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OFFICIAL REPORT
(HANSARD)

Thursday, April 22, 2010

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Thursday, April 22, 2010

The House met at 10 a.m.

[*Translation*]

Prayers

ROUTINE PROCEEDINGS

•(1000)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 15 petitions.

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CRIMINAL CODE

Hon. Jay Hill (for the Minister of Justice and Attorney General of Canada) moved for leave to introduce Bill C-16, An Act to amend the Criminal Code.

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

* * *

INTERPARLIAMENTARY DELEGATIONS

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the following reports of the Canadian delegation of the Interparliamentary Forum of the Americas, FIPA, respecting its participation at the meeting with the General Secretary of the Organization of the American States; the 19th meeting of the FIPA executive committee held in Washington, D.C. on June 23 and 24, 2009; and the sixth plenary meeting of the Interparliamentary Forum of the Americas held in Ottawa, Ontario, September 12 to 15, 2009.

Mr. Ray Boughen (Palliser, CPC): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the following report of the Canadian NATO Parliamentary Association, NATO PA, respecting its participation in the Political Subcommittee on NATO Partnerships held in Washington, D.C., U.S.A., from October 14 to 16, 2009.

OLD AGE SECURITY ACT

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ) moved for leave to introduce Bill C-516, An Act to amend the Old Age Security Act (application for supplement, retroactive payments and other amendments).

She said: Mr. Speaker, I am very proud to introduce this bill, which would increase the guaranteed income supplement paid to our poorest seniors and ensure that pension benefits are paid to individuals whose spouse or common-law partner has died.

The Bloc Québécois believes that the living conditions and dignity of seniors are not only major issues for society but are also matters of social justice.

Since income is the most important determining factor in a senior's well-being, we, as a society, must ensure that our seniors have a decent income that enables them to participate fully as citizens.

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

* * *

•(1005)

[*English*]

BILL C-9—JOBS AND ECONOMIC GROWTH ACT

Ms. Linda Duncan (Edmonton—Strathcona, NDP) moved:

That it be an instruction to the Standing Committee on Finance that it have the power to divide Bill C-9, An Act to implement certain provisions of the budget tabled in Parliament on March 4, 2010 and other measures, into two or more pieces of legislation.

She said: Mr. Speaker, I am rising to speak to my motion, first tabled before the House April 20, 2010 and today.

Why have I moved this motion? The pattern and practice of the government to institute significant legislative reforms under the cloak of budget bills has been loudly criticized by the Canadian public. This is the second time that the government, during this Parliament, has chosen to make major changes to the environment through a budget bill.

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What has caused such broad consternation is the fact that the subject area of at least one part of Bill C-9, part 20, is by law required to be referred to a parliamentary committee for comprehensive review this year; the fact that the parliamentary committee on environment and sustainable development has already agreed to undertake this review, and that this review is scheduled to commence within weeks; and the fact that the same law requires the committee to report back to Parliament on its review and any recommended changes within a year of completing that review.

There is a clear intent expressed by legislators: of who is charged with reviewing changes to the bill; the process to be followed and, in other words, an open participatory process to review any legislative changes; responsibility already taken on by the parliamentary committee; and that the review is likely to be substantive. For these reasons I am recommending that the finance committee, having been charged to study Bill C-9, be empowered to consider dividing the bill. It is my recommendation to the House that it consider empowering the finance committee to split the bill.

Mr. Speaker, I will be splitting my time with the member for Outremont.

The very title of the budget implementation bill makes clear the narrow thrust of Bill C-9. It is entitled "Jobs and Economic Growth Act".

While a good number of provisions of Bill C-9 arguably fall within the purview of a budget implementation bill and that narrow context, under the rubric of jobs and growth, I submit a number of parts of Bill C-9 clearly do not. Counted among those are: part 18, which is about the reorganization of Atomic Energy of Canada Limited; part 19, amending the National Energy Board Act and the Nuclear Safety and Control Act to allow for participant funding; and in particular, part 20, which brings forth substantial amendments to the Canadian Environmental Protection Act.

I wish most specifically to speak to parts 19 and 20. These parts provide for significant reforms to the federal environmental assessment law: procedures and critical rights. To provide a context, the legislative purposes of the Canadian Environmental Assessment Act include: to ensure projects are considered in a careful and precautionary manner in advance of decisions to ensure they do not cause significant harm or adverse impacts; to ensure coordination among federal authorities; to ensure communication and co-operation with aboriginal people; and to ensure opportunities for timely and meaningful public participation.

The Canadian Environmental Assessment Act requires that the government minister, the CEA agency and all federal authorities exercise their powers in a manner consistent with protecting the environment and human health, and observing the precautionary principle. No such similar broad duties can be found either in the NEB Act nor the Nuclear Safety and Control Act.

The CEAA does allow the Minister of the Environment, on a project-specific basis, to assign environmental reviews to other bodies, but with conditions that there be identical factors, as considered under CEAA, and equal public participation rights. What the government has proposed in the bill is hardly equivalent and a major step backwards in participatory rights and opportunity.

The amendments under part 20 provide for the transfer of responsibility of the CEA agency to the National Energy Board and the Canadian Nuclear Safety Commission for any comprehensive study of projects under their purview, so it is a broad policy assignment of power.

Of concern to me is the fact that the National Energy Board has apparently already posted on its website that these reforms are already in legal effect. The CEAA requires the minister to establish a participant funding program, while Bill C-9 reforms really grant the discretion to the National Energy Board and the Nuclear Safety Commission to consider establishing participant funding.

Of greatest concern, Bill C-9 also exempts a broad category of federally funded projects from environmental assessment, regardless of the significance of their environmental impacts. The minister may reverse the exemption if significant impacts are identified. It hardly provides for the legal certainty that the government promised in its throne speech.

•(1010)

Projects that would be exempted include: the building Canada fund, the green infrastructure fund, the recreational infrastructure fund, the border infrastructure fund, the municipal rural infrastructure fund, and on it goes. Bill C-9 also changes CEAA to grant the minister broad, undefined discretion to narrow the scope of any environmental assessment or, in other words, allow for the introduction of inappropriate, potentially political considerations.

Concerns about this provision have been voiced strongly by a number of sectors including first nations. In particular, first nations are concerned that their constitutionally protected rights for advance notice, consultation and accommodation may have been violated by bringing forward these amendments without first contacting them.

I might add that the government appears to also be failing to adhere to its commitments under the North American agreement on environmental co-operation, where it is obligated to provide advance notice and opportunity to comment to anyone in North American who may be impacted by such reforms. The amendments strike at the very heart of the federal process negotiated among all interests over past decades. The reviews could have gone to the regulatory advisory committee, which the government has not brought together for the last year and half.

In summary, the Canadian Environmental Assessment Act review includes a review and reform process. It prescribes who is to undertake that review. The matter has already been taken up by the Standing Committee on Environment and Sustainable Development, one of the two bodies provided in law that may take on such a study. The parliamentary committee has already scheduled public hearings on this matter, which will proceed within weeks.

Routine Proceedings

It appears, therefore, logical and respectful to empower the finance committee to split its review of Bill C-9 and to delay review of specified parts, in particular parts 19 and 20, until such time as the CEAA review, mandated first to the Standing Committee on Environment and Sustainable Development, is completed and the recommended reforms submitted to Parliament.

This would enable a full and open review of the proposed reforms to assessment law, including hearing testimony from interested Canadians, including industry, provincial governments, first nations, the territories and the general public, on the proposed legal reforms. To do otherwise would ensure a slippery slope to the democratic process.

Canada has long stood as an example in the Western world for having among the best environmental impact assessment processes. Many Canadians have gone to court to fight for strong federal environmental assessment laws. Yet, with one broad brush of a budget bill, open to potentially having the government fall to a confidence vote, is not the way to proceed with a sensible, open discussion on these critical amendments.

In closing, I would just add again that I recommend to the House that it consider giving this power to the committee to consider splitting Bill C-9.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I would like to thank our environment critic for raising this motion today. It is a very important motion and she has laid out some very clear, solid grounds as to why Bill C-9, the budget implementation bill, should be split and sent to committee.

She has raised the issues of environmental regulations and how the government is trying to truck through massive changes in public policy under the cover of a budget bill. However, there are also many issues in the budget implementation bill that are of great concern to us as New Democrats. When we look at what is not in the budget implementation bill in terms of helping people in their everyday lives, whether it is housing, help for students and seniors or pensions, there are huge issues here that are not being addressed.

I wonder if the member, in moving this motion today, could also address some of the issues regarding Bill C-9 and the problems that it has presented. On the one hand, it contains huge flaws in terms of trying to push through these massive changes, but on the other hand, it is neglecting the real priorities that people have concerning things like pensions, housing and child care.

•(1015)

Ms. Linda Duncan: Mr. Speaker, one could perhaps stand in the House for a long time talking about what is not in the budget implementation bill that one would expect to implement measures which would actually provide economic opportunity and equity to all Canadians. That is all the more reason to agree to the splitting of this bill because there are limited opportunities.

Potentially hundreds of people will be interested in discussing this bill before the finance committee. It covers such massive areas, such as access to housing, access to child care, access to fair compensation upon retirement, access to pension protection, and most certainly, very serious changes to environmental law which have implications all across Canada from sea to sea to sea.

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, this is another delay tactic by that party. We are a little shocked and dismayed that the hon. member would try to split a bill that has received accolades all across the country, accolades from all sectors of the economy.

The member just mentioned pensions. Has she actually taken the time to read this bill? If she had she would find that there are provisions in the bill to make changes to federally regulated private pension plans that are very important to Canadians. Has she even read that?

Ms. Linda Duncan: Mr. Speaker, I am a little puzzled because it is my understanding the government has undertaken to go across Canada and consult with Canadians on what they would like to have in their pensions, which is exactly why the Conservatives are stalling on making any substantial changes to pensions. I am left completely puzzled.

Far from a delay tactic, I have said very clearly that the legislation itself requires a full comprehensive review this year and recommendations made on potential needed changes to the Canadian Environmental Assessment Act. We are already apprised of that matter before our committee.

Far from people being in favour of the budget, I have a letter from the Green Budget Coalition castigating the government for making broad-brush changes to a critical bill through a budget bill. The same thing has been said in a letter that has come from more than a dozen first nations expressing grave concerns with the process in bringing forward these changes to a critical environmental law.

[*Translation*]

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, I would like to congratulate my colleague from Edmonton—Strathcona for her truly wonderful work on the Standing Committee on Environment and Sustainable Development.

According to the Conservatives, Bill C-9 is both extraordinary and fantastic, but at the same time, they have slipped some poison pills into it. One of the pills they seem to have included in the bill—and I would like to hear my colleague's opinion about this—would now give the Minister of the Environment the option of whether or not to hold public hearings. They have included this in what they say is a budget implementation bill. What will the minister do? Will he stand up for the oil sands or fish?

What does my colleague think the minister will do once he has discretion over public hearings?

•(1020)

[*English*]

Ms. Linda Duncan: Mr. Speaker, I always appreciate the questions and comments from the hon. member. I enjoy his participation on our committee immensely. He has contributed greatly to the development of environmental law in Canada.

The member raised two separate points about the budget bill which are of concern.

Routine Proceedings

One is the fact that the government, on a project by project basis, is providing the minister with the power to decide to have an agency other than the Canadian Environmental Assessment Agency, which has the expertise, to undertake the environmental assessment. With a broad brush the government is granting that power to the National Energy Board and the Canadian Nuclear Safety Commission. Grave concerns have been raised about this by Canadians across the country.

The second issue the member raised is the matter that under the Canadian Environmental Assessment Act there is an obligation to provide funding to any participants engaged in a public hearing whereas there is the mere discretion that the other two agencies may decide to provide participant funding. Obviously, this is not a fair and equal process.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, we have subtitled this bill the everything but the kitchen sink bill. The Conservatives have thrown in virtually everything they wanted to get through on their agenda.

There is also an element that expands the hated HST. I do not need to explain how people in British Columbia are reacting to this appalling abuse both by the federal Conservatives and provincial B. C. Liberals to expand the HST, to throw in all of these elements that penalize ordinary families in British Columbia, on average \$2,500 per family. British Columbians are reacting in an unprecedented way. Over 80% of British Columbians support signing a petition that will force a referendum on this issue.

This is a completely inappropriate use of government legislation. The government is throwing in a whole bunch of elements that Canadians reject under the guise of a budget bill. Thankfully, the member is bringing forward a motion to split the bill, which is what the government should have done in the first place. The government really should be looking at splitting it in more than one way.

Could the member comment on the appropriateness of expanding the HST when nobody in British Columbia wants it?

Ms. Linda Duncan: Mr. Speaker, I would like to speak first to the member's good point about when an omnibus bill is appropriate. The idea of an omnibus bill was initially instituted because a lot of minor changes could be made to the Criminal Code and it made sense to bring forward all the changes at once rather than debate them one by one through a series of bills.

A valid use was the recent tabling by the Minister of the Environment of an omnibus bill to improve the enforcement of a wide array of environmental statutes, although there were some critical ones missing.

What is not appropriate is the use of an omnibus bill for purposes beyond implementation of the budget. It is very clear there should be a lot of things split from the bill. We are looking at substantive matters of introducing taxes that are going to put higher costs on citizens in those jurisdictions. There is a continuous denial by the federal government of any responsibility for imposing that tax.

The Acting Speaker (Mr. Barry Devolin): It has been brought to my attention that the hon. member for Edmonton—Strathcona did say that she wanted to split her time with the member for Outremont and she did complete her speech within 10 minutes. I did not hear

that and we have gone through 10 minutes of questions and comments, instead of 5 minutes.

Having said that, the hon. member for Edmonton—Strathcona did say that she was splitting her time and on that basis we will resume debate with the hon. member for Outremont.

[*Translation*]

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, I want to be sure that I completely understood your comments. Did you say that I would have 10 minutes for my speech and then five minutes for questions from my colleagues?

Would you like me to repeat the question in English?

• (1025)

[*English*]

The Acting Speaker (Mr. Barry Devolin): The hon. member has 10 minutes for his remarks and 5 minutes for questions and comments.

[*Translation*]

Mr. Thomas Mulcair: Thank you, Mr. Speaker. That is what I was asking.

The motion moved by my friend and colleague, the member for Edmonton—Strathcona, proposes that Bill C-9 be divided to ensure that the dissimilar parts concerning completely different topics can be debated one at a time and not all together.

A few examples were cited earlier, but I would like to come back to some of them. For example, the bill would legalize—for ever and ever—the theft of the employment insurance fund first committed by the Liberals and now continuing under the Conservatives. We must remember that every business and employee across Canada has contributed to a fund specifically dedicated to assistance during times of unemployment. As we know, unemployment is cyclical.

Instead of leaving the money there, the Liberals transferred it to the consolidated revenue fund, the government's general account. Some people said that did not change anything because the same amount of money appeared on the government's books before and after. But there is a huge difference between the two. Every single business, whether it made money or lost money, had to contribute for each and every one of its employees. The government used that money to give itself an extra \$60 billion in leeway to offer tax breaks to the most profitable companies. Why those companies? Well, because tax breaks only apply to companies that pay taxes, or in other words, those that make a profit.

Businesses that were already suffering because of the Conservatives' negligence, incompetence and preferential treatment watched the money that was there for their employees, along with the money employees themselves contributed, disappear. Businesses that were losing money contributed to the fund, and that cash ended up subsidizing oil sands companies. Worse still, once the precedent was set, the Conservatives, who pointed fingers at the Liberals for doing it first, turned around and did it again, perfecting the technique and making it all perfectly legal in this bill. It is clear to us that this issue must be debated separately.

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As my colleague so rightly pointed out earlier, there are also serious implications with respect to the environment. Last year, the Conservative-Liberal axis of evil joined forces once again to completely undermine the Navigable Waters Protection Act, a century-old law that gave Canada an enviable reputation for protecting its waterways. The Liberals and the Conservatives joined forces and torpedoed the Navigable Waters Protection Act because the Minister of Transport claimed that it was killing jobs.

Decades after the Brundtland report, it seems that Canada was incapable of understanding that the environment and the economy are not opposing forces, but that they have to go hand in hand in every choice we make in our daily lives, especially when we are called on to make decisions in a Parliament such as ours.

Furthermore, the Conservatives and Liberals are going to join forces again, this time to scrap the environmental assessment process for energy mega-projects. I listened to my colleague, the hon. member for Brome—Missisquoi, speaking earlier. I was in his region recently with our candidate, Christelle Bogosta, to work with the municipality of Dunham in order to prevent the Conservatives from reversing the flow of the Portland—Montreal pipeline, which would have the double effect of killing jobs in Montreal and endangering the environment in a beautiful region that boasts many lakes and rivers. The pipeline was built about 60 years ago. They are going to build an enormous pumping station order to increase pressure because, instead of bringing oil from the Middle East or North Africa, they will be getting crude from the oil sands, and it will have to be pumped in the opposite direction. The flow will be reversed, and the pressure will increase. This is going to cause environmental disasters, but the Conservatives do not want us to even consider these things. They no longer want any environmental assessments in such cases.

• (1030)

Sustainable development means considering environmental, social and economic factors all together, in each case that is presented to us. And what about the jobs that will be killed? Consider all the projects that have been approved since the Conservatives came to power: Keystone, Alberta Clipper, Southern Lights, and a new line they want to install as soon as possible in order to export oil to China. According to an objective external assessment, the Keystone project alone will cost Canada 18,000 jobs.

We have always had an integrated economy that involves processing our own primary resources, including lumber, minerals and oil. Value was added right here. We are going back to the days of exporting logs to the United States where they were transformed into furniture, thus creating wealth and jobs there, and then re-importing the furniture to Canada. This is what it means to be the proverbial hewers of wood and drawers of water. This is the kind of economy the Conservatives want to pass on to our children and grandchildren.

When the Netherlands discovered oil and gas offshore a few decades ago, the guilder, which was the Dutch currency at the time, shot up in value. In economic terms, this is known as Dutch disease, not to be confused with Dutch elm disease. This economic malaise occurs when foreign currency flows into a country too quickly, driving up the value of the country's own currency and making it nearly impossible for the country to export manufactured goods. The

country's resources are used to create wealth, but it can no longer manufacture and export goods, because its currency is too valuable.

Because the Conservatives have never factored in the environmental costs of the oil sands, an artificially inflated number of U.S. dollars is flowing into our economy at present, driving the loonie to unprecedented heights and making it harder for us to export our manufactured goods and forest products. Before the current crisis hit Canada, Ontario, Quebec and British Columbia had lost more than 400,000 well-paying jobs in forestry and manufacturing. Talk about gutting the economy.

Let us say that someone in our riding wants to show us a factory where product *x* is manufactured and tells us that the product is a real money-maker, selling around the world for \$100 and bringing in huge revenues. We go to the factory and say that it is wonderful, but we ask to see what is going on out back. We are refused access and told not to look. But we insist on looking, and we notice that all the waste is being thrown into the river behind the factory instead of being properly processed. Our first instinct would be to say that the price is wrong, because it does not factor in the cost of managing byproducts or waste.

This is the fundamental mistake that Canada is making under the Conservatives, and they do not even want anyone to look anymore. They do not even want any more environmental assessments. As usual, the Liberals will vote with the Conservatives to scrap the environment and destroy our economy and any chance future generations might have of enjoying the same safeguards we do. In fact, they are going to be stuck with the bill. It is a scandal, and we are going to stand up and condemn it.

[English]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I have a question for my hon. colleague who sits on the finance committee with me and who, I am sure, will bring forward healthy debate when we do debate Bill C-9 at the finance committee, where it should be debated. We have offered to extend meetings. I hope he will stay past his supper hour and join us in those meetings, because we think it is very important, and I referred to that in my last question.

However, let me read a quote. This is supposed to be all about the environment. This is why the hon. member for Edmonton—Strathcona wants to split this bill. Let me read a quote from my good friend, Elizabeth May. This is going back some time.

So we were extremely hopeful with the 1993 red book, where there was a commitment that CEEA

—the Canadian Environmental Assessment Agency—

—would receive royal assent, but it would be with significant strengthening and the creation of an independent Canadian environmental assessment agency that would be more like the CRTC in its functions.

That is what is in Bill C-9. That is exactly what we are doing in Bill C-9, giving the minister more strength to ensure that environmental assessments are done, and done properly.

• (1035)

Mr. Thomas Mulcair: Mr. Speaker, this is a House for debate, for honest debate.

Routine Proceedings

Perhaps Elizabeth May is his friend. It is true. She is a former Conservative staffer and she has always said good things about the Conservative Party. In fact on her social policies, one need only regard what she said in the past about a woman's frivolous choice on reproductive rights to know that she is more of a Conservative than anything else.

With regard to this bill, which is what we are talking about, what the member has just said is entirely false. We will be destroying the environmental assessment process in Canada, just as last year we destroyed the Navigable Waters Protection Act when the Conservatives and the Liberals got together and put a bullet in it.

That is the culpable complicity of the Liberals with the Conservatives, who have never understood that not only are we leaving future generations a \$60 billion financial deficit; we are leaving them an environmental deficit from which they will never be able to recover.

We are not even doing anything proper on pensions, because the minister has decided it is too complicated. He did a tour across Canada last year, and they are doing the same thing again. He has the temerity to say this bill does something to help pensions. This does nothing. It is too complicated for the government.

[*Translation*]

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, I have a question for my colleague from Outremont. Does he think it is a good idea for the Minister of the Environment to have the power to make unilateral decisions on environmental assessments? How can it be a good idea to give decision-making power to just one man, a man who cares more about developing the oil sands than anything else in Canada?

Mr. Thomas Mulcair: Mr. Speaker, the hon. member for Brome—Missisquoi asked a very good question. Indeed, the usual pressure on a minister will end up dissuading him from requesting the necessary environmental assessments. As things currently stand, projects of a certain size must undergo an external independent assessment.

Does anyone really believe that officials at the National Energy Board, who have no experience, expertise or jurisdiction with regard to environmental assessments and are based where the oil sands are being developed, will conduct an objective assessment of the environmental impact when we know that one of the Conservatives' priorities is to export crude oil from the oil sands as quickly as possible? Their only project is developing the oil sands. They have been in power for four and a half years now, but they have not accomplished anything. With the culpable complicity of the Liberal Party of Canada, they have done nothing but destroy the environment and the well-balanced economy created since World War II.

[*English*]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I usually say it is a pleasure to stand and participate in a debate, but this is the most regrettable excuse for a debate that I have seen in some time. We saw this exact same procedure from the NDP in 2008 when all members were trying to do was give themselves a little more profile at the expense of

Canadians. This is year two of an economic action plan that is working. This is a credible plan.

By the way, we fail to see any plan, any suggestions from the NDP about a plan to get more people back to work to save jobs. That is what year two of our economic action plan has in place. The members stand in the House and claim credibility about trying to help Canadians, trying to protect the environment, when in fact all they are doing is delaying positive moves that are in this economic recovery and jobs act. It is to make sure we continue the fragile recovery that this act has actually started to put in place.

The other question in my mind is: Why the delay tactic? I think all Canadians know that the NDP's role in the House is to vote against everything. The members voted against this at second reading. I am quite sure they will be voting against it even at committee and when we bring it back here. So despite the NDP, we will continue to make sure we listen to Canadians and make sure we get this through, because it is important to Canadians. I referred, in one of my questions previously, to how many Canadians have come out supporting exactly what the government has put in place and the number of jobs that are recovering in this country.

Mr. Peter Julian: Fewer and fewer.

Mr. Ted Menzies: The hon. member over there from Vancouver keeps flapping his gums. Maybe they have enough wind to blow some moisture over into Alberta. We need a little more rain over there, so tell him to keep on flapping his gums. It is good for Alberta.

We do assume that NDP members will vote against it again. That would not be a surprise to us. Having had nearly two weeks' debate on this, we think all issues have been raised. The remainder of the issues will be brought forward through witnesses at committee, and we will listen to them. As I have said, we have offered an extension, more meetings to get this done, but we have urgency to get this done.

Shortly after the bill was tabled in the House, I offered a briefing, along with about 36 officials from different departments that are involved in this bill. The hon. member who has put forward this silly motion today arrived late at that briefing. I will give her credit for being the only NDP member who actually showed up with any interest. She walked into that meeting. I had specifically said that we would be going in order of the bill. She asked a question out of order, and I asked her to please be patient and wait until that came up. She left, obviously with no questions because she asked none. Now she delays the passing of the bill when Canadians want it completed, want it passed, want the rest of this implementation to go forward.

Let me give one point that is very urgent, and it is a point that obviously those hon. members in the NDP have completely missed, because they have just absolutely shown their ignorance of the facts that are in this piece of legislation. Let me quote from page 502 of the bill, "Pension Benefits Standards Act".

Those hon. members obviously, by their comments, do not realize that there is a difference between the pensions that the minister and myself are consulting on right now, along with the provinces. Those are the broader pensions. We have put in place in the act, if we can ever get it through, the changes that are required for the federally regulated private pension plans. If they are going to stand in the House and claim that the bill does not impact those, they had better be prepared to tell that to all the plan members who are impacted by what is in this.

• (1040)

The urgency is that June 30 is evaluation day for all federally regulated private pension plans and we need these changes done by then. Many plan sponsors have come to me in the last few weeks and have asked how they can help get this through quickly because they need this to happen.

It is clear that they do not understand and yet they are willing to waste our valuable time when we could be debating the environmental issues that we have, the issues around trade negotiations that are going on and the issues of financing worldwide.

We talk about a fragile recovery but just yesterday the IMF came forward once again saying that Canada leads the G7 and leads the G20 countries in recovery. Let us not lose that focus. We need to stay focused on that.

One of the simple things that the hon. member is asking us to delay is the closing of tax loopholes. The opposition members talk about trying to protect Canadians. We have put in the closing of tax loopholes as part of this bill to protect Canadians and to make taxes fair for everyone.

The Canadian Manufacturers & Exporters has come out supporting the tariff reduction that we have put in this bill. It wants to see that now. It does not want to see it after some frivolous debate that the NDP would wish to have in some other committee. It is obviously more proof that the NDP has not read it or has not listened to manufacturers. By the way, these manufacturers, these small and medium enterprises, are the employers who are providing new jobs in Canada. That is why we have seen an increase in the number of jobs over the last six months.

The credit unions came to us and asked that they be able to expand. The credit unions have done well in this country. They asked that they be allowed to be incorporated federally so we put that in here. We have consulted with and listened to Canadians.

I am not sure where the NDP were holidaying when this House was prorogued but the rest of us on this side of the House were out talking to our constituents and that is what our constituents told us to do.

The miners—

• (1045)

Ms. Linda Duncan: Mr. Speaker, I rise on a point of order. The member may have spoken out of turn in an emotional way. I would like to give him the opportunity to withdraw his comments of calling the review by the parliamentary committee on environment and sustainable development of the Canadian Environmental Assessment Act a frivolous exercise.

Routine Proceedings

The Acting Speaker (Mr. Barry Devolin): I am not sure that is a point of order. The hon. parliamentary secretary.

Mr. Ted Menzies: Mr. Speaker, I would be glad to let them continue but my focus here is to ensure that Bill C-9 passes because that is what Canadians have asked us to do.

The mining industry had asked us to continue the flow-through shares, and that is part of this bill.

The universal child care benefit is being changed so that single parents actually qualify for it. We heard that from Canadians as well.

Maybe the issue here is hidden. Maybe the member, along with other members of this House, are concerned that in this budget implementation act their wages will be frozen for three years. I think that is leadership and that is what we are showing.

The member for Outremont just talked about the devastation that happened with the changes in the Navigable Waters Protection Act in budget 2009. We did not hear much from those people who came to committee and were reassured that those changes in budget 2009 to the Navigable Waters Protection Act were nothing but improvements. They are happy. I am not sure where the hon. member for Outremont has been canoeing lately but he has not been impeded from canoeing anywhere because of those changes.

I think I have spoken long enough about my frustration with this frivolous motion. Therefore, I move:

That the debate be now adjourned.

The Acting Speaker (Mr. Barry Devolin): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Barry Devolin): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Barry Devolin): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Barry Devolin): In my opinion the nays have it.

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Call in the members.

• (1130)

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

Routine Proceedings

(Division No. 35)

YEAS

Members

Abbott	Ablonczy
Aglukkaq	Albrecht
Allen (Tobique—Mactaquac)	Allison
Ambrose	Anders
Anderson	Armstrong
Ashfield	Baird
Benoit	Bernier
Bezan	Blackburn
Blaney	Block
Boucher	Boughen
Braid	Breitreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Cadman	Calandra
Calkins	Cannan (Kelowna—Lake Country)
Cannon (Pontiac)	Carrie
Casson	Chong
Clarke	Clement
Davidson	Day
Dechert	Del Mastro
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fast
Finley	Fletcher
Galipeau	Gallant
Généreux	Glover
Goldring	Goodyear
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hiebert
Hill	Hoback
Hoepfner	Holder
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Lemieux
Lobb	Lukiwski
Lunn	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Nicholson	O'Connor
Norlock	Obhrai
O'Neill-Gordon	Paradis
Oda	Poilievre
Payne	Preston
Prentice	Rajotte
Raitt	Reid
Rathgeber	Richardson
Richards	Saxton
Rickford	Schellenberger
Scheer	Shipley
Shea	Smith
Shory	Stanton
Sorenson	Strahl
Storseth	Tilson
Sweet	Trost
Toews	Uppal
Tweed	Vellacott
Van Kesteren	Warawa
Wallace	Weston (West Vancouver—Sunshine Coast—Sea to
Warkentin	
Sky Country)	Wong
Weston (Saint John)	Yelich
Woodworth	
Young — 133	

NAYS

Members

Allen (Welland)	André
Andrews	Angus
Ashton	Bachand
Bagnell	Bains

Beaudin	Bélanger
Bennett	Bevington
Bigras	Bonsant
Bouchard	Bourgeois
Brison	Brunelle
Byrne	Cannis
Cardin	Carrier
Charlton	Christopherson
Coady	Coderre
Cotler	Crombie
Crowder	Cullen
Cuzner	D'Amours
Davies (Vancouver East)	DeBellefeuille
Demers	Deschamps
Desnoyers	Dewar
Donnelly	Dorion
Dosanjh	Dryden
Duceppe	Dufour
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Eyking	Folco
Foote	Gagnon
Gaudet	Godin
Goodale	Gravelle
Guarnieri	Guay
Guimond (Rimouski-Neigette—Témiscouata—Les Basques)	
Guimond (Montmorency—Charlevoix—Haute-Côte-Nord)	
Hall Findlay	Harris (St. John's East)
Holland	Julian
Kania	Laforest
Laframboise	Lalonde
Lavallée	Lee
Lemay	Leslie
Lessard	Lévesque
Malhi	Malo
Maloway	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Mathysen	McCallum
McGuinty	McKay (Scarborough—Guildwood)
McTeague	Ménard
Mendes	Minna
Mourani	Mulcair
Murphy (Charlottetown)	Murray
Nadeau	Neville
Oliphant	Ouellet
Pacetti	Paillé (Hochelaga)
Paquette	Patry
Pearson	Plamondon
Pomerleau	Proulx
Rae	Rafferty
Ratansi	Regan
Rodriguez	Rota
Russell	Savage
Savoie	Sgro
Siksay	Silva
Simms	Simson
St-Cyr	Stoffer
Szabo	Thi Lac
Thibeault	Tonks
Vincent	Volpe
Wasylycia-Leis	Wilfert
Wrzesnewskyj	Zarac — 128

PAIRED

Nil

The Acting Speaker (Mr. Barry Devolin): I declare the motion carried.

The House will now resume with the remaining business under routine proceedings.

PETITIONS

ANIMAL WELFARE

Mr. Borys Wrzesnewskij (Etobicoke Centre, Lib.): Mr. Speaker, pursuant to Standing Order 36, I am presenting a petition signed by over 60 citizens from my riding and the GTA who are concerned about how farm animals are transported. The petitioners are concerned that regulations in Canada's Health of Animals Act are outdated and in need of revision.

Currently, farm animals may be transported for 36 to 52 hours without water, food or rest. These transport times are among the longest in the industrialized world and are not consistent with scientific findings on animal welfare during transport. Therefore, the petitioners urge that amendments be made to the Health of Animals Act in keeping with the findings of the European Union's Scientific Committee on Animal Health and Animal Welfare, which calls for a reduction in transport times for animals.

AIR PASSENGERS' BILL OF RIGHTS

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I have two petitions to present today. Thousands of Canadians are calling on Parliament to adopt Canada's first air passengers' bill of rights. Bill C-310 would compensate air passengers with all Canadian carriers, including charters, anywhere in the world that they fly.

The bill provides compensation for overbooked flights, cancelled flights and long tarmac delays. It addresses issues such as late and misplaced baggage. It requires all-inclusive pricing by airlines in all of their advertising. The airlines would have to inform passengers of flight changes, either delays or cancellations. The new rules would be posted at the airport and airlines would have to inform passengers of their rights and the process to file for compensation. If the airlines followed the rules, it would cost them nothing.

This legislation has been in effect more or less in this form for the last five years. The question is why Air Canada passengers get better treatment in Europe than they do when they fly in Canada.

The petitioners call on the government to support Bill C-310, which would introduce Canada's first air passengers' bill of rights.

• (1135)

EARTHQUAKE IN CHILE

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, the second petition is signed by dozens of Canadians. It calls on the Canadian government to match funds personally donated by the citizens of Canada for the victims of the earthquake in Chile. The earthquake in southern Chile occurred on February 27 and was 8.8 in magnitude.

The Chilean Canadian community has been actively raising funds for the last number of weeks. They keep asking me to ask when the Prime Minister is going to treat the victims of the earthquake in Chile the same as he did for the victims of the earthquake in Haiti and match funds personally donated by Canadians to help the victims of the earthquake in Chile.

Routine Proceedings

HUMAN TRAFFICKING

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, I have two petitions to present. The first one relates to human trafficking. The petitioners indicate that the trafficking of women and children for the purpose of sexual exploitation should be condemned. The petitioners also indicate that whereas it is the duty of Parliament to protect the most vulnerable members of society from harm, they are requesting that Parliament amend the Criminal Code to include a minimum punishment of imprisonment for a term of five years for the offence involving trafficking of persons under the age of 18.

PLANNED PARENTHOOD

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, the next petition is regarding planned parenthood. The International Planned Parenthood Federation promotes the establishment of abortion as an international human right and lobbies aggressively to impose permissive abortion laws in developing nations, but Planned Parenthood does not support physicians' freedom for practising according to their conscience or religious beliefs. The petitioners call upon the Government of Canada to stop all funding for the International Planned Parenthood Federation.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, the following questions will be answered today: Nos. 133, 135, 136 and 137.

[Text]

Question No. 133—**Mr. Francis Scarpaleggia:**

With respect to World War II veterans in the Montreal region who require or have required care in long-term community facilities: (a) how many such veterans have been placed in private or semi-private community facilities on the island of Montreal following an evaluation by Department of Veterans Affairs staff or other qualified professionals working on behalf of the department; (b) in which private or semi-private facilities on the island of Montreal have these veterans been placed in each of the past ten years; (c) how many have been cared for in each of these facilities in each of the past ten years; and (d) has the federal government subsidized the costs to veterans of being cared for in these facilities and, if so, what has been the average per capita amount of the monthly subsidy for veterans in each facility in each of the past ten years?

Hon. Jean-Pierre Blackburn (Minister of Veterans Affairs and Minister of State (Agriculture), CPC): Mr. Speaker, with respect to World War II veterans in the Montreal region who require or have required care in long-term community facilities in regard to a) There are presently 51 World War II veterans placed in private community facilities on the island of Montreal. These 51 veterans have been assessed and evaluated by VAC as requiring intensive care.

In regard to b) These 51 WWII veterans have been placed in 13 different private facilities: Ambiance Signature, Vincenzo-Navarro, CHSLD Centre Garant, Château Westmount, Florales Lasalle, Griffith Mcconnell, Le Vivalis, Le Waldorf, Maison Herron, Manoir Montefiorre, Manoir Pierrefonds, Place Kensington, and West Island Manor.

Routine Proceedings

In regard to c) Complete data and statistics for the veterans placed in the private facilities for the past ten years are not readily available. Veterans Affairs Canada would have to obtain the cooperation of the 13 facilities to compile the data.

In regard to d) The Department of Veterans Affairs contributes a portion of the accommodation and care costs in these private facilities and the average amount per capita is of \$3998.95 monthly, for 2010.

Question No. 135—Mr. Robert Oliphant:

With respect to the new Veterans Charter, since 2006: (a) what percentage of veterans receiving a Disability Award lump sum payment have received the financial advice paid for by Veterans Affairs Canada (valued up to \$500); (b) of the total number of veterans' spouses, partners and family members who have been eligible to receive rehabilitation services, what percentage have availed themselves of the services; and (c) of the total number of spouses, partners and family members who have received or are currently receiving rehabilitation services, what is the breakdown of participation in terms of the program's three components (medical, psycho-social and vocational supports)?

Hon. Jean-Pierre Blackburn (Minister of Veterans Affairs and Minister of State (Agriculture), CPC): Mr. Speaker, the response is as follows: a) Information received from clients indicates that the vast majority of those who have received larger awards have received financial advice from their financial institutions and other sources. Based on figures for March 2010, less than 1% of veterans receiving a disability award lump sum were reimbursed by the department for financial advice.

b) Approximately 11% of veterans' spouses, partners and family members who have been eligible to receive rehabilitation services, availed themselves of the services.

c) Of the total number of spouses, partners and family members who have received or are currently receiving rehabilitation services, 73 % participated in psycho-social supports and 27% participated in vocational supports. There was no participation in medical supports.

Question No. 136—Mr. Robert Oliphant:

With regard to the Agent Orange ex gratia payments: (a) how many total applications were received by Veterans Affairs Canada for ex gratia payment related to the testing of herbicides, including Agent Orange, at Canadian Forces Base (CFB) Galetown; (b) of those that submitted applications for the ex gratia payment, how many individuals were awarded compensation; (c) what medical condition did each of the individuals awarded compensation that made them eligible; (d) of those awarded compensation, were they military or civilian personnel; (e) of those awarded compensation, in what federal electoral riding do they presently reside; and (f) of the funds allocated by the government for the ex gratia payments related to the testing of herbicides, including Agent Orange at CFB Galetown, how much remains unspent?

Hon. Jean-Pierre Blackburn (Minister of Veterans Affairs and Minister of State (Agriculture), CPC): Mr. Speaker, the response is as follows: a) As of March 15th, 2010, 3909 clients applied for ex gratia payment related to the testing of herbicides, including agent Ooange, at Canadian Forces Base, CFB, Galetown.

b) As of March 15th, 2010, 2758 clients were provided the ex gratia payment.

c) 69 %—type 2 diabetes; 12 %—prostate cancer; 8 %—acute or subacute transient peripheral neuropathy; and 5 %—respiratory cancers

The remaining percent include in order of ranking—non-Hodgkin's lymphoma, chloracne, spina bifida, soft tissue sarcoma,

Hodgkin's disease, multiple myeloma, chronic lymphocytic leukemia, CLL. Some clients had multiple medical conditions.

d) Of the 2758 clients in receipt of the ex gratia payment, 1116 clients were military personnel and 1642 clients were civilian personnel.

e) Veterans Affairs Canada does not identify clients by electoral riding.

f) A total of \$88,820,000 was allocated over four years, 2007-08 to 2010-11, by the government for the ex gratia payments related to the testing of herbicides, including agent orange at CFB Galetown. As of March 15, 2010, there was \$33,660,000 of this funding still unspent. Of this unspent amount, \$27,200,000 lapsed at year end, \$280,000 at the end of 2007-08 and \$26,920,000 at the end of 2008-09, and was returned to the government's fiscal framework, leaving a balance available for future spending of \$6,460,000.

Question No. 137—Hon. Lawrence MacAulay:

What are the details related to the renewal of the contract between the government and Northumberland Ferries with respect to the ferry service provided between Caribou, Nova Scotia, and Woods Islands, Prince Edward Island?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the Government of Canada understands the importance of ferry services to the local communities and the regional economy. Any future decision regarding support for ferry services would take into consideration any future costs and benefits. Transport Canada is currently negotiating with the private ferry operator regarding an extension of this service to March 31, 2011. Details of the negotiations cannot be released at this time.

* * *

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, if Question No. 97 could be made an order for return, this return would be tabled immediately.

The Acting Speaker (Mr. Barry Devolin): Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 97—Ms. Ruby Dhalla:

With regard to the last ten appointments to the Immigration and Refugee Board of Canada (IRB): (a) how many individuals were considered for these positions; (b) how many were interviewed; (c) what is the process for vetting potential candidates for IRB appointments; and (d) what criteria are used to determine the appropriate candidate for these positions?

(Return tabled)

Government Orders

[English]

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

The Acting Speaker (Mr. Barry Devolin): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[Translation]

KEEPING CANADIANS SAFE (INTERNATIONAL TRANSFER OF OFFENDERS) ACT

The House resumed from April 21 consideration of the motion that Bill C-5, An Act to amend the International Transfer of Offenders Act, be read the second time and referred to committee.

The Acting Speaker (Mr. Barry Devolin): The hon. member for Argenteuil—Papineau—Mirabel has eight minutes left for questions and comments.

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I want to compliment the member on his presentation. He has accurately described what the bill is all about. We know this is another PR exercise on the part of the government as far as its criminal justice agenda is concerned.

Just the other day we heard from Mr. Sullivan, the government's victims rights appointee, who after three years is not being reappointed. His criticism of the government is that it is spending too much effort on punishment and it is not worried about the issues involving victims rights. The very issues the government claims to support, he says the government is not giving the type of support to victims that it should be.

We know the system has been working just fine for 30 years. The idea that somehow we should be giving more discretionary power to the minister for a system that is working okay right now does not make any sense whatsoever. Criminals are going to eventually get out of jail in any event from, say, the United States and come back here without any type of training. How is that going to provide any type of safety for the people of this country?

[Translation]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, my NDP colleague is right. The Conservatives have a great deal of difficulty striking a balance between rehabilitation, conviction and repression. This is a delicate balance. Quebec society has always been open to balancing repression and rehabilitation.

The conservative right-wing philosophy has been predominant in the United States. A few months ago, the new Democratic U.S. president had to release 20,000 prisoners because he thought the sentences were too stiff for the crimes and because there was no more money to keep these people in jail, let alone rehabilitate them. Rehabilitation is very important. The younger the criminals, the greater the effort we must make to rehabilitate them. Quebec's success rate in this regard is exceptional.

Once again, the Conservatives, out of partisanship, have decided to judge on a case-by-case basis, day by day, and with an eye to the media, just like the Republicans in the United States.

• (1140)

[English]

Mr. Jim Maloway: Mr. Speaker, we can follow up on the member's comments by recognizing that what the Conservatives want to do with their bill is enhance public safety, but in fact it will do just the opposite.

They are going to let the criminals stay in jail in, for example, the United States, where they will get no rehabilitation. At the end of their sentence they are going to be sent back to Canada where they will in fact be a danger to public safety in this country.

The current system works just fine because people will be brought back. They will be going to a jail in Canada; they will not be going free. They are going to be in a jail where they will not be a threat to anyone. They will get proper rehabilitation and training here so that when they do get out, they are not going to be the menace to society they would be if they were left in the United States.

Would the member like to comment further on that?

[Translation]

Mr. Mario Laframboise: Mr. Speaker, the balance in the justice system has been passed down to us by our parents. We have adopted a set of societal values. The party opposite wants to give a right-wing Conservative minister more discretion. The minister gave us his reasons, saying he had examples in mind but could not cite them.

So we are going to give a right-wing Conservative minister discretion. We have seen the Conservatives' secrecy with respect to the transfer of Afghan prisoners. They do not want to hand over the documents. There is a presumption that torture has been outsourced to the Afghan authorities.

The same is true with the justice system. The minister wants more discretion because he wants to leave prisoners in other countries, maybe to subject them to treatment he could not subject them to in Canada. That is the sticking point.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, I would like to congratulate the new member for Argenteuil—Papineau—Mirabel.

My question is very simple. If the minister cannot cite a single example in which someone came back to Canada and committed another crime, why introduce this bogus bill?

Mr. Mario Laframboise: Mr. Speaker, my colleague is right. Why?

The Conservatives have decided to take on the whole law and order issue because they can make political hay out of it. That is all they have left. The rest of it, the way the Conservatives govern the country, is a monumental failure. They think they are going to succeed with law and order.

At the same time, and this message is for my Liberal colleague, because we have to stop, I listen to the Liberals' speeches and it is clear they want to vote for the bill so it can be amended in committee.

Government Orders

Why not stand up and vote against this bad bill? If we fight it now, it is over. Let us stop being afraid that people will think that voting against something means we are not in favour of law and order.

Let me give an example. The Bloc Québécois was the first party in the House to take on and fight against organized criminals by reversing the burden of proof. We fought that battle for Quebec, against the Hells Angels. We did a good job. When it is a bad Conservative bill, we do not hesitate to take it on. The political results in Quebec will perhaps give the Liberals a bit more of a taste for standing up to the Conservatives, even on their bad law and order bills.

• (1145)

[English]

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I am pleased to join colleagues in debating Bill C-5, which is an amendment to the statute that governs the transfers of Canadian offenders outside Canada back into Canada and offenders in Canada who are not Canadian would be patriated to their own countries.

I debate this because I see some material difficulties with the in bill the way it is written. I do not want to prejudge the vote of the House, but should it go to committee for study, it is my hope that the remarks in the House will better inform the committee review of the bill.

There are three areas I want to address. The first is about the title of the bill. The second is about the degree to which the House may expand the ambit of discretion in the hands of, not the Governor-in-Council or not a tribunal, but one minister. The third is about charter compliance in relation to what is in the bill.

The first thing is the title. It is an act the amend the International Transfer of Offenders Act, but the government, for whatever purpose, has seen fit, in clause 1, to write the following, "This Act may be cited as the Keeping Canadians Safe (International Transfer of Offenders) Act". I do not quite understand why the government would name it that. It could have named the bill, "making Canadians happy act", or "making Canadians more contented", or "making Canadians feel a little bit better", or maybe "making Canadians like the Conservative Party of Canada a little better".

If the title of the bill is to become an open-ended billboard for political rhetoric and advertising, then I think the House should put a stop to it. I have never seen this nonsense before.

If anybody is to put an end to it, it has to be the members in the House. I am pretty sure the Department of Justice did not decide to put a neon sign, billboard piece of advertising rhetoric in the title to a bill. It is actually bordering on the absurd. I have thought about it. This is a bit like the Orwellian *Animal Farm* thing that we could read about in fiction some years ago. If the government keeps repeating these little mantras, maybe people will start to believe it.

The first thing I think the House should do is strike the title of the bill, but our procedures do not allow us to do that at second reading. However, I would love to see a motion to do that, to at least strike out the political rhetoric and advertising in the title. I hope the committee, if it goes to committee, will strike this part of the title and state very firmly in a separate report that this type of playing,

abusing, distorting, adulterating the clause 1 of a bill by throwing in a little political throwaway line is unacceptable to the House and it distorts our legislative practices here.

This is not the first bill where I have seen this, but it is the first bill where I have had a chance to get up and, in a material way, address it. It is unacceptable. Hopefully, if the bill comes back, we will not see this nonsense. The House should not be drawn into these silly, Orwellian, *Animal Farm*, political mantra insertions in our statutes.

• (1150)

Of course once we write it, it could be there forever. There it is, in all of our bills, "the making Canadians happy bill", "the making Canadians content bill", "the oh what a wonderful world it is bill", "the do not forget to vote for us in the next-election bill". This is silly, dumb, distorted, political thinking. It certainly is not part of the legislative arts. I really hope the committee that studies the bill will look at that.

Let us move on to something a little more substantial, and it is the issue of discretion.

A number of members have spoken about it and it is clear, on the face of it, that one of the purposes of the bill is to broaden the discretion of the minister in making decisions on offender transfers. Most of the changes take place with reference to Canadian offenders abroad who have applied to be repatriated to Canada. However, clause 3 of the bill applies to offenders in Canada being removed, on their own application, from Canada. There is an expansion even there because currently the wording is that the minister "must" take certain things into consideration. The wording being proposed here is the minister "may" take into consideration a certain number of considerations. That is just on the circumstance of offenders who are not Canadian, who are in Canada and as part of an application process involving their country have applied to be removed from Canada to serve the balance of their sentence in their country of origin or citizenship.

Let us go back to the issue of discretion in relation to Canadians abroad. As I look at the bill, it is pretty clear that the discretion made available by the House, because we are legislating this, to the minister, from a "must", as in, "the minister must take a look at this consideration", is moved to the word "may", as in, "the minister may". That means the minister does not have to take into consideration the items that are preceded by the word "may".

In addition, we have the insertion of the words "in the minister's opinion", which basically says that what really matters is the minister's opinion, one person's opinion on that consideration.

At the beginning, the bill refers to the goal of enhancing public safety. Nobody could object to that, but it is also a fact that the Sentencing Act, the Corrections and Conditional Release Act and the Criminal Code all refer to and incorporate public safety as either the number one or a leading public policy objective in all of this. How could it be otherwise?

Government Orders

Having mentioned the word “may” and the insertion of “the minister’s opinion”, we also have at the end, subsection (l), unbelievably having listed 11 separate factors and a number of sub-factors. These are considerations that the minister may take into consideration and, in relation to which, it is the minister’s opinion that governs. Having listed all of those carefully, itemized with precision, the government now inserts a clause that says, “Any other factor that the Minister considers relevant”. Why do we not just drop all of the considerations and insert subsection (l) so the minister can simply, on his or her own opinion, “Any other factor that the Minister considers relevant”.

●(1155)

What a total, unmitigated abandonment of rule of law is this? If we pass this, why bother giving the minister a list of considerations and matters to take into consideration if at the end of it all we can simply say “any other factor that the minister considers relevant?” It is not whether it is relevant or not, it is whether the minister considers it to be relevant. Therefore, should there ever be case of someone, God forbid, second-guessing the decision of the minister, and we would never want to do that around here but maybe in other places people might, the minister can simply respond by saying that it is none of our business because the statute says that he or she can take into consideration any other factor that he or she considers relevant, for example, if a person has bad eyesight, or good eyesight, or is too tall the prison beds.

We will not bring back a seven-footer because we will have to build a special bed for him. Is that a relevant consideration? It is only in the mind of the minister that it matters. If the minister thinks that is a factor the minister considers relevant, then it counts. That is what we have been asked to pass and legislate. This is wrong. This is a default. This is an abandonment by the House of the issues that we consider relevant because we have already created the main list.

There are other considerations. Paragraph (g) states, “The offender’s health”. What does that mean? The minister may take into consideration the offender’s health. Does that mean good health or poor health or some aspect of health? Will the minister look at the person’s DNA? A lot of DNA is being recorded and profiled now. It is recorded for all serious offenders in our country and in many other jurisdictions around the world. The DNA of the offender is taken and DNA profiles are fully capable, under proper analysis, of revealing health traits and propensities to certain bad health. Do we want the minister to have the total discretion to take into account that offender’s health? In this case, we are talking about a Canadian offender who is outside Canada who has applied to come back and serve the balance of a sentence here in Canada.

There should be some parameters put on this. However, if the House were to go ahead and adopt the whole list, including item (l), any other factor the minister considers relevant, it really does not matter then. The minister can take into consideration the health, whether the offender has or does not have hair, height, weight, where he or she was born, and any other factor the minister thinks is relevant.

I hope in the end that these items will be dropped from the bill. I am pleading with colleagues in the House and the committee to seriously consider dropping some of these provisions or circum-

scribing them. However, at the very least, if Parliament does turn over to the minister additional discretion, whether it includes these things or not, I hope there can be a provision inserted in the bill that requires the minister to put these considerations in writing and to make them available to the offender whose application is being dealt with. It seems to be fair that these considerations, if relied on by the minister, are put in writing. Let us keep this in mind. There is no built-in review. It looks like the minister’s say on this is final.

●(1200)

I mentioned the offender’s health. Subparagraph (i) deals with whether the offender has accepted responsibility for the offence for which he or she was incarcerated. In the normal course, that sounds reasonable, but what about the case of offenders who say that they were never guilty and that it was a false conviction? Do we think there were ever any false convictions out there? In fact, we know there have been too many, which we all feel badly about. The ones we hear about are the convictions dealing with homicides. In those cases, the offenders are normally incarcerated for much longer sentences, for 10 to 20 years or life sentences. In those cases, when the offender, who has been improperly convicted, finally gets a chance to prove it and get exonerated, those are high profile cases because the offender has usually served quite a few years.

I do not have to list of those cases. However, those who have been exonerated should be able to go on with their lives without being mentioned in the parliamentary record.

What about all the other cases of people who have been falsely convicted of lesser offences where the sentences have been two, three, four or five years and they have been incarcerated in a foreign jurisdiction, even though they were plainly the wrong people? This section seems to be saying that in order for the minister to bring the person back, the person needs to have accepted responsibility for the offence for which he or she were convicted, including acknowledging the harm done to the victims and the community. How does that section deal with the matter of a false conviction? It does not and it should.

I will stop my review of the individual sections, but there is one more item I want to mention. Subparagraph (d) states:

whether, in the Minister’s opinion, the offender left or remained outside Canada with the intention of abandoning Canada as their place of permanent residence;

That is not a new provision, but the part that makes it “in the Minister’s opinion” involves the extension of discretion, which I am concerned about. The reason that it is important in this case is that if there is a Canadian abroad, he or she has, under our charter, the right to return to Canada.

I am concerned here, legally, about this House legislating a ministerial opinion that would or could obstruct a charter right of a Canadian offender abroad to come back to Canada. This has charter implications and constitutional legality implications. I do not know whether that was noted.

Government Orders

I will now deal with the charter issue. In my view, these provisions are much too vague. They impose a degree of arbitrariness. Under our Constitution, we are not supposed to be subject to arbitrary measures. We have legal rights to life, liberty and the security of the person. We have the right not to be arbitrarily detained or imprisoned, which is applicable here depending on what is meant by imprisoned or detained. If we have the right under our charter not to be arbitrarily imprisoned or detained, which is specifically mentioned in the charter, then we do not have the right to write a statute that takes away the right not to be arbitrarily detained.

The allowance of the minister of these arbitrary discretionary rules removes that charter right. I would love to see the Department of Justice opinion that says that this provision and all these provisions are charter compliant.

• (1205)

The real issue here is whether Parliament will abandon the set of rules that we have had established for many years for offenders in favour of virtually a totally arbitrary decision in the hands of one minister of the government of the day, and not just of an apparent and alleged charter problem but real, material and incipient charter issues on the face of it.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, several speakers in this debate have already questioned why the government is bringing out another one of these bills. I think we all know why. The fact is that it is bringing them out because it gets headlines like this, “Tories want to toughen rules on repatriation”. It is all about those media hits and trying to improve its depressed polling numbers.

However, if the media in this country would actually do its part and be more critical of the government by writing headlines like, “Conservatives wrong on crime” and “Conservatives do what does not work again”, the government would come to its senses and stop doing it. However, it keeps doing this because there is mileage in it.

How the Conservatives can keep doing these things with a straight face is beyond me. We have intelligent lawyers on that side of the House, too, and I do not know how they sleep at night going through this charade year after year, not to mention the fact that the Prime Minister keeps proroguing the House and calling elections a year earlier than he needs to, violating his own fixed election dates, and then we start the process over.

On the nuclear liability bill, it is the fifth time this bill has been introduced in this House and, for the fifth time, we will go through the whole process of debates again just so he can prorogue the House again in a few months.

The bill that we are dealing with here was introduced last year. We went through all the debates on this issue just last year and now it is being introduced again.

Would the member like to comment further on this? I know he had a few more points in his speech that he was unable to fit into the time frame, so maybe he would like to take a couple of minutes and finish his speech in the process.

Mr. Derek Lee: Madam Speaker, I did manage to get most of my remarks in but I might have been a little unclear on one thing, which is that for ever statute that comes forward, the Department of Justice,

under the Department of Justice Act, is required to provide an opinion to the Privy Council that the proposed legislation is charter compliant. I am curious as heck to see how the Department of Justice handled this particular statute.

I have a sense from time to time that the Department of Justice may have lost its way over the last few years. It, of course, leads in developing legislation. I noted a case before the Supreme Court last week. The law on taxation of the federal government by municipalities has been clear for almost 150 years but somehow the Department of Justice lost that case. I have not read it yet but I am sure there is a good explanation in the case.

However, we need to focus a bit more on rule of law here. Law is the infrastructure and politics is the octane that runs this place but we need to keep our eyes on the components.

• (1210)

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Madam Speaker, I listened carefully to the comments of my esteemed and learned colleague from Scarborough—Rouge River. We share a number of interests. His understanding of regulations and how bills are written is extremely important.

People watching this debate must be wondering when they see the caption “Keeping Canadians Safe”. When they actually examine how shallow this legislation is and see that it would give discretion to the minister to pick and choose which Canadians will be defended abroad, it becomes quite a farce. Those people who are watching this on TV are seeing nothing but a farce as a result of a government that is telling Canadians that sometimes it will defend them and other times it will not.

I want to ask the member a very specific question. The prospect that I have seen in my years with consular affairs helping defend the interests of Canadians abroad, apart from the fact that we know there is no example of recidivism, of someone coming back to Canada and reoffending, the arguments that have been made so far about rehabilitation are extremely valid. If the government is so concerned about keeping Canadians safe, why, in goodness name, would it not allow for rehabilitation if a person does not reoffend, even though an offence took place in another country?

It is on that point that I have encountered many Canadians who have found themselves in situations where, through shoddy policing, a lack of presumption of innocence or a perception of perhaps targeting foreign nationals, Canadians find themselves with no help, except for this kind of treaty, which has been agreed to by most nations.

I am wondering if the hon. member could comment on the fact that this is really a proxy for the government to do indirectly that which it cannot do directly and, in fact, that the government is looking at a position where it does not need to help Canadians? It may be a question of extraordinary rendition in reverse.

Mr. Derek Lee: Madam Speaker, some Canadians do not like the thought of Canadians returning to Canada when they have committed offences abroad, but the fact is that they will be coming back and, in theory, the day after they finish serving their sentence in whatever country.

Government Orders

For those who are not violent offenders but have broken the law, bringing them back a little early to serve their sentences here allows for transitioning. Our corrections system has some of the best transitioning and conditional release provisions in the world, and we do quite well at it statistically. It is not perfect but we do quite well at it.

Those really violent offenders will come back anyway. They are not prohibited from coming back to Canada. As soon as their sentences are up, in theory, they are back here on the next plane. I would rather have them come back to Canada before the expiry of their sentences so that we can get a handle on them, find out a bit more about them and get them into some programming if possible, some transitional, conditional or supervised release. That supervision would then assist in transitioning them out of their sentence and back on the street where, after the expiry of their sentence, they are entitled to be. That makes the whole system safer.

Whether they are non-violent offenders or violent offenders, there are good reasons for doing this and it has worked pretty well for the last 30 years.

My friend may be correct that the goal here is to reduce the need for the government to bring some of these people back for whatever reason. If they are public safety reasons, I wish the government could be real honest about that.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Madam Speaker, I also have serious concerns about this bill and about the government's desire to give itself more and more leeway when it comes to the fundamental rights of Canadian citizens outside Canada. In some cases, they have in fact committed repugnant or unacceptable crimes, but in other cases, they may have been wrongfully convicted, because that does happen in some countries. In fact, it even happens in our country, and we know of examples. So this government wants to give itself more leeway, as we saw in the Khadr case. A child soldier who is unjustly imprisoned by the Americans in spite of every international convention, and the government refuses even to follow the decisions of the Supreme Court.

Is my colleague not afraid that if we give the minister even more power, there will be ever more situations like that one, where the rights of Canadian citizens are trampled on abroad?

• (1215)

[*English*]

Mr. Derek Lee: Madam Speaker, the main theme in this debate is the increased bundle of discretion that is being offered statutorily to the minister involved. It is a distortion of the regime that has existed up to now, which has worked rather well. There is some concern in the House that the additional discretion is not needed. That is not to say that no amendments to this statute are needed, and we are going to make some amendments if this bill goes forward.

I think the view in the House would be that the discretion involved ought to be constrained better than it is now in these amendments. In many ways the discretion offered goes way too far.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, I am very pleased to rise today and speak to Bill C-5. I am following some very excellent speeches on the part of other

members in the House from the Liberal Party, the Bloc and certainly my party, the NDP.

Bill C-5, keeping Canadians safe, is to amend the International Transfer of Offenders Act. This particular bill was introduced in the House on March 18, 2010, by the Minister of Public Safety. It is almost identical to Bill C-59, which received first reading during the second session of the 40th Parliament but died on the order paper when Parliament was prorogued on December 30, 2009.

We get to the point again of the Prime Minister's proroguing Parliament and having to reset the entire agenda, reintroduce all the bills and go through all the debates. Each time he prorogues the House, he sets back the Parliament in this country by a year or two in the process.

Bill C-5 amends the purpose of the International Transfer of Offenders Act as well as the factors for the minister's consideration in deciding whether to consent to an offender's transfer. This bill is all about transferring discretion. Under the old bill, there was a set procedure for bringing people back. It has worked well for 29 or 30 years in this country. As a matter of fact, not one person who has been repatriated has reoffended under the program. The government, for whatever reason, has decided it wants to transfer more power to the minister so the minister can decide who gets to come back.

Canada has been a party to treaties related to the transfer of offenders, as I said, since 1978. These agreements have been characterized as humanitarian in nature. They enable offenders to serve their sentences in their country of citizenship to alleviate undue hardship borne by offenders and their families and to facilitate their eventual reintegration into society, because at the end of their sentences, they will come out.

The argument that we and other parties have been presenting in the House over and over again is that, in the Canadian system, they will be subject to rehabilitation and programs. These programs are often not available in other jurisdictions. Most of the people being brought back under the program are in United States jails, and the United States does not have a very robust system for dealing with the rehabilitation programs and treating the prisoners.

The Transfer of Offenders Act came into force in 1978. It was modernized by the International Transfer of Offenders Act in 2004. The act enables offenders to serve their sentences in the country in which they are citizens or nationals. Generally speaking, the principle of dual criminality applies here, so that the transfer is not available unless the Canadian offender's conduct would have constituted a criminal offence in Canada as well.

Government Orders

A transfer can take place only with the consent of the offender, the foreign entity and Canada. It is the minister, currently defined as the Minister of Public Safety and Emergency Preparedness, who decides whether to consent to the transfer into Canada of a Canadian offender or the transfer out of Canada of a foreign offender, because it is a two-way street here. In making that decision, the minister is currently required to consider certain factors, such as whether a Canadian offender's return to Canada would constitute a threat to the security of Canada and whether that offender has social or family ties in Canada.

Once an offender is transferred, his or her sentence is administered in accordance with the laws of the receiving country. The Correctional Service of Canada notes in its international transfers annual report for 2006-07 that if offenders are not transferred, they may ultimately be deported to Canada at the end of their sentence without correctional supervision, which is very important, and without the benefits of programming.

• (1220)

I have a copy of that report. I want to take a moment to read the conclusion because there are many good elements to that report. It states:

An analysis of the information contained in this report doesn't only demonstrate that the purpose and principles of the International Transfer of Offenders Act have been fulfilled; it supports that the International Transfer of Offenders program is consistent with the Mandate of the Correctional Service of Canada (CSC) and its Mission Statement in that the program contributes to public safety by actively encouraging and assisting offenders to become law-abiding citizens, while exercising reasonable, safe, secure and humane control. It ensures that offenders are gradually returned to society and that they have the opportunity to participate in programming that targets the factors that may have led to their offence.

The reference to public safety is there. The government seems to suggest that it has to make these amendments because somehow it would enhance public safety, ignoring the fact that the transferees who come from the foreign jails are not coming out on the street. They are going directly to jail. They are not going to be a danger to public safety in Canada, because they are not going to be walking the streets. They are going to be in jail presumably being subject to programming efforts and proper supervision. When they are let out, they will be supervised through that process as well.

On the other hand, if they come out of the American jail after a period of time with no proper programming, then they are essentially time bombs. They are going to be coming back to Canada and they are not going to be supervised. Then they could be a threat to public safety.

That is exactly what we are trying to prevent. The government is basically on the wrong track. As we see with many of the measures it takes, it is all about the headline. That is all it really cares about, as well as what is happening with the poll numbers. It is not concerned about what works and what does not work.

As I have indicated before, the media in this country should take their jobs seriously on this issue and become more critical of the government and start writing headlines a little different from the ones the Conservatives are getting, headlines that say, "Conservatives wrong on crime", "Conservatives do what doesn't work again". If the government started getting headlines like that, then perhaps it

would retreat a bit and not be so eager to keep putting Parliament and the public through this whole exercise of what it has been doing.

As I have indicated on several occasions, there are smart lawyers on both sides of the House. There are particularly good lawyers on the Conservative side of the House as well. I do not know how they justify doing things like this.

Just so people who are watching know the total number of transfers, a total of 1,351 Canadian offenders were transferred to Canada between 1978 and 2007. Therefore we are not talking about huge numbers. Of these, 1,069 or 79% of them came from the United States.

The other countries from which most Canadians were repatriated were Mexico at 59 offenders or 4.4% of the transfers; the United Kingdom, at 33 offenders or 2.4% of the transfers; Peru at 31 offenders or 2.3% of the transfers; Trinidad and Tobago at 20 offenders or 1.5% of the transfers; Thailand at 17 offenders or 1.3% of the transfers; Venezuela at 17 offenders or 1.3% of the transfers; Cuba at 16 offenders or 1.2% of the transfers; and Costa Rica at 14 offenders or 1.0% of the transfers.

• (1225)

Fewer than 10 offenders were repatriated from any other country. I think a lot of people would perhaps not be surprised with those figures, but in a way might be because I would think that a number of people would be thinking that people were being transferred from places like Turkey, and of course that does not seem to be the case.

The number of offenders transferred to Canada in the fiscal year has ranged from a low of seven in 1980-81 to a high of 98 in 2003-04. In 2006-07, 53 offenders were transferred to Canada, which was the lowest annual total since 1994-95, when 40 offenders were transferred. In the last 10 years for which statistics are available, 1997-98 to 2006-07, 768 offenders were transferred to Canada for a yearly average of 77.

So, we are not talking about a tremendous number here. These are reasonably small numbers, over a 30-year period. Of those 768 offenders, 313, 40% of them, were transferred to the Ontario region; 207, or 27%, transferred to the Pacific region; 200, or 26%, transferred to the Quebec region; 33 people, or 4.3%, transferred to the Prairies; and 15 people, or 2%, were transferred to the Atlantic region.

In terms of transfers from Canada, a total of 124 offenders were transferred out of Canada between 1978-2007. Of these, 106 offenders, 85% of them, were transferred to the United States. No matter which way we look at it, the transfers back and forth are overwhelmingly between Canada and the United States. Very small numbers exist on either side for countries other than the United States. Eight offenders, or 6.5%, were transferred to the Netherlands; three people were transferred to the United Kingdom; two were transferred to France; and one was transferred to each of the following countries: Estonia, Ireland, Israel, Italy and Poland. And 90 of the 124 transfers took place between 1978 and 1983.

Since then, transfers from Canada have generally taken place at a rate of one or two offenders per year; although there were three transfers in 1990-91, all to the United States, and four in 2006-07, one each to Estonia, France, Israel and Italy.

Government Orders

Now, in terms of the applications and denials, which is the reason behind the government bringing in this legislation in the first place because it had one or two cases where it was not happy with the results, in the last five fiscal years for which statistics are available, the international transfers unit of Corrections Canada received 1,314 applications for transfer. Of those, only 27%, 367, have resulted in a transfer, while 519, or 39%, were denied, and some applications are still being processed.

In one of the press releases that the government sent out, it brags about the fact that its number of approvals has been slashed. It is taking the small numbers of people who are involved in the transfer program, in the first place, and essentially cutting them down drastically. I have the statistics here. That is what the end result of this exercise will be.

When the minister wants and gets more discretion, the end result of that process will be that less people will be involved in the transfer and more people will be staying in the prisons in countries outside Canada, fulfilling their full sentence. Then they will be coming back to Canada without any kind of treatment or any kind of programs that would make them better candidates for integration and, I guess, less of a risk to public safety. When they come back from the United States with no training and no programs, they are not going to be supervised here, and then they are going to be a threat. They are going to be a public safety risk.

● (1230)

We are going to have the opposite effect of what the government actually wants. This is absolutely crazy. We want to have a system that shows results. We want to adopt practises that actually work.

I do not know how many times we have spoken in this House about how the American system, during Ronald Reagan's years, during the "three strikes and you're out" and the minimum sentences, produced a huge construction boom in the United States for prisons, many of which became private prisons so private entrepreneurs could make money. These prisons basically warehouse a huge number of prisoners. Guess what? The crime rate did not go down but instead went up. The U.S. economy is in such bad shape right now that the California governor is just letting people out of prison without having taken any programs, which will basically allow the prisoners to reoffend again.

The Conservative government obviously does not have any common sense. Why would it adopt a system that is 25 years old and has a bad track record? I do not know why the government would not canvass the world, find programs that actually work regardless of the country, send teams of people to study the program, and implement that program here. That is the sensible way to do it, but the Conservative government does not do things like that. The government picks programs that do not work.

In Manitoba we enforced the immobilizer program on insurance companies and provided it free to drivers. This program has cut the auto theft rate by 40% in about a year. We beefed up the crime prevention unit to concentrate on the 50 people who were stealing most of the cars. This program actually works and other jurisdictions are looking at copying what is being done there.

That is the kind of approach that the government should be taking toward criminal justice in this country, or any other program in this country. The Conservatives are ideologically bound to their American Republican cousins. They have taken the attitude that if it did not work in the United States then let us not make it work here. That seems to be their approach.

I do not know how we can get through to Conservative members. We are sitting in a minority government. With friends like Rahim Jaffer and others, the Conservatives will have a minority government forever. A majority government will probably never happen.

In their own minds, the Conservatives seem to think that they have a majority government. They keep pretending they have a majority government. They bring in bills that have no chance of making it through the House. We have to question why they would keep doing this. Then they prorogue the House and start over again. The public must be shaking their heads. I have asked people about this and some have come to the conclusion that the Conservatives are not actually tough on crime but are actually soft on crime.

There is a real lack of credibility and a real disconnect with the Conservative government and some of the legislative efforts that it makes. The programs in the system do not actually work.

I have become sidetracked once again. I have pages and pages of notes. I could probably speak for another hour on this subject, but I understand that my time is running out. Perhaps when members ask me questions I could make some more comments on some of the sections I missed in my speech. Having said that, I want to yield the floor to people who want to ask questions.

● (1235)

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Madam Speaker, I am hoping to allow the hon. member to extend his comments with my question. Is the hon. member aware of the fact that prior to the introduction of this legislation, by its predecessor last March, the government was involved in the practice of ensuring certain Canadians could not return? In other words, by enacting the transfer of the offender treaty, by subjecting these reviews even though they were signed off by other nations, accepted by other nations, where Canadians served a substantial time of incarceration in another country for a crime they did not commit in Canada I should point out, the then minister of public safety, now Treasury Board, was involved with subjecting some of these transfer of offender requests to CSIS reviews or any type of review which would have the effect of extending the incarceration of Canadians even though they had the right to come home.

I wonder if the hon. member could tell us what it really means when it says keeping Canadians safe when in fact the person is not rehabilitated, and I see here it says "keeping Canadians safe". When they are not rehabilitated, as some members have said, assuming it was a fair trial to begin with, they may come back unprepared and ill equipped to reintegrate into society.

Government Orders

Does the hon. member believe that the discretion given the minister could lead to abuses of favouritism, choosing individuals because of their money situation, choosing them by how they vote, choosing because of media attention? Does the hon. member believe that kind of discretionary power runs against the rule of law and the very principle of democracy of this Parliament?

Mr. Jim Maloway: Madam Speaker, I agree with the member's comments. The government should be taken to task, essentially, for false advertising because it is promising that the bill is going to help public safety when the member and other members have just demonstrated that it is going to have the opposite effect.

They are already doing it. Conservatives are transferring fewer people since they have taken power. The numbers have gone down and they are allowing prisoners to stay, for example, in American jails where they are not being treated. They continue to become better criminals and basically they are ticking time bombs. When they get out of American prisons, they come straight back to Canada, and the system will have no opportunity to deal with them. They will get no training, no anger management and no supervision. They will be back out on the streets and that is going to be a danger to public safety, the exact thing Conservatives say they are trying to prevent.

On the issue of giving the minister more discretion, I share the member's concerns about this one hundred per cent because that is exactly what the government is doing. It is grabbing at straws. It uses every element it can to come up with a reason to circumvent this law and others.

It is not just this type of legislation. The Conservatives seem to want to push the envelope as far as they can to make the reality conform to their own ideology. As the member indicated, if the minister or his government, or their ideology dictate that they do not want to accept a certain person who would have been allowed back under the current rules that have worked well for 30 years, then they will simply use that as an additional reason not to bring the person back to Canada.

That is essentially what is going on here and there is no way that we should be allowing this particular minister or any minister in the government any more discretion or any more leeway than they have. As I said yesterday, if it ain't broke, don't fix it. The act has been there for 30 years. It has worked well for 30 years. What is wrong with simply leaving what works intact?

• (1240)

[*Translation*]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Madam Speaker, I would like to hear what my colleague thinks about an existing problem.

Let us suppose that someone has mental health issues, for example, is bipolar, and is incarcerated at the Archambault Institution in Montreal, Canada. This institution provides offenders with special attention and care, as well as the necessary medications. If this same prisoner was in the United States instead of the Archambault Institution, he would not receive any special attention, other than receiving some medication, without any real confirmation that they are appropriate for his mental condition.

I would like to know whether my colleague thinks that is right, or if he agrees that we should bring these prisoners back to Canada as quickly as possible.

[*English*]

Mr. Jim Maloway: Madam Speaker, I have to agree with the member. He is absolutely correct.

If we in the opposition started to communicate with our voters, we could negate whatever short-term advantage the government is getting out of these kinds of issues.

For example, there is an issue right now with respect to the prison farms. There are six prison farms in this country. Some have been operating for many years. I toured the one in Rockwood, Manitoba last week. The government is shutting down these six prison farms. When we explain that to the average voters in this country, even Conservative voters, they shake their heads in disbelief.

It is incumbent on us in the opposition to get that message out to the voters. I think they will start questioning the government on where it is going and where the common sense is in the government. It makes no sense to shut down prison farms. I think the member would probably agree with me on that.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Madam Speaker, the member for Elmwood—Transcona has pointed out the incoherence of the Conservatives bringing this bill forward when there has only been one problem. The problem was judicial oversight. The judge simply was not convinced the minister had done his due diligence. That is it.

We are wasting time in this House of Commons chewing up debate time because the Conservatives are so thin-skinned and have reacted to one case where a judge did his job and the minister did not. That is why we are here.

I want to ask the member about the incoherence of the Conservatives. We have had Conservative members call the police a cult because the police disagree with them. The Conservatives have repeatedly refused to bring in a public safety officer compensation fund so that the families of firefighters and police officers who lose their lives would be taken care of. The Conservatives give the back of their hands to the firefighters and police officers. We have seen the Conservatives kiss the goons and thugs of the Colombian regime, and try to push this through.

It is rampant hypocrisy. What the Conservatives say they want to do on crime and what they actually do are two completely different things. It is incoherence. It is hypocrisy.

Could the member comment on the absolute hypocrisy of Conservatives on criminal justice matters?

• (1245)

Mr. Jim Maloway: Madam Speaker, it is even worse than that.

Three years ago the government hired Mr. Sullivan as its victims rights co-ordinator. His contract is up and the Conservatives are not renewing it, because he has actually criticized the government. This is their appointee as the head of victims rights.

Government Orders

The Conservatives claim they are solid on victims rights. He says they are not. He says they spend too much time worrying about and dealing with the punishment issues and do not spend enough time talking about victims rights.

This message—

Mr. James Bezan: Madam Speaker, on a point of order, the debate is on Bill C-5.

The question that was just asked and the answer that is coming forward are not relevant to the debate. I refer to Standing Order 11 (2). I would ask that the Speaker make sure the debate is focused on the bill we are actually talking about.

The Acting Speaker (Ms. Denise Savoie): I am sure the hon. member will come to the point. I know that he is ending his comments. He has 30 seconds to conclude.

Mr. Jim Maloway: Madam Speaker, regarding the point of order, I just want to say that on all of these bills at second reading we are discussing the principle of the bill. We are dealing with the government's approach to crime. This is a very relevant conversation and a relevant argument. I see no problem with the discourse that is being allowed at the moment.

The Acting Speaker (Ms. Denise Savoie): I thank the member for his comments. We will now be resuming debate as the hon. member's time has expired.

Let me just say that both members have made valid points. I think there is an interest although there is more latitude allowed at second reading to make comments relevant to the principle of the bill but also deal with the bill.

The hon. member for Pickering—Scarborough East.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Madam Speaker, I have no hesitation in coming to the issue before us, a piece of legislation which I think is not even worthy of the debate this Parliament has undertaken.

Members will appreciate the fact that perhaps, unlike some of my colleagues in the House of Commons, I have spent a considerable amount of my career working to help Canadians in difficult situations get home. While all of those do not necessarily involve circumstances that are the most palatable, or something that on the surface may seem to be correct, appropriate and right, the reality is that my actions and those of my colleagues in the Liberal Party have always been governed by principle, by legislation that has been time honoured and treaties that have worked for Canadians as well as for our international reputation.

What the Conservative government is proposing today is really a deconstruction to facilitate more discretion for the minister to pick and choose who the minister wants to render or to bring home. The reality is that when we see this bill before us that refers to keeping Canadians safe, nothing could be further from the truth.

As many colleagues have mentioned already, when an individual is prevented by his or her government from coming returning home and getting proper rehabilitation, from a land in which the individual may have been guilty over there but not necessarily here, and in which the circumstances of the individual's incarceration does not lead necessarily to the individual's conviction here in this country,

without reprogramming, without the opportunity to rehabilitate, we are opening up a Pandora's box and subjecting Canadians to certain harm.

On the question of harm, the Conservative government has not made the case for the bill. I truly believe it should not go beyond second reading for the simple reason there has not been one case with which the Conservatives can come forward on the question of recidivism. We do know that the government has spent a considerable amount of its time and the time of the courts dragging its heels preventing Canadians from coming home, forcing Canadians to hire lawyers and go to the Federal Court of Canada in order to get the government to act, to stand up for the rights of Canadians abroad.

Members will understand my surprise at this kind of arbitrary discretion given to the minister, not based on fact. It surprised me because the bill was introduced by the Minister of Public Safety. Where is the Minister of Foreign Affairs? This is a treaty of a transfer of offender. If I understand the role of the public safety minister, formerly known as the solicitor general, it is to ensure that there is an appropriate understanding between the two nations when it comes to a transfer. It surprises me that the Minister of Foreign Affairs, one of the proudest portfolios we have in our government, is mute, relatively silent, taking a back seat and, I would say, irrelevant in this process.

I want to talk a little bit about the experiences I have had with Canadians who have had difficulty returning home. I am not talking about the imbroglia years ago with which I had to become involved with respect to the return of someone like, for instance, Brenda Martin. The government, after dragging its legs, heels, whatever, decided at the last moment that it would spend \$90,000 to bring her home, when all it had to do was press for the case. There is something far more important with that case as it applies to many others. I can cite for colleagues examples of where Canadians have found themselves in difficulty.

Often the transfer of offender treaty is a mechanism where we may disagree with the legal system of another country, but once the person's trial is over, the transfer mechanism can be triggered. This allows us a political but also a diplomatic way of ensuring the return of a person who has been ill-treated abroad because the person happens to be a foreign national, because the person happens to be Canadian, because the person has been subjected to shoddy police investigations there, where the person has been subjected to a rule of law in that country, good or bad, that may not, for instance, adhere to the principle, the concept, the very maxim of presumption of innocence.

This mechanism, agreed by most nations around the world, a transfer of offender treaty, has worked well for Canada since 1978. It was codified in 2004. It has helped Canadians and certainly improved Canada's standing internationally when it comes to reciprocal roles between nations. We do not always have to agree with the legal system of another country.

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•(1250)

Let us understand why this legislation is here. Since 2006, the Conservative government has taken upon itself to refuse to bring Canadians home. This is not done with a ministerial refusal but by finding excuses such as a CSIS review or subjecting a person to incarceration longer because the government cannot find a way of saying no, even though the approvals have happened to bring the Canadian back to Canada from the host country where the Canadian has been incarcerated. I will provide some examples.

Hundreds of Canadians can be detained or sentenced to incarceration in foreign lands. Of course, we know that some deserve to be behind bars, but there are other cases, as I have mentioned, that are not so clear-cut. A growing concern in recent years is that it seems when Canadians get in trouble abroad, there is often an automatic assumption by some officials and, yes, some politicians that the subject is guilty and should be left to his or her own fate.

This is a rather dim view that can be evidenced by the fact that the government approval rate of transfer of offender applications filed by Canadians serving sentences abroad has declined in recent years. It is down from 140 cases approved by Canada in 2005 to a low of 58 in 2006, 75 in 2007, and 108 in 2008.

I should point out that the slight increase in 2008 may be due to recent court rulings urging the government to lighten up on denying such requests. It is worth noting that in 2005 no transfer request was in fact denied. However, in 2008, 26 were refused and the refusals have drawn some attention and could support the view that the government is taking a new and rather heavy-handed approach to dealing with wayward Canadians.

In one court ruling a couple of years ago, Justice Kelen commented that the government should be taken to task on its transfer refusal. The court went as far as to state that contrary to the Minister of Public Safety's view, not everyone abroad constitutes a threat to national security. My goodness, there are 45,000 people incarcerated in this country. Are we to assume then that the minister thinks that all 45,000 are a threat to national security?

When we look at the facts underlying the reason the government has been motivated to bring this kind of legislation forward, they have nothing to do with what we are reading in it. It is not keeping Canadians safe. It is keeping Canadians in the dark. It is denying them a series of circumstances. It demonstrates to Canadians above all that the government is all about quick witty comments such as fairness at the gas pumps and keeping Canadians safe. It is a fraud. It is not true.

If the government is trying to go after a particular constituency to make a few people happy, that is great, but I can say that in my time I have dealt with people across the aisle, Conservatives, Bloc members, New Democrats, and when one of their constituents who may have supported them is in difficulty, there is never a question from a Liberal or most members of Parliament as to whether or not the person voted for a certain party before getting service. Giving discretion to the minister leaves us in a position where we are now going to subject the right of a Canadian to return,

often in circumstances that are unbelievable, based on the whim of the minister.

We believe in the rule of law, not the rule of thumb.

It is extremely important for colleagues to recognize that this piece of legislation may be couched under circumstances that may allow the government to appeal to a particular constituency in this country. I can only say that I have met people who have been and are part of that constituency and it is a different thing when it is their son, their daughter, their aunt, their friend, their relative who is in difficult circumstances.

We have seen the government act in a way that is capricious and we cannot have a situation of picking and choosing Canadians we are going to help abroad. Nor is it lost on people how unseemly it is for individuals to have to take their cases to court because of a government that hides behind its royal prerogative to help or not to help.

The Conservatives campaigned a few years ago on a platform of standing up for Canadians. It is too bad they do not do it when it comes to Canadians abroad unless they are embarrassed into doing it, until they are forced to do it or because someone who happens to be well connected to their party made a phone call saying they ought to look at it.

There is the case of Mr. Kapustin, for whom the Minister of Citizenship, Immigration and Multiculturalism quite rightly went to bat, but there are hundreds of other Canadians like him. There is Brenda Martin. The Minister of Transport, Infrastructure and Communities went to see Bashir Makhtal in Ethiopia. It was very laudable, but there are hundreds of Canadians who find themselves now caught in a situation where the Minister of Public Safety wants to use some undefined, unspecified and very arbitrary decision-making power that is contained in this legislation to choose who is and who is not going to get the chance to return home.

•(1255)

I cannot think of a better example of why parliamentarians exist, and that is to prevent the unchecked power of cabinet and of the executive to make decisions based upon circumstances ill-defined, certainly in legislation.

We have every reason to worry about this. Canadians travel for many reasons such as business, education, tourism and volunteering at work. They should not commit crimes whether they are here or whether they are elsewhere around the world, we know that. However, we know that some, unfortunately, will.

We also know that Canadians may be convicted in the context where the presumption of innocence is ignored, where prejudice against foreigners, human rights violations and unsavoury policing techniques lead to convictions of innocent persons. We also know that sometimes harsher sentences are imposed on foreigners than on nationals, and I have a number of examples of experiences with this. The possibility of serving the remainder of a sentence in Canada, in my view and I think the view of what we have seen in practice, may alleviate these perceived and sometimes real injustices.

Government Orders

Should Canadians have the right to be transferred? If, indeed, the conditions of incarceration amount to what would otherwise be considered matters of cruel and unusual punishment, in this case and as this legislation from the Conservatives proposes, should they be at the mercy of the minister's whim in the evaluation of such critical and crucial decisions? I think not.

I ask Canadians to look beyond this bill before us called keeping Canadians safe. They should look at it and scratch back a bit of the surface. It is wonderful and we all want to be safe, but there is nothing that binds Canadians together more than recognizing that we believe in the ability of an individual to rehabilitate themselves.

We have an excellent correctional service system in Canada, of that I have no doubt. However, as I mentioned earlier, it is this transfer of offender treaty that allows many people, who would otherwise find themselves permanently in jail, incarcerated, tortured, deprived of the very basics of human rights because of a ministerial whim, to return to a country that has forsaken them.

This is not a question of making a point about good people and bad people. If they are jail in other countries, there is probably a very good reason for it. However, all too often we see there are extremely important examples of where people have been put in jail through no fault of their own.

What do we do with Mohamed Kohail, who just a few months ago was sentenced to death? That sentence, we hope, will be lifted at some point. What about William Sampson, a case which I was directly involved with, who was about to be executed? We worked with those countries and we worked to ensure that our relations with those other nations were paramount so that the life of the Canadian in this case, and we hope in the case of Mohamed Kohail, would be spared.

Canadians are languishing in jails around the world. The least they would expect is for Parliament to give a rubber stamp or a green light to a practice of saying that we may or may not like them, but we do not want to tell them why we may or may not like them.

My hon. colleague, the member for Hull—Aylmer, raised a question about a particular case. I know the case very well because it was one of an individual who is bipolar and who had done something obviously wrong, but at the end of his time in prison, half his sentence was served, the American government and the State of Florida said that he could return to Canada, that they had no quarrel with it. However, the Conservative government that said, no, that it wanted to keep him there. It knew he was bipolar and that he had difficulty. It knew he did not get treatment while he was in that facility, but it did not want him back.

The right of a Canadian to return is a right that cannot be compromised or changed by judicial discretion or ministerial indiscretions, and that is of great concern to members of Parliament on all sides of the House.

• (1300)

If I sound passionate, it is because I back up what I say with action. I call on the Conservatives to back off on this nonsense. There is no reason to have this kind of legislation. When Canadians, who I think are extremely intelligent on these kinds of things, have an opportunity to look at it, they will not be fooled. They will not be

fooled by “keeping us safe” when it is in fact tantamount to making Canadians unsafe.

People who return from torture and squalor in another nation and have been kept there because of the discretion of the minister will not come back programmed to go back into society. Let us understand this. They are not folks who have committed an offence in Canada. They get off the plane, the boat, the train or whatever the case may be and they go into the general public.

Where is our public safety there? The government has to be clean. It cannot confuse messages to be cute, trendy or trite when all it is doing is potentially subjecting Canadians to more harm, while at the same time damaging the lives of individuals who did no crime in Canada.

We understand the transfer of offenders treaty. People commit serious offences in another country. After a period of time, the country agrees, through treaty, to send them to serve out the remainder of their sentence in Canada. People who have committed serious crimes in other countries will have to serve the remainder of that sentence in the Canadian context, and that is very important to stress. They will at least be in a Canadian facility so they can be directed in a way that they can get back on the streets and rehabilitate themselves.

We do not have something like dungeons in our country. We do not torture people in our country. We believe in the ability of people to reintegrate into society at some point. That is, after all, why we call it corrections. By allowing the minister to do this through misadventure, and by supporting an ideology, which I think under scrutiny most Canadians would not accept, is wrong. It is flim-flam and it is not standing up for Canadians but rather trampling on Canadians.

In my time as a member of Parliament, dealing with some of these cases, I have often thought it interesting when I visit someone who has been in jail and has been tortured. It is interesting and depressing to know that the person has only one link to Canada and that is a Canadian citizenship. People fought for our liberties in the Boer War, the first world war, the second world war and the Korean War. What our young men and women are doing in Afghanistan today is making our country proud. I think the last thing on their minds would be to see us compromising our framework of legal, democratic bodies of law that protect Canadians at an instant.

For the members of the government on the other side who have proposed the legislation, it is not only flawed, but it sends the wrong message. It does not improve Canada's image and it does nothing to protect Canadians. It does not do a service to those men and women who have given their lives and continue to make our country proud on a number of fronts.

We should talk to our police about Canadians who have returned and the importance for rehabilitation through our correctional services. Every person has the ability to change. Some may not, but if they have not committed a crime in Canada, we should give them the benefit of the doubt. The facts bear out. How many Canadians have returned under the transfer of offenders treaty and offended? Not one.

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The argument made to justify this legislation is false, it is misleading and it is a fraud. I would suggest to all members of the House that this does not deserve the debate in committee. There are only a couple of amendments, including changing “must” to “shall” and giving the minister discretion that, in his or her opinion, the person should or should not return.

I do not think that discretion should be given. I do not think there is a basis for it. I do not think there is an argument for it. Anybody who takes the time to really consider what has been offered here must recognize that the facts speak louder than political or ideological rhetoric. I am convinced that we should not only leave well enough alone, but that the problem is not evident. As my colleague just said a little earlier, it is not broken, so let us not try to fix it.

I look forward to questions from members of Parliament, but I want them to know one thing. I would stand up for any Canadian requested by any member of Parliament from any party. I am here to stand up for Canadians. This is not an ideological issue. The Conservatives should come to their senses.

• (1305)

Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC): Madam Speaker, the member said this was all about a whim. Bill C-5 is about ensuring the Minister of Public Safety may consider public safety as part of the decision making process for the transfer of offenders. The bill includes a factor that in the opinion of the Minister of Public Safety the offender's return to Canada would endanger public safety. It would allow the minister to consider, among other things, the safety of victims, the safety of the child and the safety of members in the offender's family, factors such as whether the offender was likely to continue criminal activity in Canada.

These are the principles on which the minister would base his opinion. It is far from being a whim, opinions such as an offender in poor health, or has co-operated with law officials or has acknowledged harm done to victims and communities. Those are the factors not whims that the minister would use in his discretionary power. These are sensible changes and they are about their commitment to protect the rights of victims or commitment to increase the responsibility of offenders.

There is nothing wrong with increasing the responsibility of the offenders. It is a part that the member does not speak to at all. When he speaks about the whim of a minister, it is not about the strength the minister has, it is about strengthening our commitment for the rights of victims.

I would like to know where he thinks that there is a not a responsibility of offenders. What about making our communities safer as a whole?

Hon. Dan McTeague: Madam Speaker, I am not sure if the hon. member listened to my speech, but I find it kind of ironic that a minister of the executive of the Crown would ask for more discretion and more powers.

She is a member of Parliament. Part of the job of ensuring that Parliament functions for the benefit of Canadians abroad is to talk

about facts, truth and to ensure that there is a balance to ensure every minister is accountable.

If the minister reads the legislation, and I encourage her to do that, it is “in the opinion”. It is up in the air. It is loosey-goosey, airy-fairy. Parliament will not give a blank cheque to that minister or his party. Nor should it give it to any other party that happens to be in power.

I know she heard about zero cases of recidivism, but if she has no confidence in Correctional Service Canada and, for instance, the United States department of corrections, which releases the Canadians into Canadian authority, to make an assessment as to the risk, the likelihood of harm of individuals, then why not just say it.

She should say that she does not believe in our correctional services or our border services. It is nice to talk about these things, but when we put them on the slightest scope of scrutiny, the minister's comments fall to pieces. The minister is basing legislation on nothing. The foundation is that it must be based on public safety.

If she is concerned about public safety, why would she not have a system that gives people the rehabilitation so they can get back on their feet and not reoffend? What the minister prescribes is a recipe for more danger and will make Canadians unsafe.

• (1310)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Madam Speaker, I enjoyed the member's speech. I found the minister's question disingenuous at best. As we all know the government, not only the current government but previous governments, has denied dozens of transfers. That has existed under the old act. The current act allows for that and it tells the minister what criteria must be given consideration.

What we have is a framework that has worked in all cases except one. In that one case now, in a typical Conservative case of absolute legislative overkill beyond belief, the Conservatives are now taking up House of Commons time for one case where the judge found that the minister had not done his homework, had not done his due diligence.

Therefore, the Conservatives craft this up on the back of a napkin, throw it into the House and with the due disregard for democracy that we have seen through the numbers of prorogations over the last few years, we see another middle finger given to Canadians generally. A bill is brought in, even though the need for it comes from one case where a judge, quite rightly, found that the minister had not done his homework. Now we are spending parliamentary time working through this.

I know the member has long experience in this regard and has intervened a number of times. What does the member think is behind this Conservative attempt to eat up parliamentary time? What does he think of the Conservatives' hypocrisy on crime issues? For example, this week a Conservative member called police officers and chief of police a cult because they disagreed with the Conservative government.

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Hon. Dan McTeague: Madam Speaker, what the hon. member is asking me is interesting. In fact, it is appalling and shocking that we would hear this from a Conservative Party, attacking police in this country

As members probably recall, on a number of cases, whether it was child exploitation, whether it was dealing with people who evade police, or whether it was dealing with ensuring that the forward-looking infrared cameras on police helicopters were used to detect signature places that might be marijuana grow ops, I have always received the support of law and order police associations across this country, and I am proud of that. However, I am absolutely shocked that people who profess to be in favour of law and order have attacked the very people who are standing up for us. There is a consistency and a pattern here. It is not about keeping Canadians safe. It is, "If you don't agree with me, I'm going to scandalize you; I'm going to be involved in name-calling".

I think the Conservative Party and some of its members ought to grow up and recognize that there are people in this country who, day in and day out, are giving their best for this nation. They also do it recognizing that if they find themselves in difficulty, and I have met many police whose children, friends and relatives find themselves in difficulty, they need to know that their government is going to stand up for them, regardless of what party, regardless of the politics.

Why is this bill here? This bill is here to try to deceive people. It is not even well written. It would give the minister all sorts of powers. It is a power grab against innocent defenceless Canadians. Shame on that government for introducing it.

Hon. Larry Bagnell (Yukon, Lib.): Madam Speaker, I would like to ask the member this. As part of the international treaty, if we refused to bring a whole bunch more Canadians back, because of this bill, could the Americans then refuse to reciprocate and not take their people back, so that we would have a lot more dangerous American criminals in our prisons?

•(1315)

Hon. Dan McTeague: Madam Speaker, the hon. member for Yukon raises a very critical point. If Canada is going to walk away from, change, modify, circumscribe or subject its legislation, its legal framework of treaties with other nations, to the whim of not only the Minister of Foreign Affairs but the Minister of Public Safety, this is an embarrassment of tremendous proportion. I could not even possibly understand or even delve into what this does, in terms of ramifications. Are the Americans, the Australians, the Brits, the Europeans now to say that Canada's position on law and order, on the question of treaties, is based on which way the wind is blowing?

We know the current government is going to spend a considerable amount of time fighting Canadians when they have made the request to return home through the Federal Court and the Supreme Court of Canada. Consistently those courts have said, when it comes to the transfer of offenders treaty, that these people do not present a breach or a threat to national security; they are simply exercising the rights that all citizens within those treaties in both bilateral nations have. For that reason, I think it is really incumbent on Canadians again, when they see this little thing under here that says "keeping Canadians safe", to know that it is not.

We have to ensure that legislation fits the bill to ensure Canadians can be given a modicum of protection. This legislation goes in the wrong direction. It is not even unintentional. It is very intentional. It is meant to deceive. The Liberals have called this for what it is. It is a fraud.

The Acting Speaker (Ms. Denise Savoie): The hon. member for Simcoe North. A very brief question, 30 seconds.

Mr. Bruce Stanton (Simcoe North, CPC): Madam Speaker, I listened carefully to the member for Pickering—Scarborough East and I am quite interested by his comments. I do think some of the comments have been a little bit more torqued up and partisan, to be honest, than what I would have expected. But one of the things I really question, from the comments from the member, is that this is a bill that has an interest in putting public safety at the forefront of this legislation. Should it not be that the minister has that kind of discretion to stand on the side of Canadians and victims of crime to protect them when in certain circumstances they—

The Acting Speaker (Ms. Denise Savoie): Order, please.

The hon. member for Pickering—Scarborough East has 25 seconds to respond.

Hon. Dan McTeague: Madam Speaker, I understand the member's passion about this. But his passion is obscuring the reality and the facts from him.

The truth is that Canadians need to come back from another country under the transfer of offenders program to get rehabilitated, to make his streets in Orillia and my streets in Pickering safe.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Madam Speaker, I am pleased to be here today and debating Bill C-5, to which the Bloc Québécois objects.

Before continuing, I would like to mention a practice to which this government increasingly resorts, even though it verges on the grotesque. The Conservatives have developed a habit of giving ridiculous names to bills instead of focusing on the legal nature of the bills. Our parliamentary tradition is to identify the real purpose of a bill, but the Conservatives are increasingly giving them subjective names in order to sway people's opinion.

People watching us on television can see what we are discussing today at the bottom of the screen. It is the Keeping Canadians Safe Act. The government is trying to imply that people who oppose Bill C-5 are also opposed to keeping Canadians safe. It is totally ridiculous.

There are more examples of this increasingly common practice in other items on today's agenda, for instance Bill C-13, the Fairness for Military Families Act. I do not want to go into this bill right now but there is obviously already a very subjective twist in the title. We also have Bill C-4, Sébastien's Law. It is even more pathetic because they are trying to take advantage of our horror at the type of tragedy that befell young Sébastien, who was killed in battle. The title implies that anyone who honours Sébastien's memory should support the bill and anyone who dares to oppose it is against honouring his memory. It is totally absurd.

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We saw it as well in the budget. They talked about an act to stimulate economic activity in Canada, or some other aberration of the kind. Another Conservative bill was called the trafficking of minors act, even though the word trafficking did not appear anywhere in the bill. Honestly.

This practice must stop. I do not know whether the bill before us today will go to committee, or if the others will, but I hope the committees that study them will be more objective and will give them names that reflect the legal reality. Today, for example, we are discussing the International Transfer of Offenders Act. That is the real name of the act. People can agree or not agree, but that is what this bill is really about.

If this practice continues, things will get absolutely absurd. There will be a bill to make Canadians happy or put them in good shape and good health or some fine bill to make things better. This does not make sense and should stop. I find this practice, which comes to us from the United States, particularly detestable.

Members may well remember George W. Bush introducing the Patriot Act after the attacks of September 11. It was anti-terrorist legislation and the purpose was to imply to the senators and representatives voting on it that if they were opposed, they were not patriots.

This completely subverts the debate and, most of all, insults our intelligence. It implies that people are not smart enough to discuss the heart of the issue. They think they are going to simplify things by calling it the Keeping Canadians Safe Act and everybody will be in favour because it is about the safety of Canadians.

This is a dangerous gamble on the part of the Conservative government. I would rather appeal to the intelligence of people. I think we can discuss bills just fine without giving them grotesque names.

It starts as the Keeping Canadians Safe Act.

● (1320)

In future, if Parliament wanted to amend this legislation it would have to call it an act to keep Canadians even safer than the Keeping Canadians Safe Act currently does. You can see where this is going. It is utterly ridiculous.

I want to come back to Bill C-5, An Act to amend the International Transfer of Offenders Act. The issue before us is the following. Under the current International Transfer of Offenders Act, what factors does the minister have to consider in determining whether to transfer a Canadian sentenced abroad to Canada or to transfer an American sentenced in Canada to the United States? I am giving the United States as an example, but obviously this applies to all countries.

The current legislation has a certain number of factors that the minister must take into account. He must, for example, take into account the person's health. He must ask himself whether the foreign prison system satisfies recognized principles of basic justice and rights for all. Has this system violated the basic rights of an individual and does it represent a risk to the individual's health and safety? For instance, has the individual been handed over for torture?

This is already in the act, but the government wants to make a change. The act would say that the minister, instead of having to consider all these factors, could consider them, but is not required to. Just imagine. He can look into whether the person incarcerated abroad is being tortured. He might like to know that, but then again he might not. Are the basic rights of the person incarcerated abroad being violated? The Conservatives may or may not be interested. They want the minister to have more discretionary power.

The Bloc Québécois obviously has serious reservations about this. We are already aware of the government's contempt for the rule of law and its contempt for our basic principles of natural justice. Leaving aside the government currently in power, what about a future government? We have to stick to the rule of law in place.

I will digress for a moment. This debate might seem a bit technical for many people at home, but there is something even more fundamental, which is our sense of justice. Do we want to continue to defend the rule of law and the system of natural justice? It is not easy; it is an ongoing battle, and it is intellectually challenging, since it is not necessarily what comes naturally for people.

Do we want to go back in time, to systems that slowly but surely become more and more arbitrary, subjective and inconsistent? Today's legal systems are sometimes complex. The public often believes that the system is costly and complicated and does not always work well. But if we look at the evolution of humanity, we have made incredible progress compared to what was done during medieval times.

People may tell me that is quite a stretch, but I think it is important to keep that perspective. In medieval times, people were tortured and imprisoned for no reason. The king made the decisions, and it was summary justice. Later, people realized that this did not help control crime, that human beings were too intelligent for it, and that we should develop systems to ensure independent justice with effective results.

● (1325)

At the time when certain countries first banned torture, it was not even on humanitarian grounds. They believed that if someone was tortured in order to get them to admit something, that person would always end up saying what the torturer wanted to hear. That is clear. If we want to convict someone, we can torture them and they will incriminate themselves. Does that really serve justice? Of course not.

Our western societies and those elsewhere in the world have developed a rule of law based on numerous principles. I will not list them all, but I will talk about those that I believe to be important.

First, there is the presumption of innocence. According to this principle, we assume that a person is innocent. It is too easy to accuse someone without any proof, to tarnish his reputation and interfere with his rights. We believe a person to be innocent until proven guilty, which is not easy. It tends to go against human nature. When a reprehensible and sordid murder has been committed and the police arrest someone, we want that person to go to jail and suffer. We say that we can sense that he is guilty.

A system has been put in place to curb that tendency and consider a person to be innocent until proven guilty.

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The Canadian system also provides for the possibility of rehabilitation, which is important, and even fundamental. If we did not believe that a person can be rehabilitated, why would we hand out sentences other than life in prison? If we believe that someone will be a criminal their entire life, why release them? Our laws allow for different prison terms because we believe that a person can be rehabilitated at some point. We try to gauge that.

We believe that everyone has the same rights. The Conservative government often attacks this principle with an extremely unhealthy populism by saying that the opposition members—the Bloc Québécois, the Liberals and the NDP—are defending criminals. We are not defending criminals but defending fundamental rights and the fact that everyone should have the same rights. If they are not the same for everyone, then they are no longer fundamental rights. Defending the fundamental rights of a murderer is never very popular. However, fundamental and universal rights apply to everyone, even murderers and people who commit the most horrific crimes.

Under the rule of law, everyone is entitled to a fair trial before an unbiased judge or jury, in which the various parties have an equal opportunity to prove the guilt or innocence of the individual in question. These principles seem rather basic, but the government is undermining them more and more by meddling with the rule of law.

We believe that the powers of the executive branch and the judiciary should be kept separate. It is not up to us as elected officials, and especially not to ministers who are biased and have their own convictions, to determine who should be convicted or acquitted based on the law. Parliamentarians pass laws, but it is the judges and the judicial system that, separately, must enforce legislation and determine who has obeyed and who has disobeyed. Lastly, there must be a mechanism to correct cases of wrongful conviction.

Bill C-5 has only a few clauses. It might seem insignificant, but it could attack the principles I just talked about and could represent a considerable step back.

I have three examples.

● (1330)

Let us consider the case of Maher Arar. Hon. members will recall that this Canadian was deported on the strength of false information obtained by the Canadian Security Intelligence Service, Canada's secret service. He was tortured abroad and finally returned home. A commission on the Arar affair completely exonerated Mr. Arar, proving that he had no connection with terrorism. The Canadian government did not apply the principle of the presumption of innocence in Mr. Arar's case. He did not get a fair trial. The separation of the judiciary and the executive was not maintained in his case. In fact, it was the executive that authorized his deportation, first to the United States and then to Syria. Today, the government is asking us to give it even more power. Is it so that the government can attack our system of natural justice even more?

Let us consider the case of Allen Smith, who was convicted of a series of murders in the United States. Admittedly, Mr. Smith is no choirboy, and defending him is not a very popular thing to do. But even without defending Allen Smith, we can defend people's basic

rights. In Canada, we believe, or at least it is the position of this Parliament, that the death penalty is cruel and unusual punishment that goes against our belief in the right to life. If this is true in Canada, then it is also true in the United States. It would therefore be fair to ask the Americans to give this Canadian citizen the same treatment he would receive here, which would mean commuting his death sentence to life in prison. But the Conservative government could not care less about the principle of the rule of law, where everyone enjoys the same rights, or the principle of separation of the executive and the judiciary.

When questioned in the House of Commons, the government answered that, in its opinion, the crimes committed were very serious and that, therefore, it would not intervene. Since when is it up to the minister to assess the seriousness of the crime? That is something new in our system and it is deplorable. It is not up to the minister to make that assessment, but up to the courts, which must establish whether or not the person is guilty and decide on the seriousness of the crime and the appropriate punishment. Furthermore, it is the House that passes the laws to punish various crimes. It is not the minister who decides whether or not to apply them.

In the case of Omar Khadr, it is even worse. Without exception, all the principles I mentioned previously have been violated. Omar Khadr is a child soldier who was arrested seven years ago and is still imprisoned by the Americans. He has not yet been put on trial. He is accused of killing American soldiers and, despite a Supreme Court decision, the government refuses to ask for his return to Canada.

There is obviously no presumption of innocence in his case. Nor does he have equal rights. His cruel treatment, bordering on torture, has been contracted out to the United States. He has not had a fair trial after seven years of imprisonment. There is no separation between the executive and the judiciary. The government has told the House that, in its opinion, the crimes are serious and therefore it has decided not to intervene, as though it was up to the minister to decide. The possibility of judicial error was not examined in the least. The government absolutely does not want to hear about the possibility of rehabilitation if—I did say if—Omar Khadr is found guilty.

Since I mentioned the possibility of rehabilitation, I would like to close by saying that we have to keep in mind one thing about this bill: if this bill is passed, the number of Canadians serving sentences abroad will increase. These Canadians, once they have served their sentences, will return here and will not be ready to be reintegrated into society. In many cases, it would be better to return them to Canada and have them serve their sentences here so that they are in a better position to be rehabilitated and reintegrated into society.

● (1335)

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Madam Speaker, I would like to congratulate my colleague on the various elements of his presentation. Since he is a Quebec member too, I would like to know what he thinks of the fact that the Archambault Institution has a special wing for prisoners with mental illness, such as bipolar disorder. When incarcerated in foreign prisons, especially in the United States, such individuals do not receive appropriate care and medication. They are ignored, more often than not. Unfortunately, when they do receive medication, it is not necessarily the right kind.

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I would like my colleague to tell me whether he agrees that when individuals with mental illness are incarcerated abroad, they should be brought back to Canada as quickly as possible so that we can take care of them. That way, when they have finished serving their sentences, they will not be a danger to Canadian society.

Mr. Thierry St-Cyr: Madam Speaker, I agree with what my colleague said. My speech was focused on the principle of equal rights.

In Canada, we believe that we must invest money and put these types of wings in our prisons. That is the least we can do to properly treat people with mental illness. We want to adopt universal principles, but why, when we cross the U.S. border, is this no longer necessary? The United States is perhaps not the best example, since they have a rehabilitation system, and in some cases, a support system for prisoners. However, in some parts of the world, they do not care about mental illness. Some countries even believe that homosexuality is a mental illness. That is not something that is taken into account in some places.

If we want to do something sensible, reasonable and in line with our values, we must look after and repatriate the individuals who have sometimes committed atrocious crimes. We must give them the treatment they need, and make them participate in appropriate rehabilitation programs. They will then be better able to reintegrate into society once their sentence is over than if they had been left in prisons abroad, where they would have no access to services or treatment. In many cases, they would return to Canada even more deranged and unbalanced than they were before they committed the crime.

That is the right thing to do. We must not shut our eyes because we find the crimes shocking. We must be rational and let our values dictate our actions.

• (1340)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Madam Speaker, I really enjoyed the speech delivered by the member for Jeanne-Le Ber.

Basically, Bill C-5 seeks to concentrate decision-making power in the hands of Conservative ministers yet again. Over the past few months, and especially this week, the government and its ministers have certainly displayed their culture of entitlement.

This bill was introduced because one judge presiding over one case questioned the minister's judgment. This was one case in which the minister did not do his job, and as a result, hours and hours were spent debating a law that does not need to be amended, and certainly not like this.

I have a question for my colleague. Does he think that the Conservatives' sense of entitlement is even greater than that which Justice Gomery observed in the former Liberal government?

Mr. Thierry St-Cyr: Madam Speaker, I do not want to offer an opinion as to which of the two governments is worse. Neither of them is without fault. I gave the examples of Maher Arar and Omar Khadr. These two cases represent a problem for the current Conservative government, which has refused to act, but we cannot forget that both of these cases began under the Liberal government, which also failed to take responsibility.

The purpose of my speech is not to talk about Bill C-5 in detail because many in the House have already done that. I am more interested in trying to focus on the bill from a different angle. Bill C-5 is not the end of the world and democracy is not falling apart. It is simply another step backwards. We are moving in the wrong direction towards an increasingly arbitrary system and further from our fundamental values, with more political influence at the expense of justice. That is what is happening and that is what I wanted to talk about.

Those before us fought for justice, for rule of law and for important principles that are difficult to defend. They are difficult to defend, for one, because those sitting across the way are rather backward-thinking and each time we defend these principles, they claim we are defending criminals. I am not going to take the simplistic approach of the Conservatives. I believe that people are intelligent. I know that those listening to us realize that a judicial error, such as being falsely accused, can happen to anyone, including the hon. Conservative members across the way. It can happen to anyone. That is why we need a solid legal system and why we need to stop attacking and weakening it, which is what is happening with Bill C-5. We must be strong in our convictions and accept that justice can sometimes be frustrating, because it takes longer and is expensive. That, however, is the price we pay to live in a society where justice prevails.

• (1345)

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Madam Speaker, in reference to the beginning of the speech by my colleague from Jeanne-Le Ber, I would like to ask him whether he thinks that the title of the Keeping Canadians Safe Act should also include highway traffic acts, the National Building Code, transportation standards, fire safety standards, dangerous goods, nuclear power and pretty much everything else.

Does the member think that this government is trying to weaken the political class and undermine the place of politics in society? They are coming from a neo-liberal ideology holding that the less politics, the better.

Is giving fancy titles to micromanaging legislation just one more way to chip away at the powers of the people's representatives?

The Acting Speaker (Ms. Denise Savoie): The hon. member for Jeanne-Le Ber has one minute to answer the question.

Mr. Thierry St-Cyr: Madam Speaker, I would like to show just how absurd this kind of title is. The opposition is saying that it is a bad bill. What would happen if the title of the bill were amended in committee to "not keeping Canadians safe"? We would end up in a completely senseless debate on semantics that would be a disgrace to the political class.

What is clear is that the Conservatives are trying to derail the debate. They are trying to distract everyone. They are taking a simplistic approach to try to make people believe that Bloc members are against keeping Canadians safe, and that they are the bad guys, while the Conservatives want to keep Canadians safe and are the good guys.

In the long run, the Conservatives are taking a risk by underestimating the public's intelligence. At some point, people will realize that the Conservatives are taking them for fools. Voters do not like that. Even though it is difficult, the Bloc Québécois believes that people are intelligent, and we believe we can explain to them that even though the title of this bill says it will keep Canadians safe, that is not the case.

The Acting Speaker (Ms. Denise Savoie): The member for Hull—Aylmer can certainly begin his remarks, but I will have to interrupt him at 2:00 for member statements.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Madam Speaker, today I rise to share my thoughts on Bill C-5, An Act to amend the International Transfer of Offenders Act, with my colleagues.

I want to begin by stating that my deepest desire is to see an environment that promotes safety everywhere in Canada so that all Canadians can be safe no matter where they are.

There are many ways to achieve that goal. Today we are debating one of those ways.

Bill C-5 would amend the International Transfer of Offenders Act. This bill would enable the government to request the transfer of Canadian prisoners serving sentences in countries other than Canada.

Bill C-5 is part of the Conservative government's extreme law and order agenda. The militant western Conservative base strongly supports this vision.

Make no mistake about it, this bill is an opportunistic attempt to garner votes. It seeks not only to protect Canadians, but also to get the law-and-order Conservatives re-elected at any cost.

According to the bill summary, one purpose of the bill is to enhance public safety. Clause 3 adds another objective to the Act:

The purpose of this Act is to enhance public safety and to contribute to the administration of justice and the rehabilitation of offenders and their reintegration into the community by enabling offenders to serve their sentences in the country of which they are citizens or nationals.

I think that if we add this new objective and give the minister discretionary powers with respect to factors he may take into consideration, the minister will be able to use public safety as grounds to deny as many requests for the transfer of Canadians incarcerated abroad as possible, thereby undermining all of the other objectives of the Act.

I will attempt to show that this bill will weaken public safety, not enhance it. Prior to this, the notion of public safety was, in practice, limited to terrorist threats and threats of war against Canada or against the general population.

In a Federal Court case, *Getkate v. Canada (Minister of Public Safety and Emergency Preparedness)*, the judge had this to say about public safety:

—the Court also finds that there is no evidence on the record demonstrating that the applicant constitutes a potential threat to the safety of Canadians or the security of Canada. While the minister attempts to invoke the section as a means of demonstrating that the applicant poses a general threat to Canadians should he be returned to Canada, use of the phrase “threat to the security of Canada” has traditionally been limited in other legislation to threats of general terrorism and warfare against Canada or threats to the security of Canadians en masse. In the case at bar, while the applicant may pose a general threat to specific pockets of Canadian society should he re-offend, he clearly poses no “threat to the security of

Government Orders

Canada” as the term has been interpreted in other legislation, such as the Immigration and Refugee Protection Act...or the Canadian Security Intelligence Services Act.... If the threat to Canada was the mere risk that the offender would re-offend, then such a consideration could be applied to every inmate seeking a transfer.

In this matter, the judge set aside the minister's decision.

Is this bill the minister's way of reacting to the judge's decision in the Getkate case? Is it an attempt to close the door to any judicial control over decisions? It is already very difficult for a judge to set aside a minister's decision.

I am not a legal expert but I know that, to be set aside, a ministerial decision must be found to be “unreasonable”. The burden of proof was very high for the individual and he had little chance of winning.

However, in the Getkate case, the judge set aside the minister's decision, despite all his discretionary power and the substantial burden of proof.

• (1350)

Bill C-5 gives the Minister of Public Safety a great deal of discretionary power and opens the door to abuse of power.

Under the current act, the minister considers four factors in determining whether to consent to the transfer of a Canadian offender. Those factors are: whether the offender's return to Canada would constitute a threat to the security of Canada; whether the offender left or remained outside Canada with the intention of abandoning Canada as their place of permanent residence; whether the offender has social or family ties in Canada; and whether the foreign entity or its prison system presents a serious threat to the offender's security or human rights.

Bill C-5 gives the minister some very important additional discretionary power. The minister may consider other factors. The bill does not say that the minister does or shall consider these factors, but that he may consider them.

These are the factors added in the bill:

- (b) whether, in the Minister's opinion, the offender's return to Canada will endanger public safety, including
 - (i) the safety of any person in Canada who is a victim, as defined in subsection 2(1) of the Corrections and Conditional Release Act, of an offence committed by the offender;
 - (ii) the safety of any member of the offender's family, in the case of an offender who has been convicted of an offence against a family member, or
 - (iii) the safety of any child, in the case of an offender who has been convicted of a sexual offence involving a child;
- (c) whether, in the Minister's opinion, the offender is likely to continue to engage in criminal activity after the transfer;...
- (g) the offender's health;
- (h) whether the offender has refused to participate in a rehabilitation or reintegration program;
- (i) whether the offender has accepted responsibility for the offence for which they have been convicted, including by acknowledging the harm done to victims and to the community;
- (j) the manner in which the offender will be supervised, after the transfer, while they are serving their sentence;
- (k) whether the offender has cooperated, or has undertaken to cooperate, with a law enforcement agency; or
- (l) any other factor that the Minister considers relevant.

Statements by Members

This list includes everything but the kitchen sink. It is broad. It is a very significant power to put in the hands of a single person, especially when we know that the current government is a government of law and order whatever the cost. This is all very subjective and is an attempt to win votes.

We live in a democracy based on the rule of law where every decision must be fair and meet objective criteria.

I sincerely believe that when we entrust so much power to a minister in the absence of any objectivity, we may be abandoning Canadians to the whims of this government. When the public no longer knows how the government will handle requests, it may lose confidence in a system that is neither fair nor transparent.

I would like to read an excerpt from an article by Nathalie DesRosiers, professor of law at the University of Ottawa. Ms. DesRosiers was the dean of the faculty of law and she is speaking on behalf of the Civil Liberties Association about Bill C-59, which preceded the current Bill C-5 before the unnecessary prorogation of last December:

• (1355)

[English]

Even if some Canadians believe that Ministers in Canada would never make decisions based on such sordid grounds as political contributions, there is the appearance that they may. Indeed, the lack of boundaries to such discretion prevent an analysis of whether a decision is fair, sound and wise, based on a consideration of all factors.

It also prevents any legal accountability. This, in my view, is going in the wrong direction. Although politicians certainly have the power to conduct international relations on behalf of Canada: they should want to exercise it in a way that is fair and transparent. The absence of rules prevents Canadians from knowing how they will be treated and exposes the government to charges of favouritism when they act or refuse to act. Indeed, when a white Canadian is repatriated speedily from Mexico while an Afro-Canadian is left in jail in Sudan, Canadians wonder whether the government is acting fairly and reasonably or in a racist manner. A stronger legal framework helps dispell such accusations and allow for more transparent ruling.

[Translation]

I believe we must not only avoid putting decision makers in positions that could lead them to abuse their power, but we must also avoid any appearance that they may have such power.

I would like to share with my colleagues the case of a young constituent from Hull—Aylmer, who is currently being detained in a penitentiary in Florida after being found guilty of crimes committed in the United States.

Mr. Speaker, since my presentation on this young resident could take several minutes, I suppose we should stop now so that you can proceed—

• (1400)

The Speaker: I am sorry to interrupt the hon. member. He will have eight minutes for his remarks when the House resumes debate on this issue. We will now proceed to statements by members.

STATEMENTS BY MEMBERS

[English]

RAIL TRANSPORTATION

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Speaker, over the past 40 years, Earth Day has grown into a global movement that mobilizes more than 1 billion people in more than 190 countries working to advance climate policy, energy efficiency, renewable energy and green jobs in a global green economy.

As the chair of the all party rail caucus, I am pleased to say that rail is doing its part. In fact, Canadian rail is increasingly becoming the 21st century's green transportation leader for passengers and freight. Canadian railways are an economic engine for the economy, moving 75% of all freight while transporting 72 million passengers just last year.

While transportation accounts for 26.8% of Canada's greenhouse gas emissions, rail accounts for only 3% of GHG emissions for the transportation sector.

How efficient is rail? One train can haul 1 tonne of goods 180 kilometres on just a single litre of fuel and, in doing so, remove 280 trucks from our congested highways. Moving to rail unclogs our highways, eliminates destructive emissions and creates jobs.

When Canadians choose rail, they choose to go green.

* * *

QUEEN'S OWN RIFLES OF CANADA

Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.): Mr. Speaker, the Queen's Own Rifles of Canada was formed in Toronto on April 26, 1860. The regiment has been standing on guard for 150 years.

The Toronto branch is the oldest regiment of its kind, in fact, older than Confederation itself. This week, the regiment's colonel-in-chief, Her Royal Highness Princess Alexandra, was supposed to be the guest of honour to commemorate this remarkable accomplishment in Victoria, Calgary and the biggest gala in Toronto. Unfortunately, the volcanic ash disaster hindered her flight plans.

I am sure all members will join me in wishing the Queen's Own Rifles a happy 150th and much continued success.

Now the bad news. The Queen's Own Rifles Toronto branch asked Veterans Affairs for financial assistance for its events in Toronto. Its request was denied. Today I learned that Calgary received money for its commemoration while the Toronto branch did not.

The Conservatives will honour requests from western Canada while the same requests from Toronto fall on deaf ears and that is not fair. It is too bad the Conservatives ignore pleas from the Toronto veterans.

Statements by Members

Regardless of the Conservatives' failure to act, I know the Queen's Own Rifles will continue to stand on guard and I wish them congratulations and a happy 150th.

* * *

[*Translation*]

GINETTE BERNÈCHE

Mr. Roger Gaudet (Montcalm, BQ): Mr. Speaker, it is with emotion that I rise to pay tribute to a woman of conviction, Ginette Bernèche, who retired on March 31, after serving as an MP's assistant for 17 years, seven of them on my team.

Ms. Bernèche began her career in 1993 in the service of my predecessor, Michel Bellehumeur. For all these years, she has devoted herself to the sovereignist cause with loyalty, passion and expertise. I would like to take this opportunity to point out what all members of the House know only too well, that behind every elected representative there is a team of dedicated and indispensable people, and that team includes their assistants.

I and all those who were lucky enough to have worked with this very capable woman hope that Ginette will use this well-deserved retirement to take care of herself and her family with the same enthusiasm and dedication that she brought to her job.

* * *

[*English*]

VALE INCO

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, if the government does not end its shameful silence and call on Vale Inco to return to the negotiating table, we could face a possible disaster. Constituents are raising alarm bells about Vale Inco's reported plans to reopen the nickel refinery near the town of Copper Cliff with replacement workers.

Having been there, I can say that this refinery is one of the most complicated and intricate plants in the world. When operated by skilled, experienced workers, it produces high quality nickel pellets and powders.

The process at this plant yields gas and liquid forms of nickel which are stored under high pressure. If inhaled, the nickel carbonyl gas can cause death. A leak, with the wind blowing in a certain direction, could reach populated areas. I cannot overestimate how tragic the consequences would be.

For the sake of the well-being of residents, I demand that the government prevent this plant from reopening with replacement workers.

* * *

● (1405)

EGYPT

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, on March 12 of this year, an Egyptian bishop reported: 23 Coptic Christians wounded when a crowd of fanatics attacked them at a western province. January 6, 2010, on the Coptic Christmas Eve: three terrorists killed, six Christians and wounded a dozen more.

November 2009: terrorist rioters looted and burned Christian businesses in an Egyptian village.

Those are but three examples of the abuses that Egyptian Christians are forced to endure.

Our government stands with all victims of religious persecution, regardless of their faith. I rise today to call on the Egyptian government to aggressively combat any further abuses of the Christian minority in Egypt.

* * *

CANWEST CANSPELL NATIONAL SPELLING BEE

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, I rise today to pay tribute to my constituent and grade seven student, Laura Newcombe. On March 28, Laura won the Canwest Canspell National Spelling Bee.

After 20 rounds of intense spelling drama, Laura won the title for a second year in a row. Canspell is a free grassroots initiative designed to engage middle school students in celebrating excellence in academic achievement, promoting literacy and encouraging positive study habits.

In 2010, Canspell engaged thousands of schools from St. John's to Victoria and 250,000 students registered at the entry level to compete in school, regional and national competitions. Laura emerged the victor.

I had the great pleasure of meeting Laura and her mom, Zeuming, when they visited Ottawa for the competition.

On behalf of all constituents in Eglinton—Lawrence and, I dare say, all members of the House, I congratulate Laura. She has done Eglinton—Lawrence proud.

* * *

GLENROSE REHABILITATION HOSPITAL

Mr. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, last Sunday I joined the Minister of National Defence at the Glenrose Rehabilitation Hospital in Edmonton to announce a program that will make a huge difference in the quality of life of our wounded soldiers and civilians alike.

Our government has provided \$1.5 million to purchase a computer-assisted rehabilitation environment, CAREN, system at the Glenrose. This system immerses patients in a virtual reality simulator that uses a moving platform and surrounding visual system. It will enhance rehabilitation treatment for a wide range of patients, including amputees, spinal cord injury victims and those with post-traumatic stress disorder. It is state of the art and will be one of only two systems in Canada.

Besides caring for our troops, this will give the Glenrose incredible opportunities to collaborate with hospitals across Canada and around the world. Everyone wins.

I am very proud to know the people at the Glenrose Rehabilitation Hospital who have already done so much for our brave men and women of the Canadian Forces. They are truly the gold standard for Canada in rehabilitation medicine.

Statements by Members

I am honoured to be part of a government that goes the extra mile for our troops and all Canadians.

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[*Translation*]

EARTH DAY

Mr. Christian Ouellet (Brome—Missisquoi, BQ): Mr. Speaker, today, April 22 marks the 40th anniversary of Earth Day. Forty years of climate change, biodiversity loss and deterioration of the environment, but also 40 years of efforts, protection and survival.

A number of projects have been implemented to fight climate change, including the Sauvons le hockey event, an outdoor hockey game on the Toussaint-L'Ouverture rink in Montreal; the Hometown Heroes 2010 program, which recognizes environmental achievement; the Fonds Écomunicipalité IGA, which encourages communities to carry out sustainable development projects; and Une oasis dans le béton, the first exterior green wall in Montreal.

Let us all become eco-citizens. Let us take action for the planet; it needs our help. This April 22 can be an opportunity to launch our promising biodiversity and sustainable development projects.

* * *

[*English*]

AUTOMOTIVE INDUSTRY

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, just over a year ago, we were in the eye of a global economic storm. The automotive industry was being hit particularly hard and almost half a million Canadian jobs were at stake.

Our government acted quickly and responsibly with the Obama administration and now we are seeing more evidence that the right decisions were made.

Yesterday, GM announced that it had repaid its loan in its totality to the Governments of Canada, Ontario and the U.S. Not only has GM repaid its loan, but we also continue to see the announcement of new shifts at auto plants in Canada. That means more jobs for Canadians and for the people of Oshawa.

Just recently a third shift has been added at the GM plant in Oshawa and laid-off auto workers are being recalled.

CAW president, Ken Lewenza, credited action taken by our government with “saving tens of thousands of jobs in the major auto and auto parts industry right across Canada”.

We welcome the news from GM and we will continue our work to see that the economy continues its recovery.

* * *

• (1410)

VICTIMS OF CRIME

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, on this annual Victims of Crime Awareness Week let us remember that every crime inflicts on its victims not only loss and obvious physical damage but also fear, grief and psychological trauma that changes their lives forever.

So it is ironic that during this week the outgoing Federal Ombudsman for Victims of Crime should expose the hypocrisy of the government, which spends more on prison systems than on programs and services to help victims heal.

It is also shocking and disturbing that this week the member for Yorkton—Melville poured his vitriol on our police chiefs, the very people in whom victims of crime place their trust. He called police chiefs “a cult”, corrupt and in the pockets of lobbyists.

This type of virulent language from government benches happens so often that it cannot be dismissed as mere ignorance but exposes a core culture of deceit. Sad that this time it re-traumatizes victims who have been so hurt already.

* * *

[*Translation*]

JUSTICE

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, today our government is introducing a bill that would put an end to house arrest for dangerous and violent criminals convicted of an offence.

Dangerous and violent criminals should serve their sentences in prison and not in the comfort of their living room. Earlier this week, the Bloc leader said his party has done a lot by adopting a constructive and rigorous attitude when it comes to justice.

We will see if the Bloc will adopt a constructive and rigorous attitude and support this bill instead of taking its normal course of action, which is to oppose justice and crime initiatives. It is time for the Bloc to represent Quebeckers and support this Conservative bill.

Our government is implementing measures to get tough on crime and defend the rights of victims and law-abiding citizens. Dangerous and violent criminals will no longer serve their sentences with their feet up.

* * *

[*English*]

FOOD SOVEREIGNTY

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, I rise today to acknowledge over 2,200 people in my riding who are concerned about food sovereignty and hunger in the developing world.

These concerned citizens brought thousands of hand-signed cards to my office asking that Canada speak up for small-scale farmers, sustainable agriculture and local food production at the upcoming G8 meeting in June 2010.

Canada needs agricultural and trade policies that support people's access to safe, healthy and environmentally sustainable food. As my constituents have reminded us, that commitment should include people in the developing world.

I applaud the organizers of this campaign and their schools and parishes, including Robert Parent of the Diocesan Council for Development and Peace and Sacre Coeur parish, Linda Bowron and Eileen McCarthy of St. Kevin parish, and Chaplain Steve Marischuk and student Dana Savona of Notre Dame School.

I also applaud the other churches and schools that participated, including St-Jean-de-Brébeuf, Lakeshore Catholic High School and École Saint-Joseph, and all the people in my riding who joined this campaign. Their compassion is an example to all Canadians.

* * *

JUSTICE

Mrs. Shelly Glover (Saint Boniface, CPC): Mr. Speaker, I am absolutely thrilled to report that today our government tabled legislation aimed at putting an end to conditional sentences or house arrest. A great news story. This is for serious and violent crimes including, among other things, aggravated assault, human trafficking, luring a child, street racing causing death, arson, fraud, counterfeiting, most auto thefts and extortion.

In 2006 our government introduced similar legislation; however, the bill was repeatedly stalled and eventually gutted by the opposition.

House arrest for serious and violent crimes offends Canadians' sense of justice. Our government needs to put an end to it.

Today's legislation is the next step in our efforts to get tough on crime, and to stand up for the rights of victims and law-abiding Canadians. I encourage all members of the opposition to vote in favour of this legislation.

* * *

[Translation]

TURKEY AND ARMENIA

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, historic differences based on enormous suffering have been plaguing Turkey and Armenia for years now. This is reflected in the fact that the border they share remains closed and in their poor diplomatic relations.

In October 2009, the two countries met to negotiate a protocol that would allow them to normalize their diplomatic relations. Thus, Turkey and Armenia could set aside their differences and begin a new era of economic, cultural, social and political cooperation.

We learned today that the peace deal will not be ratified. The Bloc Québécois hopes both sides will increase their efforts to ratify that agreement, especially since peace is within reach.

* * *

•(1415)

EARTH DAY

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, today is the 40th anniversary of Earth Day.

Celebrated each year on April 22, Earth Day is the most popular ecological event in the world.

Oral Questions

More than 6 million Canadians are joining 1 billion people in over 170 countries to organize activities and projects about local environmental issues. Almost all schoolchildren in this country will participate in an Earth Day activity.

[English]

This yearly celebration increases our environmental awareness at a time when Canadians want much more national leadership on the environment.

The phenomenal success of local environmental programs such as One Change, launched in my riding of Ottawa South, which has now gone international, demonstrates that Canadians want to do the right thing when it comes to the environment.

On this 40th Earth Day, I want to encourage and congratulate all Canadians taking part in Earth Day activities, and encourage the government to show leadership on the environment.

* * *

FIREARMS REGISTRY

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, this week the Liberal leader turned his back on rural Canada.

Many Canadians will be hurt by the Liberal leader's decision to whip his members on Bill C-391, but it will not just be farmers and duck hunters who will be hurt. His eight MPs who voted to scrap the long gun registry before must tell their constituents what they are going to do now.

Those eight Liberal MPs, who have previously supported scrapping the ineffective long gun registry, must explain why their leader wants to make them keep it.

However, what they should do is tell their constituents that they will ignore the Liberal leader's direction and vote with their constituents. They should keep the promises they have made and vote to scrap the ineffective Liberal long gun registry.

Canadians know, when it comes to the ineffective Liberal long gun registry, there are only two ways to vote. They either vote to scrap it or they vote to keep it.

ORAL QUESTIONS

[English]

ETHICS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, my question is for the Prime Minister.

We now know that Mr. Jaffer and his partner had several meetings with the parliamentary secretary. We know that Mr. Jaffer had dinner with the minister. We know there were proposals made worth at least \$800 million that were not only discussed but were considered directly by the department, and that there were answers from the department for the proposals.

Oral Questions

I have a very simple question for the Prime Minister. If all of this does not amount to lobbying and does not amount to special access for those who are friends of and close to the Conservative Party, what exactly would the Prime Minister—

The Speaker: The right hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, let us be absolutely clear, there are no government contracts of any kind involved here. That is because ministers and parliamentary secretaries have conducted themselves properly at all times.

The government has put in place important laws to regulate the affairs of lobbyists. Those laws are enforced by an independent lobbying commissioner. If Mr. Jaffer or any other individual have violated those laws, I am confident they will be held accountable.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, it is not a bad rule in life that if it swims like a duck, it walks like a duck, and it quacks like a duck, it is probably a duck. In this case it looks like lobbying, it swims like lobbying, it walks like lobbying, it talks like lobbying, and it smells a lot like lobbying, so it must be lobbying.

I would like to ask the Prime Minister, does he not realize that he bears some responsibility for the culture of deceit that envelopes the Conservative government, that gives special access to some and denies others the same kind of treatment?

Some hon. members: Oh, oh!

The Speaker: Order, please. The right hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Again, Mr. Speaker, there are no government contracts, there is no government business involved here. That is a strange definition of special access in anybody's books.

The fact of the matter is that there is an independent lobbying commissioner who is responsible for enforcing the rules. We are very confident that the commissioner will do her job.

• (1420)

[*Translation*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, not only is it the responsibility of commissioners, commissioners and more commissioners, but it is also the responsibility of the Prime Minister. The Prime Minister is responsible for the conduct of his ministers and his parliamentary secretaries. It is a responsibility that cannot be denied. He cannot deny his personal responsibility in the Conservative culture of deceit that envelops the Government of Canada at this time.

Will the Prime Minister take responsibility for the problem he has created in his government?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, there are no government contracts involved here because my ministers and my parliamentary secretaries have followed the rules at all times. It is clear. What is more, we have taken responsibility by putting people with authority in place to enforce the rules. If Mr. Jaffer or any other individual has violated the rules, I am confident they will be held accountable for their actions.

[*English*]

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): Talk about special access, Mr. Speaker. Yesterday the minister of infrastructure circulated copies of proposals from Mr. Jaffer that the minister said he had not spoken to him about. These proposals, asking for millions of taxpayers' dollars, were sent for review to the parliamentary secretary to the minister. They were not submitted using regular channels. They were given special attention by the parliamentary secretary.

Could the minister confirm that he knew of these proposals and gave Mr. Jaffer, the former Conservative caucus chair, special access?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, in direct answer to the member opposite, at no time did Mr. Jaffer ever discuss any of these issues with me.

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): However, Mr. Speaker, he did have copies of the proposal to circulate and he did have dinner with him.

After weeks of stonewalling and denying, and only minutes after the testimony of Mr. Jaffer and Mr. Glémaud, the panicked Minister of Transport, Infrastructure and Communities widely released several different versions of these three proposals that GPG gave to him.

Given the Conservative culture of deceit, we all know there is more. When can the House expect the government to table all meetings that ministers, parliamentary secretaries and the Conservative caucus have had with the principals of GPG, and all submitted documents? When?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, let us look at the facts.

Yesterday afternoon, members of Parliament from all four parties asked for some information. That information was in the possession of my department. What did we do? We did the open thing, the ethical thing, the transparent thing. We immediately released it all.

Let me underline the fact that at no time was this issue ever raised with me directly, and at the end of the day, no money was ever given to any of these proponents.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, we still do not know why the Prime Minister threw the former status of women minister and wife of Rahim Jaffer out of the caucus. The Conflict of Interest and Ethics Commissioner stated that the Prime Minister's office simply suggested that she contact two people who might have compromising information about this matter. The commissioner decided not to investigate and we still do not know what the RCMP will do.

Whether or not charges are laid, the Prime Minister must reveal the allegations that made him throw the former status of women minister out of the caucus. What is he waiting for to do so?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I said that I received information about the allegations from a third party. We acted responsibly. We forwarded the information to the authorities. It is up to the authorities to take action.

Oral Questions

I am convinced that the RCMP will take the necessary action.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, if the RCMP decides not to lay charges, the former status of women minister will be able to return to the Conservative caucus. In short, a minister will have been thrown out of caucus and then taken back without a reason being given. This logic makes absolutely no sense and the Prime Minister is hiding behind this absurd logic.

When will he reveal the allegations? When will he explain his actions? We want to know.

• (1425)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this is rather bizarre. The Bloc leader is basing his comments on hypothetical situations. These are serious allegations and they have been forwarded to the authorities, who will take the necessary action.

It is not our place to comment on the allegations of others. The authorities have the information and will investigate.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, unregistered Conservative lobbyist Rahim Jaffer tried to make us believe that he was not lobbying his Conservative buddies. His version of the facts is not credible, since last year alone, his business submitted projects totalling \$850 million to the Conservative government. Furthermore, two businessmen claim that Rahim Jaffer introduced himself to them as a lobbyist who could give them access to substantial federal grants.

The Prime Minister has no choice; he must tell us which ministers agreed to meet with the unregistered lobbyist, Rahim Jaffer.

[English]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, let us be very clear. A third party came forward with allegations to the Prime Minister. What did he do? He immediately referred them to the relevant authorities. He has referred them to the RCMP so that it can review the matter and take the appropriate action necessary.

What this demonstrates, in this instance, is that the Prime Minister did the right thing. And I should underline that none of the allegations that were made to the Prime Minister had anything to do with government business.

[Translation]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, Rahim Jaffer claims that he did not want to lobby in order to protect his wife. He is not credible because we know that the former status of women minister was doing some lobbying herself. The evidence shows that she wrote a letter to promote a business that asked for \$100 million from the federal government with the help of the business partner of her husband, Rahim Jaffer.

When will the Prime Minister reveal the allegations that were forwarded to the RCMP?

[English]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, let me be very clear with the

member opposite. Let me be very clear with the House. The member for Simcoe—Grey is no longer a member of the ministry.

We set up in this House, under the Prime Minister's leadership, with the Federal Accountability Act, an independent lobbyist commissioner. If any member has any information with respect to anyone, whether it be Mr. Jaffer or any Canadian, the member should refer it immediately to the lobbyist commissioner so that person can make an independent determination. That is a high ethical standard, and that was the right thing to do.

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, the summer theatre season is upon us and it would appear that the Prime Minister has decided to audition for the role of Lady Macbeth. He is going to have trouble washing his hands of this one, though.

Ten days ago in the House the Minister of Transport, Infrastructure and Communities said, "Mr. Jaffer never made any inquiries with respect to his business".

I ask the Prime Minister, was that statement true?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Yes, Mr. Speaker.

[Translation]

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, that does not hold water. He has been denying for the past two weeks that Mr. Jaffer was lobbying. Yesterday, he submitted documents that prove the exact opposite. He did not do that out of respect for the House but because he panicked about the truth coming out.

What else is he hiding?

[English]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, let me be very clear.

At no time did Mr. Jaffer ever speak to me about any commercial operation that he was involved with.

When allegations came forward to the Prime Minister, the Prime Minister did the ethical thing. He did the right thing. He immediately referred them to the RCMP so that it could make a determination of whether to conduct an investigation.

None of the allegations that were brought forward to the Prime Minister, once again, had anything to do with government business, and not a single dollar was ever paid to these individuals.

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, both cannot be true. The Minister of Transport, Infrastructure and Communities said there was no lobbying by Jaffer. The documents he placed in the House yesterday prove exactly the opposite and it went on for months and the minister knew.

The Minister of Transport knows too much, so he will not be cut loose. Who is going to take the fall this time for the government's sleaze?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I know that member. He is even then stretching that kind of language and he does not do himself or his party any service.

Oral Questions

At no time did Mr. Jaffer ever speak with me about any commercial operations that he was involved with. At no time did my department give any—any—funds in any of the allegations that are before us.

Let me be very clear. Serious allegations were brought forward to the Prime Minister that had nothing to do with government business. The Prime Minister immediately did the right thing. He referred the whole matter to the RCMP. That demonstrates a high ethical standard, and that is why Canadians have re-elected this man as our Prime Minister.

• (1430)

[*Translation*]

Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.): Mr. Speaker, new information has surfaced about Rahim Jaffer being at a business dinner in the Toronto area on August 25. The invitations for this event introduced Mr. Jaffer as an intermediary who could help business people access government funds. That is in keeping with information on his website and his relationship with Mr. Gillani.

When did the government learn about Mr. Jaffer's activities?

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, let me be very clear.

When allegations were brought to the Prime Minister's attention from a third party, he immediately did the right thing. The government forwarded those allegations on to the relevant authorities, including the RCMP, so it could make the determination as to what should be done with them.

That demonstrated a high ethical standard. None of the allegations that were brought forward to the Prime Minister had anything to do with government business.

Let me be clear. None of the proposals that came forward to my department were recommended for funding, and they certainly did not get any.

[*Translation*]

Mrs. Alexandra Mendes (Brossard—La Prairie, Lib.): Mr. Speaker, the fact is that despite this information and despite Mr. Jaffer's website, the Conservatives still did not refer his file to the Conflict of Interest and Ethics Commissioner, the Commissioner of Lobbying or any other relevant authority.

There are three possible explanations: they are siding with their Conservative friends and giving them special access and treatment; or they have allowed the culture of deceit to take root to the point that they find Mr. Jaffer's behaviour acceptable; or they are quite simply complicit.

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): That is absolutely outrageous. Let me say this. When serious allegations were brought forward to the Prime Minister, he did the right thing. He did the right thing expeditiously. He referred those allegations, which have no reference to any government business, no reference to any government employee, to the RCMP so it could conduct an independent investigation and get to the bottom of them.

The Prime Minister acted expeditiously and he did the right thing.

* * *

AFGHANISTAN

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, the Conservative culture of deceit is hard at work. In the last two months, only 460 pages have been delivered to the Military Police Complaints Commission. The government is hiding the documents from the commission and the commission may have to suspend its hearings.

The Conservatives are absolutely engaged in wholesale obstruction.

Why would the government allow the Conservative culture of deceit to prevent the commission from finding the truth for Canadians?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, that is absolutely ridiculous. The MPCC has a mandate that was actually put in place by the previous government. There are procedural safeguards built into the hearing process. Those safeguards allow for any concerns to be raised before the MPCC. That is where those concerns should be raised, if there are any.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, it is not the so-called safeguards; it is the Conservative culture of deceit that continues to impede and obstruct the work of the commission. As I said, the commission has only received 460 pages of documents, while there are thousands of documents to be delivered. The government is even hiding documents from its censors which will never see the light of day. Only in the Conservative culture of deceit would the censors ever be censored by the government.

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I have no idea what the hon. member is rambling on about. If he is talking about the MPCC, the hon. member should have the confidence to let the MPCC conduct its own business. Let the commission do its work. What is the problem with that?

* * *

[*Translation*]

DEMOCRATIC REFORM

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, Quebec's National Assembly has unanimously reiterated its opposition to Conservative plans to collude with the Liberals to reduce the Quebec nation's political weight in the House of Commons.

How can a government claiming to recognize the Quebec nation proceed with this appalling plan, which was rejected by Quebec as a whole and by its elected representatives? Why is it so relentlessly attacking Quebec?

Hon. Steven Fletcher (Minister of State (Democratic Reform), CPC): Mr. Speaker, there is something ironic about the Bloc's complaints. If their wish were granted, Quebec's number of seats would be protected. If the Bloc were to achieve its final goal, Quebec would have no seats in the House of Commons. Our government will ensure that the distribution of seats will be fair to all provinces and territories.

• (1435)

TAX HARMONIZATION

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, if Quebec achieves sovereignty, then we will have 100% of the power, not just 22%.

According to Quebec's finance minister, Raymond Bachand, negotiations on compensation for harmonizing the QST and the GST are at a standstill because the Conservative government is demanding that Quebec give up its legislative power over taxation. This is another attack against the Quebec nation. The federal government owes Quebec \$2.2 billion. It should give Quebec the same treatment as Ontario and British Columbia and reimburse this money.

Why require such an act of submission and resignation from Quebec?

[English]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I would like to thank that hon. member for reminding us that Quebec has not actually harmonized its sales tax. Negotiations continue in good faith with the finance minister of Canada and the finance minister of Quebec. We continue to hold out for a good discussion, and we would ask the hon. members to go back and talk to their colleagues in Quebec.

* * *

[Translation]

RWANDA

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Mr. Speaker, on Wednesday, we were astounded to learn that Victoire Ingabire, who is running in the presidential election scheduled for August, was being held arbitrarily in Rwanda. Despite police harassment, she was trying to get recognition for her party, the FDU, which was founded in exile. More and more, the Rwandan authorities are acting in an authoritarian rather than a democratic way. Canada cannot stand idly by once again.

Will the Minister of Foreign Affairs take advantage of the Governor General's trip to Rwanda to strongly protest this arbitrary detention?

[English]

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, the visit of the Governor General to Rwanda was a highly successful visit. We will continue monitoring the events in Rwanda as they move forward, and we will get back to the member with more information on that issue.

[Translation]

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, Victoire Ingabire is unjustly accused of downplaying the 1994 genocide. This charge is possible under a so-called "genocide ideology" law, a vague and ambiguous statute that makes certain forms of freedom of speech offences, according to Amnesty International.

Oral Questions

In view of the recent disturbing abuses by the Rwandan authorities, will the government take action by protesting the arbitrary arrests and demanding that freedom of speech be protected?

[English]

Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, as I have just mentioned, we will continue monitoring this case and if it requires intervention, the Government of Canada will intervene.

I wish to state again that Canada and Rwanda have a very good relationship and the visit of the Governor General to Rwanda was highly successful.

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ACCESS TO INFORMATION

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, access to information in Canada is at risk of being totally obliterated. Delays are eroding Canadians' right to know. Excessive delays in access to information are tantamount to censorship. This is not our assessment. Those are the words of the Information Commissioner.

Why are the Conservatives allowing their culture of deceit to withhold critical information from Canadians?

Hon. Stockwell Day (President of the Treasury Board and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, last year over 40,000 requests for information came to government. The majority of those were dealt with within 30 days. There are about 12% of those that take over 120 days and most of those are related to national security matters.

We appreciate the advice from the commissioner and we are intending to speed up the process.

We also have added 70 other corporations and agencies to be subject to access to information. The addition of those 70 corporations was refused. The Liberals did not want that access. We have increased that access and we want to even improve it.

* * *

ETHICS

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Talk about withholding information, Mr. Speaker. The Prime Minister is even trying to keep the Ethics Commissioner in the dark.

The government has repeatedly claimed to have forwarded the Jaffer-related allegations to the Ethics Commissioner, but today the commissioner said "not true". All she received was a letter suggesting she call up two named individuals about unspecified serious concerns.

Why will the Conservatives not be forthright with the House? Why are they mired in the Conservative culture of deceit?

Oral Questions

● (1440)

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, when serious allegations were brought forward to the Prime Minister from a third party, he had no first-hand knowledge; none of us did. He did the right thing. He immediately referred the matter not just to the RCMP but also to the commissioner. What that demonstrates is a high ethical standard, a new ethical standard that was sorely lacking when the previous government was in power.

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GOVERNMENT ACCOUNTABILITY

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, the nuclear safety regulator, the national science adviser, the watchdogs for the RCMP, victims and military police all did their jobs. They exposed government failures and hypocrisy and all were shunned and fired. In a culture of deceit, one either cheers for Conservatives or one is out of a job.

In opposition, the Prime Minister preached that independent watchdogs were critical to democracy. Well, not any more.

In a free and honest moment, what would Preston Manning say about a Reformer who turned his back on accountability?

The Speaker: Order. I am not sure that the opinion of a former parliamentarian is necessarily the government's responsibility, but if the President of the Treasury Board wishes to answer the question, of course we will be glad to hear his answer.

Hon. Stockwell Day (President of the Treasury Board and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, we have also increased funding to the Information Commissioner so that information requests may be dealt with more rapidly. We brought in an accountability act, the toughest probably in the history of the country. Mr. Speaker, when you look at the record of our intent, it stands very clear and very strong. We take the comments from the various commissioners seriously. We want to see it improved.

We only have to reflect back a few years on the question of what Jean Chrétien would say when asked for information. He would say no. That is what we got from the Liberals. We got no, we got scandal, and we changed that.

[*Translation*]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, chief electoral officer Jean-Pierre Kingsley, information commissioner Robert Marleau, ethics commissioner Bernard Shapiro, not to mention Linda Keen, Paul Kennedy and Peter Tinsley—all of these former watchdogs have something in common: they were all dismissed by the current Prime Minister. The Conservatives' culture of deceit simply could not tolerate these people doing their jobs.

Why are senior officials who try to do their jobs systematically attacked by this Conservative government?

[*English*]

Hon. Stockwell Day (President of the Treasury Board and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, the deceit that reigns clearly in this chamber today is the deceit of the questions themselves.

That list that was just presented has so many errors in it, it is almost laughable except for the fact that the member is trying to present it as truth.

We expect clarity. Canadians expect clarity. On the issues where the Auditor General and the Information Commissioner have pointed out that they would like to see more rapid responses for information requests, where they would like to see increased clarity, we are moving on all of those.

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JUSTICE

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Speaker, our government believes those who commit serious and violent crimes should serve their time behind bars, not in the comfort of their homes. In the previous Parliament, the opposition did not share the same view and gutted our important legislation aimed at tackling this serious issue.

Could the Minister of Justice please update the House on the legislation our government tabled today in this chamber?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I want to thank the hon. member for the question and for continuing to stand up for victims and law-abiding Canadians in this country.

It is true that today our government had the honour of tabling a bill that would put an end to house arrest for serious and violent crimes.

This legislation would make it clear that house arrest will no longer be available to criminals who commit acts such as aggravated assault, human trafficking and luring a child. In short, if a person sets fire to someone's house, he or she will not be eligible to go back to his or her house and that is the way it should be.

* * *

● (1445)

AFGHANISTAN

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, while the government has been defying parliamentary orders for documents, interfering with parliamentary committees and dismissing opposition calls for a public inquiry on Afghan detainees, it has tried to maintain a shred of accountability by referring to the MPCC hearings.

Now we learn that these hearings are being derailed and may be suspended again because the government is starving it of critical documents on the detainee issue.

When will the government stop the cover-up, and stop hiding and delaying the truth?

Oral Questions

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I would like to refer to some evidence that we heard just yesterday from respected former ambassador David Sproule with respect to this issue. He said, “First of all, we never transferred any detainees that were captured by Canadian armed forces if there was any suggestion that there was a substantial risk of torture. Never did. We were confident there was not, otherwise we would not have transferred”. He went on to say, “We were confident that based on information we had, no Canadian transferred detainees had been abused or mistreated”.

The member should contemplate that testimony.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the government's own answer for the delay is that it cannot keep up with censoring documents. Its lawyer compounded the government's arrogance by saying that it will only hand over documents when it is good and ready.

Now we hear the government is weeding out vital information even before it is handed over to the censor. It is censoring the censor. This is a massive cover-up of the government's see no evil, hear no evil, hide the evil policy on Afghan detainees.

The only way to get to the truth is through a public inquiry. When will the government call one?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, on all of these issues the hon. member heard wrong.

The MPCC is responsible for its own conduct, its own hearing. There are safeguards in place. These safeguards allow for any concerns to be raised before it.

The member should let the commission do its work.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, former ambassador David Sproule confirmed the testimony of Richard Colvin yesterday, saying that their reports for several years indicated that there was a high likelihood that torture was going on in Afghanistan detention facilities. I do not know how to make it more clear: prisoners turned over to Afghan officials were at risk for torture.

How can this government keep denying that it violated the Geneva convention, when its own diplomats acknowledged the risk of torture? Canada failed to fulfill its commitments.

[*English*]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, the hon. member must be tone deaf in both official languages. I just quoted from Mr. Sproule's testimony yesterday. He said, “No, it was not government policy. It was not the policy of the department of defence. It was not the policy” when it came to transfers to torture. He went on to say, “We never transferred any detainees that were captured by the Canadian armed forces if there was any suggestion that there was a substantial risk of torture”.

What could be more clear coming from an ambassador? The member ought to go back and read that testimony again and see if it sinks in this time.

[*Translation*]

M. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I told the minister in French. I can repeat it in English if he does not understand French.

[*English*]

There was risk of torture. They were at risk for torture. That is what the ambassador said himself. The minister should read the record also.

[*Translation*]

Former ambassador Lalani had to admit that the Conservatives' new prisoner transfer agreement does not work, because the National Directorate of Security is running the investigation. With their new agreement, the Conservatives are putting the fox in charge of the henhouse. That is how it works—

The Speaker: The hon. member for Minister of National Defence.

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I understand the response in both official languages. It is clear: the ambassador said that there was no evidence of torture.

[*English*]

I will repeat, “We were confident that based on information we had, no Canadian-transferred detainee had been abused or mistreated”. It is clear. It is on the record. We have heard this from a number of witnesses who were high-ranking officials in the public service, who were leaders in Afghanistan on the ground, all of the generals. All of those involved in the system took the necessary precautions and followed international law, unlike the member opposite.

* * *

PERSONS WITH DISABILITIES

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, last year the first round of funding for the enabling accessibility fund was shown to be a political slush fund. The results are in for the second round of funding and it is even slushier. Of the 169 projects approved, 113 went to Conservative ridings, including those of 14 ministers. That is 67% of all funding in Conservative ridings.

It is disgusting and dishonourable to allow politics to override the needs of the disabled. How could the minister stoop so low?

● (1450)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, we are very proud of the enabling accessibility fund that is helping so many Canadians get access to places they could not access before. That is why we have extended it with a \$45 million extra investment over the next three years, so that those who have mobility issues can access places such as their town hall and government chambers.

I do not know why the member voted against it. He should have been supporting this.

Oral Questions

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, let us understand the issue. This is a callous, deliberate, political hijacking of a fund for people with disabilities, and it has now become part of the Conservative culture of deceit.

The minister in charge of the fund does not even care enough about people with disabilities to have an accessible riding office. After six years as an MP, four of them as the minister responsible for people with disabilities, why is there such a huge gap between her words and her actions? Who told her to turn the enabling accessibility fund into a political slush fund, and why does she not care enough to have an accessible riding office?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, for 13 long years while the Liberals were in power, the government ran two, not one but two, offices for disability issues, neither of which was accessible by any stretch of the imagination.

Our Conservative government changed that. We now have one office that is a model, a showpiece, of how businesses can adapt their environments, not just through accessibility but also with business tools to help disabled people compete in the workplace, to fully participate.

We brought that in. We brought in the enabling accessibility fund. We are the ones investing in renovations to make federal buildings accessible. Those members voted against it. Shame on them.

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[Translation]

EMPLOYMENT

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, last year was marked by one of the highest unemployment rates for young Canadians. An OECD report indicates that the situation will worsen over the coming two years. This high unemployment rate has a hugely negative impact on the career, finances and health of young Canadians. It is not complicated: they need jobs to build a future.

Does the government intend to take action to improve youth employment rates or will they be letting my generation down?

[English]

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, in fact it is this government through our economic action plan that has expanded the opportunities for young people to get jobs and to get prepared to take jobs.

We provided an extra \$30 million to develop the skills link fund that helps youth with extreme challenges, with a wide range of challenges, learn how to get a job and how to keep one. We have expanded the career focus program. We provided additional funding so that each year, last year and this year during the recession, 40,000 students can participate through Canada summer jobs.

The hon. member voted against all of that.

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, young people deserve more than just summer jobs. They need jobs year-round. Not only that, young people are facing some of the highest costs of education. Nearly eight out of ten post-secondary students depend on work year-round to be able to pay for their education.

Will the government look out for the next generation and contribute to a high quality, accessible and affordable education? Will it work to create jobs and assist employers in offering jobs to young people, or will it contribute to ensuring that my generation is worse off than our parents and those who have come before them?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the fact is, through the Canada grants program that our government brought in, we have made it possible for 120,000 more students to get better access to post-secondary education without going into debt. That is 120,000 more than under the previous government.

We have made it easier for them to repay loans based on their circumstances. Our expansion of the career focus and skills link program is helping them get new jobs.

It is about time the NDP supported some of these initiatives if it does not want to be cited for hypocrisy.

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● (1455)

THE ENVIRONMENT

Mr. Terence Young (Oakville, CPC): Mr. Speaker, today is Earth Day and to celebrate, the Minister of the Environment announced that every grade 8 student in Canada would receive a free park pass for the year.

Could the Minister of the Environment explain how this government will ensure that future generations can enjoy our truly gifted country?

Hon. Jim Prentice (Minister of the Environment, CPC): Mr. Speaker, the environment is very much about young Canadians. That is why this government has expanded Canada's national parks by 30% in only four years, achievements such as Nahanni, Mealy Mountains, Gwaii Haanas and Lancaster Sound.

That is why this government is protecting our fresh water with new regulations that prevent the discharge of untreated sewage into the Great Lakes and other lakes, our rivers and oceans. That is why we signed at Copenhagen. That is why we have introduced tough continental standards for tailpipe emissions.

This will be our Conservative legacy: larger parks, cleaner water, lower emissions.

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ATLANTIC CANADA OPPORTUNITIES AGENCY

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, the Cape Breton regional municipality, the province of Nova Scotia and the Sydney and Area Chamber of Commerce stated that the number one priority for future economic development in Cape Breton was the dredging of Sydney Harbour.

Oral Questions

The Port Authority has done its homework. An environmental assessment has been done, a competitive quote from a dredging company is in and a timeline has been announced.

The Minister for the Atlantic Gateway should tell the House when he will finally announce the funding so this project, which is so needed, can get started.

Hon. Keith Ashfield (Minister of National Revenue, Minister of the Atlantic Canada Opportunities Agency and Minister for the Atlantic Gateway, CPC): Mr. Speaker, we are proud of the work we are doing in Cape Breton. A considerable amount of funds has gone into Cape Breton under CAF, 14 projects worth \$6.6 million, including \$2 million for several culture initiatives, \$450,000 for the pan-Atlantic lobster initiative, up to 41 recreational infrastructure projects, the innovative community fund.

This is all great news for Cape Breton.

* * *

[Translation]

GUARANTEED INCOME SUPPLEMENT

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, a number of groups representing seniors are on Parliament Hill today demanding justice for the thousands of destitute seniors. They are calling for a \$110 per month increase to the guaranteed income supplement and full retroactivity for amounts that were not claimed on time, a measure that the Conservatives supported when they were the opposition.

When will the government improve the guaranteed income supplement and help our poorest seniors?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the Government of Canada wants all citizens to receive the benefits to which they are entitled. The majority of seniors can automatically reapply for the guaranteed income supplement if they submit their income tax return by April 30. Over 93% of Quebec seniors are participating compared with 90% for the country as a whole.

* * *

AFFORDABLE HOUSING

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, last August, the Conservative government asked Ascentum to organize consultations, write a report and develop a national strategy to address the problem of homelessness.

Now—surprise, surprise—this agency's main suggestions are the same as the solutions the NDP has identified in our Bill C-304.

Will the government follow the advice in the report it commissioned?

[English]

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, what we have done in terms of housing has been quite substantial. Through our economic action plan, we have invested an additional \$2 billion in affordable and social housing construction and renovation. Those funds have been targeted sites: \$400 million to help seniors and \$75 million to help the disabled.

The really unfortunate issue here is the NDP voted against this help for our seniors who helped build our country.

* * *

INTERNATIONAL AID

Mr. Rodney Weston (Saint John, CPC): Mr. Speaker, lack of access to safe and nutritious food is one of the major obstacles to reducing poverty in developing countries. Hunger and malnutrition result in more deaths than HIV-AIDS, malaria and tuberculosis.

At the G8 summit in July 2009, the Prime Minister announced that Canada would double its investment in support of sustainable agriculture development by committing an additional \$600 million over three years.

Could the minister tell the House what progress has been made?

● (1500)

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, Canada is a strong leader in food aid and food security. The member is quite right. Canada made a commitment that would double its support for developing countries, particularly smallholder farmers and women in developing countries.

Today, Canada is announcing a contribution of \$230 million to the global agriculture and food security programs. This shows that this government is fulfilling its international commitments.

* * *

ATLANTIC CANADA OPPORTUNITIES AGENCY

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, I did not get an answer to my first question, so let me try again. The government claims to have a separate, specific fund for the Atlantic Gateway, however, the few projects the minister just announced should have been on the regular infrastructure programs. Eastern North America will have a major increase in trade in the future. The gateway fund was supposed to prepare us for this, but it does not.

Why has the Prime Minister once again failed Atlantic Canada?

Hon. Keith Ashfield (Minister of National Revenue, Minister of the Atlantic Canada Opportunities Agency and Minister for the Atlantic Gateway, CPC): Mr. Speaker, nothing could be further from the truth. We are making investments in Atlantic Canada. There was an increase in the budget for ACOA in the last budget. We have a full \$16 million in ICF and AIF, constant funding, none of this five year window thing that the previous government used to do. We have added that to our A-based budget.

We are proud of the work we are doing in Atlantic Canada. The member opposite should be as well, if he would only vote with us.

*Business of the House***BUSINESS OF THE HOUSE**

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, I understand there are some visitors waiting at the door, so I will be very brief.

Could the government House leader indicate his plan for the week ahead and would those plans include some time for a take note debate on the east coast shellfish industry?

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, as my hon. colleague has indicated, I know we have some visitors who we are looking forward to seeing in the chamber shortly, so I will keep this brief as well.

When we get to government orders, following the visit, I will call Bill C-4, Sébastien's law, which proposes to protect the public from violent young offenders. Following Bill C-4, we will call Bill C-13, fairness for military families.

We will continue with that business tomorrow.

Next week it would be my intention to begin second reading debate on Bill C-11, the balanced refugee reform act, Bill C-10, Senate term limits and Bill C-12, democratic representation.

Next Wednesday, April 28, shall be an allotted day.

As for the take note debate, that is under advisement.

• (1505)

[*Translation*]

The Speaker: Pursuant to order made Wednesday, April 21, 2010, the House will now resolve itself in committee of the whole to welcome Olympic and Paralympic athletes.

* * *

CANADA'S OLYMPIC AND PARALYMPIC ATHLETES

(House in committee of the whole to recognize Canada's 2010 Olympic Winter Games and Paralympic Games athletes, Mr. Peter Milliken in the chair)

[*And Canada's 2010 Olympic and Paralympic athletes being present in the chamber:*]

The Speaker: Order, please.

Honourable members, it is my pleasure today to welcome to the House of Commons athletes from our Olympic and Paralympic teams who participated in the 2010 Olympic and Paralympic Winter Games in Vancouver.

[*English*]

These are some of the men and women who won Canada's first gold medals at home, the most gold medals ever won by a single country in the history of the Olympics.

I know I speak on behalf of all members in the House and all Canadians when I say how extremely proud we are of each and every one of you. We appreciate the years of intense training and sacrifice and the determination required to become a world-class athlete. Your dedication, not to mention your skills, are an example to us and to future athletes.

Today is also an opportunity to recognize the men and women who support Canadian athletes, from coaches and administrators,

from organizations such as the Canadian Olympic and Paralympic committees, to the families, whose love and moral support spur you to even greater achievements.

[*Translation*]

Your Olympic and Paralympic achievements prove that you are among the very best in your respective sports. You have earned the respect and admiration of Canada and the world.

On behalf of all members of Parliament, I congratulate you, I salute you and I thank you.

Some hon. members: Bravo!

[*English*]

The Speaker: I would now like to read the names of the Canadian athletes who are with us today. I will ask hon. members to withhold their applause until I have completed the list.

Alpine Skiing: Anna Goodman, Erin Mielzynski, Jan Hudec, Julian Cousineau, Louis-Pierre Helie, Marie-Michele Gagnon, Erik Guay, Marie-Pier Prefontaine, Ryan Semple, Shona Rubens, Tyler Nella.

Para-Alpine Skiing: Andrea Dziewior, Arly Fogarty, Jeff Dickson, Karolina Wisniewska, Kirk Schornstein, Lauren Woolstencroft, Matthew Hallat, Melanie Schwartz, Morgan Perrin, Viviane Forest, Lindsay Debou, Sam Danniels, Nicholas Brush.

Biathlon: Brendan Green, Marc-Andre Bédard, Megan Imrie, Rosanna Crawford, Zina Kocher.

Bobsleigh: Chris Le Bihan, Heather Moyses, Helen Upperton, Kaillie Humphries, Lascelles Brown, Lyndon Rush.

Cross-Country Skiing: Daria Gaiazova, Drew Goldsack, George Grey, Sara Renner, Stefan Kuhn.

Curling: Carolyn McCorie, Corinne Bartel, Sonja Gaudet, Susan O'Connor, Bruno Yizek, Darryl Neighbour, Ina Forrest.

Figure Skating: Anabelle Langlois, Cody Hay, Vanessa Crone, Vaughn Chipeur.

Freestyle Skiing: Alexandre Bilodeau, Chloe Dufour-Lapointe, Jennifer Heil, Kristi Richards, Kyle Nissen, Maxime Gingras, Pierre-Alexandre Rousseau, Steve Omischl, Veronika Bauer, Vincent Marquis, Warren Shouldice.

Ski Cross: Danielle Poleschuk, Davey Barr, Julia Murray, Kelsey Serwa.

Ice Hockey: Caroline Ouellette, Tessa Bonhomme, Scott Niedermayer.

Luge: Alex Gough, Chris Moffat, Ian Cockerline, Justin Smith, Meaghan Simister, Mike Moffat, Samuel Edney, Tristan Walker.

Nordic Skiing: Alexei Novikov, Brian McKeever, Robin McKeever, Colette Bourgonje, Lou Gibson, Mark Arendz, Tyler Mosher.

Nordic Combined: Jason Myslicki.

Skeleton: Amy Gough, Michelle Kelly, Mike Douglas.

Government Orders

GOVERNMENT ORDERS

Ski Jump: Eric Mitchell, Mackenzie Boyd-Clowes, Stefan Read, Trevor Morrice.

Sledge Hockey: Hervé Lord, Marc Dorion, Paul Rosen, Raymond Grassi, Todd Nicholson.

Snowboard: Alexa Loo, Caroline Calvé, Dominique Maltais, François Boivin, Maëlle Ricker, Michael Robertson, Palmer Taylor, Rob Fagan, Sarah Conrad.

Speed Skating: Anastasia Bucsis, Clara Hughes, Denny Morrison, François-Olivier Roberge, Kyle Parrott, Mathieu Giroux, Shannon Rempel.

Short Track Speed Skating: Charles Hamelin, François Hamelin, Guillaume Bastille, Kalyna Roberge, Marianne St-Gelais, Tania Vicent, Valérie Maltais.

• (1510)

[Translation]

Once again, congratulations to our Olympic and Paralympic athletes, and thank you.

[English]

All hon. members are invited to join the athletes at a reception immediately following in room 200, West Block.

Some hon. members: Hear, hear!

[*And Canada's 2010 Olympic and Paralympic athletes having left the chamber:*]

* * *

• (1515)

POINTS OF ORDER

ORAL QUESTIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I rise on a point of order concerning a question asked by the member for Toronto Centre in question period earlier and directed to the Prime Minister.

I would suggest that the member for Toronto Centre used unparliamentary language when he directed his question to the Prime Minister and said that the Prime Minister should bear some responsibility for the culture of deceit of the Conservative government.

I would remind you, Mr. Speaker, not that you need reminding, that any time one points a question at an individual, as opposed to the government, and uses unparliamentary language, that member is usually called upon to withdraw those remarks.

I have provided you with copies of the blues in both languages, Mr. Speaker, and I would ask that you review them at your earliest opportunity and rule accordingly.

The Speaker: I thank the hon. parliamentary secretary for his diligence in getting these copies already. I will examine them and get back to the House as necessary.

• (1520)

[English]

SÉBASTIEN'S LAW (PROTECTING THE PUBLIC FROM VIOLENT YOUNG OFFENDERS)

The House resumed from March 19 consideration of the motion that Bill C-4, An Act to amend the Youth Criminal Justice Act and to make consequential and related amendments to other Acts, be read the second time and referred to a committee.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I am pleased to have an opportunity today to speak to a bill that is extremely important to all of us and to all Canadians, and that is Bill C-4 dealing with our youth justice system.

I am supposed to be pleased but I am concerned with where we are going with it. I will outline my concerns as we continue on.

Bill C-4 is just the beginning of a discussion on the youth justice system but I would also like to address the larger issue of how we deal with youth crime in Canada, its impact and the consequences of failing to address these things proactively and with a long term vision.

It is too easy to react and I think Bill C-4 will give us the opportunity to seriously look at where we are going on issues like this in Canada and what we can do to ensure the safety of all Canadians but, more important, to ensure our youth have some positive direction and positive role models.

We know the consequences when those are not there and I think we need, as a society, to deal with those issues in a much more proactive way. Having an opportunity to speak on Bill C-4 and have the bill go to committee will give us a chance to examine it and look at where we can strengthen it.

The people of Taber, Alberta and those who were shopping in Toronto on Boxing Day of 2005 know all too well what the consequences are. Sadly, the families of people like Reena Virk, Jane Creba, Jason Lang and my own constituent, a young boy by the name of Jordan Manners who was shot down in the hallway of his school, know all too well the consequences if we fail to address youth crime effectively.

I mention Reena Virk, Jane Creba, Jason Lang, Shane Christmas and Jordan Manners because they are really the reason that I am speaking to Bill C-4 today. These special people are children who were victims of criminal acts perpetrated by other children. Perhaps one of the greatest tragedies any family or any society can bear is children fighting children and children killing children. It is not the Canada we want and we do not want to see that continue.

What can we do about it? How do we strengthen our laws? How do we strengthen the support systems in society so we can have a much better outcome at the end of the day in dealing with these difficult issues?

Government Orders

The children I mentioned were shopping and Jordan was attending school. They were just doing what children do and, because of that, they became victims and their families were shattered.

There was a day when we all felt a child-like innocence, a few years ago but I think we can all remember, a quality we all imagine is in the eyes of our children and grandchildren but, in reality, we as legislators need to make certain that there is an effective youth criminal justice system in place that can deal with the rarely seen but much darker side of childhood.

However, our response to youth crime cannot stop just there.

When Bill C-4 was first tabled on March 16, I again took the opportunity to review it carefully. I represent a riding in the greater Toronto area, a city that, like every other large city in Canada and on the planet, struggles to stem a rising tide of crime of a variety of types.

As an initial reaction to this legislation there are clearly element of the bill that appear to favour more punishment, much more so than rehabilitation. We need to ask ourselves where that balance is between the two.

While I accept that punishment is tremendously important, I would view the prevention and the rehabilitation sides of the youth criminal justice system to be every bit as important.

• (1525)

When I served on Toronto City Council and as the vice-chair of the Toronto Police Services Board, I saw first-hand some of those challenges. I watched as families dealt with tragedy, as politicians grappled with legalities, as social service agencies struggled with poverty and as courts wrestled to find the right balance.

I visited the families of many young people in my riding who had been either shot or knifed to death in some uprising with a gang. I sat and cried with mothers who lost their oldest child to violence in spite of every effort they made to try to prevent that from happening. They examined everything they did while raising their youngsters and asked what they could have done differently.

Many kids are being raised by single parents who are working and trying to keep the family unit together and make sure they are role models for their children. Sometimes things go wrong. Sometimes they only go wrong once in their entire life, but sometimes that once is too many.

As a result of some of the work I have done as a city councillor in Toronto and sitting as vice-chair of the Toronto Police Services Board, I also had a chance to talk to many police officers who constantly try to find that balance. I asked how they treat young people, how they either scare them enough that they will never do anything wrong again or make sure they understand that they will pay a price if they break the laws of our country, that it is not frivolous and they will pay a price emotionally, as will their families.

I developed a very practical tough-on-crime approach, but I also learned to appreciate the need for additional components that recognize the unique challenges presented when dealing with youth crime.

There was once an incident, when I was on the Police Services Board, with a young man who I had a chance to talk to in the detention centre. I asked him, "Why did you shoot that person", and he said, "Why not?" I looked at him with shock and said, "What do you mean, 'why not'? You have killed someone; that is why you are in here. And you are trying to make me feel sorry for you". He responded, "You don't care about me, so I don't care about you".

What he was saying is that as a society, we do not care about them, so they do not give a darn about us either. It is hard to imagine anybody growing up with that kind of mentality, "You don't care about me and I will take your life as if it's nothing". The reality is that is exactly how that young man felt. Ultimately, he went to jail for a very long time and I suspect he is still there.

Having all these things in mind, it would appear as though the drafters of this bill have little or no regard for the prevention and rehabilitation facets of the youth criminal justice system. Just like every other Conservative crime bill, this legislation is all about sentencing and jail time. The bill says very little about prevention, rehabilitation or working to put young offenders on the right track for life.

It would seem that Rick Linden, a criminology professor at the University of Manitoba, agrees with this. He says the bill is designed more for political effect than to actually have an effect on crime. That is not surprising. We have seen a lot of that in this so-called law and order and crime agenda. Conservatives say the things people want to hear, but then they do not do anything about it.

Professor Nicholas Bala, a family law and youth justice expert at Queen's University, says the same thing. Professor Bala said, "This is an example of pandering to public misperceptions about youth crime". Clearly, pandering to the general feel out there is very easy for all of us to do politically. At some points in our lives we have probably all done it; there is no question about it. However, on issues of youth justice it is extremely important that we do the right things and make the right decisions on rehabilitation, prevention and, ultimately, whatever punishment will have to be the issue of the day.

We just had a room full of young Olympians. We look at all those beautiful faces and see how proud they are of what they have achieved.

• (1530)

How many other kids out there would have liked to have had those opportunities? However, because of a variety of things that happened in their lives, they do not ever get that opportunity to be able to train and participate and grow up and be a successful Olympian.

As we go back to this bill and talk about the clarity issue, I believe strongly that criminals of all ages should be punished appropriately. While I support serious consequences for people who commit serious crimes, I believe youth must be treated differently from adults. I also believe that effective prevention of youth crime begins long before the actual crime is committed and continues long after a sentence has been served.

Government Orders

After all, in most cases offenders acquire criminal tendencies long before they take action. Furthermore, they will be expected to reintegrate into society at some point, and unless we take steps to ensure that the root causes of their behaviours are addressed, we can be certain that youth criminals will evolve into adult criminals.

Let us take a moment and examine what is actually in Bill C-4. The legislation proposes altering the pretrial detention rules to make it simpler for judges to keep violent or repeat offenders in custody prior to trial; adding specific deterrents to the sentencing principles for youth; expanding the definition of what constitutes a violent offence; allowing for more serious sentences for youth with a pattern of extrajudicial sanctions or so-called repeat offenders; requiring the consideration of adult sentences by provincial crown prosecutors for youth 14 and older who commit serious offences, like murder, attempted murder and aggravated sexual assault; and requiring courts to consider lifting publication bans on the names of young offenders convicted of violent offences even when youth sentences are applied.

Some of these things are potentially positive and are at least worth supporting so this bill can go to committee for further study.

My biggest concerns relate to what is missing from this legislation. It would seem that the government's answer to youth crime is to lock the offender up and hope the future takes care of itself. Well, we know that does not happen, because sooner or later they have to get out, and if we have not tried to rehabilitate them while they were in a detention centre or a jail, then they are going to come out worse than when they went in. People can argue with that, but there are all kinds of studies that show that.

I fear this is a shortsighted strategy that will quickly lead to increased rates of recidivism. The youth criminal justice system in Canada must protect society, punish the offender and seek to rehabilitate whenever possible.

Bill C-4 recognizes the first two elements of this criterion but does nothing to enhance or to recognize what is potentially the most important element. What is the government planning to do to address poverty and homelessness in our largest cities? What is the government planning to do to combat domestic violence and violence against women? What is the government planning to do to tackle anger and money management issues? What is it going to do to provide hope and opportunity for many of our young people who feel there is no hope and no opportunity for them?

It might seem as though I am throwing out a laundry list of things I would like to see, but in fact I believe that poverty, homelessness, despair, anger and desensitization to certain negative activities contribute to crime later in life. I go right back to "If you don't respect me, I don't respect you, so your life means nothing", the quote I referred to from that young man I had spoken to some years back.

We know now that children who do not have support in their formative years are more likely to gravitate to other support networks. We also know that in some cases that support network becomes a gang.

We also know that children who witness repeated bouts of spousal abuse and violence can come to accept that as appropriate behaviour,

a behaviour that leads to more ominous activities as the children grow.

I would never suggest that everyone living in poverty is a criminal in waiting. I actually believe that every child represents untapped potential and hope for the future.

● (1535)

Every child is a doctor in waiting, a lawyer in waiting or a scientist of tomorrow, and every child could be our next great leader. Because of this belief, I want to make sure we do not just focus our attention on punishing those who go astray. We need to work together to ensure all children have the opportunity to reach their full potential, even if they veer from the path briefly before they reach adulthood.

I am going to cast my vote in favour of Bill C-4, but I want to be clear that the work is just beginning. We need to get this one right. The families of Reena Virk, Jane Creba, Jason Lang and Jordan Manners and countless other Canadians have every right to expect that we get this one right and we make the changes that are necessary to ensure the safety of our society, but also make the opportunities for the many young people who need that encouragement to move forward.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Madam Speaker, it is unfortunate that the previous speaker focused on what she calls the punishment aspects of the bill when clearly, if she understands it in its full context, it is focusing on protecting society. That is the real work behind the bill.

I for one am glad that we are finally having this discussion in the House. I have heard from many of my constituents who are concerned about the shortcomings of the current Youth Criminal Justice Act, and in fact I met with a number of them. I met with parents of victims and I have also met with parents of those children who have gone astray. These parents are asking us to take action and try to get some method of earlier intervention within the young person's life.

My colleague mentioned that we need to focus more on prevention and rehabilitation, and I could not agree more that these are important things to focus on. Prevention and rehabilitation are important parts of our overall justice initiatives. In that light, does the member agree that it would be easier to rehabilitate a 16-year-old than a 56-year-old or a 46-year-old?

Hon. Judy Sgro: Madam Speaker, the difference is quite significant. Part of the reason I am so supportive of an early learning program is, if we start investing at zero in these children, starting to make them feel good about themselves, making sure they get an education and the advice and the holistic approach many of us are talking about, that guides the children so when they are 15 years old, they are not out there creating crimes. But if we treat a 15-year-old like a 56-year-old, we are going to end up forever paying \$100,000-plus a year. So we need a different treatment, and I know my colleague probably feels the same way. The question for all of us as a society is: How do we deal with those 15-year-olds who have committed crimes? If they are serious crimes, they have to have some serious help in order that they do not end up in jail when they are 56 as well.

Government Orders

The question for all of us as legislators is: What kind of help do they need and what do we do that best befits the crime but best protects society and also opens the door so that young person gets rehabilitated in a positive way?

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Madam Speaker, first of all, I appreciated my colleague's speech.

One small concern which I would raise, more as a comment than a question, is that often when we talk about the Young Offenders Act and reform of how to deal with folks who end up in trouble with the law at a young age, we refer to those who are raised by single parents as a category, and it is often a mistake to make too much of a connection.

We know that the circumstances in which young persons grow up are very determinant of what happens if they end up in trouble with the law. But too often in this place, and I am not accusing my colleague of doing this, we say thus equals thus. That if they were raised by a single mom, therefore we know the scenario. It is something that I would caution all members because it is so often not the reality. Single parents are out there raising their kids as best they can, often on very limited means because of the social safety net that has been torn apart, and this goes to my question for my colleague.

There is almost no discussion of prevention. The best way to treat a crime is to prevent the crime from happening in the first place, so that there is no victim and there is no punishment allotted because it did not happen. This government in particular seems to cast aspersions on the idea of a social safety net and would rather have a tough on crime agenda, where spending \$100,000 a person in maximum security is a great solution as opposed to \$10,000 on prevention

My colleague across the way talked about reforming someone at age 16. We have to talk about age six. We have to talk about early childhood learning, education and programs that set people on the right path from the beginning. Waiting until they are 16 and have run-ins with the cops is sometimes too late.

If a government is only fixated on the moment when a crime takes place and not so much on all the events that led up to that moment, the enticement from the gangs, the lack of opportunities, after school programs, lunch programs and whatnot, is that not an irresponsible way to conduct a government, to conduct any just society, to simply fixate only at the end on the crime and what punishment ought to be meted out?

• (1540)

Hon. Judy Sgro: Madam Speaker, the easy way is to lock them up and throw away the key. That is the easy thing to do, but sooner or later, either the person is going to get out or we are going to continue to pay the \$100,000-plus a year to maintain someone in jail.

It goes back to early learning and investing right from the beginning, giving families the support that they need, whether or not these are single moms or whoever it is. It is having a child raised in a positive atmosphere, whether that means having day programs for our children, giving support for moms, or making sure that people have a decent place to live. That is a really big issue. When youngsters grow up in poverty, they just do not see a way out.

Often when I have a forum in my riding of young people, they will say, "I am not going to go anywhere in society. I have no one to help me get through. I got myself kicked out of school", so we help get them back in school but they need a lot more help.

There is a program called pathways to education that I am working to get into my particular riding, which has more than a few challenges. I believe that investing in those kinds of programs so that a young person has that entire holistic approach from zero on will prevent a 15-year-old or anyone else from getting into crime way before we have to turn around and penalize them.

Mr. Claude Gravelle (Nickel Belt, NDP): Madam Speaker, I would like to thank the member for York West for her intervention on this subject.

Sometimes we blame youth crime on poverty. We blame it sometimes on a lack of education. Sometimes we blame it on single parents. Sometimes we blame it on a lack of jobs.

I know some teenagers who were brought up in well-to-do families with two parents who were well educated, and it turned out that they are still criminals, so we cannot use that as an example for a blanket statement and blame it on these kids.

We also say that sometimes incarceration is the way to go with these young criminals. If that were true, Texas would be the safest place in the world, but it is not.

I would like the member's opinion on what the government could do to help prevent youth crime.

Hon. Judy Sgro: Madam Speaker, I would begin by ensuring that we invest in housing, so that people have a safe place to live, invest in education programs, invest in early learning, work with families, and work with children all the way through school so that they know there is hope and opportunity.

Youth in my riding and throughout the city have told me at some of the forums that they have a feeling of despair, a feeling that no one cares. They would like a job. Some of the older people who work in the riding with youth in trouble say very specifically to some of the gang leaders that if they could get him or her a job somewhere that it would put that individual on the right track.

Many of these kids have never held a job in their life. One of the opportunities we have with the money and the leadership here is the summer career placement program. For many of the young people in my riding, they get their first job through this program. When they have worked for eight weeks and receive a paycheque, they really feel good about themselves. That is the kind of thing we need to do. We need to be investing in these communities. We need to provide hope and opportunity.

• (1545)

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Madam Speaker, as members are aware, the Youth Criminal Justice Act came into effect in April 2003. The proposed reforms to the YCJA that are contained in Sébastien's law are being made after consultations with a broad range of stakeholders.

Government Orders

I have had the privilege on a number of occasions of meeting with people in my riding of Kitchener—Conestoga. They are very concerned about many of the areas of the YCJA where improvements are badly needed. They are concerned that not enough is being done to protect individuals and families in our communities.

After more than five years of experience with the YCJA, the time was right for a review. In February 2008, the Minister of Justice launched a comprehensive review of the Youth Criminal Justice Act, which began with a meeting he held with provincial and territorial attorneys general to discuss the scope of the review and to identify the issues relating to the YCJA that they considered the most important.

In May 2008 the Minister of Justice began a series of cross-country round tables, usually co-chaired by provincial and territorial ministers in order to hear from youth justice professionals and youth justice stakeholders about areas of concern and possible improvements regarding the provisions and principles of the Youth Criminal Justice Act. The results show that most provinces and stakeholders believe the YCJA works well in dealing with the majority of youth who commit crimes. However, there are concerns about the small number of youth who commit serious violent offences or are repeat offenders.

As well, while the goal of the Youth Criminal Justice Act to reduce the number of youth in custody is seen as a laudable one, some are of the view that the act has imposed barriers, which could restrict the courts from imposing custody for youth who should receive custody. Also, they believe that while adult sentences are available for those aged 14 and over and can be used where appropriate, these are not always considered even in the most serious cases.

Concerns were expressed by some about youth who commit violent or repeat offences, who may need a more focused approach to ensure that the public is protected. For example, some were concerned about violent youth who may avoid detention through bail. The fear is that these youth could commit a violent or serious offence while they are awaiting trial.

The current law on pre-trial detention is seen by some as too complicated. These complications might also make it more likely that youth who should be kept off the street pending trial are released, only to re-offend, sometimes with lethal consequences.

The Nunn Commission of Inquiry in Nova Scotia dealt with a case where a youth who had been detained was released, stole a car and was involved in a car accident in which a person was killed. The proposed reforms would greatly simplify the judicial interim release scheme.

The new law will include a very simply test. If the youth has committed a serious offence, which will be defined as it is for adults in the Criminal Code, then this youth can be detained while awaiting trial if he or she would, if released, likely endanger the public by committing another serious offence.

This government recognizes that young people who commit serious, violent and repeat criminal offences must receive a sentence and work toward rehabilitation in a manner that is proportionate to their crime and to their responsibility for this crime.

This government believes that particular elements of the act need to be strengthened to ensure that youth who commit serious, violent or repeat offences are held accountable with sentences and other measures that are proportionate to the severity of the crime and the degree of responsibility of the offender.

Sébastien's law will make the protection of society a primary goal of our youth criminal justice system. It will give Canadians greater confidence that violent and repeat young offenders will be held accountable through sentences that are proportionate to the severity of their crimes.

The proposed amendments are intended to help ensure that violent and repeat young offenders are held accountable through sentences that are proportionate to the severity of their crimes and that the protection of society is given due consideration in applying the Youth Criminal Justice Act.

• (1550)

The proposed reforms address these concerns: to make protection of society a primary goal of the legislation; to simplify the rules to keep violent and repeat young offenders off the streets while awaiting trial when necessary in order to protect society; to require the crown to consider seeking adult sentences for youth convicted of the most serious crimes, murder, attempted murder, manslaughter and aggravated assault; to require the crown to inform the court if it chooses not to apply for an adult sentence; to enable the courts to impose more appropriate sentences on other violent and repeat offenders, as necessary in individual cases, and to use existing sanctions in a way that would discourage an individual from offending again; to use a pattern of escalating criminal activity to seek a custodial sentence for reckless behaviour that puts the lives and safety of others at risk; and, finally, to require the courts to consider publishing the name of a violent young offender when necessary for the protection of society.

Regarding the requirement to consider adult sentences for youth convicted of the most serious crimes, the provinces and territories will still have the discretion to set the age at which this requirement would apply.

Let me be clear. The amended legislation will now make it clear that no young person under 18 will serve a sentence in an adult institution regardless of whether he or she was given an adult or youth sentence. All young people under 18 will serve any custody portion of their sentence in youth facilities, separate and apart from adult offenders.

As is currently the practice, the individual could be transferred to an adult institution at age 18, if at that point his or her sentence had not been fully served.

Government Orders

Changes will also be made to publication provisions. In addition to retaining the current lifting of the publication ban where an adult sentence is imposed on youth, the new law would require judges to consider lifting publication bans for all convictions of violent offences where youth sentences were imposed.

Also there will be a requirement that records be kept when extra judicial measures are used by law enforcement to make it easier to find patterns of reoffending, which ties in with the amendment to the sentencing provisions in regard to extra judicial sanctions.

The proposed reforms in the bill will support and improve a fair and effective youth justice system for this country and result in a youth justice system that holds youth accountable for their criminal misconduct and promotes their rehabilitation and integration into society in order to promote the protection of the public.

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Madam Speaker, I listened to the debate on Bill C-4. I am tempted to do two things and I hope the House will forgive me as I reflect on them.

The first part of the speech was exhortation that was a repetition of what the member for Saint Boniface said during statements by members, and that was have the opposition join with the government in ensuring the bill would pass, but without getting an assurance from the Prime Minister that he would not engage in prorogation in order to eliminate all the benefits of such co-operation.

The second reflection is this. Why do we not talk about how this bill protects society? With all due respect to my hon. colleague opposite, whose sincerity I do not question, is there anything other than the administrative details about which he talked that relate to maintaining records in an efficient and proficient fashion?

Could the member help us to understand how that is significant in maintaining a culture of protection for society, other than just simply one where we keep better books? Is that his concept of a reform of the justice system designed to protect society, to get new bookcases?

• (1555)

Mr. Harold Albrecht: Madam Speaker, clearly my colleague did not listen to the early part of my speech. I clearly commented about the provisions in relation to pretrial detention. All of us in the chamber have heard stories about individuals who have been charged and released on bail and during that time have chosen to reoffend. In fact, Sébastien's situation is exactly that. Another person unfortunately lost his life because of another violent act. That is the one part of it.

The other part deals with the issue where extrajudicial sanctions may have been given in previous misdemeanours. People in my riding told me about a person who had appeared before a judge but was told that because there were no judicial sentences handed down earlier, the criminal record was not yet bad enough for the individual to be sentenced.

Therefore, with this legislation, it is my understanding that where extrajudicial sanctions have been given previously, that where warranted, the judge will be able to take those into account in deciding on the severity of the punishment to be given. More important than the punishment is to protect society from a person who may choose to go out and reoffend.

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Madam Speaker, I wonder if the member is aware of Quebec's success when it comes to juvenile delinquency. Does he know that since 1985, Quebec's youth crime rate has been from two-thirds to 50% lower than the rest of Canada?

Is he aware of Quebec's particular way of dealing with young offenders? Is everyone around him aware? If he is not aware, can he be open-minded enough and benefit from this debate in order to learn about how Quebec addresses this?

If people from Quebec tell him that this legislation is getting in the way of their approach, would his government be willing to amend it so that it might produce better results in Canada and North America, and this approach could continue to be used?

[*English*]

Mr. Harold Albrecht: Madam Speaker, there is no question that all of us in this chamber will always celebrate any reduction in crime. When the numbers go down, we should all be grateful.

I am not questioning whether the numbers have gone down or not. I am suggesting that regardless of where the numbers are, they are still far too high. There is no one in this chamber who would suggest that because the numbers have gone down by 2%, 5% or even 20% that we should somehow reduce our efforts to further improve the public safety of all Canadian citizens.

I remind the House as well that our government has invested heavily in crime prevention programs. I have been involved in announcements in my own riding, where money has been invested in crime prevention programs to allow them to do the good work they do. My colleague earlier mentioned the pathways to education program, a great program that is having good results.

It is not a matter of one or the other. It is a matter of both. We need all these programs to work together, rehabilitation, prevention, absolutely. We cannot ignore the public safety factor. People in this chamber have a responsibility to all Canadians.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, the NDP will support the bill to get it to committee, and we hope a couple of amendments will come out of committee.

My colleague made the point that the intention is to keep youth separate from adults, and the government has included this extremely valuable point in the bill. We are reasonably satisfied with this.

The only question I have about it is how that will play out over time. The provinces may not have adequate facilities in some areas. Is the government planning to compensate the provinces to help them build proper facilities? One of the reasons youth are in with adults in some instances is because the provinces do not have the facilities to keep them apart.

Does the government have any plans to compensate the provinces to allow them to have the proper facilities?

Government Orders

•(1600)

Mr. Harold Albrecht: Madam Speaker, I am not in a position to comment on the specifics of what investments may be forthcoming in terms of other facilities.

I want to go back to the point that even if more facilities or more investments are needed, it is important for members of this chamber to take seriously their responsibility for the protection of the public. I am sure if that is necessary, the necessary funds will be allocated.

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, paragraph 3(1) refers to the prevention that the member has mentioned a couple of times. The prevention of crime that it refers to is the recidivism. What the member has not talked about is the importance of preventing any crime from happening in the first place.

The member should also understand that the rate of criminal activity, serious crime, particularly property crime, accelerates and tracks perfectly with unemployment rates in Canada as well. A sound economy is also an important element of crime prevention.

Would the member at least acknowledge that crime prevention should not start after the first crime?

Mr. Harold Albrecht: Mr. Speaker, I could not agree more that a good job is important for the well-being of a young person, especially in terms of feeling good about themselves, of having positive self-esteem, of being able to provide for their own needs. However, one of the best ways to do that is to encourage an investment climate where jobs are created, and not increase taxes in such a way that would actually discourage companies from expanding their businesses or making the tax burden so high that people are unable to pay for the basic necessities of life.

The other thing on the job front is the pathways to education program, which I mentioned earlier, are all initiatives that will help young people get the education they need. They may not be suited to the normal academic program that we think is the be-all and end-all. They may learn in different ways. These pathways to education programs and other alternative education programs are crucial to help those who may not follow the normal academic pattern, but are able to find great jobs in skilled trades, of which our society is in desperate need.

All of these need to go together. I want to make the comment I made earlier that we cannot look at this in isolation. It has to be a total package.

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Madam Speaker, the Bloc Québécois is not against reviewing the Young Offenders Act. We are in favour of Quebec's model of dealing with young offenders.

This model has been developed over more than a generation. It has been unanimously supported by all political parties that have governed Quebec since the 1960s. Whether to maintain and improve it has never been the object of partisan politics. Over the past 25 years, it has consistently given Quebec the lowest youth crime rate in North America. It focuses entirely on the future and its main goal is to ensure that, insofar as possible, the young offender grows up to become a law-abiding citizen.

This model has been possible because the federal legislation recognized that its main objective was the rehabilitation of the young offender. The Assistant Chief Justice of Quebec's Youth Court, Mr. Justice Michel Jasmin, admirably summarized the basic philosophy underlying the Quebec model with these words: "the right measure at the right time".

Let us take two examples at opposite ends of the spectrum: homicide and shoplifting. A young man has killed his father. Drunk most of the time, the father beat his wife and children and kept them in abject poverty. One day the young man decides that this has gone on long enough, and he kills his father. At the other extreme, a young man is part of a group of thugs who rob houses. When surprised one day by an elderly woman who puts up a fight, he hits and kills her.

Can people see that the two offenders have to be treated very differently? That does not mean that the first one deserves a medal. He has committed a very serious crime and should suffer serious consequences. What he did was unwarranted, even under such extreme circumstances. He must show that he understands and is sorry for what he did and that he will never again use force to deal with an unfair situation. He will regain his freedom gradually, depending on the progress he makes in the rehabilitation program he is referred to.

In the second case, the offender may be tried as an adult and receive the maximum sentence of life in prison, after undergoing a thorough examination that looks at his record, his personality, the failure of any previous rehabilitation and the clinical psychological data that comes out of the examination, in short, a series of factors that rule out any possibility of rehabilitation.

Two homicides, two different measures.

At the other end of the criminal spectrum is shoplifting. A young man has been caught stealing a CD by a popular artist. It is his first arrest. He does not want the police to call his parents, but they do anyway. When they arrive, he is as red as a beet. Shamefaced, he swears he will never shoplift again. It is easy to see that this experience and the parents' reaction will be more than enough to dissuade the young man from reoffending. He can be diverted from formal court proceedings and let off with a warning.

But another young man is caught stealing things that can easily be fenced. It is his first arrest as well, but authorities will do a more thorough investigation before deciding whether or not he will go to court. They will try to find out more about his circle of friends, his family and school or work in order to determine the best way to ensure that he does not reoffend.

Two cases of shoplifting resulting in a first arrest, two different attitudes that will lead to two radically different measures. We always try to choose the best measure for the situation.

Between these two extremes, there are thousands of cases where, in choosing the right measure at the right time, judges hand down sentences that can be very different for similar crimes committed by young people with very different prospects for rehabilitation.

Government Orders

These sentences may seem lenient to those who are unaware of the results of inquiries made for the pre-sentence report on youth with the best prospects for rehabilitation. Other sentences may be the most severe sanctions under the law if the inquiry reveals that they are warranted.

The approach varies with the accused. The goal is to protect society by taking steps to turn the young person away from crime and to ensure, above all and as far as possible, that he will not become an adult offender.

It goes without saying that, to determine the best measures for achieving these goals, we must also take into consideration the seriousness of the offence, the degree of responsibility of the young person, his efforts to make restitution to victims when possible and other relevant and objective factors. This approach is taken because rehabilitating the young person is the best way to protect society.

● (1605)

Quebec's success is not dependent on the law but on how the law is enforced. Starting with the principle that rehabilitation is the goal in all but the clearly impossible cases, Quebec has created a multi-faceted system where the quality of the people who work with the young offender is of the utmost importance. Specialist judges are available in every region where that is possible and they are supported by psychologists, criminologists and social workers who can advise them about the identity of the young person, the risk factors that have led him to commit the crimes and the best means of ensuring his social reintegration while protecting the public. There are also specialist prosecutors. We build youth centres, not prisons, that fall under the responsibility of the health and social services ministry rather than the public security ministry. Guards have been replaced by psychoeducators and specialized educators who have a university or college education.

With regard to youth crime, like other types of crime, success is determined more by how laws are enforced than by the laws themselves. I know that this is particularly frustrating for federal legislators. However, in Canada, that is the way it is. In Canada, criminal law is a federal jurisdiction and its enforcement a provincial one.

The law has to leave room for an effective system. The law must not hinder a good system that has provided and continues to provide tangible results that are far better than the results anywhere else.

The Bloc fought long and hard for the Youth Criminal Justice Act that was adopted in 2002 to replace the Young Offenders Act because it favoured a more objective approach for treating young offenders.

After it was adopted, the opinion of many involved in the area of young offenders went something like this, "We used to deal with young people who committed offences and now we are dealing with offences committed by young people".

We could talk about this at length, but we do not have enough time here. We will have more time in committee. For now, I sincerely believe that the first approach is the best. Rehabilitating young offenders is the best way to protect society in the long run. Rehabilitation has to be the priority of the youth criminal justice system.

The approach proposed in the bill before us takes us further away from Quebec's approach. Subparagraph 3(1)(a), which is a declaration of principle at the beginning of the legislation, states:

the youth criminal justice system is intended to protect the public by

(i) holding young persons accountable through measures that are proportionate to the seriousness of the offence and the degree of responsibility of the young person,

This is certainly a very important principle, but it already appears in the current legislation. It appears almost verbatim in paragraph 38(2)(c) which states:

the sentence must be proportionate to the seriousness of the offence and the degree of responsibility of the young person for that offence;

This shift from paragraph 38(2)(c) to subparagraph 3(1)(a)(i) is not so innocent when we look at what is being dropped.

The current paragraph 3(1)(a), which will be replaced by the new clause, currently says:

the youth criminal justice system is intended to (i) prevent crime by addressing the circumstances underlying a young person's offending behaviour, (ii) rehabilitate young persons who commit offences and reintegrate them into society, and (iii) ensure that a young person is subject to meaningful consequences for his or her offence in order to promote the long-term protection of the public;

Under the current legislation, the first two objectives are prevention and rehabilitation.

To be fair, Bill C-4 does not completely dismiss these objectives. Rather, it says that we should "promot[e] the rehabilitation and reintegration" by "referring young persons to programs or agencies in the community".

But it makes these objectives secondary to making the sentence fit the crime. In short, rehabilitation and reintegration will now merely be encouraged, not mandated.

This is an even more significant change from the former Young Offenders Act, which enabled Quebec to create a system that resulted in the lowest rates of crime committed by young offenders in America.

We believe that any youth justice system should focus primarily on rehabilitation.

This is not a sunshine-and-lollipops system, as some Conservative bigwigs claim.

● (1610)

Some young people have asked judges to send them to adult court so that they can avoid the rigorous requirements of young offender rehabilitation programs.

The government is defending its proposed changes by claiming that stricter sentences will be a deterrent. That principle has had very little effect on adult crime rates. Why would it be any more effective when it comes to juvenile crime?

Government Orders

Since this is the government's main argument, we should debate the issue in committee. Justice Canada has already ordered an in-depth review of the deterrent effect of various sentences in Commonwealth countries. The findings will surely be enlightening. Are there any studies that focus specifically on adolescents? Such studies would definitely be relevant. If there are none, we should order them. That is probably exactly where the government and the opposition disagree. We should have a public debate where we can set partisan politics aside and let cool heads prevail.

The government's decision to name this bill Sébastien's law is both strange and indecent. Sébastien Lacasse was the young man from my riding who was attacked by a group of angry youth who beat him. One of the attackers even stabbed him, which is how he died. Most of the attackers were over 18 years old. The individual who stabbed and killed him was under 18.

He was referred to adult court and received the maximum sentence, life in prison, and his name was released. The others, who were over 18 but did not directly cause his death, received various sentences, the longest of which was four years.

The sentence that the youngest person received certainly does not justify any amendments to this legislation. Since the legislation does not at all change the sentence that the killer would have received, I do not think it has any symbolic value. This is nothing more than propaganda for purely partisan purposes. It seems to me the Conservatives are exploiting the grief of his parents and loved ones.

This only confirms that the government's main objective with this bill is not really to reduce crime, but rather to achieve electoral gains. Unfortunately, a large segment of the population believes that we need to be tougher on young offenders.

But only until they learn more.

Only until they learn more about the real way we treat young offenders on a daily basis, more about the various professionals who work with them—from a constable on a youth squad to the judge and special crown prosecutor, to the university educated psychoeducators who care for them and assess them—and most importantly, until they learn more about the results we get. These results are the envy of many countries whose representatives regularly come to study Quebec's model in order to emulate it and change their own way of addressing juvenile delinquency.

The public very rarely hears rehabilitation success stories for young offenders. But we often hear about the failures. That is the nature of things. A murder, especially committed by a young offender, is an exceptional event that will necessarily get a lot of media attention. Crimes in general make the news. There is always something, and the more serious it is, the worse it is, the more despicable it is, the more we see it on the news. And there is something about youth crime, something we cannot put our finger on, that draws interest from the media.

For the most part, rehabilitation goes unnoticed. There is nothing special about it. It is a process that can take time, and it is difficult to pinpoint exactly when rehabilitation is achieved. However, the vast majority of young offenders do not re-offend.

It is difficult to talk about those who are rehabilitated. First of all, in all civilized countries, we protect their identities. Sometimes, well-known or well-liked public figures will reveal that they were arrested in their youth, and will speak about their rehabilitation, which helped them become the person they are today. However, these cases are not well known, while failures are widely publicized.

Recidivism has a face. If it is not the face of the offender, it is the face of the victim. Rehabilitation is anonymous.

● (1615)

In our media-crazed world, we hear a lot of talk about repeat offenders but rarely do we hear about those who are rehabilitated, which actually represent the large majority of those convicted. Repeat offenders are known to police but those who are rehabilitated are not, since they are obviously not arrested again.

The general public is misinformed about how youth crime is dealt with. It sees only the failures. I am not criticizing journalists. Again, it is the nature of living in a media-crazed world. Unfortunately, in this case, the medium is the message. It is the exceptional things that make news.

Every so often, journalists decide to take an in-depth look at the issue. And generally, their opinion on youth crime and how to reduce it becomes more nuanced. When informed, the public generally comes to the same conclusion.

We need to admit, from the outset, that we will never completely eliminate youth crime. There will always be failures. These failures will be rare, so the media will be sure to publicize them. We cannot be deterred from looking for the best ways to rehabilitate offenders. Not only is it important on a human level, but it is also the best way to ensure society's short- and long-term protection.

I often hear the governing party say that we need to get tough on crime. And the Conservatives always seem to say it with an air of triumph, as if they were winning a trophy or crushing an enemy. It takes a hard line approach because it believes that it will get votes that way. But it was also in the House that I heard the best line on this topic. It came from the member for Etobicoke—Lakeshore, in one of his first speeches, before he became the leader of his party.

● (1620)

As I recall, he said that the idea is not to be tough on crime or soft on crime; the idea is to be smart on crime. If there is one area where it is important to be smart, it is the area of youth crime, even though being smart is not necessarily very popular right now.

On September 18, 2009, the former Conservative leader, the Right Honourable Brian Mulroney, said to the big Conservative family as it celebrated the 25th anniversary of his coming to power, "Just because something is popular, that does not make it right." He was quoted in *Le Devoir* on September 19, 2009. Former statesmen often like to pass on their wisdom.

Government Orders

This sentence seems especially relevant as we look at the changes the government wants to make to the Youth Criminal Justice Act. I very much get the feeling that the government is proposing these changes because they are popular. The tough on crime approach was a big hit in the United States and got many Republican representatives and senators elected.

As a result, nearly one quarter of the world's inmates are in American jails today. The incarceration rate in the United States is seven times the rate in Canada. Is it a safer country? Certainly not. Proportionally, if we look at the most serious crimes, homicides, there are three times more homicides in the United States than in Canada and four and a half times more than in Quebec. The Vera Institute of Justice, an American organization, determined that at least 22 U.S. states were prepared to give up the tough on crime approach. This also applies to the treatment of young offenders, which was based on the same principles.

Being tough on crime may be a good way to win votes, but it is an expensive, counterproductive approach that leads to a dead end. Rehabilitation, on the other hand, produces not only people who contribute to society, but huge financial and social savings for every young person who goes straight. When we see how much more violent crime there is in the United States than in Canada, we may be tempted to think that some of these offenders went through the American youth justice system.

Why follow the U.S. model when we have a system here that produces much better results? The rest of Canada should be following Quebec's lead instead of preventing it from continuing to use its system.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I sincerely thank the hon. member for participating in this debate and bringing the experience he has in this House. He always brings an enlightened view to important legislation.

The member made an allegation that the government was not trying to reduce crime but rather to win votes, if I quoted him correctly. That certainly does lead to a sloganeering approach to the justice system, let us get tough on crime, but he is correct in identifying that being smart on crime makes more sense from a legislative standpoint.

As a layperson, I have come to find, from members like him and from some of my committee work, that sentencing does not appear to be an effective deterrent to crime, that recidivism rates are lower for those who get early release or house arrest, that provincial governments do not get the resources they need to properly police or to provide for the facilities, and that longer sentences are more expensive to the system, therefore taking resources away from some of the other important social supports that people need to keep away from a life of crime.

I wonder if the member would care to share with the House some further thoughts about being smart on crime.

[*Translation*]

Mr. Serge Ménard: Mr. Speaker, I could go on for hours about that. Indeed, I spent more time editing my speech than I spent writing it in the first place.

I was called to the bar in 1966. Right after that, I went to work for the crown prosecutor in Montreal. Then I worked for the federal government, and then I was in private practice. I have been president of the Quebec bar, public safety minister and justice minister.

Before becoming a lawyer, I knew nothing about crime. Intellectual honesty was very important to me. I found that people broke laws—driving under the influence or committing murder, for example. I began to study the matter, and I learned a few things that anyone can learn.

There are a lot of books about crime, and Statistics Canada produces statistics comparing Canada to other countries. It is well known that long sentences are ineffective. The rate of incarceration in the United States is seven times higher than in Canada, yet the United States has the highest rate of violent crime. Other western nations, such as France and England, also have incarceration rates seven times lower than those in the United States.

We have to focus on timely intervention with criminals, not on sentence length. The same applies to our children. We have to intervene quickly when crimes are committed. There have to be consequences. Incarceration is the worst possible punishment; we must use it in moderation.

• (1625)

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, I want to thank the hon. member for Marc-Aurèle-Fortin for his speech on Bill C-4.

He provided us with a lot of information on Quebec's system, which, statistics show, is better than the rest of Canada's.

Could the hon. member tell me what the Conservative government could do to bring the statistics in the rest of Canada to the same level as those in Quebec?

Mr. Serge Ménard: Mr. Speaker, that is a very good question. The government probably cannot do it. That is the problem with a federation. I am not saying that as a sovereignist. That is just the nature of a federation.

It falls to the federal government to establish the criminal law, but it is up to the provinces to apply those laws. It is the way in which these laws are applied that has the greatest impact on youth crime. Prevention and rehabilitation used to be the primary objectives of the law and everything else was secondary. Unfortunately, now the opposite is true. Now the primary focus is on making the sentence proportional to the seriousness of the offence. The young person needs to be healed and rehabilitation is one type of healing.

The Conservative government could start by not adopting a bill that will prevent us from continuing to do what we do best. Our system works so much better than that of our neighbours to the south. However, the government always favours the U.S. model.

There truly are two solitudes in Canada. English Canada does not know about Quebec's success in this area. Rehabilitation by professionals is the reason for our success.

Government Orders

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, as a former solicitor general for Quebec, I know the member for Marc-Aurèle-Fortin is extremely knowledgeable on all of these issues.

I was interested in the fact that the government is going to, by this bill, make certain that youth are kept separate from adults. That is great, except that, as the member pointed out, the provinces will be responsible for enforcing this act that the government will pass and a number of the provinces do not have the facilities available to house those youth offenders.

If the provinces follow the act, it might be another decade before they get the proper facilities built where they can keep the youth separate and, if they do not have the facilities, what will they do? Will they put them in with the adults?

Could the member expand on that as to the validity of the government passing legislation when it knows full well that the provinces will not be able to implement it at any time soon in some cases, and whether the federal government should be responsible for providing some moneys to the provinces to make certain that the intentions of the bill are able to be carried out by the provinces?

• (1630)

[Translation]

Mr. Serge Ménard: Mr. Speaker, it would be a good thing if there were youth centres elsewhere. The government is prepared to spend more money to build more prisons to jail more young people. That is a colossal mistake. It should give the provinces more money to hire more qualified professionals who would oversee the rehabilitation of young people and even the rehabilitation of the most difficult cases.

It is difficult to take a youth out of his environment when he has grown up in a family that lives off the avails of crime and when he has joined a gang. It costs a lot. That is how Quebec came out on the losing end in the 1980s. The federal government gave money to the provinces. Ontario used it to build prisons. Quebec received less money because it focused on staffing and it could not use the money for buildings. However, it is a very important long-term investment. For \$100,000 per year, the cost of incarcerating one inmate, we can hire at least two or three professionals and be much more effective. The rest of Canada should realize that there is a system nearby that works and they should use it as a model. When I defended the Quebec system in 1998, people from the Maritimes came to see me to learn about it.

The Acting Speaker (Mr. Michael Chong): The hon. member for Argenteuil—Papineau—Mirabel has time for a short question.

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, first of all, I wish to congratulate my colleague for Marc-Aurèle-Fortin, who is an expert on this subject.

My question is simple. In Quebec, our ancestors left us a society that struck a balance between incarceration and rehabilitation. Today, why are the Conservatives absolutely bent on steering us to the right? Can my colleague explain this right-wing approach to incarceration?

Mr. Serge Ménard: Mr. Speaker, it is a matter of ignorance. They are not familiar with the success Quebec has had. When they want a

model, they choose a simplistic model. If my dog does something bad, I just give him a little tap. That is not how it works with adults, and certainly not with young offenders.

The Conservatives want to be tough on crime. They are now telling us—like the Minister of Justice has said—to listen to voters, who will tell us what to do and what measures to take. But the people are not experts on young offenders. There are some situations in life when we must turn to the experts. When our car breaks down, we do not take it to our uncle the plumber. We take it to a mechanic.

[English]

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, perhaps the most important responsibility of members of Parliament is the duty to protect the citizens of the communities they represent.

I have the honour of representing the great city of Abbotsford here in Parliament. The residents of my riding understand, perhaps better than most Canadians, the impact that violent crime, especially youth-related crime, can have on their sense of safety and security.

Despite a declining overall crime rate, drug-related violence in my community was up steeply last year. Much of it involved youth. If members went to my community and read the newspapers for the last two to three years, they would notice that week after week, there were stories about gang violence and drug-related violence. They would read about young teenagers being murdered because of their involvement in the drug trade, young kids who had a great future in this great country of ours, and those lives were snuffed out.

Since we were first elected, our Conservative government has been relentless in taking action to tackle violent crime and to protect Canadians. Our approach has been a balanced one. It includes prevention, enforcement and rehabilitation.

Today the bill before us is a new law which takes action against youth-related violent crime, especially where such crime is committed by prolific young offenders. The bill, which we have called Sébastien's law, is an amendment to the Youth Criminal Justice Act. Our government recognizes that young people who commit serious, violent and repeat criminal offences must receive sentences that are proportionate to their crimes, even as those very individuals work toward their own rehabilitation and reintegration into society. In short, violent young offenders need to take personal responsibility for their violent crimes.

What our government's bill also highlights is that our laws must make the protection of society a primary goal of sentencing, something which has been sorely lacking in the past. Law-abiding citizens have a right to expect that their lawmakers will protect them against the most violent young offenders.

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As I have talked with Canadians, I have realized that a large number of them have lost faith in the youth justice system. They complain that the prison sentences given to violent and repeat young offenders are generally too light to make any difference in rehabilitating these offenders and holding them accountable for their actions. Canadians have also lost faith in a system which does not have the legislative tools to keep the public safe. Our government is changing that.

Exactly what is it that this bill does? With Sébastien's law, our Conservative government is introducing nine key changes to the Youth Criminal Justice Act.

The first change will add deterrence and denunciation as principles which the judge will have to take into account when sentencing serious, violent and repeat young offenders. Right now a judge cannot use deterrence and denunciation in making a decision about sentencing, even though many Canadians believe that serious, violent young offenders must get a clear message that doing the crime means doing the time.

The second change is that the amended act would allow detention and jail before trial if a youth is charged with a serious offence and if that youth is likely to commit another serious offence if released. Up until now, pretrial custody rules have been confusing and quite frankly, inconsistently applied.

The third change is that the amended act would define the term "serious offence" as an indictable offence with a maximum sentence of five years or more. This will not only include violent offences but also property offences, such as theft over \$5,000, and offences that pose a danger to the public, such as possession of a firearm, sexual exploitation, robbery and murder. Right now there is no definition of "serious offence" in the Youth Criminal Justice Act.

The fourth change will mean that the term "violent offence" will be expanded to include offences where a young person endangers the life or safety of another person by creating a substantial likelihood of causing bodily harm.

●(1635)

In the past, the legal definition of "violent offence" was left up to the courts to interpret. The courts' interpretation, although it included actual or threatened bodily harm, said nothing about endangering someone's life or safety. We are changing that.

For our fifth change, we are making it easier to put violent young offenders behind bars by allowing the judge to take into account a previous history or perhaps pattern of guilty behaviour, even if there is no actual formal record of that criminal behaviour. Currently, the law is too narrow and allows youth who may have broken the law many times before but were dealt with outside of the justice system to escape personal accountability for their actions.

The sixth change will require a prosecutor to consider seeking an adult sentence for young offenders who are 14 years of age and older where they commit serious violent offences. This provision will vary from province to province. Prosecutors will also have to inform the court if they do not apply for the adult sentence. Right now, adult sentences are available for those 14 years of age and over and can be used where appropriate, but prosecutors do not always apply for them, even in the most serious cases.

The seventh key change is that we are giving judges the power to make the names of young offenders public whenever they are convicted of a violent offence, even when a youth sentence is imposed. This is something many Canadians have asked for, including the residents of Abbotsford. Although there are presently no publication bans on young offenders who receive adult sentences, those who receive youth sentences for violent crimes rarely, if ever, have their names published.

The eighth key change will see the act amended to make it clear that no young person under 18 will serve his or her sentence in an adult institution, regardless of whether the young person was given an adult or youth sentence. This is consistent with our government's desire to ensure that young offenders serve their sentences in an environment more conducive to genuine rehabilitation.

For the ninth and last change, Sébastien's law, as we have called it, will require police to keep records of the use of extrajudicial measures, such as warnings, to make it easier to identify patterns of reoffending. Right now, there is no requirement for the police to keep such records.

Our government believes that the law should place the highest priority on victims. This week we are celebrating and honouring National Victims of Crime Awareness Week, when we make the statement that victims have been forgotten for far too long. Our Conservative government is taking notice. We have implemented many new initiatives that address the needs of victims, including establishing a national awareness day. We have also established the Office of the Federal Ombudsman for Victims of Crime.

We have enhanced the funding for victims. In fact, even in this year's budget, we added another \$6.6 million to provide services to victims. Indeed, it is our goal to significantly reduce the number of Canadians who are victimized by violent youth crime. We cannot do that without having a tool chest that has the legislative tools to address youth crime, especially when it is violent.

The amendments to the Youth Criminal Justice Act that our Conservative government has proposed make significant progress in keeping Canadians safe. These changes will hold violent young offenders more accountable for their actions and will better protect Canadians. After all, that is the very least Canadians should expect of their elected representatives. It is the very least the residents of my community of Abbotsford should expect of their representative right here in Ottawa.

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Since 2006, our Conservative government has been relentless in trying to find new ways of addressing crime, addressing the needs of victims and ensuring that rehabilitation is available in our federal prison institutions. I am pleased to support this legislation. It is something that is long overdue. Someone asked me the other day why it was taking so long. I had to remind him that we just came out of 13 years of a Liberal government and it did not take crime seriously.

This Conservative government, under our Prime Minister and our Minister of Justice, takes crime very seriously. Ultimately, we want a safer society. I want a safer Abbotsford. When we do that, all Canadians win.

• (1640)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I must admit I did not get a lot of new information from the member about the bill or about the foundations of the bill.

All of the evidence indicates that sentencing is not a deterrent. Recidivism in fact is lower when there are early release programs, such as house arrest, to which the government is opposed. Crime rates are lower when there are proper supports for the police and in the provincial jurisdictions programs for crime prevention before the first crime happens.

The member seems to have repeated the platitudes of the government that the Conservatives are just tough on crime, a slogan without a foundation. Throwing more people into jail for longer periods of time will make them even less able to be rehabilitated or reintegrated into society and will not end the cycle of crime and recidivism. The Conservatives simply want to win votes. Why is it that the member has not given one example of where the bill improves the situation to reduce crime or prevent it before it happens?

• (1645)

Mr. Ed Fast: Mr. Speaker, I thank the member for his intervention, although I profoundly disagree with it. His view and his ideology comes from the far left. It is totally discredited.

If we followed the hon. member's line of argument, we should get rid of all jails; nobody should be going to jail because deterrence does not work.

He obviously did not listen to my speech, because I emphasized protection of society, which is something the Liberal Party forgot some 40 years ago when its solicitor general said that the Liberals were essentially abandoning protection of society and focusing all their efforts on rehabilitation. That is the wrong way to go.

Our government is finally providing a balanced approach to crime, making sure rehabilitation is there, making sure prevention is there, making sure enforcement is there. Above all, we should listen to the victims and focus on protection of society. Canadians are asking for that, and they deserve nothing less.

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, does the member not think that a system with a lower delinquency rate protects victims better than a system with a higher rate?

In 2008, the delinquency rate in Quebec was 50% lower than the rate in Canada. Before he came to the House, was the member familiar with the system that was developed in Quebec?

If he learned more about this system by sitting in on meetings of the Standing Committee on Justice and Human Rights, he would see that he should not reject a system that sees fewer victims.

[*English*]

Mr. Ed Fast: Mr. Speaker, I thank my colleague from the Bloc for his work at the justice committee. We have worked together for well over a year on that committee and, although we sometimes profoundly disagree on the issues, he is a very valuable member of that committee. He does remind us regularly of what is happening in Quebec but I also regularly remind him of what is happening in other parts of the country where citizens are demanding that we take some concrete steps to ensure we protect society.

Members will have noticed that our Conservative crime agenda is not a shotgun approach. We are not following a U.S. system that has failed in many respects. Our approach is a very focused, targeted approach where we are looking at the most prolific, violent, repeat offenders, not only adults but some very dangerous young offenders who need to be incarcerated for longer periods of time. The longer they are in custody, the greater their opportunity is to find the help they need. Some of them have serious addiction problems, some come from a background of having learning disabilities and some have mental health issues. They need to get that help.

It is no secret that our federal system of corrections is actually much more effective in dealing with rehabilitation. The reason for that is that in our provincial systems the maximum sentence is two years, which is usually not enough time to actually move an offender toward rehabilitation.

However, there is always a grain of truth in what Bloc members say. They are saying that we need to focus on rehabilitation. Yes, it is good to have fewer offenders going into prison if we can protect society at the same time, but there is that small number of offenders who pose a very serious risk to their communities. So far I have not seen the Bloc members propose anything that will move us in that direction.

I will go back to what I said and what the focus of my speech was. The protection of society must be the prevailing value when we deal with criminal justice. If we fail in that, we fail in everything else. It is a public trust that has been placed on our shoulders as elected representatives to ensure that our communities, streets, neighbourhoods, families and friends are safe.

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•(1650)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I have heard a new tranche in the Conservatives' approach to tough on crime. The fact that they want these massive extensions in sentencing is because they need time with the prisoners for rehabilitation programs, those programs which they cut, the literacy programs, the farm programs and the other ones.

As someone has said, we should be as concerned about who comes out of prison as we are about those who go in. It is fact that in almost all cases they eventually come out.

The member talked about reforming the system and bringing justice to Canadians. As New Democrats, we put forward a proposal that would allow for full public oversight of the RCMP, a federal government jurisdiction. I am wondering if he would be in agreement with this.

The chiefs of police, the head of the RCMP and the complaints commissioner have all come forward and said that they need a public oversight model for Canada. Certainly the families that have had interactions in which loved ones have been hurt or killed in custody and there has been controversy, I am thinking of Linda Bush and Mr. Dziekanski, have also made the call and the plea to the government to take a courageous leadership role and do what members of the RCMP are asking for, which is to stop the rules that say they must investigate themselves. That is what all members I speak to request.

The member is obviously someone who has spent a great deal of time on the issue of crime, punishment and whatnot in Canada. I wonder if he has given this topic any thought and if he can definitely say, one way or the other, whether he is in favour of true public oversight, as they have in Ontario.

Mr. Ed Fast: Mr. Speaker, I am sure our government is considering that.

What really surprises me is that the member has not actually read the bill that is before us. It has nothing to do with RCMP oversight. This is about how we amend the Youth Criminal Justice Act to ensure our communities are safer?

Since the member has allowed me an opportunity to speak, I want to say that not only have we focused on the protection of society, but I have reviewed the main estimates that arise out of budgets every year. If we check what money the government has been put into crime prevention, which is very important as we try to address these challenges in our communities, we have increased that funding by some \$25 million just in the last two years.

If we go back many years, we will see how the former Liberal governments completely abandoned crime prevention. This is one of the key areas that our government is focusing in on. We are also focusing in on rehabilitation but we are not forgetting the protection of society because ultimately I am concerned about my family and children. I am concerned about the kind of society in which they are growing up. I am concerned that they may some day need bars on their windows and walls around their houses.

My sister lives in South Africa where crime is rampant and very little, if anything, has been done to focus in on the protection of society. My sister actually lives in a compound with bars on her

windows and barbed wire and glass shards on the walls to ensure thieves and robbers do not enter her premises. That is not the society Canadians want. It is not the society we have now but we have serious challenges, especially with violent youth crime.

The Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Bonavista—Gander—Grand Falls—Windsor, National Defence; the hon. member for Welland, Canadian Food Inspection Agency.

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, I am delighted to engage in this debate, especially since I have heard a couple of my colleagues from the government side expound with what they would call a particular eloquence on the method as well as the principle of what makes this society work. I have noticed that they focused on the words “protection” and “prevention”.

If it is true that what we must have is protection of society, and without pandering to everybody's greatest fears and paranoia, I think we would need to look at what other professionals and stakeholders in the field say about these proposed legislative items and, in fact, about this one in particular.

Mr. Speaker, before I go on to their references, I know that you are an esteemed scholar of the law as well. I hope you will not feel offended if I make reference to people other than yourself as experts for reference here.

It pains me to hear some of my colleagues from the government side who normally speak in a fashion that might be reasonable, and I refer in particular to my colleague from Abbotsford who is a valued colleague on a committee where he is sorely missed, but when he engages in the kind of partisan tripe to colour the weaknesses of this bill so that it can be more acceptable, I think only about what some of the stakeholders in the private sector would say with respect to his observations.

I think for a moment about Rick Linden, a criminology professor at the University of Manitoba, whose observation is that this bill is designed more for political effect than actually to have much of an effect on crime. I guess he probably drew that conclusion after having studied the bill and after anticipating what my hon. colleague would have said earlier on.

In fact, that is replicated and repeated by Professor Nicholas Bala, a family law and youth justice expert at Queen's University, who says that this bill is a classic example of pandering to public misperceptions about youth crime.

Can members imagine that the hon. member opposite would say that what Canadian society is in greatest need of is protection against the actions of youth criminals?

We may be in need of protection but the way in which that member and his government have decided to focus on one particular element of our society and to vilify it and to put it in a position where it is now the greatest danger to the safety of Canadian society is nothing short of shameful.

Frank Addario, of the Criminal Lawyers' Association, reminds everyone that there is no evidence that more severe punishment does anything to reduce recidivism among youth.

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That does not mean that we should not have punishment. However, if the government is going to propose amendments to an act that was introduced by prior governments, then it has an obligation to demonstrate that things are not working. Instead, the government has given us perceptions and anecdotes of what the public, from its perspective, thinks is required under this legislation.

However, I do think there are some issues that need improvement and I am sure the committee will address many of these issues. Not all things are bad in the legislation. As I read through it, I thought we might be able to support a few items, especially with respect to the fact that we will improve the way the system is administered.

However, here are the weaknesses that I thought the government would have addressed. I was absolutely shocked that the member who just spoke, my colleague from Abbotsford, said that the way to protect Canadians was to put an addition \$25 million into the protection of Canadians.

Do members know what that translates into? Just so that everybody is not confused about what it means, it means, at the very most, we would be able to hire another 250 front line officers in order to do what must be done, which is to enforce the legislation, no matter which it is, whether it is weak or strong.

• (1655)

This legislation would have no value unless an enforcement officer, through his or her vigilance and his or her work, could ensure that the outcome desired by legislators is actually effected on the street. In the last election, the government promised 1,000 front-line officers but instead we have 250. The government is so boldfaced as to suggest today that the \$25 million is somehow going to protect Canadians better than under any other administration.

For four years the Conservatives have been standing in this place, holding public announcements and photo ops, saying they are the party of justice, they are tough on crime. But they say not to hold them to that. The Conservatives are not going to provide the officers we need to ensure the legislation that is in place is observed. They are not going to provide us with the resources we need in this society to make sure there is a harmonious interaction among people in different age groups and different socio-economic environments and those who fall prey to individuals and groups that have no interest in public welfare.

The government has not put any resources into that, but it claims it is going to protect, perhaps with legislation, which is actually a piece of paper that everybody is going to throw away. If we do not have the officers to support it, the enforcement capacity, and if we do not invest in the justice system so that we can have prosecutors and judges deal with these issues when they come before them, then justice is delayed, justice is denied, there is no justice at all.

If we are really truly going to accept the government's view that the main ethic that drives the Government of Canada, that government is supposed to define us all to ourselves and to the rest of the world, then I ask it to please live up to its commitment to provide us with the protection that is required, the observance that is demanded of the legislation that defines us. That is not happening. That is not going to happen at all.

The Conservatives stand in this place and say this is all the fault of the Liberals who preceded them. How many years ago? It was four years ago. For four years the Conservatives have done absolutely nothing except fall down on the promises they make.

If we are going to have as a society a group of individuals, a collective, who are functioning in a productive fashion, who are respectful and accepting of each other's differences and each other's ambitions and future aspirations, then we need to establish a public ethic to which everybody has buy-in.

The other item is that, when we talk about protection and prevention, we have to talk not only about investing in enforcement officers, not only about investing in the justice system and its apparatus. We need to make an investment in society where it counts.

How much has the government put forward to ensure we have the kinds of programs in place that young people, primarily young boys, need? It appears that what we are doing with this legislation is taking, as a first order of business, the vilification of every male child in this country. I say "child" because when we refer to "young men" we are talking about those who are over the age of 18 and therefore subject to the same observations, penalties and programs that are available to all adults. But we are thinking about children, primarily those under 14 if I read the legislation correctly.

My hon. colleague from Abbotsford thinks there is a menace out there. It is called a child. He thinks those who are entering their teens pose a great threat. They are called young men.

One of the ways we prevent difficulties in society is by making an investment before the problem takes place. We give those young men primarily, but young women as well, an opportunity to have a productive intervention in society, to find their place. That does not necessarily mean we have to tell them that if they do not follow a straight line then all hell will rain upon them.

They do not have to worry about that because we have no active volcanoes here and we have no policemen out there to get them. If by chance we do catch them, they will never get to court because we are not going to have any funding for judges. If we have funding for judges, we are not going to have enough money for prosecutors and others, so they will not have to worry about it.

• (1700)

Think about legislation that delivers that kind of message. The government wants to go out there and trumpet the fact that it is tough on crime, not tough on the individuals, not prepared to take a look at those men and women who are going to be part and parcel of the creation of a society that we are going to call our own. Where in the legislation will we find material evidence that the Conservative Government of Canada is actually concerned about the environment in which a young boy or a young girl is being raised, that it is concerned about the values that define the community in which those young people grow?

Where will we find the evidence in this legislation that purports to focus on prevention? Will we find the evidence that the Government of Canada is actually interested in building the infrastructure that allows those young people to grow as productive and involved citizens of our country?

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We had the good fortune today, Mr. Speaker, thanks to your good graces, to host a group of young men and women who, through their own self-sacrifice and the investment of their parents, their community and some cases government, dedicated themselves to an achievement of participation, first of all, and then successful performance in the last Olympics. We had them here. We should have gloried not just in the medals they won but in the fact that they succeeded. They allowed each and every one of us, legislators from all around the country as my colleagues from the Bloc say, to be able to point to all of the infrastructure for social building, for community building, for nation building that worked and is seen as an example through the achievements they shared with us.

Where do we see that in this legislation? It is ironic that, after we see some successful young men and women whom we honoured today and who showed us the privilege of honouring our successes through their efforts, instead we say young people are a menace in the making and we are going to put in place so much structure, so much rhetoric, that they will be frightened into doing what is acceptable. But nowhere do we define "acceptable". Nowhere do we give an indication of what those public ethics, those public values, those familial-linked community achievements, are that are desirable from a national perspective.

Taking a look through the bill, we ask: What will be required of this government to make some of this stick? If the objective of the government is incarceration and extended incarceration for each and every one of these individuals it is going to incarcerate, notwithstanding the fact that the trend line is in the reverse direction in terms of what young people are doing in our society, we are going to hear from the Conservatives that we are going to make it easier to incarcerate and extend and we are going to put the money forward for that. We are going to build more jails.

Just think about this. In a society where people are looking for houses, we are going to build more jails. In a time when people are looking for affordable housing, we are going to spend at least \$100,000 per cell in order to incarcerate and to extend the incarceration of people we want to vilify because we have not put enough money in prevention, in education or in building an infrastructure where we can take our young men and women, our children, and turn them into functioning adults who will make this country proud.

• (1705)

No. We would rather, through this legislation and the government opposite, think in terms of ourselves as holding a great big baseball bat in our hand and saying to people that if they step out of line, this thing is going to come crashing down.

We should think about this. The government is going to spend \$100,000 per cell. It wants to increase the incarceration rate by at least 30%. That means we are going to be looking at members of Parliament coming before the House to approve or disapprove of the government building more cells over the next few years, which will be in excess of \$3 billion.

Members opposite are chuckling. They are surprised that people have actually done their homework. It is not something they are accustomed to. They are reading talking points from the PMO all the

time. They really have not taken a look at what is going to happen as a consequence of the bill.

I welcome the fact that they are paying attention. We were talking about education, so listen closely.

As well, we build a cell and we have to have someone invigilate that cell. In other words, we have to have jail guards. That is an additional \$100,000 per year for every one of those.

When we take a look at the numbers we are going to need in terms of building these cells and building a structure for maintaining them, think how much cheaper it is for the Government of Canada to build an infrastructure of prevention. That is not something anyone is talking about.

The Conservatives are much more comfortable with the idea that says if one wants to feel angry about the way things are happening today, vote Conservative. If one wants to focus on retribution, vote for the Conservatives.

However if people want to think in terms of having a positive vision of the world, trying to rehabilitate, trying to ensure we bring productive individuals before us, they can vote for someone else; Liberal, I think, if they are smart.

Think about the message the government is sending out there to everyone. It prefers to send an extremely negative message and, to make it worse, it is so perverse that there are no funds to realize the very lowly ambitions of the bill. There is no money.

If one wants to protect society, how much money? Recently the Conservatives talked about having to protect society in the aviation industry. They have to protect them at airports. They have to do this; they have to do that. Bang, there is another \$1.5 billion tax for them to do that. They spent \$11 million buying 44 body scanners about which an expert in the committee this morning said, "What a waste of money. Cancel the contract". That \$11 million for those 44 body scanners to protect air travellers was not enough. They had to slap on another \$1.5 billion.

Mr. Speaker, I know that on occasion you enjoy a good meal and the French have a saying that says, *l'appétit vient en mangeant*, the appetite comes with the eating.

It seems that the Conservative government, whenever it has an opportunity to waste some money on something that is of little value, can turn around and develop an appetite for raising more taxes to do something that is of equally less value.

That is what the bill represents. It represents an opportunity that is wasted. Instead of talking about how we can reach out to those young people who will replace us, and we will all be replaced by those young people, instead of vilifying them, it should reach out and provide the kinds of programs they need.

The Conservative government talked about prevention programs. It cancelled almost all of them.

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In my own province of Ontario, where we had some \$8 million, in the GTA \$11 million, to provide programs for assistance to students and young people at risk, the government cancelled that. On an annual basis, it said, “We do not need that; if they are bad they will suffer”. Immediately the government has focused on punishment, identifying bad guys but not going out there to catch them. If it does catch them, it says, “Throw them in jail”. “But we don’t have jails”. “That’s the fault of another government; we’re going to build them”. “Where are we going to get the money?” “We don’t know”.

• (1710)

That is the problem with the government. It does not know what it is doing. The youth are suffering as a result and this bill will put responsibility for failure on the shoulders of others. We deserve better.

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, it just goes to show that when the member for Eglinton—Lawrence wings it, things do not go well. In fact, he should check his earpiece because when I referred to \$64 million, it was just for prevention. Our main estimates show that we actually put \$64 million just into prevention, not protection. Protection was another \$140 million on top of that, so he may want to do his research.

I want to go back almost 40 years, since the member for Eglinton—Lawrence went back that far. He talked about his own Liberal government going back some 40 years. Here is a quotation from the Liberal solicitor general back in 1971 who said:

The present situation results from the fact that the protection of society has received more emphasis than the rehabilitation of inmates. Consequently, we have decided from now on to stress the rehabilitation of offenders, rather than the protection of society.

That was the Liberal government back in 1971. Successive Liberal governments have followed that approach to justice and that is why we are in the mess we are in today.

After the speech from the member for Eglinton—Lawrence, Canadians now know why they elected a Conservative government to protect them.

My question to the member is this. The solicitor general, Jean-Pierre Goyer, back in 1971 said, “—we have decided from now on to stress the rehabilitation of offenders, rather than the protection of society”. Does the member for Eglinton—Lawrence still support that statement, and if so, why would he be so negligent?

• (1715)

Hon. Joseph Volpe: Mr. Speaker, this is a wonderful place. We now have people, a research department in the Prime Minister’s office, actually going about finding out what happened in history 40 years ago and who it was that initiated some of the legislation that has defined our country over the course of the last 40 years.

I want to compliment those young men and women who are actually doing something worthwhile; that is, going back in time and asking what it was that society wanted to be over the course of 40 years. I am sure that the member opposite was just a young boy when that legislation came forward, when members were talking about rehabilitation as a different concept for how we deal with problems and dysfunctionality in society.

Rather than focus on rehabilitation, the member now wants us to go back to the pre-1971 situation. Do members believe that the Government of Canada would come forward with an amendment to a justice system when things seem to be going in the right direction, and says, “No, no, we have to go back 40 years when times were better”. The Liberal government in 1971, in that day and age with the circumstances of the day, said that a progressive society is noted by its willingness to shape and rehabilitate those who contravene the conventions of the day.

Today, the Conservatives want us to go back to a point where punishment, retribution, would be the order of the day. Shame on them.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I certainly always enjoy the member’s presentations on these bills. He certainly puts a lot of energy and life into his speeches.

It is interesting to note that Mr. Sullivan was a government appointee three years ago, a victims’ rights position appointed by the government. His position ran out just in the last week and he is not being re-appointed by the government.

He said some interesting things about the government. He said that the government is not dealing correctly with victims’ rights issues. He said that the Conservatives are paying too much attention to the punishment side of the equation and ignoring the victims.

This is coming from a person, Mr. Sullivan, who was appointed by this government three years ago to deal with victims and promote their causes with and within this government. While he admits the Conservatives have done some good things, he has criticized them for basically not putting enough focus, enough emphasis, on the rights of victims, something they talk about constantly but they are not doing, and putting too much emphasis on punishment.

I would like to ask the member whether he agrees with that assessment by Mr. Sullivan and why he thinks that is developing at this point? Why are the Conservatives giving up on victims’ rights?

• (1720)

Hon. Joseph Volpe: Mr. Speaker, to hear the government members talk, they suggest that they are doing everything they can for victims, although nobody can see the evidence of that. They can hold a press conference and say, “This is what we are doing”, and everybody will believe them because they got it into the papers. So it must be right, but the fact of the matter is that scholars everywhere are looking at the Canadian example, tracking what is happening on the arrest side, the conviction side, the detention side, and then the rehabilitation side.

If members can imagine this just for a moment, we had a justification a few minutes ago by a member of the government who said that we need to keep people in jail longer so we can give them a better education as to what makes a good citizen. Can members believe that? He said that two years is not enough, that we cannot rehabilitate a criminal in two years. Why not look at the situation that says we are doing something right because our arrest rate is going down? Our conviction rate is high but compared to every place else, everybody comes here and says, “You have a peaceful society”.

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Yes, there are problems. Nobody is suggesting there are not, but all of the scholars and evidence tell us that we are moving in the right direction. The government wants to reverse that.

If it is important for people to have an opportunity for rehabilitation; that is, to accept a value of productivity in a society, of integration in a community, of the opportunity to make a contribution to a larger society, why not make the investments in those areas that are associated with an infrastructure that is already there: schools, community centres, social community affairs and events?

Something that we struck a little while ago was taking youth at risk and putting them to work with some of those journeymen and masters in their trade. That was working. No, the government wants to keep them in jail a lot longer because maybe by repeating the old mantra that if people commit sin, they shall be punished, that if they commit an error, we are going to damn them to hell, and if they contravene the conventions, which have not been put down, then we are going to banish them forever.

Rehabilitation is the ethic that the member for Abbotsford said defined a justice system. That is where we should be putting our resources. That is where we should be putting our focus and that is where the government is not going. Shame on it.

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I would certainly want to pay tribute to the theatrics of the member for Eglinton—Lawrence, that is for sure. He is a great performer. We all know that and I commend him again for yet another performance in this chamber. However, I do want to take issue with this word that he used and took some liberty with, the word is “retribution”. I have heard this type of nonsense before.

I know that time is of the essence and he is just about out of time for questions and comments, so I will keep it short.

I have had the pleasure of being here for just about 17 years now. I know what people are saying up in northern British Columbia in the riding that I represent. They are saying they are sick and tired of criminals, young or old, getting away with a slap on the wrist, where punishment seems to be a bad word, where we cannot hold people accountable. I hear it all the time.

What they want is a justice system that is a justice system, that brings about justice, that holds people accountable and responsible for their actions. That is what they want. They do not call it retribution.

Hon. Joseph Volpe: Mr. Speaker, they have a different word for it, for those who do not recognize those young boys and girls, those young men and women who fall by the wayside. Yes, they are going to be punished, but there is a word for what he is talking about. It is called vigilantism. It is even worse than retribution.

• (1725)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am very pleased to rise today to speak to Bill C-4. At the outset, I want to commend the other speakers for some very interesting presentations today.

I have said before, during the questions and answers with some of the speakers, that the NDP will be supporting this bill to get it to

committee. There are some provisions of it that we like and other provisions that we would be seeking some amendment to or clarification. The drafting of the bill itself is not precisely the way our critic, who is quite qualified in that area, thinks it should be.

Having said all of that, I think that this bill will not be staying at second reading for a very long time. The parties will want to get it into committee so that we can go through the process of calling the witnesses and start to examine the various provisions of the bill with the idea of making it better. There may be some amendments that the Liberal Party, for example, may want to introduce. This is all about coming together and trying to make legislation that is good for the country as a whole.

The member for Marc-Aurèle-Fortin made an excellent speech today explaining how the Quebec model works so well. The crime rate in Quebec is falling and is reasonably low. There is a system there that other jurisdictions should be looking at for improvements and copying. He explained that he did not feel that the federal government could really borrow the system because it was not really set up to be exported. I believe that was the way he explained it.

However, the fact of the matter is that the government has to start looking into types of systems that actually work. It seems to me that its whole approach to the criminal justice system is totally wrong. It is as if it is getting its orders from the Republican Party of the United States. It seems to look to the United States to see what Sarah Palin would think of a particular measure. We have to say that because it is adopting 25-year-old discredited strategies from the United States that have been proven not to work.

I do not know how many times we have to say it. Ronald Reagan's days are long past and so is his explosion of the prison population, the building of private prisons, the three strikes and your out, and the mandatory minimum sentences. Those were 25 years in the making and have produced higher crime rates. How much more proof does the government need to realize that that is the wrong way to go and that we should be looking to be smart on crime?

The government wants to be tough on crime. A lot of people think it is kind of soft on crime, the way it keeps proroguing the House and starting back again with all these crime bills. It talks about being tough on crime. We say we should be smart on crime. For each and every measure that the government takes in the crime area, all we are suggesting is that it should reach out and look for systems that work elsewhere.

If Quebec has good results in certain aspects of the system, why not import those? Why not replicate those? Why not promote those at the federal and provincial levels? Why not do that? If there is a better system that gets results in European countries like Sweden, then why not look to those results?

The government talks about best practices. It looks to best practices in other areas of government. Why can it not apply the same principle when it comes to this system?

• (1730)

Many times we have talked about how auto theft rates in Manitoba have dropped substantially because the government mandated immobilizers in all cars. It provided them for free, gave insurance reductions and set up a system in the police department to monitor the most prolific car thieves in the province. Police officers monitor them, chase them and try to keep them off the streets. That is producing results.

That is a system we would want to encourage and replicate in other provinces across the country and in other jurisdictions. Why—

The Acting Speaker (Mr. Barry Devolin): Order, please. It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

When we return to this matter, the hon. member for Elmwood—Transcona will have 14 minutes remaining in his time.

PRIVATE MEMBERS' BUSINESS

[English]

ITALIAN-CANADIAN RECOGNITION AND RESTITUTION ACT

The House resumed from March 30 consideration of the motion that Bill C-302, An Act to recognize the injustice that was done to persons of Italian origin through their "enemy alien" designation and internment during the Second World War, and to provide for restitution and promote education on Italian-Canadian history, be read the third time and passed.

The Acting Speaker (Mr. Barry Devolin): The hon. member for Oak Ridges—Markham has seven minutes remaining in his comments.

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Speaker, I appreciate the opportunity to speak again about this private member's bill.

When we last spoke, I had the opportunity to outline some of the over 70 years' worth of time where the previous Liberal governments and Liberal prime ministers had completely ignored the Italian Canadian community. I had mentioned it was divisive to bring the bill forward at this time.

I was also asked about some of the problems with the bill and why I had not brought forward some amendments during the committee stage. I want to point out some of the really big problems with the bill.

It is a short bill. It is not a very in-depth bill. Perhaps that is one of the problems with it. Obviously not a lot of time or care was put into the drafting of it. The member who introduced it did not take the opportunity to speak with those of us on this side of the House, who are Italian Canadian, to get our thoughts so we perhaps could have drafted something a bit better.

One of the initial problems was the bill directed responsibility to the wrong minister, the minister of culture. Historical recognition is now in the hands of Minister of Citizenship, Immigration and

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Multiculturalism. Right at the outset, we would have had to modify the initial part of the bill.

Then it asked that only one organization be responsible for the funds as outlined in the bill. The one organization, the National Congress of Italian Canadians, would be responsible for negotiating with the government how these funds would be distributed.

There are many different Italian Canadian organizations across the country. Organizations in my home town of Richmond Hill, in Stouffville, in Markham and in B.C. and across the country do a lot of good work. This bill, if adopted, would ignore what they have asked for and would see the government only negotiate with the National Congress of Italian Canadians.

During the testimony, I asked a past president of the congress a question. I said that I was concerned because I believed the bill was very divisive. I asked him, specifically, if I was any less of a proud Italian because I did not support the bill. I had hoped I would get a quick answer, but unfortunately I did not. It showed the level of frustration and the level of divisiveness. I was told that I had to look at my own conscience. He could not quite say the word no, that just because I disagreed with him on this bill, I was still a proud Italian Canadian. This is one of the other major problems with the bill.

Let us look further into another big problem with the bill. It also talks about restitution. It does not go in-depth as to what an apology or what restitution would entail. Does this leave the Government of Canada open for other challenges? Are we open to court challenges from other groups?

As I mentioned earlier, there is 70 years' worth of time when previous Liberal governments ignored the Italian Canadian community. There are no survivors of that time left.

The language in the bill leaves Canada extraordinarily vulnerable to a charter challenge.

Another part of the bill called on the minister responsible for Canada Post to issue a postage stamp commemorating this time. We have heard from Canada Post officials that the minister has no such power, and that this could be a problem. The hon. member who introduced the bill did say that he would be willing to modify that.

However, we have a very short bill with a problem or a mistake on almost every line that would make the committee completely change the impact of the bill.

When we talk about something like this, when we talk about an apology to the Italian Canadian community, we have to take the time. We have to look at more than just an apology to the Italian Canadian community. We have to put the Government of Canada first. We have to look at the implications such a bill would have, not only on the Italian Canadian community but on all other things the Government of Canada does. Clearly, this bill did not do that. It left us vulnerable to charter challenges. It did not define the form of an apology.

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•(1735)

I spend a lot of time at committee, talking about the differences in apologies and how they should be handled. Again, I want to focus and centre on what I think is the major problem. The bill has been brought forward without consultation with other members of the House. It does not identify the correct minister. It ignores all other Italian Canadian organizations, to the exclusion of the preferred organization of the member opposite. It leaves Canada vulnerable to court challenges. It is completely divisive. It does absolutely nothing to reflect on all the amazing things Italian Canadians have accomplished in our country.

As I said at committee, my parents came to Canada in the late 1950s and the early 1960s. They accomplished a tremendous amount. Unfortunately, my parents have passed away. They did not have the opportunity see me sworn in as a member of Parliament.

When I ask my uncles and aunts whether they think the Government of Canada owes them an apology, they tell me Brian Mulroney, the Conservative prime minister, apologized to Italian Canadians, and they respect that. They respect the Office of the Prime Minister and they respect that apology. They are extraordinarily grateful to the Minister of Citizenship, Immigration and Multiculturalism and to this government for recognizing this and, through the historical recognition program, finally providing funds so we can educate Canadians and Italian Canadians on why this is such an important thing.

If we look at the testimony of people who testified, they said that the most important thing was education. We have the funding. We have the apology. This is nothing more than a bill that seeks to divide the Italian Canadian community for partisan political points. I certainly will not be supporting the bill.

[*Translation*]

Mr. Jean Dorion (Longueuil—Pierre-Boucher, BQ): Mr. Speaker, in addition to the merits of Bill C-302, which is about recognizing and redressing, albeit in a small way, the injustice done to our fellow citizens of Italian ancestry during the second world war, I have very personal reasons for rising here today and supporting it.

Since several members of the Italian community are no doubt listening to this debate, I would like to begin by saying a few words to them in their mother tongue.

[*Member spoke in Italian*]

[*French*]

For the benefit of my hon. colleagues who are not bilingual, I will translate what I just said in Italian.

I was raised, both during and after the war, in Ville-Émard, Montreal. At that time, there were many residents of Italian descent in that neighbourhood, as there are today. These people were our neighbours. We children all played together. Our parents were all from the same social background—labourers like my father or small business owners, people who worked hard. When my parents spoke about the internment of Italians during the war, it was always with sympathy and indignation. I think that my parents, if they were alive today, would be proud to see their son speaking in the House about

legislation to acknowledge the injustice committed against our fellow Canadians of Italian descent.

In a 1957 book in Italian, Father Guglielmo Vangelisti described what the Italian community experienced when war was declared between Italy and Canada. Here is my translation of a passage from his book titled *Gli Italiani in Canada*.

Faced suddenly with such dreadful news, our compatriots in Montreal were dumbfounded and had scarcely enough breath to exclaim, "Poor us." From then on, against their will, they became enemies of their beloved country. And even though they had previously been held in high esteem and loved as cousins and brothers, they would be looked on as enemies and traitors worthy of the utmost scorn. The RCMP swung into action immediately. With a list of our compatriots in hand, they ran here and there, like hounds on a trail. They went into homes, stores and offices and picked out the heads of family and the most prominent people in our community. Once they had found them, the RCMP handcuffed them and loaded them into the van, as their appalled wives and children looked on, crying and wailing.

•(1740)

Meanwhile, other police officers searched the house from top to bottom. They searched clothing, beds and cupboards, leaving nothing untouched. Once a good number of our compatriots had been rounded up, the van sped them away to the city's jails, where they were kept prisoner under close watch. This process was repeated until hundreds of people were being held.

In the jails of Montreal, our poor prisoners remained isolated in cells for days before being transferred to the concentration camp in Petawawa, without knowing how or why they were to stay there for months or even years, separated from their families and the rest of the world.

In this city without women, as Mario Duliani described it in one of his books, the men were constantly filled with fear and anxiety. They yearned to be free and gave up hope even when freedom was within their grasp.

As the detention camps filled up, the government ordered the seizure of Italians' assets as enemy property. The Casa Italia was seized. Our compatriots' property was seized along with what little money they had scrimped and saved to put in the bank. How did their families manage to support themselves? They had to wait and try to save money as best they could. By the end of it, they were up to their ears in debt.

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Mr. Vangelisti went on to say—I am still translating from Italian—that while the second world war had disastrous consequences for many of our families, it was just as bad for our churches and parishes. Cherished popular celebrations were no longer held, processions and concerts were prohibited, raffles and all organizations were banned, even for charitable purposes. We were not allowed to gather, even just a few of us at a time. Although Italian was not banned in church, many people at Notre-Dame-du-Mont-Carmel in Montreal felt it was prudent given the overheated atmosphere to speak French instead. In Ottawa's Saint Anthony church, people began speaking only English.

We have come a long way. I believe that we are not always aware of just how fragile the protection that is supposed to guarantee our rights and freedoms is. Nothing will correct the injustices perpetrated on our fellow citizens of Italian origin some 70 years ago. Nevertheless, the bill introduced by our colleague from Saint-Léonard—Saint-Michel will, among other things, make succeeding generations more aware of just how precious and fragile that protection is and of how important it is to defend and broaden it.

That is why I, like my Bloc Québécois colleagues, will vote for Bill C-302.

• (1745)

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am very pleased to speak to Bill C-302.

At the outset, I want to congratulate the member for his perseverance in bringing forward this bill. A lot of work goes into a private member's bill. He has gone to considerable lengths and efforts to get the bill this far.

I recognize there is some disagreement between the supporters of the bill and the Conservatives, but that is to be expected in a House such as this. However, I encourage him. We in the NDP certainly support the bill. We are strongly behind it.

I also want to congratulate the member for Thunder Bay—Rainy River and the member for Vancouver Kingsway who made excellent presentations on this bill. I have read most, if not all, of the other speeches on this bill in *Hansard*.

This bill is an act to recognize the injustice that was done to persons of Italian origin through their enemy alien designation and internment during the second world war, and to provide for restitution and promote education on Italian Canadian history. As I indicated before, my party is universally in support of the member's efforts in this regard.

On September 3, 1939, the Government of Canada issued regulations that empowered the minister of justice with the full authority to act as he chose to destroy any subversion during the time of war. This allowed him to detain without trial any person and created a class of aliens who were not foreign nationals but were Canadian citizens.

On June 10, 1940, Italy declared war on Canada. That very evening, Prime Minister Mackenzie King announced that he had ordered the internment of hundreds of Italian Canadians identified by the Royal Canadian Mounted Police as enemy aliens. That order was

applied to Italians who became British subjects after September 1, 1922.

The government also established a judicial mechanism to administer internment proceedings. It passed an order in council which ensured the registration of all people of Italian birth. Furthermore, the office of the custodian of alien property was authorized to confiscate the property of enemy aliens.

Like the internment of Japanese Canadians, Ukrainian Canadians, German Canadians and others, the forced registration and internment of Italian Canadians is a sad chapter in our history. In some respects it is a forgotten chapter because people my age and younger only learned of this history many years after the fact. It is very appropriate that legislatures across the country have dealt with these issues over the last few years. It is certainly better late than not at all.

The RCMP rounded up approximately 700 Italian Canadians. Often, parents were separated from their children and husbands from their families. There were 17,000 people designated as enemy aliens for no other reason than their birth. There was no reason to suspect that those interned posed any threat to Canada or Canadians. In fact, many of them were first world war veterans who had fought for their adopted country. That is a very hard fact to come to grips with and swallow, that someone who had served this country during the first world war, some 20 years later would be part of a group that was interned. It is very hard to get one's mind around that.

• (1750)

Presumably there were records. We have dealt with that. Everyone knew from the records who was who. It is hard to think that the RCMP would just simply take somebody who had been in this country for 20-plus years, who had served in the first world war and, after exemplary service and an exemplary work record, would round him up and take him away. It was not uncommon for men in uniform to come back home only to find that family members had been interned. I cannot think of a worse situation than that.

The roundup of Italian Canadians was virtually completed in October 1940 and, as we all know, most of them were sent to Camp Petawawa situated in the Ottawa River Valley. It is difficult to establish how many Italian Canadians were interned, although estimates range from 600 to 700. I read a lot of very good information on Italian community websites, which explain the history of what happened during that period.

Although the majority of those interned were from areas with the highest concentrations of Italian Canadians at the time, Montreal, Toronto and other centres in Ontario, there are also documented cases in western Canada.

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The internment was brutal. Families could not visit or write interned people for the first year. They had to go a whole year without knowing where their family was. Italian Canadians were penalized financially. A spontaneous boycott of Italian businesses, whipped up by the prejudice of the times, took place throughout Canada. Provincial governments ordered municipalities to terminate relief payments to non-naturalized Italians. Travel restrictions were imposed on Italian Canadians and their ability to occupy certain jobs was prohibited.

We were half a world away from where the war was at. For Italy to be a threat to the North American continent at that time I would think would be absolutely non-existent. Why there would be so much concern about interning people on such a big scale in a vast country like this does not make any sense, certainly not in the context of the times. However, those were different times and people obviously had different attitudes.

Italian Canadians were forced to report on a monthly basis to the RCMP. Activities, such as teaching the Italian language and meetings of the Roma Society, were declared illegal. As a matter of fact, the previous Bloc speaker indicated how the Italian language could not be spoken in churches in Quebec and that French had to be used.

Internment was up to three years and the average interned person was held for almost 16 months. To put some feelings on this, these are not just numbers we are talking about. Some of the people interned were doctors, lawyers, carpenters, bakers, contractors and priests. I believe a doctor from Sudbury was interned at the time.

It was just as bad for families because these actions added to their psychological scars. They suffered constant harassment and ridicule from neighbours and co-workers and the fearmongering being perpetuated by elected officials of the day.

The federal government went even further. It froze bank accounts. It forced Italian Canadian families to subsist on \$12 a month. Many Italian families were forced to sell their homes, businesses and valuable assets.

If we were to face something like that right now, I can imagine what our overwhelming reaction would be. We would find this hard to believe.

The Liberals, Conservatives and NDP members can be cats and dogs in this House some days, but without getting into a political fight, the fact is that members should note that it was New Democrats under the CCF who stood alone for decades against internment and against the War Measures Act and in favour of civil liberties. The forefathers of our party stood up against the erosion of civil liberties at a time when the Liberal Party was in power and was doing things like this. We have a very pristine history and a good position when it comes to issues like this.

• (1755)

Hon. Joseph Volpe (Eglinton—Lawrence, Lib.): Mr. Speaker, a serious topic like this one requires a much more thoughtful and methodical approach than what is normally given in debates.

Today, we are looking at a part of Canadian history. Contrary to what some of my colleagues opposite have been saying, this is about

Canadian history, and the actions of a Canadian government against some of its own citizens. It is about remembering what we should not do against those who are for the moment much more vulnerable, when we have a position of responsibility.

For this, I want to give a special thanks to my colleagues who just spoke a moment or two ago.

[*Translation*]

The member for Longueuil—Pierre-Boucher, who spoke in French, was able to recognize all the good, the harmony and the productivity of his fellow citizens, even at a young age.

[*English*]

I wish to thank my colleague, the member for Elmwood—Transcona, for giving us some of the historical events that related to a very serious part of Canadian history.

When a Canadian government, as we have seen happen at other times, issues the War Measures Act and under its cover determines to move against its own citizens by labelling them as enemy aliens, completely ignoring whatever history they have built up in this country prior to that, is not something that we should again allow to happen.

Regrettably, this happened again more recently. Some will always find a reason to justify it but we in this place should never tolerate it. I acknowledge that we live in a different time and we share different values. I also acknowledge that our society and our government have established a different infrastructure of law and rights than those that existed in the 1940s.

However one of the principles that we have established over the course of the last couple of generations is that governments are prepared and willing, notwithstanding the challenges, to look back, to reflect, to remember and to reconcile.

This is an issue that needs reconciliation. It does not require partisanship. Colleagues opposite have been talking about those people from a different party who did some things at another time and so on. I feel a little pained by that.

On a personal basis my grandfather and my great grandparents came here in the 1880s. My grandfather left this country after 35 years as a Canadian citizen and his children followed him back here immediately after World War II. There was an interruption of about 10 years. Many of us felt ourselves to be Canadian even though we did not live here at the time.

Therefore, when people say that we are being divisive, that my colleague from Saint-Léonard—Saint-Michel is being divisive, by introducing legislation that calls on the government to remember and calls on all Canadians to reflect on those issues, and those actions that were very un-Canadian by today's standards that says that we have a model for reconciliation, let us reconcile, I feel disturbed by those who would suggest that that is somehow divisive.

I am not here to trumpet my own values or to beat my chest about the culture into which I was very fortunate to be born and which generated some of the values that I bring to this place. Good, bad, or indifferent, they are values that allow me to make a contribution as a Canadian.

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Those Canadians who found themselves at the mercy of a government that was determined to vilify them during World War II deserve, at the very least, the thoughtful approaches of today's legislature, a Canadian Parliament that looks back and says, "That was wrong". We know it was wrong. No charges were ever laid against any of the individuals who were interned.

It matters not that the number might have been 700, 7,000 or whatever the number one wants to find historically accurate. What matters is that not one of them was charged with anything, let alone sedition and betrayal of Canada, the country that was theirs. This is not a bill that came out of the blue. It is a bill that talks about what happened in the past and how governments have taken a look at this. They have simply asked for some of those records to be expunged.

Maybe the people are not alive anymore, but their children and grandchildren are and they live with the stigma of having their family identified as enemy aliens, undesirables and a people whose lives as a result were separated away from the growth of the community, not for just those two to three years where it took place, but for virtually a generation afterwards and more.

They asked for that. They did not ask for money. They asked for a simple recognition and apology. It is fine and maybe it is fine to say that it was a particular party with prime ministers in power who were indifferent to these people. I remember talking to some of those prime ministers. They had a particular view of the way the world should have worked and might have worked, except that all of that changed.

Prime ministers from both parties changed all of the rationale for not doing anything and for not recognizing that they had slighted their own citizens, jailed and detained their own citizens, disrupted family life, interrupted community and severed growth without saying so much as, "We apologize". Today, we do that. It is done. In the government of which I was a part, there was a negotiation with all the representatives of that particular community. A foundation was put together, a coordination of all of those groups, and asked how we can reconcile. It was their decision on the processes that took place.

Today's government said no. I am sorry about that. I do not want to engage in partisanship, but as I said, I am sorry that the Government of Canada today hides behind two members whose parents fit the profile. The member for Peterborough and the member for Oak Ridges—Markham talk about dividing the Italian community. This is not about the Italian community.

This is about the Government of Canada reconciling itself with the citizens of Canada, citizens it valued and it values today, citizens who asked for nothing but respect and the opportunity to integrate and contribute. They asked for the records to be expunged and for an apology to be made in the House of Commons, because it was the House of Commons where the government of the day sought the authority to detain them.

They asked for an opportunity to build that into the history, not as those who have been vanquished, but as part of the victors of the new Canada so that their tale, their story and their history can be part and parcel of the history that we are building and that we all love. It is the history that we today call Canada and it starts with

remembering, reconciling and vowing not to do it again. That is why this bill has to be supported.

• (1805)

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): Mr. Speaker, the facts are in. We just heard speakers from all parties and the issue is pretty well decided, that this legislation is quite clear, events in the past happened and it is time to turn the page and move forward.

[*Translation*]

It is true that Italian Canadians were interned, detained and enveloped in a cloud of suspicion during the second world war because the government of the day decided to succumb to fear instead of granting these Canadians, for they were Canadian, the same consideration as other Canadians.

Over 60 years ago, our government allowed itself to be guided by fear rather than facts. That was wrong. Clearly, the government's actions destroyed families, reputations and communities, and debased our moral sensibility. These facts are undeniable. Clearly, the government took those measures based on some Canadians' ethnicity and a fear of that ethnicity. We all know that this is true and we all know that it was unfair.

Bill C-302 takes these facts into account and what it is proposing is quite simple. It calls on the Prime Minister to make an official apology here in the House of Commons to the Italian community. It proposes making Canadians aware of this chapter in our history in order that we may never commit the same mistake again. It proposes entrusting the task of deciding how to achieve the bill's educational goals to respected community groups that are closely linked to this issue. Bill C-302 proposes that we commit to facing this issue directly once and for all instead of sweeping it under the rug.

• (1810)

[*English*]

The government is opposed to the bill, but it has not been able to present one witness. Not one plausible reason has been given to justify voting against it. The only thing it claims is that an apology already was issued by a former prime minister to the Italian community to address the wrongs of the past. This was done at a dinner banquet in front of a small crowd and is not comparable to an official apology in the House of Commons. That is what this bill is asking for.

It is similar to those apologies we have seen under previous and current Conservative governments, for residential schools, the Chinese head tax and the Japanese internment during World War II. The proper setting for an apology by the government to address a wrong of the past is in the House of Commons and not in a banquet hall.

I have also heard that this bill is divisive, but nothing could be further from the truth. The bill seeks to unite Canadians. The bill is about Canadians apologizing to other Canadians. When a Canadian apologizes to another Canadian, it builds a bridge of respect, understanding and friendship.

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I have heard that the bill is divisive because it singles out one cultural community, the Italian Canadian community. I argue that we were able to bring several witnesses before the heritage committee, and not one spoke against this bill. We were able to hear from all the important predominant organizations representing the Italian community, including the Canadian Italian Business and Professional Association, la Fondation Communautaire Canadienne-Italienne du Québec, the Order Sons of Italy of Canada, the Casa d'Italia, and of course the National Congress of Italian Canadians.

I want to thank everybody who spoke in favour of this bill. I want to thank the member for Longueuil—Pierre-Boucher who spoke more Italian than he ever has spoken English in this House. I have never spoken Italian in this House, so I want to compliment him on his Italian, which is very good. I also want to compliment and thank every other member who spoke on this bill.

[Translation]

As the debate on Bill C-302 comes to a close, I want to thank my colleagues. As I said earlier, this is a very emotional issue that has been ignored for far too long.

[English]

I would like to conclude by simply asking my colleagues to consider the history of this issue, the facts that have been stated, the intent of this bill and the essence of what it means to be Canadian. I ask them to consider all of this and to vote in favour of Bill C-302.

Let us turn the page on a sad chapter in our history once and for all, so we do not repeat it in the future.

The Acting Speaker (Mr. Barry Devolin): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Barry Devolin): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Barry Devolin): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Barry Devolin): In my opinion the nays have it.

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Pursuant to Standing Order 98, a recorded division stands deferred until Wednesday, April 28, immediately before the time provided for private members' business

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[English]

NATIONAL DEFENCE

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, a short time ago, there was a hearing under way between DND officers and industry experts in the field of providing equipment and the like to the Department of National Defence. In that hearing, they had a slide projector, and this report comes from Dave Pugliese's "Defence Watch". When the slide came up on the screen to present their thoughts on fixed wing search and rescue, the screen was filled with a giant question mark. It has been a question mark for the Department of National Defence for quite some time.

I come from an area that is one of those bases, the 103 Search and Research Unit at 9 Wing Gander. This issue has been going on for quite some time. The Minister of National Defence said on repeated occasions how this would be done. In December 2008, the minister announced that he planned to move quickly on the search and rescue acquisition, procuring an aircraft in early 2009. It has not happened.

A study is being undertaken by National Research in conjunction with three departments, Industry Canada, Public Works and Department of National Defence. Therefore, I have two questions.

First, is the bidding process going to begin soon? Did National Research recommend that it start from scratch?

Second, does the Air Force have in mind what type of aircraft it is considering to replenish the fleet in fixed-wing search and rescue, particularly the Buffalos on the west coast and the Hercules on the east coast?

• (1815)

Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I do appreciate the question from my hon. colleague from Bonavista—Gander—Grand Falls—Windsor.

To situate my remarks, let me first say a few words about the project. In line with the Canada first defence strategy, the government stands by its 20 year commitment to the renewal of the Canadian Forces, and that includes fixed-wing SAR. We plan to acquire up to 17 aircraft to meet search and rescue operational and training requirements of the Canadian Forces in that area.

In terms of the acquisition project itself, let me first say that the Department of National Defence has a priority to deliver the best equipment to our men and women in uniform while finding the premium value for Canadian taxpayers.

We need aircraft that has the capability to fulfill the tasks at hand.

For this reason, National Defence, Public Works and Government Services, and Industry Canada completed consultations with industry on fixed-wing search and rescue in July of last year. The requirements for this project have also been reviewed by an independent third party to further ensure they meet the highest standards. We are talking NRC.

Adjournment Proceedings

In the fall of 2009, the government engaged NRC to conduct an independent review of the requirements of the fixed-wing search and rescue aircraft. The NRC released its report on March 12 and the recommendations made in the report are being reviewed. There were no specific recommendations that the member was talking about. It was a wide range of items that NRC looked at and it had various recommendations in each of the areas. It was a very helpful report.

The department's project office, in conjunction with Public Works and Government Services Canada as well as Industry Canada, is now working on a recommendation for the government which will point the way forward in acquiring new aircraft. We expect that recommendation to be ready later this year. Once this process is completed, we will, as always, move forward in a transparent and accountable way toward a contract for an aircraft that meets our operational requirements. It is not that we have an aircraft in mind; we have a capability in mind because that is the important thing.

Evidently this is a time-consuming process not only because it calls for the highest technical standards, but also because it involves several departments. In the meantime, the Canadian Forces will work with industry to ensure that sufficient spare parts are available until the Buffalo fleet is retired.

I have flown all over Canada in my air force career. From my CF-18 cockpit I have spent a lot of time looking at vast expanses in the north, the uninviting waters of the Beaufort Sea and the Atlantic Ocean. I have even spent a fair bit of time over the hon. member's beautiful province of Newfoundland and Labrador flying out of bases like Goose Bay and Gander. For all the charm of the countryside and the beauty of the people of that province, there are some pretty desolate areas in our tenth province.

I was lucky enough never to have to give an aircraft back to the Queen, but I do understand the importance of the best possible search and rescue capability. It is critical to all Canadians and others who may rely on this service and it is critical to those brave men and women who deliver the service. That is why we have to be careful to get this right. It has taken longer than I would like, but I have learned that this is the norm around here.

Nevertheless, our government is committed to moving this project ahead as soon as possible and no one will be excluded from an evaluation, except by not meeting the requirements for this no-fail mission.

I am confident the hon. member and all Canadians will be very happy with the final result.

• (1820)

Mr. Scott Simms: Mr. Speaker, I have to correct the member on one point. He mentioned Newfoundland and Labrador being the tenth province. I would have to call it the first province, quite frankly, but I am a little biased.

I respect the member's career without a doubt, but the level of transparency here is one that is alarming for many of the industry experts. Many of them do feel, which he addressed, that it is being favoured in one direction. There are two Canadian companies that feel for the most part they are effectively being frozen out of this.

There is one thing I noticed recently. I am not sure if this goes to capability or the type of aircraft, but it may be a hint as to the direction in which the Conservatives are going. The town council of Gander received a letter from the minister stating that Gander is not a place to house Hercules aircraft. Therefore, would that not indicate the Conservatives have an aircraft in mind by turning down Gander as a place to house fixed-wing search and rescue?

Mr. Laurie Hawn: Mr. Speaker, that is an apples and oranges statement. The simple fact is Gander is served right now by rotary-wing SAR with the Cormorant aircraft. The fixed-wing SAR bases are known. Everything is open. There is no one who has been excluded or frozen out. That is simply a false statement.

As I said, we have a capability in mind. Whatever the aircraft is, it has to deliver a capability. That is being refined now especially with the help of the study by National Research Council. Once that is refined it is going to go to Public Works and Industry Canada. We are going to move forward on that. Anyone who feels that he or she has an aircraft or a capability that will meet the specifications will be more than welcome to submit.

CANADA FOOD INSPECTION AGENCY

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, the issue we have before us today came about during question period when I talked about HVP, the additive to food. The additive is one that is procured from the United States. It is made in the United States and added to product.

However, during the period of time in question, product was being sold in this country with that additive. There were cases of salmonella and a product recall in the U.S. It had to be communicated to us because we did not test the material. The argument goes that it is made in the U.S. True enough, it is made in the U.S., but the difficulty I had with it was that, when the minister was questioned, he said it was acted upon immediately. The truth was that CFIA actually knew on February 26 and did nothing for at least four days. It did nothing about notifying the public until March 2. My difficulty with immediacy is that it is not quite immediate; it is more like a delay.

The problem is that we do not know where HVP is being used. We have numerous products on our shelves, for example, chicken-flour soup mixes, chicken-noodle flavoured soup mixes and chicken high-protein soup mixes, and the list went on. We had myriad products out there and no one was able to trace the HVP additive to the product, other than by what they heard from the FDA. We were relying on our counterparts in the U.S. to find out what was wrong with the product and notify us, and then we would notify the public. One of the notifications we got for the public and certainly we got some media coverage, but the minister's response was, "Check the web".

For a lot of folks in this country, there is no checking the web. They do not have a computer. The difficulty of getting information out to people is also an issue that the CFIA and the minister's department clearly have, if the answer is, "Check the web".

Adjournment Proceedings

Really it boils down to this. When we have this many products that are globally sourced in the agricultural sector and now in the food sector, how will we assure Canadians, when those products come into this country to be consumed, since we are not testing them at the border, that the product is indeed safe for the consumers who we are obligated to protect as a food inspection agency? It is not the FDA that is responsible.

I would point out to the parliamentary secretary, who will answer, that the FDA inspectors are now going outside of their own borders. We know they come into this country. We now know they are going into China as well, and they will test product before it goes to the U. S. market.

Really, at the end of the day, what assurances can we get that these globally sourced products will meet the rigorous standards we need to have inside this country? Do we intend to test them to ensure they are safe? If we find out they are not safe, how do we intend to make sure immediacy is immediate, not days later?

•(1825)

[Translation]

Mr. Pierre Lemieux (Parliamentary Secretary to the Minister of Agriculture, CPC): Mr. Speaker, thank you for giving me the opportunity to discuss this very important issue for Canadians.

[English]

To answer one of the questions my colleague put to me, the simple fact is that CFIA acted as quickly as possible, based on the available information.

[Translation]

The government is determined to continually improve efforts made to protect the safety of our food supply. Recent recalls of hydrolysed vegetable protein (HVP) put food safety at the forefront of the public's concerns.

I am keenly aware of these concerns but it should be understood that it is impossible to create an environment where there are no risks to food safety.

We have learned lessons from the past that will help us to continue improving our policies and our processes.

[English]

Since our Conservative government committed to implementing all 57 recommendations of the Weatherill report, I can say that many of the commitments required from the Canadian Food Inspection Agency have already been met.

Actions taken to date have focused on prevention, surveillance, detection and better response, and have included such initiatives as: the hiring and training of 170 new front line inspectors, building upon the 538 the government has hired since March 2006; strengthening the CFIA's directives regarding the control of listeria in federally-registered ready-to-eat meat processing plants; equipping CFIA inspectors with better tools and technologies, such as laptops, cellphones and faster network connectivity; updating federal-provincial-territorial protocols for managing food-borne illness outbreaks; and enhancing laboratory capacity and research into the development of rapid test methods.

The CFIA and Health Canada have developed a new screening method for listeria in meat, which allows for a more rapid response during food safety investigations. Furthermore, as my colleague mentioned, we have launched a food safety portal on the web, foodsafety.gc.ca, which provides Canadians with comprehensive food safety and food-borne illness information.

The CFIA has worked closely with American officials when salmonella-affected products were first identified. The agency is working in close collaboration with U.S. regulators to make sure we have accurate and timely information so that we can remove recalled products from store shelves. To date, there have been no illnesses associated with the HVP-related recalls.

It should also be noted that we have tougher food safety requirements than we have ever had before. We take food safety very seriously and we are in the process of improving our system at all times.

Mr. Malcolm Allen: Mr. Speaker, I appreciate the parliamentary secretary's response. Unfortunately, during his response I did not hear anything about what we are going to do about globally-sourced food products that we are assuming are inspected by someone else to a standard that we find acceptable. There was no indication in the response he just gave to the House that somehow we are going to know.

The U.S. is being proactive. It is saying there are countries from which it globally sources food products that it has some concerns about. In fact, it has some concerns about Canada. That is why its inspectors have been in some of our plants and demanded certain inspection processes of us that we were not doing for ourselves. We are doing them now. The minister has decided to change tack and actually do it now.

I did not hear that in the response, so I put it to the parliamentary secretary again. What are we doing about ensuring globally-sourced products meet the requirements and are, indeed, safe?

Mr. Pierre Lemieux: Mr. Speaker, I believe I did answer that question. The first thing I said was that the CFIA acted as quickly as possible based on available information. The system is working. No illnesses resulted from the salmonella contamination and recalled products were in fact identified and pulled off the shelves.

The second thing I mentioned is that we are working in close collaboration with, for example, U.S. regulators and the U.S. food and drug administration on these types of matters. We are also working in close collaboration with our provincial and territorial partners. This is one of the key issues identified in the lessons learned document that came about due to the listeriosis difficulties we encountered early last year.

The member does not have to take my word about food safety here in Canada. The member for Malpeque, who is the Liberal agriculture critic, has said, "I personally believe that our food is safe". I must mention as well that Mr. Bob Kingston, head of the Agriculture Union, has said that we have a pretty good system.

Adjournment Proceedings

•(1830)

The Acting Speaker (Mr. Barry Devolin): 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 6:31 p.m.)

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