatedly to be wrong? Does it prove that the Minister of Justice was not very clever or that the staff of the Justice Department really are not very good lawyers after all? Is that going to constrain the Supreme Court or any other court in the exercise of their judgment? I am puzzled as to what is achieved by something like that.

● (1925)

I know people want to say good things about the charter and that we are doing things in accordance with the charter. One presumes that the first duty of a government introducing legislation is to look at that. To put the statement on top of it is unusual and out of place in a place where it is not the minister's job but the court's job to pass judgment.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, the member across the way is a true Conservative. There is no doubt about that. He seems to be fixated on duelling. We pass a law, and lo and behold, there is no more duelling, because we passed a law 150 years ago. If it is retracted, he has an expectation that we are going to see chaos in our streets. We are going to have duelling taking place all over again.

Let me make a suggestion to the member. There is a time in the life of sessions and Parliaments when we need to modernize and update our laws. The member comes across as being a little paranoid possibly. Maybe he does not quite trust our public service, or something of that nature.

I wonder if the member would comment on two quick things. First, does he really believe that by retracting that aspect of the duel we are going to start to see more duels taking place in Canada? Second, an important aspect of the legislation says that it is not okay to accept consent from someone who has passed out. Does he believe that is something the Conservative Party would support?

● (1930)

Hon. Peter Van Loan: Madam Speaker, as I said, we support much of what is in the bill. My concern is some of these other odd provisions, such as the ones I mentioned.

In terms of duelling, I cannot assure the member that there will be more duels if this section is permitted that legalizes them. What I can assure him is that there will not be fewer. If they are looking for a social evil to solve, I do not know that they are solving one.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I want to thank my colleague for pointing out that on this side of the House, we have people who really believe in what they stand for, and they are willing to stand up and talk about it. I congratulate my colleague on his speech.

I would like him to expand on section 176. At a time in our world when we see increasing violence, and especially violence directed against religious communities, it seems very unusual that we would remove a section like this from our Criminal Code. What does he think might be the motivation behind removing this section from the code?

Hon. Peter Van Loan: Mr. Speaker, an optimist would say that the objective is to not place favour on any particular faith. A cynic might say it is simply to diminish the role of faith and the role of religious services. That is just speculating on motive. I would hope that the motive is the view that this does not place favour on any faith.

There is nothing in the section that favours one faith over another. I suppose it favours those who are practising over those who are not and do not need that kind of protection, but that is not a difference that troubles me. The fact that I do not regularly go to church means I do not need any particular protection. I am not looking for it.

The concern is for those who do wish to attend a particular service. I do not know if the member has noticed, but there are certain religious cleavages at a global level taking place that are exported. It is easy to whip up that intolerance. When we say we want to be tolerant, we want to protect people in that context. If disagreeing with or taking exception to someone's faith is allowed to be manifested by walking into and disrupting a service or threatening people wishing to attend a service, saying it is being done in the name of freedom of speech, using the Pussy Riot example, I am not sure it is a desirable thing. There are so many places in which to exercise freedom of speech without having to then infringe upon someone else's rights.

Right now there is a section that protects that special place where people are worshipping, whatever faith they are. It is now protected, and we are going to have an act of the legislature that takes away that protection. In judicial interpretation, legislative interpretation by a judge, one would ask why they were doing this. Clearly, there was an intention that it should not enjoy special protection. I do not think that is wise in this day and age.

When it comes time to weigh those competing rights under the charter, what we are doing is diminishing the special protection of freedom of religion right, thanks to this section.

● (1935)

[*Translation*]

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Mr. Speaker, I wish to commend my colleague for the eloquence of his speech, his knowledge of Canada's history and, more specifically, the spirited way in which he made his case. Honestly, he managed to persuade me a little more. I completely agree with him on several points, particularly on the questions he raised about eliminating duels. He managed to show that there is no real reason to act on this subject.

I am here to speak to Bill C-51, an omnibus bill with four key parts. It amends, adds, or repeals many things. It includes provisions that we support and others that we oppose. Once again, as has been the case since the beginning of this Parliament, when the government wants to change things, it always arranges it so that the opposition cannot support what it does. It purposely includes provisions in its omnibus bills that will not be supported by an opposition party.

There are some good things in this bill and others that are less so. I will have the opportunity to talk a little bit about them. My justice critic colleague moved a motion that would have reached reasonable agreements with the government by splitting the bill. This would have allowed us to discuss certain components separately. We would have been able to show our support for the government's proposed modernization of legislation, with respect to the parts that we have reasons to support.

As for the provisions concerning sexual assault, the bill clarifies certain aspects of the law pertaining to sexual assault involving consent, the admissibility of evidence and the representation of complainants by counsel. It is a good measure and we will support it. Sincerely, there is no problem in this regard.

The second part of the bill deals with provisions that have been deemed unconstitutional or that are similar to other provisions that were. In this respect, the bill repeals or amends certain Criminal Code provisions. These are administrative measures to ensure that the wording of the Criminal Code reflects current law. Here too there are good and bad aspects.

The third part is about obsolete or needless provisions and repeals several offences that are no longer relevant or required. My colleague did a good job of illustrating the kind of provisions that will be repealed.

The fourth part is about charter statements. I find this part a bit odd. It requires the Minister of Justice to table a charter statement identifying potential effects that each new government bill may have on rights and freedoms guaranteed by the charter.

As I understand it, the Charter of Rights and Freedoms applies, and the courts apply it, so I do not see why this measure is in here, unless it is a way of promoting the Charter of Rights and Freedoms, which is in force and is already doing the job that Parliament drafted and passed it to do.

The Conservative Party will always stand up for victims of crime. We will always support reducing undue delays in our justice system. Bill C-51 contains some very reasonable measures that we can support, such as repealing provisions that courts have found unconstitutional. However, we need to be careful when it comes to repealing provisions similar to those found unconstitutional because the courts have not yet ruled on them, and this could by a sneaky way for the government to advance its own political agenda. That is why we cannot blindly agree to all of the measures in Bill C-51.

We can also support most of the measures in the bill about repealing obsolete and redundant offences. This does make us question the Liberals' priorities, though. What is more important to them: repealing a provision that prohibits sorcery or filling empty seats on benches in superior courts and advisory committees across Canada?

● (1940)

We can amend all the sections of the Criminal Code and make all the improvements we want, but if there are no judges to hear cases, all these amendments will go for naught.

I had the opportunity to read part of the Standing Senate Committee on Legal and Constitutional Affairs' final report, "An Urgent Need to Address Lengthy Court Delays in Canada". This report was tabled by the Senate, and my colleague, the hon. Senator Pierre-Hugues Boisvenu, provided me with a copy. There are certain aspects I would like to speak to tonight, particularly the delays in judicial appointments.

In its recommendation no. 17, the committee believes that the failure to appoint superior court judges in Canada in a timely manner is contributing to unreasonable delays. It does not see anything to prevent implementing a systematic recruitment process instead of waiting for judges to retire before starting to consider candidates to replace them.

This needs to be considered so that there are no delays, no vacancies in superior courts and no more cases like that of Dannick Lessard. The individual charged with attempted murder for riddling him with bullets saw the charges against him dropped because of the Jordan decision and long court delays. Dannick Lessard felt betrayed and abandoned by the justice system. This is what the government should give priority to. It needs to proceed quickly with appointing the missing judges.

The report includes a quote from the Ontario Crown Attorneys' Association, which describes a sexual assault trial:

> It was a sexual assault trial, and the delay was actually the victim's fault. She had a significant heart condition that required her to have open heart surgery twice post-arrest....Ultimately, it was well over four years by the time we got to a trial where she was well enough to testify. She was a very sympathetic person. She didn't have an axe to grind. She wasn't doing anything nefarious or wrong, but we lost it on the 11 (b), and it was a strange one because it actually happened to be her "fault" that we lost it....

That is the sort of unacceptable situation that the Minister of Justice should rectify as soon as possible to ensure that it does not happen again.

In this report, there are plenty of other recommendations that I would like to talk about, but, instead, I would invite my colleagues to take a few minutes to read it, because it contains a lot of good recommendations. I hope that we will be able to use its best parts in order to improve access to the justice system, and, above all, to make the system fairer for all victims.

However, I really must mention the Liberals' doublespeak about the freedom to practise one's religion. The Liberals, who were very much in favour of motion No. 103, are, with this bill, going to eliminate the only provision in the Criminal Code that protects religious celebrations and the clergy or ministers who celebrate them.

In a world that is increasingly hostile to religion and where intolerance is becoming increasingly prevalent, I do not understand the signal that the Liberal government wants to send by wanting to abolish these provisions that criminalize the people who attack religious ceremonies of any faith.

As we saw in Quebec City, attacks can happen everywhere. It is absolutely essential to continue to preserve people's right to practise their faith where they want and how they want. We have to demonstrate that it is still fine in our society to practise one's religion and to have faith, and that everyone has the right to go to church without fear of being harassed or attacked.

● (1945)

As I mentioned before, this is an omnibus bill containing a number of provisions that should be amended.

I would have liked members to listen to my colleague the justice critic and to divide the bill into several parts. That would have allowed us to express our opinions clearly on each of the four parts I have just mentioned.

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, I thank the member for Mégantic—L'Érable for his speech.

As I did before, I would like to bring the discussion back to section 176 of the Criminal Code. I will quote subparagraph 176(1)(b):

> knowing that a clergyman or minister is about to perform, is on his way to perform or is returning from the performance of any of the duties or functions mentioned in paragraph (a)...

The document then goes on to describe the specifics and what the Criminal Code is seeking to protect.

I agree with the member on the fact that the bill contains many sections and many notions related to sexual assault. As my colleague said, these are good ideas and good amendments to the Criminal Code.

However, I want to focus specifically on section 176. I would like the member to tell me whether he agrees with me. I do in fact think that we should offer members of the clergy additional protection, on top of what already exists in other sections of the Criminal Code.

As I mentioned earlier, we introduced a private member's bill, Bill C-305, which provides additional protection for property against vandalism motivated by hate.

I wonder if the member could expand on that.

Mr. Luc Berthold: Mr. Speaker, I completely agree with my colleague, especially considering that members of the clergy are usually easy to pick out. They are easy targets for people with bad intentions.

By repealing this section, the government is removing from the Criminal Code the only provision that directly protects the right of individuals to practise their religion freely.

In the news we see that these types of attacks are on the rise around the world. It is not a figment of our imagination. The message we hear around the world is that there are more and more attacks, and that we must do more to protect members of the clergy. The message the Liberal government is sending is that it is no longer a criminal offence to attack the clergy.

I would like the government to give us one good, tangible reason for removing this provision.

Mr. Tom Kmiec: Mr. Speaker, I appreciate the additional information the hon. member provided.

I would also like to focus on other aspects of the bill. As other Conservative and NDP members have said, several parts of the bill provide extra protection to victims of sexual assault. Many changes are being proposed to clarify the legislation. We appreciate that.

The Conservative justice critic tried to spilt off the parts that we agree on so that they could be studied by the committee as soon as possible.

I would like the hon. member's opinion on the fact that we did not get the unanimous consent of the House on that. Also, we cannot study the parts of Bill C-51 that we agree on, although they are good and ready to be put into law. What does the member think of that?

Mr. Luc Berthold: Mr. Speaker, this not the first time we have heard doublespeak from the Liberal government.

The government claims to be open and transparent. It says that it wants to do things differently. We have been invited to join the conversation several times. The Leader of the Government in the House of Commons often invites us to have a conversation about the changes to the rules and procedures of the House.

However, we understand that, for the government, having a conversation really means dictating a new way of doing things. It will go ahead and do what it wants, regardless of whether the other members of the House agree with it.

Our justice critic presented a unique opportunity to do things differently in order to expedite the implementation of all the amendments intended to help victims of sexual assault.

I think it was an entirely appropriate and gentle way of changing and improving how the House operates. It could have had a positive impact on real people, the victims. Unfortunately, the Liberals' doublespeak does not hold up and things did not work out.

● (1950)

[*English*]

Mr. Tom Kmiec (Calgary Shepard, CPC): Mr. Speaker, I appreciate the opportunity to be joining the debate on Bill C-51, this late in the night.

Before I go too far, I will be splitting my time with the hon. member for Durham, whom I am very pleased to be hearing from again today.

I was so pleased today to hear you, Mr. Speaker, mention in the House *Yiddish for Pirates* by Gary Barwin, who is one of my favourite authors.

Everybody in the House knows I am a big lover of Yiddish proverbs, and I have one also for this legislation. It speaks to our pinch points. Everyone knows where his or her shoes pinch. I will explain the pinch points I have in this legislation.

Many members on the Conservative side, including New Democratic members as well, have mentioned that they agree with the majority of the provisions in the bill having to do with increasing protection for victims of sexual assault. Nobody disagrees with it. It is a great idea. Clarifying the law is way overdue, but we do have pinch points.

There are proposed Criminal Code provisions that will be eliminated, and we simply disagree with that. Either we disagree or we think it is not in the right method. Abolishing laws in general, getting rid of Criminal Code statutes, and less government regulation is typically something I am all for. The less of it we have, the better. Not adding new laws to the statute books is a sign of restraint on the part of parliamentarians, and we would show greater restraint if we tabled more laws calling for the abolition of sections of different laws and reductions to the Criminal Code. That type of behaviour is laudable and it should be congratulated when it is practised in the House. Let us admit another thing too. This is an omnibus justice bill, and I have concerns about certain parts of it.

Why would we remove certain sections of the Criminal Code, like section 49? Why remove that part in the sesquicentennial of our country? That is Confederation, specifically, because Canada existed much before that. Is that not an odd provision to be eliminating during the 150th year of Confederation? The crown is just as much a part of the history of Canada as the red ensign, the maple leaf, the Bill of Rights, Vimy, and countless other images and symbols we have in Canada. Section 49 only affects an incredibly small group of people, people who are intent on committing a malicious act against the crown, in Her Majesty's presence of course.

As I said before, I completely support the amendments proposed in Bill C-51 to strengthen and protect the victims of sexual assault. They are timely and needed. As members heard from the Conservatives' justice critic, we are more than willing to expedite those portions to committee so they can be considered fully.

On removing the Criminal Code section on duelling, I have mixed feelings, not because I think duelling is right but simply because there is a long history in Canada of it being used as a deterrence tool. The last fatal duel in Canada was June 13, 1833, in Perth, between John Wilson and Robert Lyon, both law students. One was the son of a Scottish officer in the British army, the gentleman who passed away in this duel. John Wilson, who was acquitted of the crime, later was elected to the legislative assembly of the Province of Canada, became a Queen's Counsel, a QC, and was elected three times to that assembly. He was, of course, a Conservative.

There are also other provisions that covered those types of crimes, such as bodily harm, but it was also that extra prohibition on duelling and it was a big problem at the time. Nowadays, it is not so much. One of the members from Simcoe mentioned his views on duelling.

I understand the removal of section 143 of the Criminal Code, and I am surprised it is illegal. I see these types of ads all the time in my community, such as "Stolen bike, no questions asked, could you just return it to me", or an open question about a lost cat, lost dog, or an RV is stolen. I have never known that this was an illegal act, that there was a prohibition on advertising the fact that someone would give a reward. Therefore, ending the prohibition on the use of such words in public advertising and offering a reward is probably very wise. It is eminently reasonable and wise for the House to do so.

The one I want to focus on, which has been the source of many questions I have asked in the House, is clause 14 on Criminal Code section 176, the prohibition against disrupting a religious service or interfering with a minister of a cult, a person who is in the service of others during a religious assembly of any sort.

● (1955)

I have serious concerns with removing this section. I have heard other members say we have other Criminal Code provisions that cover this. The difference is, section 176 gives extra protection. I will make a comparison in a bit between that and Bill C-305 because they are very much comparable.

Section 176 of the Criminal Code protects the clergy, and all those responsible for leading members of their faith in a service. Removing this particular provision is my pinch point in Bill C-51. It adds extra protection for individuals, serves as a deterrent, and protects religious services from disruption, including funerals. I am concerned what it could mean without this for those who are in the business of providing funeral services to others and the incentives therein.

I do not think anyone feels inclined to disrupt a funeral. This type of provision serves as an additional deterrent. Subsections 176(1) and 176(2) also protect religious assemblies from wilful disturbance and interruptions. It does not talk about something accidental; it talks about something purposeful and wilful, when one is aiming to do something for the sole reason of disrupting a religious service. Most importantly, surprise.

As I mentioned before in a previous question, we went through the trouble in the House of passing a mischief improvement provision in Bill C-305, where we actually gave greater protection to property and communal spaces against vandalism motivated by hate. It was a very reasonable proposal as a private member's bill that was passed in this House. In that situation, we already had provisions to disincentivize and deter people from vandalising property. This was an additional charge on top of that which would be separate from it because we said communal spaces and crimes motivated by hate are special and deserve extra attention paid to them, and further punishment should one be found guilty of them.

We already have all those provisions on protecting property. The same idea in principle applies to section 176 of the Criminal Code that clause 14 proposes to eliminate; my pinch point in this piece of legislation.

We know there are other Criminal Code assault provisions to protect the person in the bill. There are provisions against interfering with persons and provisions preventing people from going into a sports match and disrupting it for the sole purpose of committing some type of mischief. I believe that clergy, Imams, leaders of any faith, deserve special protection. Why does the government not believe that as well?

Disrupting a sports match, an assembly for charity purposes, or a bingo game is mischief, most definitely. However, it is not the same as interfering with a religious service, not the same thing as interfering with persons who are leaders of a faith, and trying to look after members of their congregation, temple, mosque, or synagogue.

Just this week, Statistics Canada reported that there has been an uptick in certain hate crimes and crimes motivated against religions. Why would we then, two days later, consider Bill C-51, clause 14, which would eliminate that additional protection for leaders of a certain faith or religion who lead rituals, give services, and conduct funerals on behalf of community members?

The Charter of Rights and Freedoms, section 2 just lays it out. Fundamental freedoms include: freedom of conscience, freedom of belief, freedom of religion, freedom of association, and freedom of peaceful assembly.

Does section 176 not actually grant that extra protection for these freedoms to be practised in Canada? Why can we not have section 176 to assure ourselves that there will be an extra provision in the code to punish those who wilfully interfere with a leader of a faith conducting a service or a funeral?

I want to bring up one or two additional points. It was just this past May that an arsonist in Hamilton, who targeted a mosque, received 25 months in prison. Had the same person targeted the mosque during a service or had wilfully blocked assembly, section 176 could have been used in that particular case.

● (2000)

The last example is from my home province of Alberta. Father Gilbert Dasna was a Catholic priest who was murdered at his residence in St. Paul on May 11, 2014. Had Father Dasna survived and had there been an assembly at the local cathedral that had been disrupted by the gunman who murdered him, that person would have been eligible for an extra charge under section 176. Why is it so wrong to give individuals like Father Dansa extra protection from criminals?

[*Translation*]

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Mr. Speaker, I really appreciated my colleague's speech.

It is clear that the protection of clergy members and ministers is very important to him. I would have liked to hear his views on what could have driven the government to amend this type of clause and do away with this sort of protection for religious leaders.

At first glance, I do not understand why the government would do that. I cannot explain why it decided to repeal section 176. Nothing has been reported in the media that would justify making any changes to that section. No one in our ridings asked us to do it. I would like to hear what my colleague thinks about that.

[*English*]

Mr. Tom Kmiec: Mr. Speaker, that is one of our main questions. When the parliamentary secretary first spoke on Bill C-51, he said this section was obsolete, not necessary or useful anymore, that it was not being used. In fact, it is being used.

There was a case just this month, on June 9, where a charge was laid in a case right in Ottawa. My hope is that we do not have to use Criminal Code provisions, but that certain provisions remain in the code to serve as a deterrent against those types of activities.

In all the door knocking I have done in the past, whether for my nomination, during the election, and since then, I have never heard anyone say that section 176, that extra protection provided to clergymen, imams, members of all faiths, and funerals, should be removed, should not be there. Individuals have talked to me about the blasphemy laws in Canada, but not on this section.

It is interesting that the Liberals want to remove it, but they are removing it from a point that they simply have not done their homework.

[*Translation*]

Mr. Luc Berthold: Mr. Speaker, in my remarks earlier this evening, I shared my fears and concerns about the many superior court judicial vacancies and the many repercussions that those vacancies can have on victims of crime.

I gave the example of some clauses in Bill C-51 that repeal some truly outdated provisions. Right now, the focus is more on eliminating provisions that prohibit witchcraft, say, rather than working on setting up an appointment system that will eventually lead to the appointment of judges.

Why not work now on appointing judges who will be able to really protect victims of crime?

In terms of the sexual assault cases, I mentioned that we agree with the new measures put in place to support and help victims. In addition, they will make it even harder for aggressors to act, and the ones that get caught will actually be punished for what they did. If there are no judges to apply those new measures, however, it will all have been for nothing. I would like to hear what my colleague has to say about this.

● (2005)

Mr. Tom Kmiec: Mr. Speaker, again I thank my colleague for the question.

Obviously I agree with his opinion and the comments he made. There is clearly a problem when it comes to the judiciary.

The Minister of Justice is not replacing judges as quickly as we would like. Many positions are vacant. There are not enough judges to hear all the criminal cases.

I think that is a real problem. It is not just a political problem, it is a problem of justice, and it is being felt all across Canada.

As my colleague said, there is no system currently in place to ensure that in future, judges that retire or leave the bench will be replaced on time.

I get the impression that the government is improvising. It improvises every month and every time a new problem comes up. The government has no plan for filling these vacancies; instead of coming up with a plan, it introduced Bill C-51.

[*English*]

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, I am very proud to follow my colleague's remarks on Bill C-51 and join the debate today. I am going to be expressing my concerns with respect to the bill. Once again, I cannot resist dwelling on the lack of priority to our public policy of the government, specifically justice policies. The lack of ambition in some areas is striking.

The Liberals' use of time allocation motions is equally striking, and we have before us a bill that is much ado about nothing in many ways. It is an omnibus bill on which they are using closure. They are time-allocating, ending debate, on a very large justice bill that contains one very important area that is critical for us to discuss in this Parliament. It is also critical for us as parliamentarians to discuss the elements contained in this specific part of the bill outside of this chamber in our communities, in consultations with victims groups, with law enforcement, and with students, and that is the zero tolerance toward sexual assault in our society. There are clear rules on consent and that consent cannot be given when someone is intoxicated, an approach that most of us think would be common sense but has been confirmed in this legislation, but it has already been confirmed by our common law and the outrage that occasionally happens when some judges have not followed that approach to our common law.

There are various provisions in Bill C-51 related to the important work on consent, on evidence in sexual assault trials. I would like to commend the MP for Sturgeon River—Parkland, our former interim leader of the Conservative Party, for her exceptional work on judicial training. I am highlighting that because it shows that, while the bill is well intentioned on this provision with respect to sexual assault consent and evidence at trial, our common law should actually take care of this. While it is good for Parliament to clearly weigh in and amend the code with respect to this, our judges are on the front lines and they should be approaching this with zero tolerance with respect to sexual assault cases in which the victim has been intoxicated, in some cases by the person who then perpetrated the attack.

All members here have no patience for that type of conduct in our society. I am certainly very proud that our government passed the Victims Bill of Rights and, for a time in Canada, put victims at the core of our justice system. That one part of this omnibus bill is important for us to talk about, even though the common law is addressing the issues that this bill purports to address.

The other aspects of this are unnecessary. With respect to the charter statement to be attached to all bills, there are already opinions given on the charter application, with respect to legislation, by justice lawyers as part of the legislative process. Other groups outside Parliament can weigh in with their thoughts with respect to the charter. However, there is no need for this sort of charter stamp to come with each bill, because Parliament is supreme. If the court determines down the road that there is a provision that needs clarification as a result of the charter, it is up to this Parliament then to provide that clarity.

As you know better than most, Mr. Speaker, because you are someone who is a champion of our parliamentary democracy, no Parliament is held to the laws of a previous Parliament. That provision with respect to charter opinions or the charter statements in the bill is unnecessary and is being done for political posturing.

Finally, the last part of this omnibus bill is the so-called removal or amending of no longer relevant Criminal Code provisions or seldom-used Criminal Code provisions. Some would call this a clean-up part of the omnibus bill. Is that so pressing that we are here using closure on debate to ram this through?

● (2010)

I am not sure when the last time was that there was a duel in Canada. I know there is two sword lengths separating the government from the opposition, but I do not suspect they are planning on us calling for a duel.

As for witchcraft, these are provisions that are historical curiosities. What is outrageous is that the government, and I am glad the government House leader is here, has passed 19 bills in its time in this Parliament. Nineteen have achieved royal assent, yet the government is hitting around the 30th time that it has limited debate in this chamber on such a low record.

I tried to highlight this in a previous speech last week. It is startling, the hypocrisy of the government. The government House leader who is mildly heckling me now, her deputy was the one who would feign outrage in the previous Parliament if time allocation was used or if omnibus legislation was used. In fact, the member for Winnipeg North, who has now joined in her heckling, called it "an assault on democracy". That is how he referred to omnibus legislation.

The last week in the House, all I have seen is omnibus legislation, shepherded by the MP for Winnipeg North. The hypocrisy is stunning. The government House leader is using closure more times than the government has passed bills. The denominator is not matching up to show that the government is actually being productive. It is limiting parliamentary debate and really getting nothing done. It is startling.

I will remind my friend from Winnipeg North, because he is so verbose in this place, that he just gives me a wealth of information to draw on. When it comes to time allocation, what did he say? In November 2012, he said:

> ...never before have I ever experienced a government that is so persistent in using time allocation, a form of closure, using it as frequently as this particular Government House Leader does.

His government House leader is using it far more than the Conservative House leader did. I hope that at least behind closed doors he is expressing to her the same amount of outrage and indignation that we used to hear regularly in the last Parliament. Between the assaults on democracy and the limitation of debate, it is stunning that he can stand in this place and speak without a smile. It really is startling.

I will use the remainder of the time I have to show why this is hurting public policy development in Canada. We have an omnibus bill that is full of removing critical parts of our Criminal Code, like witchcraft, yet the government is not passing Bill S-3, in response to the Descheneaux decision of the Quebec Superior Court. The Liberal government's indigenous affairs minister did not even call Mr. Descheneaux to the Parliament to consult on the bill. It had until July 3 to pass legislation with respect to that court.

However, this government House leader puts froward omnibus bills full of witchcraft and other historical curiosities, a motion on Paris that was meaningless, and other motions, but it is not getting its own work done. If it wants to do an omnibus bill on justice, how about addressing the Jordan decision. Victims have seen accused murderers and accused sexual assault criminals being released as a result of judicial delays. That is the reform we need to see to justice. We have been asking, for a year and a half, for the minister to appoint judges. We have been pushing to get delays down.

The government is allowing accused criminals to be released because of its inaction, and its so-called justice omnibus bill is addressing duelling and witchcraft but not the Jordan decision. That speaks to the priorities of the Liberal government, a lot of talk on victims while it is not funding a registry for dangerous sexual offenders, while it is not addressing the Jordan decision. It talks about nation-to-nation dialogue with our first nations, yet does not even call Mr. Descheneaux to help pass important legislation.

● (2015)

I hope that, when we all go back to our ridings in the summer, the government House leader and her deputy reflect on the decline of our parliamentary democracy under their watch and that we come back in the fall to a full apology from them.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I know that my colleague ran out of time to talk about some of the issues relating to the removal of the protection for clergy and faith groups who join for worship, funerals, or those sorts of ceremonial activities.

Could my colleague comment on the wisdom of removing that section from the Criminal Code?

Hon. Erin O'Toole: Mr. Speaker, I thank my friend from Kitchener—Conestoga, a very thoughtful member of this chamber, for raising that.

As I said in my remarks, I mock the historical curiosities of duelling and witchcraft, but the Liberals have also been very selective with what else they have taken out. They are removing rarely used but specifically important sections with respect to the freedom of religion and clergypersons in the implementation of their faith, their job, and their role in the church. Why address that?

The member for Niagara Falls reminded us today that there was abuse and vandalism in a church in Ottawa, where charges were laid just today. The Liberals have also removed the action of intending to cause harm against Her Majesty, our head of state, the Queen, in the 65th year of her reign. We know that is rarely used, maybe never. Sometimes, the symbolism of what they are doing shows their motive, their lack of respect for religious freedom. They eliminated the ambassador for religious freedom in their first months as government. They are attacking provisions showing respect to clergy and to our head of state, while they are not even passing Bill S-3 in time, having to go to court begging for more time, yet they are dealing with witchcraft and duelling. It is a government that is lost and not respecting our democracy.

I am tired of the sunny ways. It is time for the Liberals to get serious and pay the respect to this place that is needed.

Hon. Bardish Chagger (Leader of the Government in the House of Commons and Minister of Small Business and Tourism, Lib.): Mr. Speaker, the member talks about respect for this place. The member says big words, but his actions do not demonstrate the same. It is unfortunate, because this week the member articulated such great words about our member and about being by-election buddies, something that our member would never do.

Today, just like every Thursday, the official opposition House leader asked me for the business for the rest of this week as well as next week. Perhaps the member would like to withdraw some of his comments. My answer, on the record, was that on Tuesday the House will debate Bill S-3, Indian registration, at report stage and third reading. To be in the House and mislead the Canadian public is a disgrace to democracy.

I encourage the member to perhaps correct the record, because his comments were not the truth.

● (2020)

Hon. Erin O'Toole: Mr. Speaker, I have respect for my friend the hon. House leader. She is having trouble with my reciting her record to the House. The Superior Court of Quebec has given the Government of Canada until July 3 to address that decision. The Liberals are putting witchcraft and silliness, and motions like the Paris motion that was meaningless, ahead of substantive legislation. While she might bring it to the House, and I recognize she is bringing it to the House, it will not pass. They are writing the court to ask for more time because they have put politics and gamesmanship before public policy development.

I will remind the House leader of something her deputy said in the last Parliament about working with the other side. He said:

> Why has the Government House Leader not recognized the value of sitting down with opposition House leaders and trying to work through House business in a fashion in which the government would not be so dependent on having to bring in time allocation on virtually every piece of legislation?

They are using time allocation on virtually every piece of legislation.

The MP for Winnipeg North should huddle with the House leader and share his annotated speeches from the last Parliament.

Ms. Rachel Blaney (North Island—Powell River, NDP): Mr. Speaker, it is my pleasure today to be splitting my time with the member for Kootenay—Columbia.

Today I rise in the House to talk about a justice housecleaning bill. Our courts and justice system are facing an unprecedented crisis. Before moving to the specifics of the bill, I feel obliged to address this issue, because it is through justice that fairness is administered. I say this because I have no difficulty believing that recent events have had victims cast serious doubt on the fairness of the Canadian justice system.

Last July the Jordan ruling unleashed a flurry of uncertainty, confusion, sheer indignation, and outrage. The ramifications are still being being felt today. In this ruling, the court said that Jordan's charter rights had been violated due to an unreasonable 49-month wait for a trial. The drug charges against him were stayed. Since then, this confusion has led to hundreds, if not thousands, of criminal cases being stopped simply because they took too long to come to trial. We have seen at least two murderers go free. The decisions have widespread implications for victims and their families. These people have had experiences for which they will never get the chance to see justice done.

This breach of public safety was caused by a number of factors. Recently, a Senate report urged the federal justice minister to take the lead in changing the Criminal Code to reduce procedural and other barriers to a speedy trial and to fill judicial vacancies as soon as judges retire. This is perhaps the most important step the government could take.

It is not normal for criminal cases to take between five to 10 times longer to be tried in Canada than in the U.K., Australia, and New Zealand. Worse still, the delays are getting longer and the legal costs are going up even as the overall crime rates are dropping. It is time for the minister to get serious about filling judicial vacancies. There is an almost record-breaking number of vacancies on the superior courts, 53 at time of this speech. We also need the Liberals to provide proper resources for support staff and courtrooms. This is so important. The national judicial vacancy rate has more than tripled since this government took office. The lack of judges has increased access problems and court delays that were already posing a threat to a fair process and public safety.

There is no reason intelligent appointments cannot be made in an open way while Ottawa works on a more formalized process. Good government, public safety, and the rights of those caught up in the justice system depend on it. This brings me to the current bill we are debating. The problems addressed are important, but they are comparatively piecemeal changes to the Criminal Code, knowing that the justice system is in a full-blown crisis.

Let me be very clear. We should be doing this exercise. Updating the Criminal Code will lead to less mistakes and a clearer comprehension of the text. Many of these provisions are like time capsules, chronicling other times, but they certainly do not belong in our Criminal Code any longer. These are often referred to as zombie provisions. Legal scholars have been calling for a very long time for them to be removed from the Criminal Code, and it is past time for Parliament to act.

However, this housecleaning bill is not the government's first. In fact, it is the third. Bills C-32 and C-39 precede it. The trouble is that they are still in second reading with very little movement, leaving many Canadians wondering whether they are a priority. Is this bill even going to be a priority?

I am encouraged by elements in the bill. The important sections that clarify the sexual assault laws would have significant benefits for survivors and work toward preventing sexual assault. That is so important in this country. However, there needs to be legal aid funding that allows for victims to exercise their rights. The bill would clarify that an unconscious person is incapable of consent. It expands the rape shield provisions to expressly include communications of a sexual nature or communications for a sexual purpose.

● (2025)

The code's rape shield provisions already provide that evidence of a complainant's past sexual history cannot be used to support an inference that the complainant was more likely to have consented to the sexual activity at issue or that the complainant is less worthy of belief. It would create a regime to determine whether an accused could introduce a complainant's private records at trial that the accused had in his or her possession. This adds to the existing regime governing an accused's ability to obtain a complainant's private records, such as diaries, medical records, psychological counselling records, and school records, when those records are in the hands of a third party.

The bill provides that a complainant has a right to legal representation in rape shield proceedings.

There has been criticism from legal and feminist groups that have wondered how effective the measures of having a lawyer would be if the complainants cannot afford representation. Legal aid funding needs to be provided, as there is currently simply not enough.

As Michael Spratt, vice president of the Defence Counsel Association of Ottawa, said when speaking on the bill, this "is another half-hearted attempt to reform the justice system by grabbing the lowest of the low hanging fruit." The crisis that is under way is a manifestation of the need for deeper structural changes within our judicial system.

This is one step, but I hope to see some more positive steps to deal with the issues that are greatly inhibiting our legal system in the country. I most definitely want to see more resources so the victims of any kind of sexual assault get the support they need and have the funding to do so.

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, I want to thank the member for North Island—Powell River for her concerns, especially around legal aid for victims of sexual assault.

I would like to ask the member to speak about the importance of the federal role with respect to legal aid for victims of sexual assault. We know some people believe there is not federal responsibility when it comes to the importance and significance of legal aid for victims of sexual assault. Could the member speak to that?

Ms. Rachel Blaney: Mr. Speaker, we know a lot of these issues belong under provincial jurisdiction. However, we have identified a major issue. We know so many people are stepping forward. They are facing these challenges and simply do not have the resources they need. There has been a continuous call from service providers and from victims across the country for these resources. The government says it is a feminist government. It could absolutely step up and provide some resources for this much-needed plan and ensure those people are never without the representation they deserve.

● (2030)

Mr. Wayne Stetski (Kootenay—Columbia, NDP): Mr. Speaker, I want to start by clarifying for the people of Kootenay—Columbia and those watching across Canada that this Bill C-51 is not Bill C-51 from the 41st Parliament, which was called the anti-terrorism bill. That bill led to widespread protests across my riding of Kootenay—Columbia. People were concerned about the potential to make peaceful protests illegal and the potential impact on their personal privacy rights. Because the NDP is going to support this Bill C-51, in the 42nd Parliament, I did not want there to be any confusion back home.

Regarding the bill before us, we are pleased to support this legislation. We believe that it would provide many overdue protections, particularly for victims of sexual assault. One of the most important provisions in this legislation would clarify the definition of consent. Some of this should be obvious. It should be common sense. In fact, I am appalled that we need to entrench this in law, but here it is. With this amendment, an unconscious person could not be considered to have given consent. There it would be now, spelled out in black and white in the Criminal Code of Canada: someone who was passed out from intoxication, from a blow to the head, or for whatever reason would not be able to consent to sexual activity. Good. While it is outrageous that any other interpretation was ever understood, at least we, as lawmakers, are now making it perfectly clear.

The bill also takes another important step on the issue of consent. A person who is passive during sexual assault, that is, does not scream, “no”, or fight or otherwise resist, cannot be considered to be automatically giving consent. This is necessary and it is overdue. Too often, an individual, unduly pressured or even physically overcome during a sexual assault, will feel fear, confusion, or even peer pressure and will be unable to enunciate his or her refusal. This amendment shifts the burden to the other person to get clear and active consent. To quote University of Ottawa associate professor of law Carissima Mathen, “Passivity is not consent. Consent has to be communicated to you in some meaningful way, not from being quiet.”

That statement is borne out by statistics in a Global News/Ipsos Reid poll. The most recent common reason women gave for not reporting a sexual assault to the police was feeling young and powerless; 56% of victims said so. Forty per cent of respondents said they stayed silent because of the shame they felt, and 29% said they blamed themselves for the assault. Others worried that reporting would bring dishonour to their families, feared retaliation from their attacker, or said they did not have faith in the criminal justice system. New definitions will help clarify the term for the courts, but they do not do enough.

Too often, victims of sexual assault find themselves isolated by the courts. They have no one to protect them from aggressive questioning by a defence attorney and no one to be their advocate. Sometimes there are poorly trained judges, as we learned last year when a judge demanded of a victim why she could not just keep her knees together while she was sexually assaulted. That horrific and shocking statement led to condemnation across the country and the resignation, rightfully, of the judge who made that statement.

Rather than treating victims with care and compassion, our justice system sometimes victimizes them all over again. The solution would be to ensure that victims have access to legal aid as they go through the court process. The current Liberal government must not choose to ignore that essential element in protecting victims.

This legislation also includes the removal of some so-called zombie laws. Those laws, which have become redundant because of other laws that cover the same subject or because they have been overturned by the courts, are an interesting collection. As a former mayor, I know that there are many municipalities with zombie bylaws that need cleaning up as well. Federally, we now no longer have to worry about the detrimental effect of crime comics on our youth. We have many other negative influences to worry about. Similarly, a law banning Canadians from offering a reward for the return of stolen property, no questions asked, seems unnecessary and even detrimental in its own right. I know I personally used that approach to get back my son's stolen mountain bike once, without even knowing it was against the law, as is the case, I am sure, for many Canadians.

● (2035)

One must wonder about the existing laws regarding the practice of witchcraft, sorcery, enchantment, or conjuration. In addition to the fact that it impinges on the rights of some religions, and would confuse the U.S. President who is certain that he is the target of a witch hunt, this might also hurt *Harry Potter* cosplayers; Dungeons and Dragons "larpers", which I do not know much about but which my staff assure me is a thing; and others for whom sorcery is an entertainment. This is a good law to be rid of.

My favourite among this group of zombie laws is the prohibition on duelling. After all, we stand in a place where the two sides of the House are separated by two sword lengths to ensure we fence only with words and not with rapiers. Still, the last public duelling in Canada took place not far from here in Perth, Ontario, in June 1833, when 23-year-old law student John Wilson shot and killed his friend Robert Lyon, age 20, during a duel over the honour of Elizabeth Hughes, a young school teacher.

Wilson successfully pleaded his case in court, had a lengthy law career, married Miss Hughes, and eventually became a member of the legislative assembly of the Province Of Canada, the precursor of the House of Commons. In case some members of the House or the public believe that duelling will now be legal, it is worth noting that our homicide laws still apply.

The bill offers some good amendments to the Criminal Code. My biggest concern with the bill is not with its content, but with what is missing.

Across Canada, the Supreme Court decision known as the Jordan ruling has allowed many indicted suspects to go free because of the length of time it has taken to bring them to trial.

Just this week, a judge in Quebec City freed a man accused of sexually assaulting his adolescent stepdaughter. Last November, an Ottawa judge freed a murder suspect under the same terms. In fact, across Canada dozens of suspects, people who have been charged with crimes ranging from first degree homicide to sexual assault, have been freed because our courts do not have the capacity or the will to ensure a speedy trial.

While eliminating zombie laws is important, the government's first priority should be to ensure that our existing criminal laws are upheld by the courts. This means more federal and provincial resources and it may mean new laws to reverse the Jordan ruling.

Another item missing from the bill is a long-promised review of damaging and disingenuous amendments introduced by the previous government. The Conservatives' belief that mandatory minimum sentences will somehow reduce crime has been ridiculed by members of the justice system, from lawyers to judges. We have seen over and over the mandatory minimums getting tossed by judges as unworkable and unconstitutional, just as the New Democratic Party's justice critic warned them would happen during debates over those amendments.

Let us look at recent news.

In 2013, a Manitoba judge heard the case of a young man who lashed out at his bullies. The judge refused to apply the mandatory minimum sentence, saying:

> A four-year term would clearly place the accused in the heart of the federal penitentiary system normally reserved for hardened criminals. To say that the conditions of a federal penitentiary would be harsh for someone of the accused's background is an understatement.

(Court of Queen's Bench, Justice John Menzies, October 2013)

In 2016, the Supreme Court of Canada threw out mandatory sentences for repeat drug dealers, concerned that the harsh penalties applied to:

> the addict who is charged for sharing a small amount of drugs with a friend or spouse, and finds herself sentenced to a year in prison because of a single conviction for sharing marihuana in a social occasion nine years before.

Just this week, in British Columbia, a judge refused to apply mandatory minimum sentences in the case of a young man who was found employed at a small marijuana farm.

All these decisions took the view that judges must have the flexibility to apply their experience, their knowledge, and, their judgment on a case-by-case basis.

We are glad the government intends to review these unconstitutional sentences, and we look forward to the day that the justice minister keeps her promise. If only the Liberal justice minister would, at the same time, expunge the criminal records of those who had been convicted of carrying small amounts of marijuana in the past, we could see true justice done.

I mentioned the other Bill C-51 when I began speaking. As soon as the election was over, the Prime Minister became silent on Bill C-51 after saying his government would make changes to it. Canadians truly hope the Liberal government keeps its word and does revoke sections of that act soon. Thousands of Canadians, including many of my constituents in Kootenay—Columbia, demanded change and they expect this promised on the former Bill C-51 to be kept.

● (2040)

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, I would like to thank the member for Kootenay—Columbia for speaking to this important bill, and for speaking about the important role men play in standing up for victims of sexual violence, making sure we have laws to protect the most vulnerable. It is often women who are subjected to acts of violent crime today. I am wearing the moose hide, and it is a men-led campaign to remind men of the important role we play and our responsibility for ending violence against women and children.

The bill is a reminder to me as a parliamentarian about the important role we have when it comes to making sure that victims of crime have the adequate resources to represent themselves when they are victims of crime. It is often a provincial jurisdiction, but a reminder here in this House that it is the duty of all of us to fill the gaps and the holes for the most vulnerable, and the victims who may not have that protection in the province where they live.

Could the member speak about the important role the federal government needs to play to ensure the most vulnerable are protected and get the adequate resources they need?

Mr. Wayne Stetski: Mr. Speaker, I thank my colleague for his consistent interest in protecting the rights of women, indigenous groups, and other disaffected groups. I, too, have worn the moose hide very proudly on a number of occasions in the House, because we all have a responsibility to make sure there is adequate protection in place and proper behaviour and attitude toward these very serious issues. In terms of the court situation, I know legal aid is becoming a real problem in many provinces, so we need to make sure there is adequate funding, federally and provincially, to ensure legal aid is available.

The Deputy Speaker: Questions and comments? Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Yes.

Some hon. members: On division.

The Deputy Speaker: I declare the motion carried on division. Accordingly, the bill stands referred to the Standing Committee on Justice and Human Rights.

(Bill read the second time and referred to a committee)

Ms. Kamal Khera: Mr. Speaker, I believe you would find unanimous consent to see the clock at midnight.

The Deputy Speaker: Is it the pleasure of the House to see the clock at 12:00 a.m.?

Some hon. members: Agreed.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

THE BUDGET

Ms. Rachel Blaney (North Island—Powell River, NDP): Mr. Speaker, I will be very happy when the crowd disperses and the joy of being able to leave school early is expressed.

Last March, during budget session, I asked the government why its budget offered so little for seniors. This was not being humorous on my part. The Canadian Medical Association said that it failed Canadian seniors. CARP said that financial security for seniors was not on the agenda. The government told seniors to keep waiting for more funding and resources, but last week we learned that seniors will now be waiting indefinitely for a plan, waiting indefinitely for a national seniors strategy.

Just weeks ago, there was a glimmer of hope. This House passed Motion No. 106, the motion from the Liberal MP for Nickel Belt. His motion, now being studied in HUMA, the human resources committee, states the following in part (c):

> ask the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities to study and report back to the House on important issues such as increasing income security for vulnerable seniors and ensuring quality of life and equality for all seniors via the development of a National Seniors Strategy

The Liberals supported this motion and celebrated its passing, which allowed them to look good, but when I asked point-blank if the Minister of Families, Children and Social Development would commit to having a national seniors strategy after this study, the minister was very noncommittal.

Seniors are looking for answers. HUMA was asked to study this issue, and for what? Are the member for Nickel Belt and his caucus happy with just another report with recommendations that will surely go unanswered, like so many before? Recommendations are already out there, plenty of them. Most simply need to be implemented.

Seniors deserve better. They deserve action. The government does not seem to comprehend the considerable consequences of our changing demographic. We need to make sure that our institutions and vital public services are strong and ready to meet the challenge of providing necessary services efficiently and effectively for our seniors.

All partners need to be working together on this: the federal government, provincial governments, territories, municipalities, care providers, seniors organizations, and most importantly, seniors themselves. No one in this country should have to age in poverty, insecurity, and isolation. As the number of Canadian seniors increases, we urgently need to have a plan in place to meet their needs and ensure that everyone can age with dignity.

We fully support the Canadian Medical Association in their reasonable demands for a plan. In fact, the NDP has been proudly fighting this fight in this Parliament for years. Over 50,000 Canadians have added their voices to call for a national seniors strategy to meet the growing and evolving needs of our aging population. The Alliance for a National Seniors Strategy joins together people with first-hand experience, people we should be listening to. If they are asking for a plan, it is not politics; it is because we need one. This is very serious.

I will ask my question again: will the government commit to a national seniors strategy, yes or no? If it is noncommittal, that means no. If so, did it purposely mislead this House when passing Motion No. 106?

● (2045)

Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.): Mr. Speaker, the answer to whether this government is prepared to step up for seniors in this country, and commit to a strategy was evident in the vote that was taken in the House just a few weeks ago. Motion No. 106 is being studied at committee now, and this government is committed to making sure a national seniors strategy comes into existence. We are not waiting for gestures or symbolic statements, or even criticism from parliamentarians who seem more intent on criticizing than producing for seniors based on their voting record.

When this government took office, significant improvements were made to the quality of life for seniors right across the country, in particular, vulnerable seniors living in poverty. The first thing we did was move toward the guaranteed income supplement increase, and targeted in particular seniors who are single, the majority of whom are women. We lifted them straight out of poverty with a 10% increase to the GIS.

The second thing we did, against all predictions and expectations, is negotiate a national framework to improve the Canadian pension plan, not just for now but for generations to come. That move is historic, and was predicted to fail by all the opposition parties. They told us not to even try, yet we did it.

The third thing we did, which is just as important, is recognize the move by the previous government to change the age of retirement from 65 to 67 with no consultation, no input from Parliament, let alone Canadians and seniors. We reduced that, because that particular move put seniors in the most vulnerable category even further into an area of precarious income. We helped seniors live out their retirement in a positive way with support from the government, support from the country, the country they helped to build.

Those three measures alone would be good enough for most people, but we did not stop there. The next thing we did, as part of our movement toward the national housing strategy, is we did not wait for the strategy and agreement with the provinces, we moved immediately to put $200 million into new seniors housing. Why? Because seniors need to be cared for and to live in safe environments, supported in those safe environments primarily through shelter support.

That is why this government moved on the seniors housing file immediately. We did not wait for two years or 10 years, we did it in the first budget. That money was put into last year's budget 2016. It was a two-year commitment that now leads to an 11-year commitment to provide a permanent, and for the first time in this country's history, national housing strategy. It is not just extending past the next election, it extends past the next two elections, and is bound with legal agreements with the provinces.

The parties opposite think that somehow when we sign agreements with the provinces, some election can rip it all up. The Martin health accord showed how extraordinarily effective federal-provincial agreements are at sustaining core funding, base funding, and new funding for the period of a decade. The national housing strategy will also move toward supporting seniors in their vulnerable years.

In this year's budget, we have also committed to renewing the operating agreements for public housing. We know, particularly in the co-op sector, that many people who started co-ops 10, 15, and 25 years ago are now seniors. They are on fixed incomes. As their incomes drop, these operating agreements are becoming even more critical in order to support their lives.

We also augmented the health accord, again opposed by the opposite side, a health care accord that guarantees funding for palliative care and home care. We have invested real dollars into housing supports, service supports for home care, as well as mental health care. We know that seniors, with the onset of Alzheimer's and dementia, are increasingly finding themselves in that situation. We have put additional dollars into health accords targeted specifically, binding provinces to spend in terms of priority areas of requirement, a policy to make sure that those needs are met, not just with medical dollars but also with housing dollars.

When it comes to seniors and taking care of Canadians in precarious situations, and Canadians with low income dynamics, this government is not just committed to removing poverty, it is committed to making sure that seniors thrive in our society, and that we care for them, because that is our duty as parliamentarians.

● (2050)

Ms. Rachel Blaney: Mr. Speaker, recently, a constituent of mine said he would like to see the government with a little less conversation, and a little more action. I want to remind the member that the Canadian Medical Association said it failed Canadian seniors. It was CARP that said financial security for seniors is not on the agenda. That was not just our party, that was also from legitimate organizations that serve seniors across this country.

I had the privilege of travelling across my riding talking to various sizes of communities, and participating in 11 town halls. One of the most shocking things was how many times I heard seniors talk about how they were put into care facilities, and then having to legally separate or divorce because they could not live off the 20% of the pension they received.

The reality is that we need a national seniors strategy. I asked the minister point-blank. I am happy to do this research. I can show the minister all the research, and the Senate report that said we need a national seniors strategy. We need a national seniors strategy, because there are so many gaps. Only through having a national strategy, with all levels working together, will we fill in those gaps. A little less conversation, and a little more action for seniors, please.

Mr. Adam Vaughan: Mr. Speaker, I just spoke in the previous 10 minutes about concrete, real action, real dollars, real investments, real commitment, and real progress on the seniors file.

The member opposite talks about CARP, but I do not think she has actually read the entire response to the budget CARP presented. If she reads the real response from Wanda Morris, what she will see is that they were pleased that five of the seven recommendations CARP made to the government were acted upon. They were not spoken about; they were acted upon, with real dollars, real delivery, and real movement on seniors' issues.

We will see if the NDP supports the budget or votes against it. The one thing that bothers the NDP the most in this House is not when we talk about the issues it thinks about. It is when we act on them and the NDP fails to get credit. This side of the House is actually delivering real results to seniors: CPP reform, GIS increases, making sure that the age of 65 is the retirement age, seniors' housing. It is real dollars for real houses to house real seniors in real vulnerable situations. We have not only acted, we have delivered. I will put my record up against the NDP's language any day, because we have delivered. The NDP talks.

● (2055)

PERSONS WITH DISABILITIES

Hon. Mike Lake (Edmonton—Wetaskiwin, CPC): Mr. Speaker, I have been doing the last few nights, we are going to do this on Facebook Live again just so Canadians have a chance to see the discussion going on about the Canadian autism partnership. We would ask people who are watching this and seeing it on Facebook to please share it so that more people can see the conversation.

It is interesting. This is the fourth time we have done this in the last week, and we have had four different parliamentary secretaries answer questions here. We had the Parliamentary Secretary to the Minister of Health. We had the Parliamentary Secretary for Sport and Persons with Disabilities. Interestingly, the other night we had the Parliamentary Secretary to the Minister of National Defence, and tonight we have the Parliamentary Secretary to the Minister of National Revenue, which is interesting. I am not sure if it is strategic, but the Parliamentary Secretary to the Minister of National Revenue is a very good friend of mine, so it makes it a bit more interesting in terms of the approach. I am not sure if that is a strategic thing, but it will be interesting to hear her answer today.

First, a bit of background on the Canadian autism partnership. In budget 2015, our government put together an expert working group. It did work, along with a self-advocates advisory group and the Canadian Autism Spectrum Disorders Alliance of organizations from across the country. They heard from almost 5,000 stakeholders during their consultations. They had 19 meetings, specifically with the provinces and territories, every single province and territory, to talk about this. They worked for two years on this, then they came to the Liberal government with a budget ask of $19 million over five years, which is $3.8 million per year or, as I said, a dime per Canadian per year.

The budget put forward by the Liberals is over $25 billion in deficit this year alone. I did a bit of math. They rejected the Canadian autism partnership in that budget, a budget with a deficit more than 6,500 times what was asked for by the Canadian autism partnership. The deficit alone is more than 6,500 times the amount they rejected for the Canadian autism partnership, and there was not a single mention of autism in that budget.

The Canadian autism partnership's purpose is to help Canadians living with autism and their families. Many of the challenges are provincial in nature, but what the partnership would do is bring together a true partnership of experts from across the country: people with autism, families, organizations that do work, researchers, and scientists. It would bring together this partnership of experts to advise governments in their jurisdictions on what the best way forward policy-wise is on issues directly affecting families, such as early intervention, education, housing, employment, and transition to those years when the parents have passed on. One of the biggest concerns for families is what is going to happen to their loved ones once they are gone. They would advise governments to make the very best evidence-based decisions.

We moved a motion on this on May 30, and every single Liberal, except one, voted against it.

I have called on Canadians to take some action steps, because we live in a democracy. It is important to note that members from all parties, I think, get involved because they want to make a difference. Certainly, the most important thing Canadians can do right now who are concerned about this is reach out to their Liberal MPs through Twitter, through Facebook, and through emails and phone calls to let them know, respectfully, why the Canadian autism partnership is important to their families.

Of the member opposite, I am going to ask the same question I have asked many times during question period, the same question I have asked four times during these late shows.

On May 30, every Conservative member of Parliament, every New Democratic Party member of Parliament, the Green Party member of Parliament, the leader, stood in this House in favour of the Canadian autism partnership. My hope is, today, that my good friend, the parliamentary secretary, will put the script aside and explain why she and her Liberal colleagues chose to put the political interest of their party ahead of Canadians living with autism.

Ms. Kamal Khera (Parliamentary Secretary to the Minister of National Revenue, Lib.): Mr. Speaker, first and foremost, I want to thank my hon. colleague and good friend, not just for his question but for all the tireless, hard work that he does on behalf of all those affected by autism. I have a lot of respect for my colleague because of his advocacy for the most vulnerable in our communities.

Our government recognizes the complex challenges facing families affected by autism spectrum disorder, also known as ASD. This is why, federally, we are supporting a range of initiatives that are needed to make a difference for families, and that will increase inclusion and participation in society by Canadians with disabilities or functional limitations.

Several federal departments and agencies are advancing work on ASD, including the health portfolio, Employment and Social Development Canada, as well as other federally funded organizations that are focused on brain health and neurodevelopmental disorders.

The Minister of Sport and Persons with Disabilities has recently conducted Canada's largest ever national consultation on disability and accessibility issues in preparation to introduce federal accessibility legislation. Over 6,000 Canadians participated in this consultation, which ran from coast to coast to coast. The minister just released a report on what was learned from the rich input received. This legislation will ensure greater accessibility and opportunities for Canadians with both visible and invisible disabilities, including Canadians with autism, in their communities and workplaces.

Through this process, our government is embarking on a new era of leadership, collaboration, and co-operation in improving accessibility and increasing the social, economic, and civic participation of the 14% of Canadians with disabilities, including those with autism spectrum disorder.

As a registered nurse, I am fully aware of the costs of taking care of an individual with a severe disability. That is why our government continues to provide the child disability benefit, an annual amount of $2,730 per child eligible for the disability tax credit. This is in addition to the $2,300 average increase Canadian families now receive from the recently revamped Canada child benefit. Through Employment and Social Development Canada, we have also made a long-term investment of $7.5 billion for early learning and child care, for which families with ASD are eligible.

We have also heard from individuals with autism spectrum disorder and their families that supportive housing and employment are key issues of concern. That is why budget 2017 includes a commitment to invest $5 billion over 11 years in a new national housing fund that will prioritize support for vulnerable Canadians, including persons with mental health challenges and intellectual and physical disabilities.

In the area of employment, we know that people with disabilities, including those with autism spectrum disorder, face unique challenges in preparing for and entering the labour market. That is why we are investing $40 million through the opportunities fund for persons with disabilities, administered through Employment and Social Development Canada, to support their transition to the workforce.

These are examples of the practical and very tangible measures that we have in place to help families living with autism. Within the health portfolio, our government is also making investments in research and improving national data as foundational areas to support autism spectrum disorder. The Public Health Agency of Canada, working with provinces and territories, has established the national autism spectrum surveillance system, which is collecting and tracking reliable data on ASD prevalence and incidence, describing the epidemiology of ASD and comparing patterns domestically and internationally.

While there are no quick solutions when it comes to the challenges posed by ASD, our government is committed to working in collaboration with the autism spectrum disorder community to ensure that our initiatives support the needs of those affected by ASD. We believe, and are confident, that by working together across sectors and jurisdictions, we will continue to make progress.

● (2100)

Hon. Mike Lake: Mr. Speaker, like parliamentary secretaries before her on several days and like the Prime Minister, the hon. member talks a lot about initiatives that the former Conservative government put in place and an endless series of consultations and meetings in the future by the Liberal government, which will have zero impact on Canadians families that desperately need it right now.

I know the hon. member to be a compassionate person, and I know she was whipped to vote the way she did on May 30. Her colleagues were as well. Several of them assured me they would support the Canadian autism partnership and then voted against it down the road. "Things do not happen. Things are made to happen." That is a quote from John F. Kennedy.

For Canadians watching, we live in a democracy and it is very important that Canadians make their voices heard right now. They should let their Liberal members know that this is critically important to them. For Liberal members and that Liberal member in particular, these are the moments that matter. Will she have the courage to go into the Liberal caucus meeting next Wednesday, tell her Liberal leadership to tell her colleagues they most clearly are on the wrong side of this issue and that she is not prepared to read the notes she is given any longer to defend this indefensible Liberal position on autism?

● (2105)

Ms. Kamal Khera: Mr. Speaker, as I have stated, we remain committed to ensuring our federal programs are aligned to meet the complex needs of people living with autism spectrum disorder and their families. Our investments in vocational training, research, and improving data are core to the federal role. I greatly admire the dedication of organizations that work tirelessly to provide important services and to raise awareness that leads to better understanding of disabilities like autism spectrum disorder.

We will continue to engage our partners in provinces, territories, and the autism spectrum disorder community on ways to increase the reach and impact of federal investments and make a difference for those affected with autism spectrum disorder.

STATUS OF WOMEN

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, the government owes Canadian women economic justice. Equal pay for work of equal value is a fundamental human right. However, today, women in Canada continue to be paid far less than men for work of equal value. To fix this injustice, in February 2016 I moved a motion in this House to create a special committee on pay equity to implement the recommendations of the 2004 pay equity task force. That was adopted by this House and by the government opposite. A year ago that committee on pay equity tabled a report called "It's Time to Act". It called for pay equity legislation to be tabled in June 2017. That is now. I did not think that a year later the government would still not have legislated equal pay for work of equal value.

The effects on women are real. Since 2004, the gender wage gap has cost Canadian women $640 billion in lost wages. That is $640 billion that successive Canadian governments owe Canadian women because of Liberal and Conservative failures to act. Without pay equity, that amount is growing every day. On average, women working in Canada full time year-round make only 77% of what their male counterparts earn.

I will list many more ways that this impacts women. Women have to work 14 additional years to earn the same pay that a man earns by age 65. Women do not earn enough during their working years, so when they retire, disproportionately, senior women fall into poverty in Canada. Early childhood educators often do not earn enough, so they either leave the profession or else they have to rely on a spouse to supplement and support them. Women are expected to take time out of the workforce to care for children and seniors, because they earn a lower wage than their male partner. Women are forced to work insecure jobs because they do not have enough savings to wait for better work. The low minimum wage means that women often cannot get themselves out of poverty. Women who are indigenous, visible minorities, transgendered, or living with disabilities experience an even wider wage gap.

What is the government doing? It is delaying justice again for women for no good reason. Oxfam Canada told the status of women committee this year that there are no barriers to the government moving forward with pay equity legislation now.

The government could follow the good examples of provinces that have proactive pay equity legislation, like Ontario and Quebec. My aunt, Kim Malcolmson, a social justice activist and feminist, was one of Ontario's first pay equity workers when its commission was established in the early 1980s.

I will keep fighting, as many generations of women have before, so that women have equal pay for work of equal value, no matter where they live in Canada. The current government is what is holding that process up. Thirteen years have passed since the Liberal 2004 pay equity task force report. It was a comprehensive blueprint for pay equity. A three-year study, with 113 recommendations, it stands up very well in the House, which supported it again a year and a half ago.

Barb Byers, former secretary-treasurer of the Canadian Labour Congress, testified at the special committee on pay equity. She said:

> Let us also be mindful that women have been waiting for longer than 12 years. We've been waiting for decades and decades, and while we wait, the debt owed to those who are caught in the wage gap continues to mount. These are women with children to raise, women who deserve a dignified retirement....

Therefore, my question for the government is this. When exactly will it listen and introduce proactive pay equity legislation so that women will get the justice they deserve?

● (2110)

Mr. Rodger Cuzner (Parliamentary Secretary to the Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, I know my NDP colleague is very committed to this issue. She asked, back on March 8, when the government intended to pass a law on pay equity and whether it was in the near future.

Our government is committed to a whole-of-government approach to providing opportunities for women in our country: more women in skilled trades, more women in work integrated learning opportunities. Science, technology, engineering, math, we are committed to providing support for women in those fields. Getting more women on boards, and young women and girls taking up coding. Those are the types of initiatives we are supporting across government to make sure that women and their contributions to society are recognized.

Specifically with pay equity, we are currently undertaking meaningful consultations with all stakeholders. As my colleague indicated, there are a number of provincial models. Quebec and Ontario both have pay equity models that we are discussing with them and trying to draw best practices from.

In the response when she asked the question in March, we said we would undertake consultations through the spring, and those consultations are taking place with PSAC, the CLC, and the Canadian Federation of Independent Business. With these consultations, we are where we said we would be.

What we are seeing is the New Democrats scrambling to try to get ahead of progressive issues again because we know in the last election they had that big shift to the centre, and they were going to balance the budget. They went more Tory than the Tories, so all they can do now in the House is ask, "When is the government going to do it?"

They asked, "When is the government going to fix CPP?" We developed a supplemental CPP. They asked, "When is the government going to do something for women on the guaranteed income supplement?" We fixed it with an additional $1,000 a year for the most vulnerable seniors in our country. They asked, "When is the government going to do something about asbestos?" We banned asbestos.

They are scrambling, trying to get back on the progressive side of the political continuum in this country. This is another sign. It may change under new leadership, but all we have seen so far is a battered and bruised party trying its best to get on the best side of progressive issues. The NDP members get up and ask, "When is someone going to do something?" Our government is the someone. We are doing something, and we are going to deliver on pay equity for the women of this country.

Ms. Sheila Malcolmson: Mr. Speaker, the Liberal government was ready in 2004 with a perfect model that had full consultation. Everyone was delighted. It did not happen. Pay equity was in the NDP federal election platform. It was not in the Liberal election platform, but I was very pleased when they agreed with our motion to say let us do this. They took it on. They promised they would.

The recommendation of the all-party committee, the consensus of all parties, was that legislation would be tabled in the House this month, right now. Not a single witness at the committee study that was done said anything other than to enact the 2004 model. They did not say the government needed to consult. They said to get it done.

There is no reason in the world for the government to be talking about asbestos or what was in or out of their election platform, or ours. Pay equity was in ours. I have asked a hundred times this year when they will act. When will we see the legislation that will get Canadian women equal pay for work of equal value?

● (2115)

Mr. Rodger Cuzner: Mr. Speaker, she asked a hundred times, "When will someone do something?" We are the someone and we are doing something. We are fixing this. Things have changed since 2004 in Canada. She might want to refresh those stats. She might want to refresh that data. I think Alexa McDonough might have been the leader of the NDP at the time.

We are consulting with experts in the field. We are consulting with the people on the ground who have dealt with this issue before. We do not want just any pay equity strategy. We want a pay equity strategy that is right for Canadian women. We will get it done.

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 9:16 p.m.)

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