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Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Monday, September 22, 2014

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

• (1100)

[English]

ENERGY EFFICIENCY PROGRAM

The House resumed from May 29 consideration of the motion.

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, I believe I had five minutes left when we last left off. I was talking about what an opportunity it was to speak to Motion No. 497 and provide some details on how our government is already successfully meeting the objectives of saving Canadians money on their energy bills, stimulating the economy, creating jobs, and reducing emissions.

By 2016, the eco-energy efficiency program is expected to reduce greenhouse gas emissions by four megatonnes. That's equivalent to the emissions of one million vehicles. Canada can also claim to be a strong and active supporter in the related area of renewable energy. Between 2005 and 2011, Canada's greenhouse gas emissions from electricity production fell 26%. Over three-quarters of Canada's electricity now comes from emissions-free sources, including hydro, nuclear, and non-hydro renewable energy. Furthermore, Canada is the first nation in the world to ban the construction of traditional coal-fired power plants.

Wind energy is growing, and Canada is now ranked ninth in the world in installed wind power capacity. There are almost 4,700 wind turbines in operation on 195 wind farms in the provinces and two territories, representing over 8,500 megawatts of generating capacity.

With regard to solar energy, Canada's solar industry has become one of our fastest-growing sources of electricity. Solar has now expanded from only 33 megawatts in 2008 to 1,210 megawatts in 2013.

In conclusion, that is where we stand now, and Canada's energy future is even brighter. Innovation and new technologies are all growing to Canada's energy advantage. Canadians know this lesson well, and we have been actively applying it.

Canada's clean tech energy industry is growing faster than any other major sector in the Canadian economy. Canada has built its clean tech capacity into a \$11.3 billion industry that directly employs

more than 41,000 people and is expected to grow to over 88,000 jobs by 2022. As a result, Canada has become a leader in clean energy technology, from carbon capture and storage to biomass, wind power, and tidal power.

All of these considerations clearly show that our government's focus on energy efficiency and responsible energy use has huge and positive impacts on innovation, on job creation, on reducing emissions, and on helping Canadians become more energy-aware and energy-efficient at work, at home, and on the road. It is for these reasons that we can say that the goals of Motion No. 497 are already being addressed, namely, the goals of reducing energy consumption and emissions, saving Canadians money, creating jobs, and supporting our economy.

All of these goals are worth pursuing, and our government is committed to continuing to achieve them as we move forward.

• (1105)

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I am pleased to start off this Monday morning with an opportunity to speak in the House, so thank you for the chance to speak to this important motion. I would also like to commend the efforts of my hon. colleague from Drummond, not only for putting forward a motion on what we deem to be a critical issue but also for seeking a bipartisan consensus that federal programs should be in place to encourage energy efficiency in Canada.

If only the government were as open to co-operation when it comes to defending and promoting the interests of Canadian people, I think we would all be much further ahead, and on this issue it would be great if everybody would just agree that more energy retrofit programs need to be happening.

However, as previous debate on this motion have reminded this House and our previous speaker, no energy efficiency program has existed in Canada since the Conservatives caused the lapse of the eco-energy home retrofit program in 2012. Evidently I can no longer hope to find common cause on this issue with the governing party, but I hope that the member for Drummond takes some solace from the fact that the Liberals are strong defenders of the environment, especially on initiatives that aim to reduce our carbon footprint, such as this one.

Private Members' Business

It is critical that we do all we can as individuals and as parliamentarians to encourage the pursuit of energy efficiency. There are many reasons to pursue this goal. From a global perspective, improvements to the efficiency of our infrastructure are a key part of the struggle to avoid severe climate change. Individually speaking, we know that retrofits to buildings and homes can lead to substantial savings for families. Upgrades to heating, cooling, and ventilation systems, to air sealing, and to the insulation of attics and windows, as well as the installation of low-flow toilets, can allow families to save valuable dollars.

These are not glamorous changes, but they are cost-effective ways of achieving significant progress on our energy use profiles, which are simply far too high.

Anyone who is familiar with the data on this subject knows that Canada's rankings in international comparisons of energy intensity are consistently dismal. We are always at or very near the bottom of the list. In other words, we use more than almost anyone else. Yes, our climate is colder, and yes, our economy depends partly on our energy exports, but this is no argument for remaining complacent or for simply doing nothing.

The World Bank, the OECD, the International Energy Agency, foreign governments, and many domestic NGOs have reminded us time and time again that we could be doing so much more to reduce our energy consumption. In the last OECD environmental performance review, Canada placed dead last out of 17 industrial countries measured. What does that showcase to the world?

We have the means to do better, but we need the political will to make that happen. The government may have its head in the sand, but we need to start listening to what science is telling us every single day. This weekend there was a clear message around the world that people are very concerned about climate change, and we need to be doing our part.

As a nation blessed with vast stores of natural resources, it only makes sense that we should be world leaders in the efficient use of our wealth, not number 17 out of 17. A failure in this regard is a failure to recognize the value of what we have, and it is a betrayal to future generations who may never derive the benefit from these important resources as we gobble them up for immediate gratification. There is a grim irony to the fact that we are as wasteful as we are simply because we have too much.

Incidentally, the characterization I have just made about Canada's energy use applies equally to its water consumption. As a country, we take our water far too much for granted. We have one of the largest supplies of fresh water in the world, but does this justify the fact that we, along with the Americans, have by far the highest daily domestic withdrawals per capita in the world?

On a generous estimate, Canadians still use upward of 300 litres per day each. This is nine times higher than Denmark, Europe's best performer, and double the average of other developed nations, which goes back to being the same issue. We have a lot of great resources, but we are not using them wisely and clearly we are wasting them immensely.

●(1110)

I mention these statistics not to scold but because it is clear that Canada has much to do when it comes to resource efficiency and conservation.

The Prime Minister has declared his intention that Canada in the 21st century should be a global energy superpower. To this end, he has focused his government's efforts almost exclusively on promoting supply or, in other words, on pipelines and market access. However, as any good economist knows, supply is only half of the equation. The Prime Minister cannot hope to achieve this superpower ambition without considering the demand aspect and how better to manage it. Domestically, that is precisely what an energy efficiency initiative is.

An incentive program such as the one proposed would be a small step in the right direction. It would signal renewed commitment to international leadership in the fight against climate change and it would help improve Canada's credibility as an energy power. Promoting energy efficiency would also signal a commitment by government to helping the many start-ups and investors who form part of the growing green industry sector. These include developers, builders, energy auditors, construction and engineering firms, renewable energy companies, and many others who are devoted to the vision of a cleaner, more sustainable economy.

At the same time, a program such as that proposed by Motion No. 497 would signal again to Canadians that the government stands behind individual efforts to build a next-generation economy. Canadians are already doing what they can to make improvements to their homes that will bring down costs to both households and the environment. The federal government has the ability to show leadership and help offset some of those upfront expenses of these upgrades and retrofits, which can still be prohibitively priced for many Canadians.

This week saw the release of the inaugural report from the Global Commission on the Economy and Climate. The commission is headed up by a group of people from around the globe. Felipe Calderón, the former President of Mexico, is the chair. Other members include the chairman of the Bank of America, the executive director of the International Energy Agency, the CEO of China International Capital Corporation, and the president of the Asian Development Bank, and the list goes on.

The basic conclusion of their report, which is called "Better Growth, Better Climate: The New Climate Economy", is that the supposed choice between a healthy climate and a healthy economy is a false one.

With intelligent policy, I believe that we can have both. Of course, I understand why the need for intelligent policy will vex the Prime Minister and his front bench, so let me frame it another way. How can anyone suggest that we continue to consume the finite resources of our planet with an infinite appetite? As we face the global threat of climate change, perhaps the defining challenge of our time, energy efficiency must be recognized as part of our national policy tool kit.

To quote the commission:

Policies to promote energy efficiency can free up resources for more productive uses and, if designed well, can be particularly beneficial to people on low incomes.

The report also says:

Greater investment in energy efficiency—in businesses, buildings and transport—has huge potential to cut and manage demand.

Elsewhere the report notes:

The evidence shows that investment in low-carbon energy sources and energy efficiency is a major source of job creation. For example, the International Renewable Energy Agency (IRENA) estimates that almost 6 million people were directly employed in the renewable energy sector in 2012.... This is approaching the number of people employed in the coal industry. As developed countries have adopted low-carbon measures, there has been a little-noticed but remarkable growth in employment in a wide range of businesses in the “low-carbon sector”. As the transition to a lower-carbon economy accelerates, this pattern of job creation and business expansion is likely to be replicated more widely.

Canada must embrace new opportunities that promote the shift to a sustainable future. In promoting this particular motion, we are moving that along.

• (1115)

[*Translation*]

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Mr. Speaker, according to the World Meteorological Organization's annual report, greenhouse gas concentrations reached record levels in 2013.

The question we must ask ourselves today is this: What can we do to tackle this alarming trend? The best solution is to implement a large-scale energy efficiency program.

Motion No. 497 on energy efficiency, which was moved by my colleague, the member for Drummond, puts forward an innovative and important perspective on the climate change debate.

[*English*]

The plan we are suggesting would encourage owners of buildings, both residential and commercial, to decrease their energy consumption.

There are many advantages attached to this program. It would help to preserve the environment, boost our economy by creating a large number of job opportunities, and significantly reduce the energy cost of every Canadian citizen.

Here is a little reminder. Canada already had this type of program, between 2007 and 2012, which was called the ecoENERGY home retrofit program. Its aim was to make housing more energy efficient in order to fight climate change. Back then, one out of every twenty Canadian households was able to benefit from a subvention of, on average, \$1,400.

Private Members' Business

Let us do the math. Based on a five-year period, this investment of \$934 million allowed Canadian households to save more than \$400 million each year.

[*Translation*]

However, those days are gone because, once again, the Conservatives put an end to the program since they felt it had fulfilled its purpose, as though the energy issue could be resolved in a few years with the wave of a magic wand.

Now, more than ever, Canada must face two closely related challenges: the environmental challenge and the energy challenge. Our new challenge, which the NDP has vowed to take on, will be to manage this country's vast resources to ensure their long-term viability, not destroy them, which is what has been happening in recent years, unfortunately.

The NDP understands the challenge and intends to meet it. That is why we are strongly in favour of a sweeping greenhouse gas reduction agenda. Not only will this plan help us reduce our environmental footprint, but it will also result in positive social spinoffs.

[*English*]

This would put Canada in a state of mind that is based on long-term action. The country would be able to build an economy for the future, green and sustainable. This plan is the exact opposite of the economic backwardness conducted by the Conservative Party. It would also put a stop to the useless investments in the oil and gas sectors, which are very detrimental to the country.

Canada needs to empower itself with a solid energy efficiency strategy or it will soon be behind other countries in this field. Canada, to the contrary, wants to be a world leader when it comes to energy efficiency.

Climate change is creating a crisis that is forcing leaders to open their eyes to its disastrous consequences. It is imperative that action is taken today to lessen our environmental footprint, if we want to preserve our rich and unique system.

Therefore, reducing our dependence upon fossil fuel is fundamental. It is unacceptable that our resources are exploited in the way they are currently, recklessly and thoughtlessly, only to satisfy the economic interest of a minuscule part of the population while the majority of Canadians are seeing their future compromised.

The NDP is not alone in thinking this way and has received strong support from many associations, such as Equiterre and Blue Green Canada, which also want to address this issue.

[*Translation*]

This action plan will provide security in terms of public health. According to the WHO, climate change related to excessive greenhouse gas emissions affects the determinants of health of our constituents, particularly the most vulnerable. It is therefore our duty to ensure a safe and healthy environment. This is yet another factor that the Conservatives often seem to forget about.

Private Members' Business

This plan will benefit the entire economy and Canadians themselves by creating jobs, many of them in the construction sector. The spinoffs of this plan will be truly enormous. A new report by Blue Green Canada shows that investing in clean energy projects could create 18,000 new jobs in Canada, strengthen the economy, reduce pollution and make for a healthier environment.

Instead, all the government can talk about is budget cuts, again and again. For example, it used the 2014-15 budget to cut \$25 million in funding from clean air programs and the fight against climate change. It overlooked the indisputable merits of such a program. My colleague's motion will help reduce energy bills and household debt for all Canadians. Canada currently has one of the highest household debt levels in the world, and Canadians will benefit from financial assistance enabling them to renovate their homes or buildings, which will help revitalize neighbourhoods in Canadian communities. The government must provide Canadians with the support they need to get through this crisis.

• (1120)

[English]

The Conservative Party turned its back on the environmental issue by withdrawing Canada from the Kyoto Protocol, in 2001, during the United Nations conference. As well, the cuts from the 2014-15 budget affect Natural Resources Canada, which will see a decrease of \$232 million, nearly half of which are directed toward the clean energy fund.

There is more, or I should say that there is less. There is less money for programs, such as the forest industry transformation program. The ecoENERGY for biofuels program will also be affected by budget cuts.

Needless to say, the Conservative Party has put aside environmental and clean energy concerns.

[Translation]

Conversely, the NDP would end the multi-billion-dollar subsidies to the fossil fuel industry and invest in a sustainable, green economy. The NDP would allocate Canada's resources in the best possible way and put a stop to investments that prevent our country from building its future on a sound, solid foundation.

According to Roger Lanoué and Normand Mousseau, co-chairs of the Commission sur les enjeux énergétiques du Québec, every dollar invested in an energy efficiency program generates economic spinoffs that are equal to, if not greater than, the construction of new energy production facilities.

Instead of offering billions of dollars in tax breaks to the oil industry, which is one of the biggest polluters, our government should recognize that its energy policy is destructive for our country. We need to focus on more than just the short term. We cannot put off resolving environmental issues, nor can we ignore them. Federal investments must be methodical and well thought out.

The NDP has already created an action plan and is ready to implement it. That will begin when we pass Motion No. 497.

I would like to mention that yesterday I went to the people's climate march in Montreal. Two of my colleagues also came with

me: the hon. member for LaSalle—Émard and the hon. member for Laurier—Sainte-Marie. Hundreds of people took part, including a large NDP contingent. I was disappointed to see no representatives from any other federal party at the march. During the four-hour event, we had many rewarding discussions with people who came to talk to us about their concerns regarding the climate. Many activists came and asked us what is happening in western Canada, how people are reacting, and how we can leave future generations with such an environmental burden. I am 29 years old and I worry about my future and that of the next generation, because right now, no one knows where we are headed. We are developing our resources without necessarily thinking about all the possible consequences.

The bill introduced by my hon. colleague from Drummond is an intelligent way to make Canada's economy work by creating jobs in the construction industry. This is an intelligent way to reduce the greenhouse gases that surround us. Right now we are constantly emitting more and more. There was some smog in Montreal this summer. There is no doubt that pollution is a serious concern. I have asthma, so I can assure you this is true. When I am in Montreal, I need my puffers, but in the forest in Mauricie, I do not need them. Specific examples like that can be used to assess these things. Adopting this motion would be a step towards a greener, more prosperous Canada.

In closing, I would like to congratulate my hon. colleague from Drummond on all of his efforts on the environment.

• (1125)

[English]

Mrs. Kelly Block (Parliamentary Secretary to the Minister of Natural Resources, CPC): Mr. Speaker, this is a great opportunity for me to demonstrate how our government is already taking action to address what the bill seeks to achieve. I thank the member for allowing me the opportunity to talk about how our government is positioning Canada as a global leader in the energy technology sector and encouraging Canadians to use energy responsibly.

Our government has made it a priority to create jobs, reduce greenhouse gas emissions, and lower costs for consumers. We have successfully implemented numerous energy efficiency initiatives that address these goals. The member was perhaps not aware of this when he tabled the motion.

As we know, Canada's economy is based, in large part, on the abundance of our natural resources. In fact, we rely on non-emitting sources for 79% of our electricity. We also have a duty to ourselves and to future generations to develop those resources in a way that is responsible and protects the environment.

Private Members' Business

Major global economies are focusing on responsible energy use and enhancing opportunities for consumers and businesses to support energy efficient choices. For example, the U.S. intends to double its energy productivity over the next 20 years. The European Union has developed mandatory countrywide targets for energy efficiency and requires buildings to be labelled for energy performance. India has set a mandatory energy efficiency target that covers 65% of that nation's industrial consumption. China is pursuing a 16% reduction in energy intensity over the next five years.

Given the growing demand for improved energy efficiency worldwide, focusing on developing and exporting energy efficient technologies and products is a winning scenario for consumers, entrepreneurs, the environment, and Canada's economy. Since 2005, we have reduced emissions by 5.1%, while the economy grew by over 10%. This is an impressive achievement, and we did it without raising taxes. We know that the NDP wants to bring in a tax that would raise the cost of everything. We prefer to leave this money in the pockets of hard-working Canadians.

Since 2006, the Government of Canada has made significant investments to support energy efficiency, clean energy technologies, and the production of clean energy and cleaner fuels. We are taking a practical approach that protects Canada's best interests, an approach that balances our environmental goals with job creation.

Few people realize that Canada is a global leader in energy technology, and we have made great strides to improve energy efficiency at home, at work, and on the road. Our country's gains in energy efficiency are making people sit up and take notice around the world. The International Energy Agency now ranks Canada second, along with the U.K., in improving energy use between 1990 and 2010.

We know that the transportation sector currently generates about a quarter of Canada's greenhouse gas emissions. Therefore, an initial focus is to raise awareness among Canadians of the energy we use on the road. That is why our government recently took action by introducing world-class vehicle emission standards, resulting in significant energy efficiency improvements. By 2025, new cars will consume 50% less fuel and emit 50% less greenhouse gases than similar 2008 models.

We have already made great progress in improving the energy efficiency of Canadian homes. We have also developed tools like the EnerGuide rating system to provide homeowners with accurate and easy-to-understand measures of their home's energy performance, as an important first step toward smart home renovations. More than one million Canadian homeowners have obtained an evaluation, using this system, since 1998.

Canadians understand that energy efficiency leaves more money in their pockets. With the familiar blue Energy Star label, Canadians can now easily find top energy performers for more than 65 product categories, including appliances, televisions, and windows.

• (1130)

Let me assure everyone that these savings can quickly add up. By replacing three major appliances with Energy Star models, consumers can save significant amounts on their utility bills, but

we are not stopping there. We have also introduced measures to help Canadian businesses improve their energy efficiency and reduce their environmental footprints.

Canada's National Energy Code for Buildings 2011 is now 25% more stringent than the previous code. By 2016, it is expected that new building owners will save \$70 million in energy costs as a result of improvements to the 2011 code.

We are also encouraging Canadian industry to adopt the ISO 50001 standard, a voluntary international energy management standard used in over 60 countries to manage costs and improve productivity. For example, Chrysler's Brampton, Ontario, plant is saving nearly \$2 million in energy costs a year by using this system and investing in improved heating, ventilation and exhaust systems. Under our energy efficiency programs, Canadian businesses have learned how to cut energy consumption in Canada's plants, factories, and buildings by as much as 20%.

In closing, let me restate how our government is already achieving the goals of the motion. Programs implemented by our government are reducing greenhouse gas emissions. Since 2005, emissions have been reduced by 5.1% and we are continuing to find new ways to improve this reduction.

It is important to note that Canada has the lowest per capita emissions since we began tracking in 1990. We are successfully lowering consumers' energy bills. Action taken over the past two decades has led to energy savings of \$32 billion. We are currently on track to save consumers \$1 billion more by 2016. It is due to these efforts that Canada is a world leader in energy efficiency improvements, ranked second behind Germany and tied with the United Kingdom.

It is through this action that new jobs are created. Jobs are directly created due to energy efficiency renovations and indirectly with savings directed elsewhere in the economy. We are proud that our government's plan is working and that we are achieving our goals without implementing a job-killing carbon tax. Canadians can rely on our government to continue to deliver for them, their families, and their pocketbooks.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I am rising to speak in support of Motion No. 497 on energy efficiency.

I congratulate my colleague from Drummond for the motion, which is of course timely given that all of the leaders of the world are gathering this week in New York, sadly except for the Prime Minister of this country, to work on deeper cuts to greenhouse gases around the globe.

Private Members' Business

My colleague's motion calls for government implementation of an energy efficiency program to encourage homeowners, commercial building owners and businesses to reduce their energy consumption in an effort to fight climate change, to reduce Canadians' energy bills, and to create jobs and stimulate the economy.

I am pleased to have heard the speech by the parliamentary secretary who I have enjoyed working with on several committees, and the fact that she is showing there certainly is value in investing in energy efficiency, and that to date the government has taken some measures. However, as I would like to speak to, there is lot more the government has promised and could do.

The International Energy Agency has continued to call on governments around the world, including Canada, to take action on what it has identified as the two critical global crises. Those two crises, as identified by the International Energy Agency, are the demand for energy, which is growing in the world, and climate change.

The International Energy Agency has issued a call to all nations to make more substantial investments in renewable power and energy efficiency to address both of those crises. In parallel to this, Canadian families are facing record household debt at the same time as energy prices are rising, for transportation, homes, farms and businesses.

The sad thing is measures are readily available. The technology exists, and the initiatives and the interest in working on energy efficiency exists to address both of these. Among these are the concerted efforts to reduce energy use and demand-side management. Indeed, as the world progresses, as developing nations also seek the kinds of lives we benefit from here in the western world, there is an increasing demand for energy, to heat their homes, to provide food for their families and to make use of the kinds of appliances that we have and have benefited from.

At the same time, we have the opportunity to be providing means to them, as well as to us, for greater energy efficiency and to reduce that great demand on increased energy use. Energy efficiency not only reduces pollution and greenhouse gases, it offers substantial savings on energy bills and creates well-paying, skilled jobs in our local communities.

What has been done, and what could be done to make this happen? Sadly, under the current government, very little.

First of all, the energy retrofit program has been an incredibly popular and oversubscribed program. To its credit, some years back the government, under a lot of pressure, agreed to return the program but only for one year. The problem was that only some Canadian families and businesses could benefit. Second, it is very hard for energy efficiency companies to gear up quickly enough in order to be able to build a program and reach out to assist. Sadly, a lot of the operations that were developed in my community fell apart because there was no long-term support.

It is a significant loss as partnering between federal, provincial, territorial and municipal governments can actually move energy efficiency programs forward. Some municipalities and some provinces have continued to forge ahead. Sadly in my home province, they have backed off. There was a promise this past spring

for Alberta to put \$30 million in, which if partnered with the federal government would be good. We are waiting to see what will happen with the new premier of Alberta.

Reconfiguring programs to direct assistance to the most in need, though, is very important. In the past, only those who had the deeper pockets could benefit from these programs, because the government assistance was only supplementing the investment by the families or the businesses themselves. Therefore, it was only those who had the spare cash who could take advantage of applying for and benefiting from these programs.

● (1135)

If we move forward with an energy retrofit program, I would strongly recommend that the federal government work with the provinces and municipalities in coming up with a means to target those most in need: low-income, fixed-income, seniors and aboriginal communities. We should also consider combining those initiatives with access to programs such as solar power because that also reduces the drawdown on the grid. In a province such as mine, Alberta, the vast majority of our electricity is provided by coal-fired power, which is a huge source of greenhouse gases and pollution. By getting off the grid or feeding into the grid cleanly, we can actually partner with energy efficiency.

I would like to share the fantastic initiative in Alberta between non-government organizations, major industry and government, the Alberta Energy Efficiency Alliance. It has been promoting a major program, which it thinks can significantly reduce greenhouse gases and also create employment. It says there are a lot of non-economic barriers to using these. Some of those include inappropriate price signals, limited product availability, lack of energy literacy and access to capital financing. That is why it will be really important for the federal government to move forward and partner.

What is the second area where the federal government could assist? As our colleague across the way, the parliamentary secretary, mentioned, there was a review that was undertaken by the parliamentary committee on operations. I am pleased to share that this was a review that I initiated. It was a fantastic review where we brought in experts from across the country to talk about the success the federal government has made in reducing energy use in federal infrastructure and facilities, and the additional savings that could be achieved. The great success that we had in that review was the unanimous conclusion by all of the parties represented at that committee that what we should be doing is targeting investments in energy efficiency toward the considerable tax savings to Canadian taxpayers, not simply the reduction of greenhouse gases.

A number of recommendations were made to the government. We made a very substantial report, but the New Democratic Party also made some additional recommendations based on what the experts told us and also based on the opportunity that I took to go the U.S. and meet its Department of Energy. One of the recommendations we suggested is legally prescribed energy efficiency targets. I notice that the parliamentary secretary mentioned that a number of European nations have legally prescribed targets, so does the United States of America. We have a clean energy dialogue, a partnership with the United States and I think it is time for Canada to move forward and adopt these kinds of prescriptive measures.

We also recommended that there be interagency coordination capacity-building within the government sector and dedicated budget allocations, as well as a lot more attention to jobs and skills development. It may be noted that in a number of the government reports, Conservatives have undertaken that they are going to work toward identifying green jobs and what kinds of skills development is needed and what kinds of programs could support that. Unfortunately, we have not seen any action on that.

I would like to quote the former minister of natural resources, Joe Oliver, speaking on the—

• (1140)

The Acting Speaker (Mr. Barry Devolin): Order. I would remind the member she cannot reference her colleagues by their given names.

Ms. Linda Duncan: Mr. Speaker, pardon me. Even though he is the former minister of natural resources, he still is a minister of this place, so I apologize.

The former minister of natural resources had stated on this issue that in a five-year period more than 640,000 homeowners benefited from the eco-energy retrofit program. It is estimated that it triggered more than \$8 billion in economic activity, and created and protected thousands of jobs during a time of economic uncertainty.

As we know across our country, some regions are still facing a lot of unemployment. Therefore, the value of the energy efficiency sector, whether working on retrofitting government facilities or retrofitting small businesses or homes, is that it allows for our young skilled workers to stay in their own communities, benefit from employment and support their families. On federal infrastructure, there we are. The number one conclusion that our committee made was that this is the way to save taxpayer dollars. Rather than cutting more and more civil servants, we could invest in energy infrastructure.

To close, I would like to add that in the government's own sustainable development strategy, it has five or six recommendations in this vein that it has committed to take action on. What is missing are budgeted dollars to move in that direction. I would encourage the government to come forth and genuinely commit to energy efficiency.

[Translation]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I am very pleased to rise in the House today in support of Motion No. 497 on energy efficiency.

Private Members' Business

I learned to conserve energy when I was very young. At home, my father would always ask me to close the door and tell me that we do not heat the outdoors. He would also ask me to turn off the tap so as not to waste water. Thanks to his guidance, I became aware at an early age that energy is a resource and a commodity to be respected, and the same goes for water. Water conservation and energy efficiency are values I fully support. In my opinion, Canada must support those values as well.

I will read this very important motion. It contains concepts that are very important and must be underscored. The motion states:

That, in the opinion of the House, the government should implement an energy efficiency program to encourage owners of houses, residential buildings, shops and businesses to reduce their energy consumption, with a view to: (a) combatting climate change; (b) lowering the energy bills of Canadians; and (c) creating jobs and stimulating the economy.

I think this is a very good motion. It contains three points, one of which is combatting climate change. This is quite timely, considering that there is a major climate change conference being held in New York City right now. The motion also touches on lowering energy bills.

I have the pleasure of representing LaSalle—Émard, which is southwest of Montreal. When I go door to door, I talk to people who own commercial and residential buildings and homes. They too are struggling to make ends meet because their energy bills continue to go up while incomes are stagnating.

An energy efficiency program would be most welcome. As some of my colleagues have mentioned, the eco-energy retrofit program was a big success. I do not understand the government's decision. Although some programs are quite successful, the government decided this one was no longer needed and put an end to it. The program was doing well and would have continued to do so.

I would like to remind hon. members that, when it comes to energy consumption, Canada has made some tentative steps forward, but the battle has yet not been won. In 2010, the residential sector was responsible for 16% of Canada's energy consumption and 14% of its greenhouse gas emissions. That is rather high for a sector that is not industrial and not related to transportation. The consumption rate is very high.

It appears as though Canada is in denial about its northern nature. We cannot seem to accept or take into account that we are a northern country. However, living in the northern hemisphere is a challenge, and with that comes a number of opportunities for Canada to become a leader in energy efficiency. As we know, energy consumption in northern countries is mainly related to heating. Obviously, in the summer, it is associated with the use of air conditioning. We want to create an environment where people are comfortable.

Private Members' Business

I do not understand why Canada does not want to show that it can be a leader in energy efficiency. Right now, Canada is one of the heaviest users of energy. Just because we produce energy, does not mean we should waste it. Instead, we should recognize that energy is a very important resource for our country and respect it. We should be creating value-added jobs in this area.

• (1145)

If we do research and development and develop energy efficiency technologies, we can export those innovations. Unfortunately, the government does not seem to recognize that way of doing things. However, some very worthwhile jobs could be created in this area. Canada already has companies that work in the area of energy efficiency, but unfortunately, they are barely getting by because the incentives are not big enough for these companies to thrive and grow from small to medium-sized businesses.

Reports from the different areas of the industry show that the least amount of research and development in Canada is done by the construction sector. If there were some sort of incentive, such as the program proposed by my colleague from Drummond—and I applaud and commend him for moving this motion—the federal government would be showing leadership in order to stimulate all economic sectors associated with what we call “green technologies” or “energy efficiency technologies”. This would create jobs and encourage the construction industry to do more research and development and use innovative materials worthy of the 21st century. The residential sector would then be able to do its part to reduce greenhouse gas emissions and increase energy efficiency.

Canada claims to be an energy superpower and so it should really show leadership when it comes to energy efficiency. That makes sense to me. We call ourselves an energy producer, yet we waste the energy produced instead of using energy savings to stimulate job creation and the economy.

I am not the only one saying this. In one of his reports, the former environment commissioner said that protecting the environment was good for business. The motion by my colleague from Drummond says the same thing. If we invest in energy efficiency and give the means to owners in a sector as large as the residential sector, which is growing, or even the commercial construction sector, we will get a very significant return on our investment.

I agree with him. I often say that protecting the environment does not run counter to responsible economic development. The construction industry is growing in tandem with demographic growth. Why not ensure that the residential sector can be more energy efficient?

Building projects are popping up all over, whether we are talking about the condo frenzy or construction projects that foster urban sprawl. I was fortunate to travel out west to Edmonton and Calgary, but I did not need to go very far because right in Montreal we have urban sprawl. We have to reconsider and ask ourselves if that is the best way to save energy. We should also examine whether these buildings, which go up in a hurry, meet energy efficiency criteria.

• (1150)

This motion is worthy of the 21st century. This motion shows leadership and aims at reducing greenhouse gases, fighting climate

change and lowering energy bills so that we can invest in the jobs of today and the future.

Mr. François Choquette (Drummond, NDP): Mr. Speaker, first of all, I want to thank all of my colleagues—Conservatives, Liberals and New Democrats—who have spoken on this important debate on energy efficiency, the fight against climate change and the creation of good jobs for the future. I am truly pleased.

When I am asked why I am involved in politics, my first answer is, of course, that I got into politics for my children, for my future grandchildren and for future generations. This means that we need a vision. When we make decisions, we need to look ahead and not worry about making important decisions for the future.

I am, however, disappointed about a few things. I am very worried about the Conservatives' response to this motion on energy efficiency. From the first hour of debate, the Conservatives were saying that, for once, the NDP had a good idea. That is what I heard in the first part of the speech by the member for Yukon.

Unfortunately, in the second part of his speech, he said that the Conservatives had done their part and that there was nothing left to be done. There were no improvements left to be made to energy efficiency. According to him, everything is just fine. Everything has been done. We can pack it in because there is nothing left to improve.

This is especially disappointing, as leaders from around the world gather in New York on the eve of Climate Summit 2014. Ban Ki-moon will welcome all the world leaders who care about climate change. Barack Obama will also be there to welcome all the leaders who care about the future of our planet, except the Prime Minister of Canada. That is very disappointing.

I would also like to commend the member for Edmonton—Strathcona for the excellent work she has done in committee on the topic of energy efficiency and the environment. She has worked very hard to put forward her ideas, and I truly appreciate her work.

At the NDP's most recent caucus meeting in Edmonton, I met groups involved in the area of energy efficiency. They told me that it is clear that since the disappearance of the federal government's energy efficiency program, Alberta's energy efficiency market is on the decline. This proves that the program had its positives.

Furthermore, I did not just show up one morning with the idea of presenting an energy efficiency program in the House of Commons. On the contrary, I met with groups of people who care about the environment, from all over Canada.

In Drummondville, I met with representatives from energy efficiency companies, and I would like to mention two of them. First we have Venmar, which is known across North America. The company is based in Drummondville, which is a great source of pride for us. Then there is Aéroénergie, a company that is new and growing. There are other companies in this field that are based in Drummondville.

People are telling us that we need to meet with company representatives to convince them to introduce energy efficiency programs and tell them that they will see a return on their investment in 5 or 10 years. Not only is it an investment to encourage people and families to put their money into this area, it is also a way to create savings over a relatively short time.

We know that household debt is at an alarming level right now. Recent studies have again made that observation. We need to work to help families make ends meet. This will also allow us to create jobs for the future. Many of my colleagues have mentioned that we should focus on jobs in innovation and the green sector. We need to move in that direction. That is why the motion I moved is so broad. It does not tell the government what action to take. The government can proceed as it sees fit. I hope that it will work with the provinces, some of which have solid programs with municipalities or other groups.

I would like to add the following point about combatting climate change, and this is very important. This is a debate about tomorrow. Once again, officials at Environment Canada have said that the Conservatives will not meet their watered-down climate change targets.

We need an NDP government. We are a government in waiting.

• (1155)

We have a leader who is ready to make decisions. When we form government, we will have an energy efficiency program for the good of future generations.

The Acting Speaker (Mr. Barry Devolin): It being noon, the time provided for debate has expired.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Pursuant to Standing Order 93, the recorded division stands deferred until Wednesday,

Points of Order

September 24, 2014, immediately before the time provided for private members' business.

* * *

• (1200)

[*English*]

POINTS OF ORDER

BILL C-13—PROTECTING CANADIANS FROM ONLINE CRIME ACT

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I am rising on a point of order to ask you to select the amendment I submitted for debate and vote at report stage on Bill C-13, an act to amend the Criminal Code, the Canada Evidence Act, the Competition Act and the Mutual Legal Assistance in Criminal Matters Act. I understand that you will be giving a ruling on this after question period today, and I wanted to make sure that I made this submission before then, as this is a motion that was proposed and defeated in committee.

As stated in the note to Standing Order 76(5), the Speaker can select a motion that was defeated in committee to be debated at the report stage, "...if the Speaker judges it to be of such exceptional significance as to warrant a further consideration at the report stage".

I would like to explain why this motion warrants consideration and why it is of such exceptional significance to members that it should be considered again. The motion is to amend clause 12 of Bill C-13 to add "gender identity" to the definition of "identifiable group" in subsection 318(4) of the Criminal Code concerning hate crimes.

Mr. Speaker, as you know, the House previously decided on this issue during its consideration of Bill C-279, an act to amend the Canadian Human Rights Act and the Criminal Code (gender identity). Clause 3 of Bill C-279 replaces subsection 318(4) of the Criminal Code and in doing so adds to the definition of "identifiable group" those members of the public distinguished by gender identity.

Clause 12 of Bill C-13 would replace that same subsection 318(4) of the Criminal Code and would add to the current definition of "identifiable group":

...any section of the public distinguished by national...origin, age, sex...or mental or physical disability.

However, clause 12 of Bill C-13 does not use the current definition in the Criminal Code, as amended by the House by Bill C-279, and therefore deletes a provision by omission. If the House adopts Bill C-13, we will not protect transgender Canadians from hate crimes, despite having already affirmed this principle in this same Parliament.

Points of Order

This one amendment to the Criminal Code makes up half the substantive content of Bill C-279, my private member's bill, which passed third reading in this House on March 20, 2013. The members of this House will recall that it was passed by a majority of members in a vote of 149 to 137 with support from all parties. Again, a change to the Criminal Code proposed in Bill C-279 is a short and specific proposal to offer protection from hate crimes to transgender Canadians. In all likelihood, the 149 MPs who supported Bill C-279 at third reading would also support the motion I proposed in committee had they had the opportunity, since this motion is identical in content to that proposed in Bill C-279.

With Bill C-13, as it will be reported back to the House later today, the government would be, in effect, attempting to override this part of Bill C-279, which was passed by a majority of MPs in the House of Commons.

I believe that the note to Standing Order 76(5) was written specifically for situations like this one. This is an exceptional case in which a motion defeated in committee because of five government MPs would most certainly be supported by at least 149 MPs if it were moved in the House, and it would therefore pass. If the vote were held in the House of Commons rather than in committee, the outcome would be completely different. You can therefore be assured, Mr. Speaker, that this motion is not of a repetitive, frivolous, or vexatious nature or of a nature that would merely prolong unnecessary proceedings at the report stage. This would not be a repeat of the committee stage, since the outcome of the vote would likely be very different from what it was in committee. Some MPs would certainly oppose the motion, but it seems obvious to me that a majority of MPs would once again vote to provide protection from hate crimes to transgender Canadians.

There are several precedents where the Speaker referred to the note to Standing Order 76(5) to identify a motion as being of exceptional significance to the House as justification for selecting it for debate at the report stage, even though it had been proposed and defeated in committee. Mr. Speaker, let me remind you of those precedents.

One involves Motions Nos. 3 and 4 at the report stage of Bill C-23, an act to modernize the statutes of Canada in relation to benefits and obligations. On April 3, 2000, the chair occupant said to the House:

Motion No. 3 in the name of the member for Burnaby—Douglas is identical to the text of a subamendment moved in the Standing Committee on Justice and Human Rights during a meeting on March 23, 2000 and defeated in a recorded division. Motion No. 4 in the name of the member for Elk Island is similar to another motion moved in that committee. Under normal circumstances such motions would not be selected for consideration at report stage. I have looked carefully at the two motions and after appropriate consideration, I am convinced that they do fulfill the requirements to be selected in that they have such exceptional significance as to warrant a further consideration at report stage.

● (1205)

Another example took place on February 18, 2002, at the report stage for Bill C-5, an act respecting the protection of wildlife species at risk in Canada. Speaker Milliken stated as follows:

...there are motions similar to those that were rejected by the committee. Usually, such motions are not selected, because they would generate discussions that have already taken place in committee. However, the note in the Standing Orders allows the Speaker to select these motions if he deems that they are of such importance that they deserve to be examined again at report stage. I believe that

these motions respect that criterion and therefore they will be selected for the debate.

Lastly, I would like to refer to the precedent established on June 10, 2005, at the report stage for Bill C-43, an act to implement certain provisions of the budget tabled in Parliament on February 23, 2005. Again, Speaker Milliken had originally rejected Motions Nos. 5 and 6 at the bill's report stage. After hearing a point of order raised by the chief opposition whip, he reversed his ruling and selected the motions for debate at the report stage. In response to a question from a government MP who disagreed with him, the Speaker said:

Motion No. 1 to amend clause 9 to put back in words that were deleted in the committee was allowed. I understand they are the same words. I allowed those to be debated because, as I say, the minister made submissions that indicated he thought this was a matter of public importance. I am prepared to make the same arrangement with respect to Motions Nos. 5 and 6 and I have so ruled.

Mr. Speaker, my request is even more significant, if we consider the precedent that would be set if this motion is not selected for debate. The House previously decided on the issue of gender identity when a majority of MPs chose to include provisions in the Criminal Code that would protect transgender Canadians. Without the amendment I have proposed, Bill C-13 would do exactly the opposite. It would reverse a decision reached democratically in the House following several hours of debate and a recorded division.

It is also worth noting that the 149 MPs who supported Bill C-279 included many government MPs. The five Conservative MPs who opposed this amendment to Bill C-13 in committee were not representative of all their colleagues. By allowing the government to rewrite subsection 318(4) of the Criminal Code to eliminate the changes made by Bill C-279, we are going against the wishes of the majority of MPs in the House who supported that bill. What this means is that if a majority government does not support a piece of private member's business, which is the case for Bill C-279, it can introduce a government bill reversing the provisions of the private member's bill. All the government has to do is ensure that the members who sit on the committee during the clause-by-clause study of the government bill are among those who opposed the private member's bill in question. I believe this creates a dangerous precedent for private members' business.

This amendment is of significant importance for MPs and for public safety, as demonstrated when Bill C-279 was debated in the Commons and was considered by the Standing Committee on Justice and Human Rights. The amendment should be selected for debate at the report stage so that all MPs may decide on this issue. This is not a matter that can be resolved by a mere handful of government MPs on a committee of the House. It deserves to be considered again in the full House of Commons.

Given that this motion is of exceptional significance to the debate at report stage, and in view of the precedents available to the House, I respectfully request that you select it for consideration at the report stage of Bill C-13 and that you allow the members of this House to vote on it separately as a stand-alone motion and one not tied to any of the other votes at report stage proceedings.

•(1210)

The Acting Speaker (Mr. Barry Devolin): I believe the Parliamentary Secretary to the President of the Treasury Board is rising on the same point of order.

Mr. Dan Albas (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, the government certainly wants to contribute to this particular issue and will be coming forth in a timely manner to represent its arguments in this case.

The Acting Speaker (Mr. Barry Devolin): The Chair thanks the hon. members for raising the point of order and assures them that it will be dealt with in due course and reminds them, particularly on the government side, that this may be coming forward quite soon and to proceed on that basis.

GOVERNMENT ORDERS

PROTECTION OF COMMUNITIES AND EXPLOITED PERSONS ACT

The House proceeded to the consideration of Bill C-36, An Act to amend the Criminal Code in response to the Supreme Court of Canada decision in Attorney General of Canada v. Bedford and to make consequential amendments to other Acts, as reported (with amendments) from the committee.

[English]

SPEAKER'S RULING

The Acting Speaker (Mr. Barry Devolin): There are 52 motions in amendment standing on the notice paper for the report stage of Bill C-36. Motions Nos. 1 to 52 will be grouped for debate and voted upon according to the voting pattern available at the table.

[Translation]

I will now put Motions Nos. 1 to 52 to the House.

•(1215)

[English]

MOTIONS IN AMENDMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP) moved:

Motion No. 1

That Bill C-36 be amended by deleting the long title.

Motion No. 2

That Bill C-36 be amended by deleting the preamble.

Motion No. 3

That Bill C-36 be amended by deleting Clause 1.

Motion No. 4

That Bill C-36 be amended by deleting Clause 2.

Motion No. 5

That Bill C-36 be amended by deleting Clause 3.

Motion No. 6

That Bill C-36 be amended by deleting Clause 4.

Motion No. 7

That Bill C-36 be amended by deleting Clause 5.

Motion No. 8

That Bill C-36 be amended by deleting Clause 6.

Motion No. 9

That Bill C-36 be amended by deleting Clause 7.

Government Orders

Motion No. 10

That Bill C-36 be amended by deleting Clause 8.

Motion No. 11

That Bill C-36 be amended by deleting Clause 9.

Motion No. 12

That Bill C-36 be amended by deleting Clause 10.

Motion No. 13

That Bill C-36 be amended by deleting Clause 11.

Motion No. 14

That Bill C-36 be amended by deleting Clause 12.

Motion No. 15

That Bill C-36 be amended by deleting Clause 13.

Motion No. 16

That Bill C-36 be amended by deleting Clause 14.

Motion No. 17

That Bill C-36 be amended by deleting Clause 15.

Motion No. 18

That Bill C-36 be amended by deleting Clause 16.

Motion No. 19

That Bill C-36 be amended by deleting Clause 17.

Motion No. 20

That Bill C-36 be amended by deleting Clause 18.

Motion No. 21

That Bill C-36 be amended by deleting Clause 19.

Motion No. 22

That Bill C-36 be amended by deleting Clause 20.

Motion No. 23

That Bill C-36 be amended by deleting Clause 21.

Motion No. 24

That Bill C-36 be amended by deleting Clause 22.

Motion No. 25

That Bill C-36 be amended by deleting Clause 23.

Motion No. 26

That Bill C-36 be amended by deleting Clause 24.

Motion No. 27

That Bill C-36 be amended by deleting Clause 25.

Motion No. 28

That Bill C-36 be amended by deleting Clause 26.

Motion No. 29

That Bill C-36 be amended by deleting Clause 27.

Motion No. 30

That Bill C-36 be amended by deleting Clause 28.

Motion No. 31

That Bill C-36 be amended by deleting Clause 29.

Motion No. 32

That Bill C-36 be amended by deleting Clause 30.

Motion No. 33

That Bill C-36 be amended by deleting Clause 31.

Motion No. 34

That Bill C-36 be amended by deleting Clause 32.

Motion No. 35

That Bill C-36 be amended by deleting Clause 33.

Motion No. 36

That Bill C-36 be amended by deleting Clause 34.

Motion No. 37

That Bill C-36 be amended by deleting Clause 35.

Motion No. 38

That Bill C-36 be amended by deleting Clause 36.

Motion No. 39

Government Orders

That Bill C-36 be amended by deleting Clause 37.
Motion No. 40

That Bill C-36 be amended by deleting Clause 38.
Motion No. 41

That Bill C-36 be amended by deleting Clause 39.
Motion No. 42

That Bill C-36 be amended by deleting Clause 40.
Motion No. 43

That Bill C-36 be amended by deleting Clause 41.
Motion No. 44

That Bill C-36 be amended by deleting Clause 42.
Motion No. 45

That Bill C-36 be amended by deleting Clause 43.
Motion No. 46

That Bill C-36 be amended by deleting Clause 44.
Motion No. 47

That Bill C-36 be amended by deleting Clause 45.
Motion No. 48

That Bill C-36 be amended by deleting Clause 45.1.
Motion No. 49

That Bill C-36 be amended by deleting Clause 46.
Motion No. 50

That Bill C-36 be amended by deleting Clause 47.
Motion No. 51

That Bill C-36 be amended by deleting Clause 48.
Motion No. 52

That Bill C-36 be amended by deleting Clause 49.

She said: Mr. Speaker, it is rare, and members of the House will know it, standing as the leader of the Green Party of Canada and member of Parliament for Saanich—Gulf Islands, that I have not availed myself of the opportunity to present amendments at committee stage under new rules that were adopted last fall. I have objected to the opportunity because it has not amounted to a real chance to amend legislation.

Nevertheless, on bills that I find disturbing, I have gone to every committee with amendments of a substantive nature. In the case of Bill C-36, I found I could not find a way to amend the bill in a way that would actually fix it. That is why, Mr. Speaker, I appreciate that you have now read out attempts to delete the entire bill based on it being unfixable.

How do we find ourselves here? As we all know, the Supreme Court of Canada ruled in the Bedford decision that our existing laws relating to prostitution were unconstitutional as they violated the Charter of Rights and Freedoms.

[*Translation*]

Section 7 of the Canadian Charter of Rights and Freedoms is an important sentence that constitutes a fundamental principle for all Canadians: “Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.”

In the Bedford case, the Supreme Court determined that Canadian laws and the Criminal Code are inconsistent with this section of the Canadian Charter of Rights and Freedoms with respect to sex workers who are threatened by current Canadian laws.

● (1220)

[*English*]

With the Supreme Court saying that our laws relating to prostitution did not adequately protect the rights of security of the person for people who found themselves in this very marginalized and difficult place in their lives and that they were even more marginalized, even more stigmatized and driven into the shadows by the status of laws over prostitution in Canada, it was up to us, as Parliament, to come up with an approach that would respect, would protect and would ensure that people in the sex trade industry were not driven into the shadows.

After Bedford, I thought we would see a response from Parliament, a response from the Minister of Justice, that took into account the message from the Supreme Court of Canada.

Ironically, earlier this morning, I attended an international symposium on the subject of gender violence and health. The symposium is taking place a few blocks from here, at the Novotel, on Nicholas Street. Researchers from across Canada are presenting research on this topic, with people from around the world. It is a collaborative social science project in Canada on gender violence and health. It was funded by the Canadian Institutes of Health Research.

I was able to stay long enough, before coming here to debate Bill C-36, to hear the preliminary findings of that work being done across Canada. I was pleased to see that members from my own part of the world, from University of Victoria and from the city of Victoria Police Department had all participated in this work.

Their area of research was restricted to people in the sex trade industry who were over 19 and who were not part of the quite horrific trafficking in people who did not have rights. I want to make it really clear that in the Green Party's stance against Bill C-36, we believe the full measure of the law should be used to crack down on anyone who is exploiting minors and people in sex trafficking. We believe laws in that area must be strengthened and that the laws are adequate, even as they now stand, to differentiate the situations between prostitution, in general, and this group of exploited workers under 19 who are trafficked internationally and lack the rights they should have under the law.

Research has been done that is being reported on just today, as I mentioned. It was funded by the Canadian Institutes of Health Research. It was collaborative work done in six different cities across Canada by some of our best social science researchers, who examined the lives of sex trade workers who were not under the age of 19 or involved in human trafficking.

What the institute found as a foundational piece of information in early research is intuitive and is what the Supreme Court of Canada understood. It is that any laws that are punitive in nature, anything that in our social context that would further stigmatize sex trade work, means that the people conducting themselves in that work are more vulnerable and are less able to access the supports and protections found in our society.

Government Orders

The Supreme Court of Canada decision made it clear what Parliament needed to do: Parliament needed to find a way to ensure that people in the sex trade industry were not driven into the shadows and were not further stigmatized.

This is a tragedy, because we are talking about people's lives. We are not just talking about slogans for election campaigns or going for some sort of core vote from Conservative Party supporters. This issue transcends partisanship. This is about Parliament being asked by the Supreme Court of Canada to ensure that section 7 of the Canadian Charter of Rights and Freedoms is respected when we bring forth laws that deal with prostitution.

On that fundamental requirement for our laws, Bill C-36 stands as a singular failure. It would absolutely not make the life of sex trade workers more secure. It goes in the wrong direction. As numerous legal commentators have noted, this law would make the sex trade more dangerous.

Just to give a sense of why that is, I would like to quote comments made by the Minister of Justice at a press conference on the day that Bill C-36 was tabled back in June. I am going to quote from an exchange that he had with a reporter.

The Minister of Justice said:

Some prostitutes we know are younger than 18 years of age. If they are in the presence of one another at 3:00 in the morning and are selling sexual services, they would be subject to arrest.

A reporter then asked:

That would still be considered a criminal offence?

The response from the Minister of Justice was:

That's correct. They're selling it in the presence of a minor.

The reporter said:

Okay, so if two 17-year-old prostitutes are standing side by side in the middle of the night in what is considered a public place, they will be committing an offence.

The response by the Minister of Justice:

And selling sex, yes.

A reporter said:

That's effectively making them stay on their own and endangering furthering their own security.

The Minister of Justice:

Not at all. We're not making them do anything. We're not forcing them to sell sex.

That is a response in the absence of reality. If we are to take the Supreme Court's decision in the Bedford case seriously, then we should do everything possible to allow people in the sex trade industry to be with each other, to be near each other, to be protecting each other. There is a distinction between being on the street and indoor sex work. Anything that drives people in the sex trade industry onto the street and into the shadows is going to make their lives more dangerous.

This goes to the next piece of Bill C-36, which is likely unconstitutional: banning advertisement for sexual services and banning communicating for the purchasing of sex in particular.

Bill C-36 states that all of it would be illegal unless the sex trade workers are communicating directly. In other words, publishing their ads would be illegal. This again would force a prostitute to lose the

intermediary. It would force the sex trade worker to lose the possibility of some form of screening, some way of ensuring they are not face-to-face in the shadows negotiating their situation. It would make their lives much more dangerous.

The decision in Bedford gave us guidance on this issue. The court said in Bedford:

By prohibiting communicating in public for the purpose of prostitution, the law prevents prostitutes from screening clients and setting terms for the use of condoms or safe houses. In these ways, it significantly increases the risks they face.

Bill C-36 is written as though the Supreme Court of Canada has given us no guidance, as though we are blundering around not imagining the narrowness of the ways in which communicating or advertising would remain legal in Canada.

• (1225)

It is as though the Bedford decision gave us no guidance, because what they have come up with is aimed at a new offence of advertising sexual services and is undoubtedly going to make life more dangerous for sex trade workers.

I could go on and on, but I know my time is at an end.

[*Translation*]

I just want to say that this law will only make the lives of hundreds of sex workers more difficult and more dangerous.

[*English*]

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, the member went on at some length to talk about specific provisions in the bill what would restrict prostitutes from communicating in a public place for the purpose of prostitution. Apparently she does not know that there was an amendment proposed and passed at the House justice committee on that very point that would restrict the communication in a public place provision to the schoolyard, the playground, and the daycare centre. I wonder if she could tell the House if she thinks it is a good idea that prostitutes be allowed, and perhaps encouraged, to communicate for the purposes of prostitution in those three places?

Ms. Elizabeth May: Mr. Speaker, of course I am aware of amendments that were passed. In the judgment of many within the legal profession, the British Columbia Civil Liberties Association among others, while this change would narrow the scope, it remains a section of the law that would clearly not survive a charter challenge.

The use of daycares and preschools and so on is designed to create electioneering and slogans and does not pay attention to ensuring that the laws we pass in this place are constitutional.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I thank my Green Party colleague.

I am very happy to be part of the committee that studied Bill C-36 very closely. Several amendments were proposed, and many of them were ruled in order.

Government Orders

There was a debate about the amendments. Clearly, the government had no interest in accepting them, but the resulting debates were interesting. With a little good will, committee members could have mitigated the potentially negative impact of the bill as written by the government.

• (1230)

[English]

At the beginning of her speech, my colleague from the Green Party said that she thought the minister would have presented something that would have been in answer to the Bedford ruling, so I would like to ask the hon. member what, in her opinion, would have been the proper answer to that ruling.

Ms. Elizabeth May: Mr. Speaker, I would like to thank the hon. justice critic for the official opposition, who has done such strong work in so many areas of law in the country.

I and the Green Party think the kind of law we need is probably found most closely in the New Zealand law. I expected, by the way, to see something closer to what is described as the Nordic model. I did not expect to see so many areas in Bill C-36 that would criminalize behaviour in ways that would increase the risk for people in the sex trade industry.

However, having studied the Nordic model and the New Zealand model, we prefer the law that goes furthest in ensuring that the activities in the sex trade industry lose their stigma. We should be able to say that someone in the sex trade industry or someone who works for them—in, for example, security or scheduling or health care—is not stigmatized. Then we can concentrate on people who are in the sex trade because of addiction problems, or on those under 19, or on foreign workers. God help us; what a horrific case there is of sex trafficking and human trafficking. We should focus on those and eliminate them.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I was a participant in the justice committee hearings on the bill over the summer, when we heard from over 60 witnesses.

There was a consensus on three points. One was that the \$20 million that has been set aside for an exit program was inadequate. The second was that all of those who were trained in the law, except for the Minister of Justice and those in his employ, felt that all or some of the bill was unconstitutional. The third point was that those involved in the sex trade should not be criminalized. Probably the best suggestion we heard during the course of the testimony was that those who are carrying a criminal record as a result of the unconstitutional law should be given an immunity.

My question for the member is this: what does she think of that immunity suggestion, which was rejected by the Conservatives? Also, does she have any comments with respect to the stigmatization associated with a criminal record as a result of being in the sex trade?

Ms. Elizabeth May: Mr. Speaker, first I want to commend the hon. member for Charlottetown. I thought his speech at second reading on this bill was the best that anyone delivered in comparing the Canadian laws on prostitution with a made-in-Moscow version for Canada.

I agree that when the law is unconstitutional, we need to look at immunity. As much as all of us have our own personal views that

come from our own religious or moral context or backgrounds, the bottom line is that people's lives are at risk. Who are we as Canadians to turn our backs on them?

Hon. Michelle Rempel (Minister of State (Western Economic Diversification), CPC): Mr. Speaker, what was just said aside, there is something that has not been adequately debated in this House, and that is using the statement “what two consenting adults do between them is not the state's concern” as an underpinning to argue that the asymmetrical criminalization that has been put forward through this bill is not an adequate response to the Bedford ruling.

That is because the concept of sexual consent is at the heart of the statement. Our Criminal Code provides a standard definition for “sex without consent” under section 273.1. Some of the provisions include:

(a) the agreement is expressed by the words or conduct of a person other than the complainant; (b) the complainant is incapable of consenting to the activity;

There are other provisions.

Through case law, we have seen that a sexual assault offence is established by the proof of three elements: touching, the sexual nature of the content, and the absence of consent.

Furthermore, case law has shown that the absence of consent is subjective by reference to the complainant's internal state of mind towards the touching at the time it occurred.

Beyond this criminal definition of sexual consent is the work that groups involved with prevention of sexual assault have been doing to educate the public on the relationship between knowing and celebrating one's sexuality in order to define the boundaries of consent.

I had a transformational moment last week. I had a chance to speak with Elsbeth Mehrer of the YWCA of Calgary. I asked her, “What do you define as sexual consent?” She talked about an enthusiastic response that is exhibited by both parties.

I am also very proud of the work of the University of Calgary's consent, awareness, and sexual education club. They ran a “Consent is Sweet” campaign to bring this more accurate, in my opinion, concept of sexual consent to their student body.

Since time immemorial, empowered, educated, enthusiastic sexuality, particularly female sexuality, has been written into literature, social mores, and religious practice as an evil, something to be avoided for fear of ripping the very fabric of society. It has only been in very recent decades that western culture, particularly through the feminist movement, has enshrined a new view of consent into our consciousness, yet we still struggle to protect this, from “rapey” chants at frosh week to requests for female airport security officers to be segregated. We as a culture are still challenged with the full acceptance of empowered, equitable sexuality.

Furthermore, at the heart of this new notion of sexual consent is the concept of equality, the concept that all parties are in equilibrium from a power dynamic perspective.

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I feel that as such, the “what two consenting adults do” argument is flawed, as there is an overwhelming burden of proof that a large majority of sex workers are not in an equitable position.

Be it a young worker who entered into the trade before having an opportunity to define what an enthusiastic response means in terms of their own sexuality, workers who are selling out of desperation to make the rent, to support substance abuse, to support their children or any other determinant of poverty, or workers who are suffering from mental health issues, there is not equality in the power balance between the parties. In most such situations, I would argue that true sexual consent, this enthusiasm that Elsbeth speaks about and that we are striving as a culture to enshrine, is difficult to achieve.

In demonstrating this, several studies based on surveys or anecdotal evidence from sex worker advocates and service providers suggest that the prevalence of sexual assault in the sex industry is high, particularly in the case of street-level workers.

A 2005 Vancouver study said that 78% of these workers had been raped in prostitution. Studies carried in the mid-1990s by the Department of Justice showed that physical and sexual assaults on prostitutes were commonly carried out by clients, pimps, or boyfriends.

In 2003, the Australian Centre for the Study of Sexual Assault published a briefing entitled “What lies behind the hidden figure of sexual assault? Issues of prevalence and disclosure”. It discusses the notion that women working in the sex industry are at a greater risk of sexual violence. The paper also briefly provides information about the treatment of sex workers by the courts and the judiciary in sexual assault cases.

We know that sexual assault is under-reported in general, I believe even more so in the case of sex workers. One of the issues raised in response to sex workers not reporting sexual assault is that they are afraid of being charged with prostitution-related offences as a result of making a statement. They also indicate that being exposed as a sex worker to friends and family is another reason to not report the incident to the police.

• (1235)

When we look at case law, defence strategies generally consist of attacking the credibility of the victim. I looked at some case law involving prostitutes, from 2004 to 2014, and these were some of the defence strategies:

The complainant consented on previous and future occasions.

The complainant is a drug addict and was under the influence when the sexual activities took place, suffers from depression, or cannot recollect the events due to memory lapses.

The complainant continued to work as a prostitute for many years after the event; therefore, she consented to the activity and was not traumatized.

How do these defences demonstrate our culture's acceptance of the value of full, enthusiastic, empowered sexual consent?

In the research completed for me by the Library of Parliament, several court cases showed the difficulty of defining consent in the context of case work. In *R. v. House*, *R. v. Dyck*, *R. v. Lumsden*, and

R. v. Jakeer, the courts noticed that sex workers are particularly vulnerable and are entitled to the full measure of protection of the law, as is any other person. The review of cases tended to show that there was no general trend of the judicial interpretation of consent by sex workers. In this context, it seems that the consent of prostitutes is determined by the courts on a case-by-case basis.

I would like to read part of a ruling from the Ontario Court of Justice in relation to sexual assault with a sex worker.

In the circumstances of this case, although I am prepared to accept that she may have had grave misgivings and was in fact not consenting; her words and actions were such that a reasonable person might have an honest but mistaken belief as to her consent. She got into the car, asked for the money agreed upon and then apparently willingly complied with the sexual requests of these young men. I do not agree with the Crown's submission that the young men had any obligation to ask her if she was consenting to sexual contact when they entered the car. It was reasonable for them to assume that she was consenting when she met them with a request for the \$30 fee before engaging in sexual activity and never by word or action indicated that she was not consenting to continue. Surely it is not the law that a client of a prostitute has to continually ask whether the acts engaged in are consensual....

I wish I had time to read this whole ruling because given rulings like this, websites which rate sex workers include comments like, “She didn't look at me when we were doing it” and “She cried a bit halfway through.”

I am not of the view that any person has a God-given right to have access to the purchase of sex or that the purchase of sex should in and of itself define sexual consent. To protect sex workers in this country, we need to stop and acknowledge that this is a fundamental flaw in any argument for the legalization of prostitution. By legalizing prostitution, we would degrade a hard-fought cultural understanding of the worth of humans and our sexuality, and make it harder for the victims of sexual assault, even those who are sex workers, to seek recompense and heal.

However, this is not to say that sex workers are in every instance incapable of giving consent. In contrast, by adopting Bill C-36 and the related funding we have announced, our country acknowledges we have the right to consent over what we choose to do with our bodies but that the burden of proof is overwhelming and shows that the majority of sex workers are degraded, assaulted, and abused. As such, we as a society and a nation recognize that the purchase of sexual services is an action we believe is criminal.

In the committee hearings, one of the witnesses spoke to the asymmetrical provisions and asked where it is that you can purchase something legally but not buy it legally, and why don't we do that with booze?

Well, a bottle of booze is not a human being. I believe that in order for us to show that we as a country have moved beyond a very limited range of sexual consent and that we as a culture believe in an empowered, willing, enthusiastic sexual consent definition, this proposed law needs to be adopted.

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• (1240)

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I thank my hon. colleague across the way.

I would like to get some answers to some very specific questions. On the one hand, I would like to know whether the member thinks that this is a way to make prostitution illegal. Is prostitution illegal in Canada? If the answer is yes, she no longer has to answer the rest of my questions. If the answer is no, without hearing any comparisons to alcohol, I am still trying to understand how purchasing something can be a crime but selling it is not.

While keeping in mind the current Criminal Code provisions on human trafficking and exploitation, which still exist without the three small clauses in question that were addressed by the Supreme Court of Canada, if the police have not been capable of doing the job when it comes to the exploitation of women who are in this business against their will, why does the member think that sex workers will be any safer with Bill C-36? Does she agree with the \$20 million sum, when everyone else is saying that that is completely ridiculous?

[*English*]

Hon. Michelle Rempel: Mr. Speaker, I thank my colleague for this question because I think it is at the heart of this debate. How can that asymmetry protect sex workers, and why have we approached it? It is as simple as this: the Criminal Code in Canada is a statement of what behaviour we in this country believe is acceptable and what we think is criminal.

Given the burden of proof that shows sex workers are for the most part subjected to abuse, sexual assault, and so on, we are acknowledging that the purchase of sexual services is a determinant to the outcome we do not want to see happen. Therefore, we are putting that into law. We are saying, as a country, that the action of purchasing sexual services is not acceptable and is a determinant to causing abuse.

On the other hand, we acknowledge that humans have a right to choose what they will do with their body. Through social programming, we support people exiting the trade.

• (1245)

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, one of the things the minister said was an impediment to those involved in the sex trade reporting sexual assaults is the fear of being charged with a prostitution-related offence. This bill would not fix that. Those involved in the sex trade would still be subject to criminal prosecution and to a criminal record for communicating in certain circumstances.

Given that is one of the concerns that the minister has, would she agree with all of the evidence we heard at committee with respect to the criminalization of those in the trade?

I would also repeat the question offered by the member for Gatineau with respect to the adequacy of the \$20 million that has been set aside for exit programs. What are the minister's views on that?

Hon. Michelle Rempel: Mr. Speaker, again, the point I was trying to make in my speech was that we have difficulty both in getting sex workers to report incidents of sexual assault and then convictions.

We need to say there is an issue in obtaining consent in a sex trade transaction. Boundaries can be broken quite easily, and then the person who is being assaulted is in the position of trying to show the burden of proof that this did occur.

By saying that we as a country do not support the purchase of sexual services and it is illegal, we are going to help raise awareness that sexual assault does occur in these situations. That was the point I was trying to make in my speech.

With regard to social programming, I fully believe that in order to assist sex workers who find themselves in the trade out of desperation or poverty that we have an onus as parliamentarians to ensure there is adequate programming available. It is not just about the \$20 million; it is also about the myriad of other support services that we fund through government. We have increased transfer payments to the provinces for education and health care to record levels. We have all sorts of different employment services. I could speak at length just on that. Do we need to ensure that they are adequate and working? Yes, we do.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, some moments in our careers take on a certain importance because of the wide-reaching consequences of the decision we have to make. Since Bill C-36 was introduced, and in fact since the Supreme Court rendered its decision in the Bedford case, we knew that something was coming. I believe that everyone with an interest in this issue, on both sides, was contacted for consultation purposes. Whether it was stakeholders at all levels, sex trade workers, feminist groups that are opposed to the sex trade, or legal and constitutional experts, we met with almost everyone in Canada.

The approach I recommended on behalf of the NDP was to be as open-minded as possible. Everyone has their own perceptions and experiences, everyone was raised in a certain way, and so on. We are therefore trying not to let those views take on a life of their own and influence us. I was hoping that the government would do the same, because obviously, that is what I would expect from any justice minister and Attorney General of Canada. That office holder has an obligation to introduce constitutional laws. We all know that law is not an exact science, so I am not asking for a 100% guarantee. However, some things hit us right between the eyes and make us realize that a particularly obvious problem is being created.

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In any case, it has become quite obvious. The minister, who spoke just before me, mentioned \$20 million in social transfers. For me, such transfers are an indication of good faith and a firm conviction in the measure that is being put forward. We heard from many people in committee. I counted some 75 witnesses. All of them, whether they were for or against Bill C-36, were unanimous in saying that \$20 million over five years was a joke. Take for example the Manitoba justice minister. He talked about this problem in his province. We know that there is a serious problem in Manitoba with regard to forced prostitution and that it affects many aboriginal women. Poverty is a major issue here. This is an even bigger problem across the nation. Given the magnitude of the problem, \$20 million over five years is a joke.

I will not get into all the arguments I will surely hear from my colleagues across the way to the effect that this is a start. If the Conservatives are serious and want as many people as possible on their side, they must show how serious they are with action. When the minister presented his bill at a press conference, it seemed like an afterthought. That really bothers me, because the Conservatives lack credibility in what they do.

Some of their other tactics also undermine their credibility and scare me even more. I am talking about online consultations. I was not born yesterday. I know that claiming to have consulted everyone around and saying that everyone agrees is the oldest trick in the book for a government that wants to get its way. The government has every right to do that, and I would even say it is a good idea. I am all for consultations. I too consulted the people of Gatineau a number of times to find what they thought of all this in order to be sure that the position of the member for Gatineau and the position of the official opposition justice critic sat well with the people she represents. Above all else, the most important thing to me is being the member for Gatineau and representing my constituents. The people told me that I was on the right track.

At committee stage, when we were studying this bill, we asked the minister if we could see the results of this grand online consultation. We knew the results were available, and we wanted to see all the details and the poll paid for by Canadian taxpayers. There was some indication that the results did not say exactly what the government was suggesting.

• (1250)

I will not describe the answers received, as I would be kicked out of the House of Commons. Some were simply unacceptable, such as when I was told that I would receive a response in due course. For the government, that meant when the committee finished studying the matter. The important information is conspicuous for its absence. For me, that is an indication of the government's lack of transparency on such volatile issues as safety. In fact, that is an aspect that has been virtually eliminated.

I referred to 75 witnesses, but we should not get excited and imagine that the study was uncommonly thorough. The study was done fairly quickly. In fact, it took place over a very short period of time and each intervenor had very little time. In total, five minutes were allocated for putting questions to constitutional experts, probably lawyers, who are one hundred times smarter than I am on this issue, to get a true sense of what is happening. Fortunately,

we had done a large part of the work beforehand and during the study. We will continue working on this and trying to make the government understand that it is on the wrong track.

We presented amendments because that is what the job of all opposition parties, but especially that of the official opposition. As I said earlier, most of the amendments were deemed to be in order. Thus, they could have been debated and would have improved a bill that is indeed very harsh.

I was proud to propose an amendment, on behalf of the NDP, that would have prevented victims from having a criminal record. The Conservative government is always talking about sex workers as victims. If they are victims, their criminal record should be erased. Someone cannot be both a victim and a criminal. However, since there is nothing the Conservatives cannot do, they achieved the amazing feat of declaring these people to be victims and, at the same time, criminalizing them so that they are stuck with a criminal record.

Simple amendments like that would have given them the opportunity to put their money where their mouth is. They refused. Amendments to reflect what all kinds of witnesses came to tell us were refused. These witnesses told us that extreme poverty and addiction are two of the major problems that lead people into prostitution. We tried to propose an amendment.

Aside from the phrase "...in response to...Bedford...", there is nothing to show that this bill is truly a response to what the Supreme Court told us, which is that this is a serious problem. This is nowhere to be seen in the bill's preamble. There is no mention of it. Three sections were rejected by the Supreme Court, on the grounds that they were infringing on the right to security and to life. That is not insignificant. The bill needs to be evaluated from that perspective.

I proposed an amendment on behalf of the NDP. The Conservatives claim that they are going to eradicate prostitution. There could be a study every two years. Every year, the minister would have the opportunity to share with the House the details of what was done, of what was spent by whom and so on. No, once again, transparency is noticeably absent from the Conservative ranks.

To conclude, I would simply like to point out that the government was under no obligation to come back with Bill C-36. The Supreme Court of Canada was very clear: The question under section 7 is whether anyone's life, liberty or security of the person has been denied by a law that is inherently bad; a grossly disproportionate, overboard, or arbitrary effect on one person is sufficient to establish a breach of section 7.

The Supreme Court concluded that this does not mean that Parliament is precluded from imposing limits on where and how prostitution may be conducted, as long as it does so in a way that does not infringe the constitutional rights of prostitutes. We have been told that it will infringe on their rights. It is a delicate topic, and it is up to Parliament to take the necessary steps, should it choose to do so. There is therefore no obligation.

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• (1255)

Stop saying that the Bedford ruling is behind Bill C-36, that there was no other choice and that there had to be a full-scale study because there would have been problems otherwise. I would not want to take the blame for the consequences this bill will have on many people. Do not forget that anything labelled “human trafficking” and “exploitation” is still part of the Criminal Code, which protects women and other victims of these crimes.

[English]

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I would like to thank my friend, the NDP justice critic, for her contribution and participation in the House of Commons justice committee review over the summer.

I note that in her speech today, and at other opportunities, she mentioned that she did not understand how something could be illegal to purchase but not to sell. I would remind her that when the bill was introduced, the Minister of Justice said quite clearly that for the first time in Canada, prostitution would be made illegal by this bill.

The bill would provide an exemption to the persons who would sell their services, because, in the view of the government, we see them as primarily victims. The Minister of State for Western Economic Diversification made a good speech earlier about consent and how many people in this business were really not in a position to give consent because they were forced by their circumstances to do this.

What I want to ask her very succinctly is this. If her party were to propose a bill, would it make the purchase of sexual services of another person illegal?

• (1300)

[Translation]

Ms. Françoise Boivin: Mr. Speaker, I find this debate somewhat uninspiring. In saying that it has created an exemption, the government is avoiding saying what it cannot legally say. It cannot legally say that prostitution is illegal in Canada. That is what I believe based on information that I myself received from some of this country's leading constitutional experts. Before I began my speech, the minister talked about how all people have the right to do what they want with their body. We subscribe to that principle with respect to abortion, the right to choose and so on. We have to apply that logic to everything, like it or not. It does not matter if it is not the way I am raising my girls. Our Constitution and our Charter of Rights and Freedoms dictate the kind of society we want. It is not up to me to tell people what to do.

When we asked them to clearly state the basis of their intent to make prostitution illegal, they objected to that kind of amendment.

If they want to know what we intend to do, I can say that we will show them when we take power in 2015.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I would like to ask the member for Gatineau a question about the amendments that were presented in committee. She put forward several amendments, and all but one were rejected.

[English]

My question is with respect to the only amendment that the government saw fit to accept from the official opposition over the course of the summer, and that amendment called for an automatic review of this bill after five years.

Given the numerous constitutional concerns that have been expressed, given the inevitable charter challenge that awaits, is it not really a pyrrhic victory, the passing of this amendment five years down the road? Will we not be well into the litigation process or have already passed the amendment process by the time this has any effect?

[Translation]

Ms. Françoise Boivin: Mr. Speaker, I doubt that the hon. member heard that from me. I did not leave the committee jumping for joy because one of my amendments had been adopted. I think this is the same as a rejection. What we were asking for is that this be done in the first two years. That seemed perfectly reasonable to us, especially considering that the Conservatives rejected our even more important amendment. It sought to provide members of the House with key statistics such as where the money was spent, how many people managed to get out of the trade and how many people ended up trapped in the trade, in order to see how far the government managed to get with its so-called eradication of prostitution.

I think that five years from now, we will not even see this review of the act itself, given the fact that the issue will likely end up in court. However, when we look at the Bedford case and the time it took for a final ruling by the Supreme Court, I am not sure that we will have a final ruling. However, I am sure that we will no longer have a Conservative government, and it will be part of our job at that point to review many laws to ensure that we are adhering to the principles set out in the Bedford ruling.

[English]

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I rise in the House today to speak to Bill C-36 at report stage. I stated in the last session that the bill would likely be unconstitutional. This was confirmed by virtually all of the legal witnesses who testified at committee with the exception of the minister and those employed by his department.

Let there be no doubt that this unconstitutional bill will pass the House because the Conservatives hold a majority of the seats in the House. Once it has completed its perfunctory process here at report stage and then third reading, the legislation will proceed to the Senate. That chamber is also controlled by the Conservative majority, and it was decided that it would undertake a pre-study of the bill, meaning that even before the legislation is passed in the House, the Senate Conservatives were holding hearings. Senator Linda Frum was quoted in the media today confirming that any changes to the bill were highly unlikely.

Please allow me to provide an overview of what has transpired with the issue of prostitution, including an overview of the legislative process to date.

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As it currently stands, prostitution is legal in Canada and has been since 1892 when the Criminal Code was first enacted. It was the activities surrounding prostitution that were illegal until the Supreme Court ruling in Bedford. Specifically, the Criminal Code outlined communicating in public for the purpose of prostitution, living on the avails of prostitution and operating a common bawdy house, otherwise known as a brothel.

By way of background, it is critical to reference the famous Bedford case, the reason we are here today. In its landmark court case, a group of sex workers brought forth a charter challenge arguing that those three aforementioned provisions of the Criminal Code put, in the view of sex workers, their safety and security at risk, thereby violating their charter rights. In its landmark decision last December, the Supreme Court of Canada agreed with those sex workers and struck down those three Criminal Code provisions, determining that they violated section 7 of the charter, which protects life, liberty and security of the person.

The Supreme Court suspended the ruling from coming into force for a period of one year to give Parliament the opportunity to enact new legislation if it chose to do so. This past June, the Attorney General introduced Bill C-36, a legislative response to the Supreme Court's ruling.

As I have stated, prior to the committee hearings in July, I share the consensus view of legal commentators who strongly believe Bill C-36 is unconstitutional in whole or in part. I do not believe the legislation complies with the Supreme Court ruling. Nor do I believe it complies with the charter. Furthermore, I indicated that the legislation might very well put sex workers at a greater risk of harm or worse.

The Conservatives claimed that they consulted widely about the bill without providing evidence of these consultations. They further claimed that they checked that Bill C-36 was charter compliant, again, without producing evidence in the form of legal opinion despite repeated requests.

The Conservatives rejected a request to refer the question of the bill's constitutionality to the Supreme Court of Canada. They claim to have relied upon evidence in the form of an online survey of Canadians. This survey is really a pretty obvious effort to provide cover from the inevitable critique that they once again defaulted to ideology in crafting the bill. This survey is passed off as evidence by Conservatives.

The Conservatives fail to mention how unscientific online surveys are, especially when the possibility of organized interest groups target the survey in order to skew the results. Is this really what Canadians want from their government, conducting surveys with inherent flaws as the basis for making serious changes in law, or even more worrisome, as the basis of responding to a Supreme Court's decision? Yet we have the spectacle of the Minister of Justice waving around this survey as some sort of conclusive evidence of the current thinking of Canadians.

● (1305)

Then there is the \$175,000 Ipsos Reid poll the government commissioned seeking the actual views of Canadians about prostitution. Time and again, the Liberal Party and my colleagues

in the official opposition called on government to release that poll, a real poll, to Canadians and to do so before the parliamentary hearings, held this past July. The minister steadfastly opposed releasing the contents of that poll, despite the fact that the information contained might have been helpful to the justice committee's deliberations. In fact, at committee, when questioned about releasing the data from the poll, the only substantive comment came from a Department of Justice official, who said the poll contained useful information in crafting the bill.

Let us recap again. The Conservatives create a ruse. They create a scientifically unreliable website-based survey and use that as evidence. At the same time, they have in their possession actual evidence from their Ipsos Reid poll, evidence that they refuse to release to Parliament or to MPs serving on the justice committee. At the parliamentary hearings last July, I asked the minister about this poll and why he would not release that evidence. Allow me to highlight the exchange because most members would not be familiar with some of the exchanges at committee.

Here is an excerpt from the official parliamentary record of that exchange.

I asked the minister:

I want to come back to [the member for Gatineau's] question with respect to the \$175,000 survey or poll that was done by Ipsos Reid. You have indicated that we're going to be able to see it once these hearings are over. Mr. Minister, you have the power to allow us to see that sooner, do you not?

The Minister responded:

The survey itself was not particular to this question of prostitution only, and so there is a normal six-month time period that is invoked for when that polling information will be released. I should note for the record...that you're aware there have been other surveys done and other polling information available that has been released or is in the public domain.

I asked:

Mr. Minister, do you have the power to abridge the time in which we see this \$175,000 Ipsos Reid survey? Do you have the power to give that to us before we examine all these witnesses?

The Minister responded:

There is a six-month timeframe that we will respect.

I persisted:

So you have the power, but you're deciding not to exercise it?

He responded:

I didn't say that. I said we'll respect the six-month timeframe.

I asked him:

Do you have the power to abridge it?

He said:

We'll release it when the six-month timeframe is up.

I said:

Is that a yes or a no?

He said:

We'll release it when the six-month timeframe is up...

I asked him again:

You won't tell me whether or not you have the power to abridge it, but if you do, you're not going to exercise it.

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He responded:

What I'm telling you is that you'll have the information when the six-month period is up.

There it is: Conservative obstruction in full view. The Minister of Justice repeatedly refused to release that evidence before the justice committee, evidence he knew completely contradicted the government's line about Canadians' views on prostitution. We can only conclude that information, that evidence, was purposely withheld from Parliament and concealed from MPs serving on the justice committee. It was withheld because that evidence tore a gaping hole in their false narrative.

We now know that shortly after the parliamentary hearings on Bill C-36 were completed, some brave whistle-blower leaked the contents of the Ipsos Reid poll to the *Toronto Star*. It is very clear why the Conservatives did not want the Ipsos Reid poll made public. Contrary to the misinformation of the Conservatives, the evidence in the poll suggested Canadians were very much split on the subject.

As I have said before, the Conservatives are entitled to their own ideology and their own opinions. They are not, however, entitled to their own facts. Withholding key evidence from the committee was deliberate, and that should trouble any Canadian who values honesty and integrity regardless of what side of the prostitution debate she or he may fall on.

I will leave it at that for now. I look forward to the third-reading debate, where I will go over and highlight what the justice committee heard at our hearings in July.

• (1310)

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I would like to thank the Liberal justice critic for his speech and for his participation in the House of Commons justice committee proceedings this summer.

First, I would like to respond to something he mentioned in his speech. He said no lawyers, other than government lawyers, confirmed the constitutionality of Bill C-36. That is not true. Professor Benedet of UBC, one of Canada's foremost constitutional law experts, certainly did confirm that it was constitutional, as did several other lawyers. If he has forgotten, I would be happy to share the transcript of the parliamentary committee's work with him.

My question, though, for him is the same question I proposed to the NDP, which responded, when asked what it would do, that it will wait and find out. We do not know what either of these parties would do with respect to prostitution. What is the Liberal Party's position? Would it propose a bill to make the purchase of the sexual services of another person illegal in Canada?

• (1315)

Mr. Sean Casey: Mr. Speaker, I will take the parliamentary secretary up on his offer of showing me where Professor Benedet indicated that the bill was constitutional. I was at the hearings. I listened very carefully to Professor Benedet, so if he has a transcript, then I will stand corrected.

In fact, the only lawyer, the only person with legal training, who testified at committee that they felt the bill was constitutional was one who represented the Evangelical Fellowship of Canada, and that lawyer was contradicted by her own client. The other lawyers who

indicated that the bill was constitutional were the Minister of Justice or those in his employ. Therefore, I will take him up on his offer, if that is not the case, absolutely.

As to the Liberal Party's position with respect to prostitution in Canada, we believe that the government should have passed a bill that complied with Bedford, that complied with the Charter of Rights and Freedoms, and that protected the vulnerable. It did none of the above.

Mr. Bruce Hyer (Thunder Bay—Superior North, GP): Mr. Speaker, the majority of my constituents have indicated to me, by email and in person, that they believe that biological and pragmatic, and even political, reality as well as human nature indicate that we should legalize it, tax it, and regulate it. The bill, obviously, would make things worse, in terms of protecting women from violence.

My question for this hon. member, after his fine speech, is a political question. Why does he think the Conservatives are bringing forward a bill that is clearly unconstitutional, totally irrational, and makes no pragmatic sense, at all?

Mr. Sean Casey: Mr. Speaker, it is really difficult for me to try to get into the heads of the Conservatives and understand the rationale, because I am wired differently.

However, allow me to speculate here, in this sanctum of parliamentary privilege. A tough-on-crime party wants to look around to criminalize whatever and whomever it can. Therefore, the bill would succeed in attaching criminal sanctions to many of the aspects of this complex social problem. The only other thing that I can think of is that it must have some appeal for its base.

Finally, this is something that, quite frankly, just kicks this problem down the road. That is why the Conservatives refused our call to refer the matter to the Supreme Court of Canada. They know it is unconstitutional, but this will get them past the next election.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, it is my pleasure to speak to Bill C-36. As members know, I am supportive of the bill as a response to the Supreme Court of Canada's December 20, 2013, Bedford decision. In December last year, Canadians received a Christmas present. For the most part, they did not know what was happening as they were busy getting ready for Christmas. The Supreme Court of Canada deemed all of the laws around prostitution unconstitutional. It allowed the government a year to respond to that and there has been a tremendous amount of work that has gone into the bill, including a lot of study of this important legislation. It is possibly one of the most important pieces of legislation and I am totally convinced that it will keep our youth and our people safe.

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We heard from a lot of people, including front-line support workers, police services, chiefs, and experts from the legal profession. I must say that Professor Janine Benedet, one of the foremost constitutional lawyers in this country, who had worked on the Bedford case as well, fully expects the bill to be and has said that she firmly believes it is constitutional. As members know, many bills are defeated on a charter challenge. However, without a doubt the bill is constitutional.

I am especially impressed by all of the victims who came to committee and the survivors who came to testify at both committees, because that is what this is all about—survivors finally talking about what happened to them. Human trafficking and prostitution were under the public radar for years. Everyone felt that if young girls or boys sold sexual services that was what they wanted to do. However, at committee we found out it was totally opposite to what the public thought. Why is that? Because more and more families across this country are being impacted by predators who come on as their friends and lure them into the sex trade and then they get into drugs and all sorts of things.

However, they have no voice. Bill C-36 allows those victims of human trafficking and those who have been forced into the sex trade to have a voice and the freedom to come and testify before us. They are the ones who need our attention and protection and we must not forget them.

After sitting around the table listening to these survivors, I would say that every Canadian should read the testimony of that committee because they would learn a lot about what is happening to a lot of children in communities all across this country. We have learned that predators earn about \$260,000 to \$280,000 a year per victim. That is why they do it. It is all about the money. A lot of the people connected to those predators earn a lot of money too. Hence, what is happening in this country is that a lot of people are protecting their cash flow at the expense of modern-day slavery.

During the hearings, law enforcement agencies also came forward to express their overall support for Bill C-36 and applauded the strong message it sends to all Canadians, which is basically that we will go after the pimps and johns and we will put support systems in place for the victims of human trafficking and those people who have found themselves in the sex trade without ever intending to be there. The police officers agreed that prostitution is an inherently dangerous activity and emphasized a need to prosecute those who profit from the sexual exploitation of others. I spoke earlier about predators making between \$260,000 to \$280,000 per year, which is a lot of profit. The police also emphasized the need to have in place the necessary tools to protect our communities from the harms of prostitution so that parents do not have to sweep away syringes and condoms from the school grounds of their children.

It is not about arresting victims at all. The only provision within Bill C-36 has to do with schools, playgrounds and pools, right on the grounds themselves. The fact of the matter is that Canadians agree that children should be protected. More and more Canadians in communities across Canada are starting to understand that they are also protecting their own beautiful children and vulnerable children from predators, due to Bill C-36.

●(1320)

We heard a lot of things in committee. We also heard another perspective that said people have rights to choose any profession they want, and, of course, that is true in Canada. However, we listened to the survivors of forced prostitution, human trafficking, and all of those stories that came forward. I cannot help but emphasize the contrast between the stories of the people who said that prostitution is an industry and government is circumventing their rights if it starts addressing it, and the stories of those who have experienced pain, suffering, and victimization while at the mercy of pimps, drug dealers, brothel owners, criminal organizations, and human traffickers. It is just unbelievable. When they bravely came to committee for the first time to tell people what happened to them, it was all we could do to keep our composure.

For someone who has worked with victims of human trafficking and those who were forced into prostitution, it was very profound to see these courageous people get up at committee to talk about it.

Statistics and research show that those who are most vulnerable to becoming involved in prostitution are marginalized, disenfranchised, and vulnerable, and the vulnerable can come from middle-class Canada.

We had many cases across this country where middle-class young people came forward. They were trafficked because of the way that the predators operate. They come on as their boyfriends, and they believed they were in love and that nobody wanted to exploit them. It never crossed their minds, until all their identification was taken away and they were forced to sexually service men or women. Those are vulnerable people.

We also speak to the homeless and those who have suffered abuse as young children or have suffered from addictions. A lot of those young, underaged people who are victimized are not addicts when they go into it. It is to camouflage their pain and to get through the day that it happens.

It is critical that Bill C-36 prioritizes this vulnerable group that people are talking about more and more, to protect them from harm.

It has been seen in many countries, many jurisdictions, that targeting the johns and the pimps is the right thing to do. In this country, human trafficking and forced prostitution was under the public radar screen for a very long time. We hear over and over again that \$40 million is not enough. Well, it is a very good start.

Provinces, municipalities, and others need to contribute to this as well. Bill C-36 would address, in a very bold way, a problem that has remained under the public radar screen for a very long time. It is not about taking away some person's right to choose whatever profession they want to be in; that is up to consenting adults. That is not what the bill is about. The bill is about making sure that these vulnerable populations I have been talking about are protected, that they have a chance, even if they are caught in the horrible trafficking or forced prostitution field. Now they are protected because they are able to report the abuse to the police and they are able to get out and be rehabilitated.

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I am very proud of Bill C-36. I am very proud of what our government is doing. A lot of people across this nation are listening to this debate and listening to what other people have to say, on all sides of the House. There is a very strong contrast between our government, which is standing up for the vulnerable, and those who are not on the other side of the House.

• (1325)

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I will start by saying how admirable the work is that my colleague has been doing for the past years with victims of exploitation and human trafficking. I would like to commend her for her leadership on the issue.

My question is mostly technical. All the situations the hon. member has described in her speech are already touched on by the Criminal Code. Article 279.04 talks about exploitation, and article 279.01 talks about human trafficking. I would remind the member that the sentence for human trafficking is life in jail.

None of the police officers at the committee were able to name new tools that Bill C-36 would give them to help victims of trafficking. I would like my colleague to name new legislative tools, not only the money, to help people get away from human trafficking.

Mrs. Joy Smith: Mr. Speaker, first of all, my own son is a police officer who works with trafficking victims. He has done that for a number of years. One tool we were talking about the other day that is so important is how victims now have the ability to report abuse to the police.

They would not be arrested under Bill C-36. The only place from where they would be asked to move along is in front of schools and playgrounds. That does not mean that they would be formally arrested. In every other place, the victims would have a right to say to the police officer that they have been abused, that this is what is happening to them, and to please help them out. That is a big tool.

What happened before was that the victims were controlled by the pimps and the traffickers. If they went to the police, they were arrested. In fact, before this bill, when there was a takedown, between the pimps and the prostitutes, more prostitutes were arrested than anybody else.

We have to change our language around prostitution. It is modern-day slavery, for the most part. There are very few people who choose to go into something like this. When we stop to think about it, what woman would get beaten, give all of her money to somebody, and then keep silent about it?

This is a huge tool in Bill C-36.

• (1330)

Mr. Adam Vaughan (Trinity—Spadina, Lib.): Mr. Speaker, my question for the member opposite and to the proponents of this legislation is this. You have identified where you think this bill would be effective—

The Acting Speaker (Mr. Barry Devolin): Again, I would remind the hon. member to direct his questions and comments to the Chair rather than directly to his colleague.

Mr. Adam Vaughan: Mr. Speaker, through the Chair, I apologize.

The member has identified that the legislation would attack the system of advertising these services. The legislation talks about the system of reporting to the police and the conversations that would be possible between people who have been trafficked and the law enforcement agencies. The member talked about a series of systemic approaches that need to be changed in order to change the culture around this issue.

However, when it comes to missing and murdered indigenous women, the same government responds to it as an individual situation, that there is no sociological or systemic reason there.

I would like the member, through the Chair, to explain to the House exactly why this is a systemic problem, but the other one is not; it is rather one of individual choices and individual situations.

Mrs. Joy Smith: Mr. Speaker, to be very candid, when we look at backpage.com and other advertisements, we will often see advertisements like “Asian women”, “young women”, “fresh women”. Those advertisements are done by organized crime and traffickers. They are selling their product.

There is a provision for the prostitutes themselves. If they want to individually advertise, that is fine. The bill would not touch that. What it would go after is the control of these women.

I am an honorary chief. I have been on reserves. I have the red shawl from the Assembly of Manitoba Chiefs. My own family is aboriginal. I have such a heart for the murdered and missing women. I can tell the House that there has been so much talk about inquiry and no action, and now we need to take action. We need to put the money into programming and into solving the problem.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I attended the meeting of the special committee that examined Bill C-36.

I would like to point out that we are once again hearing the Conservatives' unilateral view that justice can solve the problems inherent in prostitution.

I have an eye infection. This may not seem to have any relevance to the bill before us. However, yesterday, I went to the pharmacy to get some eye drops, and the pharmacist told me that merely putting one or two drops in my eye would not cure the infection. He said that the infection needed to be treated and that it would take several days for it to be cured.

My Conservative colleagues' remarks about Bill C-36 give the impression that this bill is like some sort of magical cure for an infection that will solve all of the problems in one day. It is as though every victim will be saved, prostitution will be eliminated and all the pimps will be sent to prison on the day Bill C-36 comes into force.

We are not living in a comic strip or a world of make-believe. We are living in a real society. Justice is not the way to eliminate the problems inherent in prostitution. We can put anyone we like in prison but it will not solve the problem. We spoke about poverty, vulnerability and drug use. To my knowledge, Bill C-36 does not address any of those issues.

As I said earlier, I truly admire my colleague for all of the work that she has done for victims of human trafficking and exploitation. The main point of her speech and that of the minister of state was that these people are in an extremely difficult situation. This may be because of family problems, drug problems or poverty. However, regardless of the underlying problems, these people did not make a free choice. How can someone be given the opportunity to make a free and informed decision? They must be given options.

The government would have us believe that these men and women will be able to make a free and informed decision and get out of the situation they now find themselves in. I would be happy if we could all live in utopia and everyone could be equal. However, a bill such as Bill C-36 is not going to resolve the issues of poverty and drug use. The very basis of the Supreme Court's ruling was that no one can freely and safely engage in an activity if everything associated with that activity is illegal. In this case, we are talking about bawdy-houses, pimping and prostitution itself or the issue of soliciting.

The Conservatives are now saying that we should forget about all those offences but that, according to the Parliamentary Secretary to the Minister of Justice, prostitution will be illegal. According to the minister of state, only purchasing the services of a prostitute is illegal. This is not clear.

Does this really respect the basis for the Supreme Court ruling? If we listen carefully to the Conservatives' speeches, some say that prostitution is illegal while others say only purchasing the services is illegal. Does that provide a legal, secure and safe framework for the individuals? That is the question.

According to the witnesses, making illegal everything surrounding a legal activity does not make this activity any safer. That is the very basis for the Supreme Court ruling. Most of the witnesses said, unfortunately, that the bill will be challenged because you cannot criminalize victims for an activity that is not illegal. That is unconstitutional. Even the witnesses invited by the Conservatives to appear before the committee clearly said that the victims cannot be criminalized.

Toughening the laws as they do, without any consideration for the problems inherent in an activity and a situation—I spoke about poverty—does not solve anything.

• (1335)

This bill does not solve anything. As I mentioned, it is like a magical cure for an infection. It does not work. It does not exist. It is like continuing to put a Band-Aid on a wound that will not heal. We are only adding a legislative framework and that is not a solution to a problem.

[English]

My colleague said that victims are now able to report and are able to get out and that we are now offering them the option to do so. Could they not report before?

All of the police officers who testified in front of the committee said that police officers do not prosecute and arrest prostitutes. They do not do it anymore. They have not done it for at least the past seven years. Is she saying that the police officers lied in committee

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and that they would arrest prostitutes? Is she saying that before they were not able to report, and now they are?

I would like to remind the hon. member that exploitation, rape, and human trafficking are already criminalized under the Criminal Code, and the sentence is jail to life imprisonment.

• (1340)

[Translation]

I would like my colleague to read sections 279.01 and 279.04 again. They are clear: human trafficking and exploitation are illegal. I already asked her the question, but she could not answer me. What new tools would Bill C-36 give to police to get young people out of prostitution? I did not ask about money, for that is another matter entirely.

All 75 witnesses said that \$20 million over five years is completely ridiculous. I think the answer was clear. I repeat, 75 out of 75 witnesses, 100%, said that it was completely ridiculous.

When I asked the question, none of the police officers could name a single new tool that Bill C-36 would give them to help the victims of prostitution and human trafficking get out of it. This bill does not provide any new tools. I asked all the police officers who appeared before the committee.

According to the Conservatives, the Criminal Code is ineffective. Does that mean that section 279.04 on exploitation is ineffective? Should we get rid of that section and draft a new one? According to the Conservatives, section 279.01 of the Criminal Code on human trafficking is also ineffective. Does that mean we should take it out of the Criminal Code and draft a new one?

According to the Conservatives, no victims of human trafficking could get out of it before Bill C-36 was introduced. What, then, is the purpose of the Criminal Code? Are police officers incapable of enforcing the existing sections of the Criminal Code? In that case, we are talking about another problem, that is, whether police on the ground have the resources they need to do so. We heard from many police officers, and their message was clear: there is only one person in the police squad for an entire region.

If human trafficking in Canada is so extensive that the Conservatives want to do something, why not allocate more resources to police so they can take action on the ground? As it stands, Bill C-36 simply makes something illegal that may or may not already be illegal, according to the Conservatives. They cannot even give us a straight answer on that.

The minister of state spoke about the defence strategies used by pimps and johns, as she calls them. I must remind her that none of the defence strategies she listed in her speech can be used under the Criminal Code. She talked about drug use. Under the Criminal Code, drug use is clearly not an acceptable defence in a court of law. She also talked about consent. The section of the Criminal Code dealing with rape and sexual assault is clear: even if the victim previously consented to sexual relations, that does not mean that the person consented to rape. All of the examples of defence strategies used by pimps and johns, as she said, are unacceptable and would not work.

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Will Bill C-36 truly solve the problems associated with prostitution? Not at all. The bill does not respect the very basis of the court's ruling, which is that people have the right to be safe when carrying out an activity.

[*English*]

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I am very anxious to ask some questions, because there is a bit of a vacuum in some of the comments that were made.

Why is Bill C-36 here? It is what we have been talking about all morning. The Supreme Court collapsed the laws. The laws the member was talking about that are in the Criminal Code were actually deemed unconstitutional. The government was asked to take this up and produce a bill that would respond to that. That is the answer to that.

Again, the tools, which I talked to very explicitly, are that now the victims could talk to the police. Just because there is a little provision in section 213 that if they solicit in front of schools, daycares, or kiddie pools, and that kind of thing, they can be moved along does mean they are being arrested. What happens is that often police get them to the police station and explain to them why this is not acceptable.

This is one of the best bills this country has ever put forward to address this terrible problem.

• (1345)

[*Translation*]

Ms. Ève Pécelet: Mr. Speaker, I was on the same committee as my esteemed colleague. I can guarantee you that no police officer was able to say that Bill C-36 would bring anything new to the legislation to help victims break free from human exploitation. I guarantee it.

If the member can show me testimony from committee, I will apologize to the House, but I can guarantee you that I have reread my notes, and not a single police officer was able to name a new tool.

The basis of the Supreme Court's ruling was that a person must and may carry out an activity freely and safely, but how can a person do this if everything surrounding the activity is illegal? That is why the court removed those sections from the Criminal Code. The Conservatives are essentially saying that prostitution itself is not illegal, but the purchase of prostitution is. We are going in circles here.

Is this truly in keeping with the basis of the Supreme Court's ruling? No, it is not. The member said that, before, victims could not report to police, which is absolutely not true. The police officers who testified in committee were clear. They had not been arresting prostitutes for years, and they had been working with them precisely to try to combat pimping.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I would like to thank the hon. member for her speech.

She spoke about tools, and that truly is an important issue because not every problem has a legislative solution. Sometimes, a problem requires fiscal measures. In committee, we heard from a witness named Kyle Kirkup.

[*English*]

One of the things Kyle Kirkup said was this: "Got a complex social problem? There's a prison for that."

In invite my colleague to expand upon the non-legislative, non-Criminal Code matters that undoubtedly the government has not thought of in addressing this complex social problem.

[*Translation*]

Ms. Ève Pécelet: Mr. Speaker, I would like to thank my colleague for that question.

As I said, the Conservatives' unilateral view is that justice can solve all the problems inherent to a situation. Whether we are talking about prostitution or something else, the activity must be criminalized for it to be controlled.

In their speeches, the government's parliamentary secretaries and the ministers of state clearly said that prostitutes and victims have no choice because, unfortunately, they are extremely poor, are addicted to drugs and may even have mental health issues. However, from what I can see, Bill C-36 does nothing to address those problems. There is no additional money for social housing or mental health treatment. The government is simply criminalizing an activity that, in and of itself, is not illegal.

I would really like it if the Conservatives could tell us how criminalizing something can help people who are dealing with much deeper issues, such as poverty, mental illness or drug addiction. Putting them in prison or criminalizing them will not solve the problem. All of the experts agree. An ounce of prevention is worth a pound of cure. It is true that when a crime is committed, the person needs to pay for their actions, but what happens to the victims in that case? Do they get help? No, the government prefers to make it illegal to advertise or buy services. What happens to the victims? Do they get help? No, not at all.

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I rise today to speak to Bill C-36, which amends the Criminal Code in order to create an offence that would prohibit purchasing sexual services or communicating in any place for that purpose.

I am very familiar with this bill because I am a member of the Standing Committee on Justice and Human Rights. In July, our committee studied this bill for five consecutive days and heard from 75 witnesses.

We find that this bill does not comply with the Supreme Court ruling, and therefore we will oppose it. The government should have sent Bill C-36 to the Supreme Court to ensure that it is constitutional. The Minister of Justice said that he expected that Bill C-36 would face a legal challenge. As usual, the Conservatives' bills are designed to garner votes, not improve our society.

We consulted many legal experts, stakeholders and sex workers, as well as the authorities concerned by this legislation. Everyone agrees that Bill C-36 does not stand a good chance of getting by the Supreme Court.

Statements by Members

There are many sex workers who choose this profession of their own free will. They must be protected from abuse. However, they are not the ones I am concerned about. What I do worry about is the government's lack of action on fighting poverty, which is the main factor that leads to sexual exploitation.

The measures announced by the Conservatives to help prostitutes exit the sex trade are inadequate. Sweden has adopted the model that criminalizes the buyer of services. Some wrongly claim that Bill C-36 is the Canadian version of the Swedish model. In Sweden, these legislative measures go hand in hand with extremely important social measures. The Swedish model cannot work if the authorities do not have the necessary resources to help people in need because, quite frankly, the main cause of prostitution is poverty.

Many women who have no way out turn to prostitution to survive. Those situations give rise to abuse and violence. What have the Conservative and Liberal government done to fight poverty? Nothing at all.

On the contrary, over the past five years, only 20% of Canadians have seen an increase in their incomes. The other 80% have seen their real income shrink. Households in Canada have the highest level of debt in the entire OECD. It is a disaster. Young people are paying more than ever for tuition and are incurring more debt than ever before. To make matters worse, for the past few years, the federal government has been refusing to invest in social housing. By 2030, \$1.7 billion in federal funding for social housing will have been lost. This amounts to 85% of the federal housing budget.

In Canada, more than 620,000 social housing units were provided through long-term agreements, with a lifespan ranging from 25 to 50 years. These agreements allow social housing providers to financially support their tenants to ensure that only about 30% of their income is spent on rent.

• (1350)

In 2014, the federal government is still refusing to renew these agreements as they expire.

If we do not change course by 2030, over three-quarters of the federal education budget will have been cut. However, social housing is one way of getting people out of poverty and out of prostitution. For instance, by spending less than 30% of its income on housing, a needy family can invest more money in education. That is why we will continue to call on this government to renew federal funding for social housing, in order to preserve rent subsidies and provide funds for necessary renovations. Furthermore, to help women get out of prostitution, more needs to be done to treat substance abuse problems. Once again, we are up against this government's failure to act.

The Minister of Justice promised \$20 million for treatment and prevention as part of Bill C-36's implementation. However, that amount is not even enough to meet the needs of existing organizations throughout Canada. At the Standing Committee on Justice and Human Rights, witnesses criticized the cuts made to women's centres. This is on top of the funding cuts to mental health services and other medical services, as well as the absence of sufficient legal aid.

If the government is serious about fighting sexual exploitation, it has to allocate substantial resources. It has to provide these women with income support, as well as education, training and treatment for drug addiction. That is the only way to combat prostitution because criminalizing johns, which Bill C-36 would do, will not put an end to sex work. All that will do is further marginalize it. Marginalization is what leads to exploitation and violence. If johns are criminalized, they will be afraid. They will ask sex workers to meet them in out-of-the-way places. They will force them into different circumstances.

Bill C-36 will make life even more unsafe for many prostitutes. If they cannot advertise their services to persuade the johns to come to them, many more are likely to take to the streets in search of business. This bill will make it much more difficult for sex workers to safely assess and vet their clients and ensure they can meet them in relatively safe places on their own terms.

We believe that this bill is not consistent with the Supreme Court ruling or the charter. The measures announced by the Conservatives to help prostitutes exit the sex trade are inadequate. The government must refer the bill to the Supreme Court. We do not believe it is consistent with the Bedford decision.

Finally, concrete efforts must be made immediately to improve the safety of sex workers and help them exit the sex trade if they are not there by choice. The government must provide significant resources for income support, education and training, poverty alleviation and treatment for addictions for this group of people.

STATEMENTS BY MEMBERS

• (1355)

[English]

TORONTO SCOTTISH REGIMENT

Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC): Mr. Speaker, I rise to recognize the Toronto Scottish Regiment, a reserve infantry unit that trains from armouries in Etobicoke—Lakeshore and Mississauga. The regiment will celebrate its 100th anniversary next year.

From 1916 until the end of World War I, the regiment was committed to every major Canadian engagement on the Western Front. Captain Bellenden Hutcheson, the medical officer, won the Victoria Cross. World War I battle honours include: Somme, Vimy, Passchendaele, and Amiens.

With the outbreak of World War II, the Tor Scots mobilized quickly, becoming the first complete Canadian regiment to reach the United Kingdom. World War II battle honours include Dieppe, Falaise, St-André-sur-Orne, and The Scheldt. Since then, members of the regiment have served on NATO and UN missions, including Korea, Cambodia, Bosnia, Kosovo, Haiti, the Golan Heights, Rwanda, and Afghanistan.

Statements by Members

This weekend I attended the granting of the “Freedom to the City” of Mississauga to the regiment, an honour already received from the City of Toronto. To commanding officer Lieutenant-Colonel Gary Moore and the Tor Scots, I thank them for their service and I say, as goes their regimental motto, “Carry on”.

* * *

• (1400)

[*Translation*]

CANADA POST

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, over the summer Canada Post started installing the new community mailboxes in Rosemère, Bois-des-Filins, and Lorraine.

These new mailboxes are part of Canada Post's installation plan and have been endorsed by this government in order to put an end to home delivery. In many cases, these new community mailboxes are being installed on a resident's land. Owners and the general public are outraged. Seniors who have a hard time getting around are outraged.

This government is cutting essential postal services to the public, and in the meantime it has increased the cost of a stamp by 59%. This government is cutting essential postal services to the public, and in the meantime 23 Canada Post executives are sharing \$10 million.

The Liberal and Conservative governments have taken the middle class to the cleaners, and now their services are being washed away. Canadians deserve better. They deserve an NDP government, and that is what we will give them.

* * *

[*English*]

THE LIGHTHOUSE SUPPORTED LIVING

Mr. Brad Trost (Saskatoon—Humboldt, CPC): Mr. Speaker, I would like to acknowledge a special community organization in Saskatoon, The Lighthouse Supported Living. The Lighthouse offers emergency shelter, supportive living, and affordable housing for men, women, and families. Incorporated in 1992, The Lighthouse provides housing, food, and employment in a supportive community for anyone in need.

The staff and volunteers at The Lighthouse live out their Christian beliefs by caring for the poor and the hard to house. They offer a multitude of services, including emergency shelter, affordable housing, food services, three transition homes, and a 64-room supported living tower for residents.

The Lighthouse continues to find new ways to serve with a new drop-in centre, employment centre, computer lab, and nurses' station.

To learn more, donate, or volunteer, one can go to www.lighthousesaskatoon.org. Congratulations to The Lighthouse staff and volunteers for going above and beyond in serving Saskatoon.

WALTER PACHOLKA

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I rise today to pay respects to a true gentleman, Walter Pacholka, who passed away earlier this summer.

I am grateful and honoured to have known Wally, as he was affectionately known. Wally was an example of what really matters in this life and of the values that should guide us every day: devotion to loved ones, hard work, integrity, respect for others and, service to country.

Wally was born and grew up on a small farm in Saskatchewan. He joined the RCAF in 1942 and went overseas, where he met and fell in love with Pamela Moran of the Women's Auxiliary Air Force. After returning to Canada in 1945, Wally continued his air force career and later joined Air Canada as a flight instructor.

I would be unforgivably remiss if failed to mention that Wally was a proud Liberal who served the party in numerous roles over many years. He sold me my first Liberal membership card in what was then called the riding of Lachine—Lac-Saint-Louis.

I ask all members of the House to join me in expressing our heartfelt condolences to Wally's children, grandchildren, and great-grandchildren. May we all leave such an indelibly positive mark on this world.

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RUSSIA

Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC): Mr. Speaker, 75 years ago, on September 17, 1939, 16 days after Germany's invasion and the start of World War II, the Soviet Red Army invaded Poland in accordance with the Molotov-Ribbentrop pact and entered the war on the side of Nazi Germany.

The aggression ended with the division and takeover of the whole of the Second Polish Republic by Germany and the Soviet Union. Despite the treaties that guaranteed Poland assistance if attacked by a foreign power, Great Britain and France did not act and Poland was left alone to defend its territory.

Is this dark history repeating itself now? Seventy-five years later, Russia, under the leadership of an oppressive regime led by Vladimir Putin, is again a major threat to its neighbours. The Russian invasions and illegal annexation of parts of Georgia, Moldova, and now Ukraine are unacceptable.

I hope Canada's allies will wake up and join us in strong action to eliminate the Russian threat to world peace.

* * *

BROCK UNIVERSITY

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, as the member of Parliament for Welland, which includes Brock University, I am pleased to offer my sincere congratulations and best wishes on the occasion of Brock's 50th anniversary.

From its humble beginnings in 1964 in the basement of St. Paul Street United Church, Brock has stood as a testament to the hard work and unrelenting spirit of the people of Niagara.

Statements by Members

It was their efforts and the weekly payroll deductions of workers that enabled Brock to establish itself in those early years. As a Brock alumnus, I take great pride in having attended a university with such a rich community tradition. I want to thank not only those faculty members who have taught there for 50 years, but more importantly, all of those whose dream it was to have a university in their local community where their kids could get a post-secondary education.

As my father once said to his five children, "If I'm gonna pay, one of you is gonna go."

For the faculty and students, both past and present, I hope they take the opportunity to reflect on the many achievements of our university and look forward to the great many that will come in the future.

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● (1405)

RETIREMENT CONGRATULATIONS

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I would like to sincerely congratulate Emil Kolb on his retirement. He has been chair of Peel Regional Council and chief executive officer of the Region of Peel for seven terms. He has also been chair of the Peel Police Services Board since 1996.

Chair Kolb's dedication to public service extends to more than five decades. He was an Albion Township councillor in the early 1970s and became a regional councillor with the Peel Regional government in 1973. From 1985-91, he served as mayor of Caledon for two terms.

Chair Kolb has supported a variety of Peel children's charities by raising more than \$1.5 million through events such as the Emil Kolb Hootenanny.

These are just a few of Chair Kolb's many accomplishments. Today, we celebrate the remarkable life of an outstanding public servant and wish him all the very best as he begins his new chapter.

* * *

TRINITY WESTERN UNIVERSITY

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, should a religious community be able to have a voluntary statement of faith? Absolutely. That is the question the Law Society of B.C. will debate this Friday when it meets to discuss the future of Trinity Western University's private, faith-based law school.

Should highly qualified lawyers be denied the opportunity to practise law because of their faith? Should the religious freedoms of all Canadians now be under threat?

Canada is known around the world to be inclusive and diverse. Different opinions are meant to be shared and valued. While we may not always agree with another's personal religious beliefs, we can and we must respect them.

By denying accreditation to Trinity Western University's Law School, the Law Society of B.C. would not only be intolerant toward educational diversity but also systematically undermine one of the core fundamental freedoms we enjoy in Canada, and that is freedom of religion.

I call on the Law Society of B.C. to do the right thing and respect our religious freedom.

* * *

PENSIONS

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, one of the sad legacies of the government threatens to be the decision to raise the qualifying age for retirement benefits from 65 to 67 years.

The old age pension is extremely important to the well-being of seniors across the country. This pension and the associated guaranteed income supplement for those who need it form the bedrock of retirement security for Canadians. Indeed, there are large numbers of Canadians for whom this is the only source of income.

To take this benefit from people who have worked all their lives, often struggling for many years against hardship and poverty, is cruel and frankly immoral.

However, it seems part of a larger agenda of the government is making the lives of the next generation worse instead of better than the present one: lower incomes with two-tier wages, more student debt, less job security, less income security, less workplace protection, less pension protection, and less retirement security.

Fortunately, an NDP government would reverse this decision and this agenda.

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NATIONAL FOREST WEEK

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Mr. Speaker, I am pleased to rise today to recognize National Forest Week.

Our government is committed to sustainably managing our forests. More of our forest land is internationally certified as sustainably managed than anywhere else in the world, demonstrating the integrity of our forest management practices.

Our government understands how important forestry is for job creation and economic growth.

Since 2007, our Conservative government has invested \$1.8 billion to help expand and diversify markets and to develop and commercialize new technologies and products for our forest sector. This is exactly the type of investment that is driving renewal in Canada's forest industries and contributing to jobs, growth, and long-term prosperity for all Canadians.

* * *

● (1410)

PENSIONS

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, Stelco pensioners worked hard. They followed the rules. Now they are left to wonder if their deferred wages will be put at risk by U.S. Steel Canada's application for creditor protection.

Statements by Members

In 2009, I tabled a private member's bill designed to move pensions to the front of the line of creditors paid during bankruptcy proceedings. I met with the then minister of state for finance, Ted Menzies, asking that he make it a government bill. Later, Mr. Menzies told me that he tried but was overruled.

Over three years I held 63 town hall meetings across Canada to listen to seniors talk about their pension concerns. I repeatedly raised those concerns with the current government, yet nothing was done to protect the pensions of these seniors. Now Hamilton steel worker retirees face the potential of serious cuts to their pensions. Canadians know this is unfair, which must lead them to wonder who is next.

The Conservative government has failed to give Canadian retirees pension protection. Now Conservative MPs are left to offer only hollow and empty words about how they somehow feel their pain.

* * *

LEADER OF THE LIBERAL PARTY OF CANADA

Mr. Andrew Saxton (North Vancouver, CPC): Mr. Speaker, our Conservative government believes that seniors and all Canadians deserve to keep the money they earn. Meanwhile, the Liberal leader has demonstrated that he is unable to define "middle class" and has suggested that income splitting for seniors is an ideological tax cut that he would reverse.

The median net worth of Canadian families has increased by 45% since 2005. Unlike the Liberals and the NDP, Conservatives know that Canadians deserve to keep more, not less, of their paycheques. That is why on top of cutting the GST, not once but twice; introducing pension income splitting for seniors; removing almost 400,000 seniors from the tax rolls completely; and creating the tax-free savings account, which benefits over 10 million Canadians, we recently announced the small business job credit, which will lower EI payroll taxes by 15%, saving small business owners over \$550 million.

Thanks to our low-tax plan, Canadian families have seen increases of 10% or more in their real take-home pay since 2006. We are on the right track for Canadian families, and the Liberal leader—well, he is just in over his head.

* * *

RAIL SAFETY

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, Toronto St. Paul's constituents are rightly worried about the impact of a possible rail accident in our community.

Ensuring the safety of Canadians through effective railway regulation is a responsibility that falls squarely on the shoulders of the federal government. Unfortunately, over the past several years federal regulators have consistently failed to address systemic weaknesses in railway oversight.

As we saw in Lac-Mégantic, a rail accident can have horrific impacts on the lives of Canadians and the environment. The investigation into the Lac-Mégantic tragedy revealed that the rail company had an ineffective safety management system and a weak safety culture overall.

It is the Government of Canada's job to audit those safety management systems and to make sure they are effective. The government's systemic failure to adequately conduct those audits was highlighted not only in this investigation but also last fall by the Auditor General and back in 2007 by the rail safety review panel.

It is time for the federal government to do its job and ensure that the safety of Canadians is protected.

* * *

PUBLIC SAFETY

Mr. Daryl Kramp (Prince Edward—Hastings, CPC): Mr. Speaker, on Sunday, the depraved Islamic extremist group ISIL ramped up its violent and hateful rhetoric, encouraging their jihadists to murder Canadians who oppose their twisted view of the world. Canadians are rightly sickened by this barbaric form of Islamic law used to justify heinous acts of violence against innocent children, women, men, and religious minorities.

Clearly, there is no time to sit around and rationalize these acts, and to do so would be simply foolhardy and dangerous. The reality is that ISIL represents a threat not just to the stability of the Middle East but to entire global security.

Leaders around the world have been universal in their condemnation. While the Liberal leader may sit idle, concerned about social exclusion or root causes, our Prime Minister and this government have been swift and unambiguously clear. We oppose these cowards, we condemn their violent acts, and we stand with our allies in pushing back against their threat.

* * *

●(1415)

MISSING AND MURDERED INDIGENOUS WOMEN

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, my colleague, the member for Abitibi—Baie-James—Nunavik—Eeyou, rose in the House last Friday. He touched Canadians with a very personal, very real, and very touching story about his brother, his mother, and the experience of so many indigenous people across Canada. This type of tragedy and injustice is far too common.

We were sent to this House to speak up for all people living in this country. New Democrats take this responsibility seriously, and although the Conservative government may try to shut us down and limit debate, we will continue to find innovative ways to break through and make those voices heard, as we did last Friday.

Oral Questions

We will continue to bring indigenous voices to the House of Commons and repeat their call for a full public inquiry into missing and murdered indigenous women. One year from now, in 2015, within 100 days of taking office, Canada's first New Democratic Party government will take action and put into place that much-needed public inquiry.

* * *

TELEVISION BROADCASTING

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, as the saying goes, if a company is successful, Liberals want to tax it; if it is still successful, they want to regulate it; and when it stops being successful, they will subsidize it.

How else do we explain the relentless calls for a Netflix tax from the Liberals? Whether they are demanding that the CRTC regulate Internet video or force Netflix to air content nobody actually wants to watch, the Liberals are, as always, failing to stand up for consumers, who are increasingly watching Netflix and YouTube.

While we await, with interest, the outcome of CRTC's Let's Talk TV hearings, we note that the CRTC has declined in the past to regulate Internet video, and we support that position. If the CRTC changes its position and starts taxing YouTube and Netflix, the government will overturn it.

Our position is clear: no Netflix tax. Leave Netflix and YouTube viewers alone.

ORAL QUESTIONS

[Translation]

THE ENVIRONMENT

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, why is the Prime Minister going to boycott the United Nations summit on climate change?

[English]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, our government has taken decisive action. Our priority, as opposed to the NDP's, is to protect the environment while keeping the economy strong. We are taking a sector-by-sector regulatory approach to reducing gas emissions that is working.

In fact, about an hour ago, the Minister of the Environment announced at the UN climate summit in New York that our government is moving ahead with three new regulatory initiatives that will lower air pollution emissions from cars and trucks. This will help us further reduce greenhouse gas emissions and provide cleaner air for Canadians.

Thanks to our actions, we have seen significant reductions in greenhouses gases, without imposing a job-killing NDP carbon tax.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): So decisive, Mr. Speaker, that Canada is the only country in the world to have withdrawn from the Kyoto Protocol.

[Translation]

It is important to remember that because of the Prime Minister, Canada is the only country in the world to have withdrawn from the Kyoto Protocol. Let it be noted that the Conservative backbenchers are applauding. That is shameful.

Do the Conservatives believe that everyone has the right to live in a clean environment respectful of biodiversity, yes or no?

[English]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, our government is making progress in reducing greenhouse gas emissions while keeping the economy strong. We have taken action on some of Canada's largest sources of emissions, such as the transportation sector and the coal-fired electricity sector. Canada's stringent regulations are expected to cut emissions in the electricity sector by 46% by 2013 compared to levels in 2005.

Thanks to these actions, carbon emissions will go down close to 130 megatonnes from what they would have been under the Liberals. We have done it without a \$21-billion carbon tax.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, so the Conservatives say, of course, Canadians have a right to live in a clean environment respectful of biodiversity, which is exactly what I had enshrined in the Quebec charter of rights when I was the Quebec environment minister.

Since the—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. Leader of the Opposition still has the floor.

• (1420)

Hon. Thomas Mulcair: Mr. Speaker, since the Conservatives now acknowledge that Canadians have a right to clean air and clean water, will they support including that in the Canadian Charter of Rights and Freedoms?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, when the Leader of the Opposition was a Liberal cabinet minister of the environment, did he actually have a smog day named after him?

Let us talk about some facts. Canada represents less than 2% of global emissions. To provide some perspective, the U.S. coal sector produces two times more emissions than the entire Canadian economy.

Our sector-by-sector regulatory approach allows us to protect both the environment and our economy. Canada has strengthened its position as a world leader in clean electricity generation by becoming the first major coal user to ban construction of traditional coal-fired electrical generation units—

The Speaker: The hon. member for Halifax.

*Oral Questions**[Translation]*

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, this weekend, over 300,000 people took to the streets of New York to demand that something be done to combat climate change. People from across Canada participated in this demonstration.

As support for this cause grows, the Conservatives are refusing to take action and impose greenhouse gas emission reduction targets on the oil and gas sectors, which are the fastest-growing emissions sources. Why?

[English]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, our government is a world leader when it comes to addressing climate change, but more than that, we are continuing to work with the provinces on reducing emissions from the oil and gas sector. It is premature to comment further on any future regulations.

Thanks to our actions, we have seen a significant reduction in greenhouse gases. Unlike the NDP, which thinks it can tax its way out of every problem, we are getting results without imposing a carbon tax.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, tomorrow more than 125 world leaders will meet in New York to discuss a global solution to climate change. Our allies, including President Obama and David Cameron will be there, but our Prime Minister is skipping out. The Conservatives are so insistent on keeping their ideological blinders about climate change, that they are willing to miss out on important economic and diplomatic opportunities.

If we promise not to say, “We told you so”, will the Prime Minister do the right thing and go to the UN Climate Summit?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, as we speak, the Minister of the Environment is in New York City this week representing Canada on a number of climate change matters.

Canada has and is taking significant efforts to curb climate change through a number of avenues, both domestic and international. Through our investments in clean energy and our sector-by-sector regulatory approach, we have seen our economy grow while emissions have gone down. This is historic.

This is unlike the Liberal government that increased greenhouse gas emissions by 130 megatonnes, and we are going to do it without an NDP carbon tax.

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, tomorrow is the beginning of the UN Climate Summit.

Of all the world leaders invited, Vladimir Putin will not be attending, nor will Tony Abbott, the notorious climate change denier, nor will our own Prime Minister.

Perhaps he does not want to be reminded that he killed Kyoto, or that he is nowhere near meeting his Copenhagen targets. Instead, he sends his minister fully armed with rehashed Conservative talking points, to pick up our latest fossil of the year award.

Is photocopying American motor vehicle regulations now considered climate change leadership?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I appreciate the opportunity to contrast our approach to the Liberal approach.

I will talk about the Liberal approach first, because it is not going to take very long. What the Liberals did was they signed onto Kyoto without a plan to do anything. The only thing they were successful at was naming their former leader's dog Kyoto.

Our government record is clear. The economy is growing, and for the first time in Canadian history, greenhouse gas emissions are falling. Conservatives will continue to protect the environment while keeping our economy strong. We are accomplishing this without a job-killing carbon tax, which would raise the price of home heating oil—

• (1425)

The Speaker: The honourable member for Westmount—Ville-Marie.

[Translation]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, tomorrow marks the beginning of the UN climate summit. Of the world leaders who were invited, only four, including our Prime Minister, refused to attend. Perhaps he is embarrassed because he knows that he will not meet his own targets for 2020. Rather than going himself, he is sending his minister, no doubt so that she can pick up another Fossil of the Year award. How are Canada's environmental and economic interests served by the Prime Minister's absence?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, our government record is clear. The economy is growing, and for the first time in Canadian history, greenhouse gas emissions are falling.

The Conservatives will continue to protect the environment while keeping our economy strong. We are accomplishing this without a carbon tax, which would kill jobs and raise prices.

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*[English]***EMPLOYMENT INSURANCE**

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, the Conservatives' EI tax credit is getting slammed by economists ranging from Jack Mintz to Mike Moffatt.

Today's *Globe and Mail* says that it is:

...creating a perverse disincentive for small companies to grow.

Oral Questions

It gives firms around \$200 to hire someone, but over \$2,200 to fire someone. The Liberals have a solution, use the money to give job creators an EI holiday for new jobs.

When will the Conservatives drop their failed scheme and adopt the Liberal plan that would actually reward job creation and growth?

Hon. Kevin Sorenson (Minister of State (Finance), CPC): Mr. Speaker, it is very clear that the Liberal leader and the Liberal Party have no idea how small business works.

Our small business job credit will lower EI payroll taxes by 15% and save small businesses \$550 million. The Canadian Federation of Independent Business said that the credit will help create 25,000 person-years of employment. While we are lowering taxes for 90% of businesses, the Liberals are still supporting a 45-day work year that would drastically increase premiums by 35%.

* * *

THE ENVIRONMENT

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, yesterday in New York City I joined hundreds of Canadians from Iqaluit to Vancouver to Halifax and hundreds of thousands of people from around the world in a peaceful, hopeful march, the People's Climate March. People from all over the world are calling for immediate action on climate change because there is no other planet, no planet B.

The world is ready to act and Canadians want Canada to play its part. Why are we not?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I am very proud to tell the House today that our government is committed to reducing greenhouse gas emissions and providing clean air for Canadians for today and future generations. I am pleased to let the House know that the minister today announced three new regulatory initiatives on cars and fuels, which align with the United States. Those include establishing more stringent greenhouse emission standards for Canadian vehicles, 2017 and beyond. We also announced our intent to further regulate emissions for post-2018 model-year heavy-duty vehicles and engines. It takes a Conservative government to reduce

The Speaker: The hon. member for Drummond.

[*Translation*]

Mr. François Choquette (Drummond, NDP): Mr. Speaker, just because the government makes the same announcement every two years does not mean that it is doing twice as much.

The international community is trying to create the right circumstances for a new climate change treaty, but the Conservatives continue to sabotage those efforts. They failed to put regulations in place to limit emissions in the oil and gas sector. What is worse, they will not even try to do so. They put an end to the committee's work.

We are trying to combat climate change, so why are the Conservatives not making the oil companies do their part?

[*English*]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, as I said earlier, we can contrast our approach with the NDP's approach. The NDP's approach

to the oil and gas sector is basically a carbon tax, and then shut it down. Our government is a world leader when it comes to addressing climate change. We are going to continue to work with the provinces on reducing emissions from the oil and gas sector, and it is premature to comment further on these future regulations.

Thanks to our actions, we have seen significant reductions in greenhouse gases. Like I said, we are working together with everyone involved, without taxing Canadians to death with a carbon tax, which the New Democrats want to do.

• (1430)

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, the only part of climate change where the Conservatives lead the world is on empty rhetoric. Take coal regulations, for example. Despite the Prime Minister's crowing that we are ahead of the U.S., a report released last week by former environment commissioner Scott Vaughan shows that Canada's loophole-ridden coal rules will have hardly any impact on greenhouse gas emissions for 15 years. Is this what the minister calls "climate-change leadership"?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I would like to repeat the facts. Canada is the first major coal user to ban the construction of traditional coal-fired electricity generation units. This is the fact. In the first 21 years, the coal regulations are expected to result in a cumulative reduction in greenhouse gas emissions of about 214 megatonnes, the equivalent of removing 2.6 million personal vehicles from the road per year over this period of time.

That is real action. That is real leadership. The NDP should get on board with it.

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, Conservative hot air does nothing to fight climate change. Just last week, the Conservatives signed an agreement on bilateral energy co-operation with the U.S. that made almost no mention of renewable or clean energy. This, despite the fact that the renewable energy market could be worth over \$3 trillion by 2020.

Why are the Conservatives leaving Canada behind as the rest of the world moves forward on clean technology and combatting climate change?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, we have made huge investments in clean technology, and if the New Democrats were paying attention, out west the first carbon capture unit was actually getting on board.

Oral Questions

We have been helping with new technology and new investments in research. What we have also done is this. Because we are protecting our economy and balancing that with the environment, since 2005, Canadian greenhouse gas emissions have decreased 5.1% while the economy has grown 10.6%.

This is historic. This is something that the NDP should support without putting forward a \$21 billion carbon tax, which would penalize Canadians for doing what they need to do day in and day out.

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CANADA REVENUE AGENCY

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, the Minister of National Revenue continues to deny what can be found in black and white in her departmental documents.

The Conservatives plan to cut 50 team leaders from the aggressive tax-planning branch. These are the senior experts with thousands of hours of experience in going after international tax cheats. The Conservatives promised real enforcement action, but all we are seeing are pink slips.

Will the minister explain to the House why she is firing 50 of her top experts in international tax fraud?

Hon. Kerry-Lynne D. Findlay (Minister of National Revenue, CPC): Mr. Speaker, once again, the member is completely false in what he is saying. The CRA is not reducing the number of auditors. In fact, we have increased our auditors by 750 since we took office, and this realignment will give us 10 more.

In economic action plan 2013, we put \$30 million toward this department. We have a dedicated offshore compliance division, an offshore tax informant program and an expanded audit reach. The CRA now has an unprecedented ability to crack down on tax cheats. We are getting the job done.

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, we never said that they were reducing the total number of auditors. The minister's answer is muddy but the facts in her leaked documents are crystal clear. Because of the cuts announced in budget 2014, the Canada Revenue Agency is laying off 50 senior tax experts who are tasked with going after international tax cheats. Meanwhile, it managed to find an additional \$13 million to go after environmental and human rights groups.

How can the minister defend wasting millions targeting charities, while letting international tax cheats right off the hook?

Hon. Kerry-Lynne D. Findlay (Minister of National Revenue, CPC): Mr. Speaker, as the member well knows, the rules regarding charities and charitable organizations and their activities are very long-standing. There is nothing nefarious going on here, other than their political agenda.

As far as the 50 managers are concerned, there is a realignment going on. There will be no reduction in the auditors. There will be no reduction in our ability to go after international tax cheats. In fact, we are driving people to our offshore voluntary disclosure program, which is up sixfold since the Liberals were in government.

• (1435)

[*Translation*]

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, no one is buying what the minister is selling.

The truth is, by laying off 50 experts in the aggressive tax planning branch, the government is reducing our ability to combat international tax fraud.

Canada loses \$8 billion annually to tax havens. Instead of attacking the criminals, the Conservatives are attacking the investigators. It is ridiculous.

Will the minister admit she got it wrong and cancel these cuts?

[*English*]

Hon. Kerry-Lynne D. Findlay (Minister of National Revenue, CPC): Mr. Speaker, what is ridiculous is that the NDP is making these allegations with no facts to back them up.

[*Translation*]

As I said, the Canada Revenue Agency is not reducing the number of auditors. Again, since 2006, we have significantly increased the number of auditors at the CRA.

Thanks to our strategic investments, CRA's ability to investigate cases of international tax fraud is better than ever.

[*English*]

In fact, offshore voluntary disclosures, as I said, are up sixfold.

* * *

[*Translation*]

TAXATION

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, last year, Bill C-377 was widely criticized. Experts said it was unconstitutional to force unions to disclose their expenses. Unions are already accountable to their members.

Now we are told that the Conservatives are back at it and this time they are even going to try to limit the time for debate.

Does the government not find it ironic to call for more transparency from unions as it tries to pass a bill quickly and quietly?

[*English*]

Hon. Kevin Sorenson (Minister of State (Finance), CPC): Mr. Speaker, our government believes that Canadians and workers should have the right to know where their mandatory dues are being spent. That is something that all Canadians are asking for. That is why we continue to support Bill C-377, a reasonable bill to increase union transparency.

Bill C-377 was first introduced in December 2011, and it has been before the Senate for almost two years now. We support efforts to move the bill ahead.

Oral Questions

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, the Conservatives gave up on their vows for governmental transparency. The "T" word is something that they only inflict upon their enemies.

This Conservative bill would go after unions, but it is unconstitutional. Now, it is getting the support of Conservative ministers. We saw how that worked out for their right-wing brothers and sisters in Ontario.

Why are they pressing unions again and not pushing for transparency for their one-percenters on Bay Street?

Hon. Kevin Sorenson (Minister of State (Finance), CPC): Mr. Speaker, again, we believe that workers deserve the ability to know how their mandatory dues are being spent. Canadians understand that. They get that when we take dues away and make it mandatory that there should be some transparency. That is why we continue to support Bill C-377. It is a reasonable bill. It would increase transparency. I believe that it would increase accountability.

It was introduced in December 2011 and has spent two years in the Senate. It is time to get it out of the Senate. We believe that we need to move the bill ahead.

* * *

INFRASTRUCTURE

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, experts are saying that the \$550 million Conservatives are prepared to spend on an EI program will not create the jobs intended and may even encourage layoffs. At the same time, Conservatives have cut infrastructure spending by 90%, which will further hamper economic growth in Canada.

Will the Minister of Finance take his own advice that he gave to Europe and commit to reversing the 90% cut to infrastructure?

Hon. Kevin Sorenson (Minister of State (Finance), CPC): Mr. Speaker, the leader of the Liberal Party just does not get it when it comes to small business. Liberals do not understand small business. They do not know how small business works.

Let me quote someone who does understand small business, and that is Dan Kelly, from the Canadian Federation of Independent Business. When speaking about the small business job credit, he said this:

It's a big, big deal for small business. It's good news for people looking for jobs, good news for those in companies where, perhaps, the business owner has had a more limited time in increasing their wages too.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, at the G20 meetings, Canada's finance minister has done a turnaround. He is now arguing for economic growth ahead of austerity, at least in other countries, but here at home his EI tax credit perversely puts a cap on jobs, punishes ambition, and creates an incentive to fire people just when Canada has lost 112,000 private sector jobs.

Will the government fix this defective scheme, as every serious economist has recommended, and will it restore federal infrastructure investments at least at last year's level?

• (1440)

Hon. Kevin Sorenson (Minister of State (Finance), CPC): Mr. Speaker, again, we know that the Liberal leader is making up EI

schemes on the fly. Although he does not understand small business or business of any type, I would encourage him to listen to those people who do understand, who have the experience, who know what it is going to take. I am talking of ones like Jay Myers of the Canadian Manufacturers & Exporters, who said this:

The Small Business Job Credit will help a powerhouse—the thousands of small businesses—of the Canadian economy become more competitive.

Indeed, it is good news for small business. It is good news for all Canadians.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, at the G20, Canada praises infrastructure, but here at home the Building Canada fund is slashed by 90%. In this entire construction season, the whole thing, the government has made fewer than 10 new infrastructure commitments. The provinces, municipalities, chambers of commerce, the Canadian Council of Chief Executives, C.D. Howe, the Canada West Foundation, the engineers, the Canadian Construction Association, urban transit, the Insurance Bureau of Canada, Statistics Canada, David Dodge, and now the G20 all say Canada should do much better.

Why is the government so excruciatingly mediocre?

Mr. Peter Braid (Parliamentary Secretary for Infrastructure and Communities, CPC): Mr. Speaker, I see that the Liberals did not have the opportunity over the summer to attend summer school to brush up on their math skills. It was only the summer of love over there, perhaps.

The new Building Canada plan is open for business. This is the most significant investment in infrastructure in our nation's history. We are working closely with our municipal and provincial partners. Applications are being received and being approved, including the twinning of Highway 16 in Saskatchewan.

* * *

[Translation]

ABORIGINAL AFFAIRS

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, on Friday, my NDP colleagues and I managed to force the House to hold a debate on the fate of nearly 1,200 missing aboriginal women and girls. This is a tragedy that the Liberals and the Conservatives would like to sweep under the rug.

Will the government finally listen and launch a national public inquiry into the murders and disappearances of these women?

[English]

Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC): Mr. Speaker, I want to be very clear. Our government is taking action today. We are moving forward to make sure that these women, girls, and families who have experienced these abhorrent crimes are being supported and protected and we are moving forward with prevention programs. That is what our action plan is about.

Oral Questions

I encourage the NDP, as opposed to continuing to vote against aboriginal property rights for women or against shelter support for women of aboriginal background, to please support this action plan. It is what families have asked for.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, that is unbelievable. The minister is talking about the same plan and the same money that got us the same tragic results that we see now—that is, 1,200 missing and murdered indigenous women and girls. What we need is not the status quo. What we need is to get at the systemic causes of this violence.

When will the government call a national public inquiry into the issue of murdered and missing aboriginal women?

Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC): Mr. Speaker, as I just said, we are moving forward now. We have an action plan, and that is what families have asked for. Bernadette Smith, whom I spoke about here in the House last week, requested that our government move forward, and that she is delighted we are moving forward now, as opposed to waiting for the lawyers and others to move forward, as the NDP would like. We are moving forward now to make sure that these families, these victims of crimes, are the ones we are listening to, and we are acting on their requests.

* * *

INTERNATIONAL TRADE

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, the government ratified the Canada-China FIPA on a Friday afternoon when Parliament was not sitting when it thought no one would notice. Canadians did notice, and so did the Conservatives. Among other things, Canadians used social media to make their opposition to this FIPA clear. Did the government engage these Canadians and defend their decision? No. It just deleted the Facebook comments, hoping no one would see.

Is the government that insecure about the Canada-China FIPA? Does the minister really think that by trying to hide the opposition of Canadians to this flawed deal, he can make it go away?

• (1445)

Mr. Erin O'Toole (Parliamentary Secretary to the Minister of International Trade, CPC): Mr. Speaker, I would like to welcome my friend back to the House. I remind him that in June he stood in this place and asked why the government had not moved forward on this important FIPA with China. We have, and now he is still complaining once again. On CBC on the weekend, he was spreading myths about this FIPA.

The “P” in FIPA is for protection. This is about protecting Canadian exporters who are selling into that market, and it is the 30th FIPA Canada has signed over 20 years. This is good for our exporters. It is good for jobs.

[Translation]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, these are the same Conservatives who promised to be accountable. The truth is that the Conservatives signed a bad deal for Canada and they know it.

Are they defending their decision to Canadians? No, they prefer to go on Facebook and delete negative comments. Criticism cannot be blocked in the same way friends can on Facebook. It is ridiculous.

If the minister is proud of his agreement with China, then why delete the negative comments? Why does he not face the criticism? It is simple.

[English]

Mr. Erin O'Toole (Parliamentary Secretary to the Minister of International Trade, CPC): Mr. Speaker, I would like to thank the member for that question. While she and her colleagues are surfing Facebook in their constituency weeks, our members are meeting with employers and meeting with the Canadian Manufacturers & Exporters association. These are job creators in our country who have been asking for legal certainty in their dealings with China. They are selling in that country, and this FIPA will give our employers certainty in dealing with China.

The NDP should get offline and get meeting our employers across the country.

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, our government remains focused on creating jobs and opportunities for hard-working Canadians through trade. However, the NDP has voted against practically every free trade or investment protection agreement our Conservative government has introduced.

As for the Liberals, in their 13 years in office, they created free trade agreements with only three countries, whereas our government has created such agreements with over 40 countries in only eight years.

Having worked in Asia for over a decade, I personally observed the importance of opening trade with that continent. Can the parliamentary secretary provide insight into our Conservative government's latest accomplishment on trade?

Mr. Erin O'Toole (Parliamentary Secretary to the Minister of International Trade, CPC): Mr. Speaker, I would like to thank the hon. member for that question.

Moments ago, the Prime Minister and President Park of South Korea took part in a signing ceremony for our historic free trade agreement with South Korea. It is our first in Asia, and 26,000 Canadians helped secure that democracy 60 years ago. This is about jobs, not just in B.C. but across Canada.

The NDP will likely oppose yet another trade agreement in this House. I would like to make mention that in one year, our government has signed more trade agreements than 13 years of—

NATIONAL DEFENCE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, this weekend former Prime Minister Jean Chrétien pointed out that Canada is already all the way in, in Iraq. He warned, "You only have to look at the way Americans got involved in Vietnam. They started with a few advisers."

Of course, as with any credible terrorist threat, the government must take appropriate security measures, but this must not become an excuse for rubber-stamping the Conservatives' ill-defined military mission in Iraq.

Can the minister now tell the House when this 30-day military mission ends?

Hon. Rob Nicholson (Minister of National Defence, CPC): Mr. Speaker, we would review it after 30 days, but the mission is very clear. The fanaticism of ISIL, the terrorist group, is a threat to regional security and to millions of innocent people. As the Prime Minister has indicated, this is not a combat mission, and our role is clearly defined.

We stand united with our allies, as always.

[Translation]

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, former prime minister Jean Chrétien has said that the Conservatives' decision to send troops into Iraq will pull Canada into further commitments. Contrary to the government's claims that this will be only a limited 30-day military mission, we are now engaged in what could become a combat mission. We cannot trust the Prime Minister, who wanted to go to war in Iraq in 2003. Can the Minister of National Defence at least tell us whether there will be a vote in the House, before the 30 days are up, to decide what will happen next?

• (1450)

[English]

Hon. Rob Nicholson (Minister of National Defence, CPC): Mr. Speaker, it is nice to see the NDP embracing the Liberals' decade of darkness. It does not come as much of a surprise.

As we indicated, we will help people in that area. We have deployed Canadians to provide strategic advice. If the hon. member and the NDP really want to do something, why do they not support our efforts to take Canadian passports away from terrorists who are on the ground in that part of the world?

* * *

[Translation]

CITIZENSHIP AND IMMIGRATION

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, the Conservatives keep dragging their feet when it comes to their promise to receive more Syrian refugees. Some people have been waiting for two years because of unnecessary red tape. However, Sweden, Germany, the United Kingdom and Norway have processed thousands of refugee claims in less than a year. Lives are at stake. Why is Canada refusing to do its part and take in Syrian refugees as it promised?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, Canada is still a leading donor in Syria. More than \$600 million has been offered for use in all areas. We

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have resettled close to 1,500 refugees. We have already surpassed our targets for this year.

The hon. member asked a question about Iraq, but she forgot to mention that Canada has already welcomed more than 18,000 Iraqis. That is more than any other country.

[English]

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, the question was actually about Syria. Families are broken apart because of the government's delays. Canadian citizen Anya Sass and her husband are trapped in a Damascus suburb threatened by ISIS militants. After two years of delays, Mike Wise's family has had to settle in Sweden, not in Canada. While the Conservatives boast about resettling 200 refugees, Sweden, with a quarter of Canada's population, has given refuge to more than 30,000 Syrian refugees.

Why will our government not step up to the plate, do the right thing, and help save lives?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, the hon. member has it all wrong once again. Sweden has accepted asylum seekers, not resettled refugees. Canada remains at the forefront of efforts to resettle refugees. We have gone over our target for this year. Fifteen hundred Syrians are now enjoying Canada's protection.

As well, why do the members opposite always forget to note what Canada has done for Iraq? Well over 18,000 Iraqi refugees are resettled in Canada.

These conflicts are linked. So is Canada's humanitarian response.

* * *

NATIONAL DEFENCE

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, Canadian Forces members are being forced by the government to hide their health problems to avoid being discharged and losing their pensions. In other words, if they ask for help, they get fired.

As a recently discharged corporal who knows about this said, "...if they speak up, then they lose their ability to keep food on the table." It is unbelievable.

Conservative ministers promised that no injured service member would be released until they were ready and willing. Will the minister take responsibility for the well-being of the troops, stop breaking this promise, and fix this urgent problem?

Hon. Rob Nicholson (Minister of National Defence, CPC): Mr. Speaker, members of the Canadian Armed Forces are not released until they are fully prepared. Every possible accommodation is made to ensure that soldiers are kept in the forces before any member is released. A transition plan is established, and this includes medical services. They are only released when it is appropriate for both the member and their families, and this is how it should be.

*Oral Questions***CITIZENSHIP AND IMMIGRATION**

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, I want to ask the immigration minister a serious question about the world's worst refugee crisis, which is Syria.

Three months ago, I presented him with a non-partisan plan on this topic. I have yet to receive a response.

Now we hear that spouses of Canadians are stranded in Syria's war zones and will have to wait there for two years or more.

Will the minister follow the lead of other countries and devote the resources needed to issue visas quickly to the relatives of Syrian Canadians who are at such extreme risk?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, this is a serious crisis. It would be great if the members opposite would join us in getting serious answers and not scaremonger on these issues.

We made it a priority to reunite families at the beginning of the Syrian crisis. We have processed all of those applications. There are 1,500 Syrians who now enjoy Canada's protection, in addition to well over 18,000 Iraqis who have resettled since the beginning of our efforts there, in 2009. That is a combined effort that is second to none worldwide, and the hon. member should join us in celebrating it.

* * *

● (1455)

[Translation]

HEALTH

Mr. Dany Morin (Chicoutimi—Le Fjord, NDP): Mr. Speaker, the government is putting Canadians' health at risk, and the minister is doing a poor job of reassuring people. We have been waiting for her to appoint a chief public health officer for 15 months now.

Meanwhile, the Ebola crisis is gaining momentum and enterovirus EV-D68 is threatening children. The Public Health Agency's budget has been cut, and the government cannot guarantee that drugs sold in Canada are safe. Time is of the essence.

Having waited 15 months, does the minister think it might be time to wake up and appoint a new head of public health?

[English]

Hon. Rona Ambrose (Minister of Health, CPC): Mr. Speaker, a search has been under way for quite some time, and an announcement is imminent.

However, let me just say that Dr. Gregory Taylor, who is our interim Chief Public Health Officer for Canada, has done a remarkable job. He has the confidence of the international community. He has the confidence of the public health officers across the provinces and territories. He has not only managed this ebola issue very well, he also managed H5N1 when it was diagnosed in Canada for the first time, and, of course, H1N1.

We thank him for his great work.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, the minister talks, but her actions betray a real sense of complacency here.

The public health officer is supposed to help Canadians deal with the threat of a public health crisis. However, as Canadians worry about enterovirus D68 affecting their kids, or the ebola pandemic spreading outside Africa, the Conservatives have refused to fill this important office for 15 months.

There are constant cuts to the Public Health Agency budget. There is no public health officer. Why will the minister not take public health seriously?

Hon. Rona Ambrose (Minister of Health, CPC): Mr. Speaker, the Public Health Agency of Canada is one of the leading public health organizations in the world, which is why it has been called upon many times, like in the H1N1 outbreak, the H5N1 virus here in Canada, and, of course, the ebola crisis in West Africa.

We do have a public health officer for Canada. His name is Dr. Gregory Taylor, and he has done an exceptional job. He has my confidence. He has the confidence of the international medical community. He works well with Doctors Without Borders, and, of course, he has the full confidence of the provinces and territories.

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CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, Liberals in my province are calling for the CRTC to regulate Internet video and impose a Netflix or a YouTube tax.

The CRTC has declined to regulate Internet video in the past, and our Prime Minister has come out against the Netflix tax that the Liberals favour.

Would the Minister of Heritage make clear that, should the CRTC reverse its historic position and begin regulating Internet video or imposing a tax on Netflix and YouTube, our government will reject that position and overturn it?

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, our government has been very clear in our commitment to stand up for Canadian consumers.

As we have already heard, the CRTC has in the past declined to regulate such online services, and that is a position that our government firmly supports.

Of course, we know that the Liberals would like to raise prices on consumers, but our government will continue to stand up for Canadians and we will reject any move to raise prices on these services.

Canadians can count on this government to oppose any new regulations or taxes on Internet video.

RAIL TRANSPORTATION

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, this past weekend I attended a rally in support of the Cape Breton rail line. The rally demonstrated the importance of keeping our rail open. Many companies with over 500 employees, generating millions of dollars in our economy, depend on it. It is essential for the future of Sydney Harbour.

The Minister of Transport stated in the House that her government will assist in keeping the rail open. Next month, the company that currently operates the rail will give notice and cease operations. Time is running out. Where is the government's promised help?

Hon. Lisa Raitt (Minister of Transport, CPC): Mr. Speaker, in August of this year, I did indeed host and coordinate a meeting with the parties who are interested in this particular piece of rail. I can tell the House that there is a process in place when a rail company wants to abandon its rail, which is indeed the case in this extreme. The Nova Scotia government is working with the rail company. The federal government is not involved in this piece. It is not a federally regulated railway, nor is it something that we have an interest in taking over again.

* * *

• (1500)

CITIZENSHIP AND IMMIGRATION

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, first the federal government cuts health care to pregnant refugees and sick children. Now it wants to cut income support, that crucial lifeline that helps refugees land on their feet in Canada. Not only is the government downloading services, it is downloading Canadian values.

Will the minister pull his support for this private member's bill, or at least own up to it and table it for what it is, another cruel and callous piece of government legislation?

Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC): Mr. Speaker, our government fully recognizes that the provinces have responsibility for delivering these programs. What differentiates us from the opposition is that we want to enable the provinces to get value for taxpayers' money, to make sure that those programs go to immigrants, refugees, and those who actually qualify for them, and to close the door to abuse. That is what we have been trying to do for years.

We would like to hear, on this side of the House, both from the NDP and the Liberals, why they will not stand up at this time, of all times, for the revocation of citizenship for dual nationals who commit acts of terrorism and for the revocation of passports? The Liberal leader has been running away from microphones, and the NDP does the same.

* * *

CANADIAN HERITAGE

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, a few weeks ago a nearly 200-year-old mystery was solved. The discovery of one of Franklin's ships will help shed some light on one of our great country's key moments. Furthermore, this search for Franklin's lost

Oral Questions

expedition has greatly advanced our knowledge in Canada's north and strengthened our sovereignty for the Arctic.

Could the Minister of Fisheries and Oceans please update the House on the important work that is being done across Canada's north and Canada's Arctic?

Hon. Gail Shea (Minister of Fisheries and Oceans, CPC): Mr. Speaker, the discovery of one of Franklin's ships is truly a historic moment. I want to take this opportunity to thank the commanding officer and crew of the Canadian Coast Guard ship *Sir Wilfrid Laurier* and the Canadian Hydrographic Service for their valuable logistical and scientific contributions.

I am very proud of the work that our government is doing in the Arctic, from icebreaking to pollution response, to search and rescue, to scientific research. This work is crucial to fostering economic and social development in the north and ensuring environmental protection of this pristine part of our country.

We are committed to strengthening Canada's north, and that is why we continue to make record investments in the Canadian Coast Guard.

* * *

[Translation]

PUBLIC SAFETY

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): Mr. Speaker, the people of Port-Cartier are worried about the Conservatives' plan to close one of the local penitentiary's three units. As usual, the employees have not been informed about the details of this plan, which will have a devastating impact on families and the regional economy.

Will the government be transparent and show some respect for its employees by telling us about its plans for the Port-Cartier penitentiary?

Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC): Mr. Speaker, we are always very transparent. As I said before, the opposition's apocalyptic predictions about the number of inmates never materialized.

I can guarantee one thing: we on this side of the House will ensure that criminals who are behind bars will stay there so that the public can live freely and safely.

* * *

MARINE TRANSPORTATION

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, a year ago, the federal government prohibited ships wider than 32 metres from going up the St. Lawrence River any further than Quebec City. Today there is a 44-metre-wide ship docked at Sorel-Tracy to take on tens of thousands of tonnes of crude oil.

In 2010, the Auditor General was very critical of the federal government's ability to respond in the event of a marine oil spill.

Routine Proceedings

Can the minister tell us whether the federal government's response capability meets the Auditor General's requirements and prove that it is prepared to respond in the event of a spill, before increasing the frequency of this kind of—

The Speaker: The hon. Minister of Transport.

[*English*]

Hon. Lisa Raitt (Minister of Transport, CPC): Mr. Speaker, our government has acted very decisively when it comes to preventing oil spills. In fact, we have a world-class tanker safety program, which I announced the details of last year.

We had a panel that went out to determine where there were gaps in response, and it said very clearly that we can respond to oil spills in this country. However, we want to make it better. That is exactly why we continue to work on issues of prevention, of being able to respond, and, of course, making sure that in the event of a spill that the liability is there for polluters to pay as well.

* * *

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the Parliamentary Secretary to the Minister of the Environment, through no fault of his own, had the PMO prepare talking points, leading to a statement that was incorrect. He said, by my notes, “greenhouse gas” levels “are falling”, and then “significant reduction in greenhouse gas” levels.

If the PMO had consulted the Environment Canada website, it would know that neither of those statements is correct. Greenhouse gas levels have been rising steadily since the end of the recession and are slated to end at 734 megatonnes by 2020, less than one half of one percent below the 2005 levels, when the Prime Minister committed to 17%.

Can the hon. secretary commit that PMO will be instructed to check Environment Canada's website?

• (1505)

Mr. Colin Carrie (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, I beg to differ with my colleague across the way. Since 2005, Canadian greenhouse gas emissions have decreased 5.1%, while the economy has grown by 10.6%. This accomplishment is historic, and actually our per capita carbon emissions have fallen to their lowest levels since tracking began.

That is our record, and we are very proud of it.

* * *

DEMOCRATIC REFORM

Mr. Bruce Hyer (Thunder Bay—Superior North, GP): Mr. Speaker, the reform act could help to fix Parliament and restore Canadian democracy, but the leaders of the three major parties threaten to kill the bill if it is not watered down. The leaders and the parties love having their MPs under their thumb, and sometimes under their heel.

Will the minister support the current version of the reform act and get MPs working for their constituents once again?

Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC): Mr. Speaker, I think the member is speaking from his experience with the overly controlling leadership of the NDP, which prevents people from speaking out freely. During a two-year period investigated by *The Globe and Mail*, in fact the NDP did not have a single member of its caucus vote independently from the leadership. In one in four votes on this side of the House of Commons during that same period, there were members who stood up and voted independently.

We do have a bill before the House now, the reform act, that would take away the leader's legal veto over candidates. The Prime Minister has announced his willingness to accept the elimination of that section of the Elections Act, and we will continue to work with the member on the bill.

The Speaker: That concludes question period for today.

ROUTINE PROCEEDINGS

[*English*]

NATIONAL ANTHEM ACT

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.) moved for leave to introduce Bill C-624, An Act to amend the National Anthem Act (gender).

He said: Mr. Speaker, it is my honour to table a bill entitled “An act to amend the National Anthem Act”. It is seconded by my colleague from St. Paul's.

The bill proposes a simple change in the English version only, two words to be precise: “True patriot love” and “all thy sons command” to become “true patriot love in all of us command”.

In due course, I will present the arguments which I hope will convince a majority of my colleagues to support the bill. I also hope the exchange and debate will be respectful and beyond partisanship.

I attended the Famous 5 luncheon today, where the first and thus far only female prime minister, the Right Hon. Kim Campbell, was the guest speaker, and she was a terrific speaker. At the end of her speech, she welcomed this initiative to make our national anthem gender inclusive.

I look forward to engaging with my colleagues as we address this important matter.

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

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REMOVAL OF IMPRISONMENT IN RELATION TO MANDATORY SURVEYS ACT

Mr. Joe Preston (Elgin—Middlesex—London, CPC) moved for leave to introduce Bill C-625, An Act to amend the Statistics Act (removal of imprisonment).

*Routine Proceedings***HOUSE OF COMMONS CALENDAR**

Hon. John Duncan (Minister of State and Chief Government Whip, CPC): Mr. Speaker, there have been consultations among all parties and I believe you would find consent for the following motion. I move:

That, notwithstanding Standing Order 28 or any other usual practice of the House, the following proposed calendar for the year 2015 be tabled and that the House adopt this calendar accordingly.

The Speaker: Does the hon. Chief Government Whip have the unanimous consent of the House to propose the motion?

Some hon. members: Agreed.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

PETITIONS

SEX SELECTION

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, I have the honour to present two petitions today.

The first petition is from a number of people in Saskatchewan. The petitioners ask that the House condemn the discrimination against females that occurs through sex-selective pregnancy termination.

SPECIES AT RISK ACT

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, I have a second petition, which is focused on the Species at Risk Act.

As Canadians enjoy, protect, and respect the diversity of wildlife, the habitats, natural resources, and ecosystems must remain flourishing, but the Species at Risk Act does not effectively achieve its goal.

These folks have about 10 suggestions that might improve the act, including encouraging voluntary implementation and fair and equitable compensation for all landowners.

CONFLICT MINERALS

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I have petitions from Canadians from right across the country.

The petitioners want the Conservative government to join with other governments to stop the spread of rape as a weapon of war in the Congo by dealing with conflict minerals.

He said: Mr. Speaker, this private member's bill would amend the Statistics Act to remove the possibility of imprisonment for the failure to fill out mandatory Statistics Canada surveys and to allow the release of data from the 2011 National Household Survey in the future.

The constituents of Elgin—Middlesex—London have told me that they are happy to volunteer information to Statistics Canada and that no one should ever go to jail for refusing to do so. I hope members of the House would also agree.

I thank the member for Dufferin—Caledon for his help today.

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

* * *

• (1510)

STATISTICS ACT

Mr. Ted Hsu (Kingston and the Islands, Lib.) moved for leave to introduce Bill C-626, An Act to amend the Statistics Act (appointment of Chief Statistician and long-form census).

He said: Mr. Speaker, in the game of chess it is said that if one sees a good move, look for an even better one.

After feedback from experts and stakeholders, I am pleased to present a refinement of my Bill C-562, an act to amend the Statistics Act. This amended bill explicitly acknowledges that new sources of data or data collection practices would be available in the future and would not simply reinstate the long form census in its recent form. It would require what was really important, the continuity of data series and the maintenance for improvement of data quality.

The proposed bill will also clarify that not all ministerial orders to the Chief Statistician or to Statistics Canada shall be published in the new *Canada Gazette*, but only if they fall within the scope of technical or methodological guidelines and ethical standards, which the Chief Statistician is required to post, maintain and archive on the Statistics Canada website.

The amended bill will expand the duties of its Chief Statistician to include keeping the public informed about the importance of gathering accurate statistical information and consulting with stakeholders on matters pertaining to the census.

I hope all members will see fit to support the bill to safeguard the quality of the information used for managing this country.

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

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COMMITTEES OF THE HOUSE

VIOLENCE AGAINST INDIGENOUS WOMEN

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, this is not actually a motion, but it is as good a time as any for me to advise the House that pursuant to Standing Order 66(2) I would like to designate Tuesday, September 23, for the continuation of debate on the first report of the Special Committee on Violence Against Indigenous Women presented on Friday, March 7.

Routine Proceedings

They ask that all parliamentarians get behind my bill, Bill C-486, to stop the revenues that go to the militias that do horrendous things in the eastern Congo. They also ask that we support those who are affected by gender violence.

• (1515)

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, I rise to present a petition from residents in and around Guelph calling on the Government of Canada to end trade in conflict minerals by adopting Bill C-486, the conflict minerals act.

The petitioners call on the government to adopt the hon. member for Ottawa Centre's bill as a means to end conflict in places like the Democratic Republic of Congo, where over 5 million deaths and untold suffering are being financed by illegally mined minerals, by ending trade in conflict minerals.

PROSTITUTION

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, I have a number of petitions with hundreds of signatures on them.

I have a timely petition regarding the current laws related to prostitution that have been declared unconstitutional by the Supreme Court of Canada.

The petitioners recognize that a high percentage of prostitutes are forced into the trade and are trafficked, whereas the demand for sex with woman and children is now not addressed in legislation and profits from that sex trade are also not addressed in the Criminal Code.

Canadians ask that our country not be lawless when it comes to prostitution and human trafficking, that the House of Commons legislate such that it be a criminal offence to purchase sex with a woman, man or child, and that it be a criminal offence for pimps, madams, and others to profit from the proceed of that trade.

CANADA POST

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I rise on behalf of constituents in Newton—North Delta, thousands who have signed a petition opposing the cuts that have occurred to postal services. They are very upset with the end of door-to-door mail service for Canadians, the increase in postal rates, and the closing of postal offices across the country.

The petitioners call on the Government of Canada to stop these devastating cuts to our postal service because of the impact they have on our communities' safety, as well as on those who are most vulnerable: our seniors and those with disabilities.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, continuing the theme of Canada Post, I too have a petition. There are 750 names from throughout central Newfoundland, with the south coast to Grand Falls—Windsor being the major population centre. Their door-to-door service is being eliminated. Therefore, they are quite upset by this.

The petitioners call on the Government of Canada to reverse the cuts to services announced by Canada Post and look instead for ways to innovate in areas such as postal banking. They also ask for all the smaller communities to be restored to full service by Canada Post.

PROSTITUTION

Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC): Mr. Speaker, I have petitions here from Canadians who acknowledge that certain prostitution laws have been declared unconstitutional by the Supreme Court. However, as petitioners, they do not want our country to be lawless when it comes to prostitution and human trafficking.

The petitioners call on the House of Commons to make it a criminal offence to purchase sex with a man, woman, or child. They ask the House to move forward quickly on this matter.

CANADA POST

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I am pleased to table a petition that draws the attention of the House of Commons to the fact that Canada Post's plan for reduced service, including the elimination of home mail delivery for a large majority of my constituents in LaSalle—Émard, will really have a negative impact on people.

This petition has been signed by hundreds of members of my constituency in LaSalle—Émard, and I am very pleased to table it today.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I am pleased as well to have several petitions on the same issue of Canada Post. Canadians are very concerned about the loss of door-to-door delivery.

Therefore, the petitioners call upon the Government of Canada to take the necessary legislative and regulatory steps to immediately reverse the implementation of the recently announced service rollbacks and cost increases proposed by the Canada Post Corporation.

The petitioners further call upon the Government of Canada to formally oppose any future steps to privatize the Canada Post Corporation.

FOREIGN INVESTMENT

Mr. Bruce Hyer (Thunder Bay—Superior North, GP): Mr. Speaker, I continue to receive many hundreds of petitions about the Canada—China FIPA, and the concern about the fact that it will be in effect irreversibly for decades, is likely to cause billions of dollars in compensation to Chinese firms, and will undermine the sovereignty of Canada.

The petitioners ask that the House do whatever is possible to ensure that our sovereignty over Canadian law remains in effect.

• (1520)

THE ENVIRONMENT

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, I am pleased to present this petition regarding climate change, our most pressing environmental issue and perhaps the defining issue of our generation. Evidence shows that with climate change, extreme events such as heat waves and precipitation extremes will increase.

The petitioners call upon the government to accept the science of climate change, table a comprehensive climate change plan, identify the current value of government buildings and infrastructure assets, and the cost to climate-proof these assets.

CANADIAN BROADCASTING CORPORATION AND CANADA POST

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have a petition signed by residents of Winnipeg North.

The petitioners are concerned that the government cuts and changes, both to CBC and Canada Post, will have a negative impact on the abilities of these two crown corporations.

The petitioners call upon the House of Commons to take the necessary action to support both CBC and Canada Post as two healthy crown corporations well into the future.

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today with three petitions, two of which are on the same topic.

The first petition is from petitioners primarily from Burnaby, British Columbia and Parksville.

The petitioners call on the government to take action on the question of fracking, particularly to ensure that there be a complete list of all those chemicals that are used in fracking. Environment Canada still does not have that list. They also ask for a comprehensive environmental assessment and a moratorium until we know the answers to those questions.

The second petitions are on the subject of the day here in the House of Commons, on the climate crisis. The petitions come primarily from residents in Burnaby, Vancouver and in my own riding.

The petitioners call on the House to take action to achieve the targets and put in place a climate plan for what is required to reduce emissions to at least 80% below 1990 levels by the year 2050.

CITIZENSHIP AND IMMIGRATION

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, it is my pleasure to present a petition that calls upon the government to rescind the government cuts in the interim federal health program and thereby end this barrier to care for refugees and the attendant confusion for health care professionals and refugee-serving organizations.

I do not always indicate whether I agree with petitions that I present, but on this one I am 100% in agreement. This is an entirely mean-spirited act by the government against the most vulnerable people in our country.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

Government Orders

GOVERNMENT ORDERS

PROTECTING CANADIANS FROM ONLINE CRIME ACT

The House resumed consideration of Bill C-13, An Act to amend the Criminal Code, the Canada Evidence Act, the Competition Act and the Mutual Legal Assistance in Criminal Matters Act, as reported (with amendment) from the committee.

[Translation]

SPEAKER'S RULING

The Speaker: Before providing my decision on the selection of report stage motions for Bill C-13, An Act to amend the Criminal Code, the Canada Evidence Act, the Competition Act and the Mutual Legal Assistance in Criminal Matters Act, I would like to address the concerns raised and the supplementary information provided earlier today by the hon. member for Esquimalt—Juan de Fuca, concerning report stage Motion No. 3, standing in his name on the notice paper.

I would like to thank the honourable member for having raised this matter.

As mentioned by the member for Esquimalt—Juan de Fuca, he also did write to me to urge that I select his report stage motion on the basis of exceptional significance.

[English]

I wish to reassure the hon. member that I have carefully reviewed all the relevant contextual and substantive circumstances surrounding the matter. While each case is different, and occasionally there are exceptional circumstances that merit the selection of certain report stage motions, ultimately I must be guided by the procedural practice relating to the selection of report stage motions.

[Translation]

House of Commons Procedure and Practice sets the following general principle with respect to the selection of report stage motions. At page 783 it states:

As a general principle, the Speaker seeks to forestall debate on the floor of the House which is simply a repetition of the debate in committee...the Speaker will normally only select motions in amendment that could not have been presented in committee.

More guidance as to the selection of report stage motions can be found in Standing Orders 76(5) and 76.1(5). The note accompanying those standing orders states, in part:

A motion previously defeated in committee, will only be selected if the Speaker judges it to be of such exceptional significance as to warrant a further consideration at report stage.

Government Orders

● (1525)

[English]

As evidenced by his first having written a detailed letter, and now having raised the matter again in the form of a point of order, the member for Esquimalt—Juan de Fuca clearly feels that the circumstances surrounding the committee's consideration of his amendment are exceptional, and on that basis, the House as a whole should decide whether Bill C-13 should be amended in the fashion he is proposing. While I understand his argument, I would remind him that the Chair cannot make decisions on selection based on the likely outcome of the vote.

As I stated in the decision on December 12, 2012, page 13224 in the *Debates*, in relation to a point of order raised by the government House leader:

The Chair is and will continue to be guided by procedural imperatives in all of its decisions, not by somehow substituting the Speaker's prediction of the likely outcome of a vote expressed by the House itself.

His belief that the outcome might be different in the House from what it was in committee, or that a certain foreknowledge exists as to the will of the House on a given question, is not sufficient grounds for the Chair to determine that exceptional circumstances exist that would warrant the selection of this particular amendment.

Furthermore, I would note that Bill C-279, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity) at present stands referred to a Senate committee. The Criminal Code has not yet been amended in the manner that Bill C-279 proposes. Presumably, as both Bill C-279 and Bill C-13 advance through the legislative process, Parliament will, in due course, choose which approach it prefers.

With respect to the existing practice relating to report stage, I would remind members that since 2001, report stage has undergone a significant evolution so as not to repeat debate that already occurred in committee. As such, the Speaker is empowered to decline to put report stage motions that would be tantamount to a repetition of the work that was already done in committee.

Were I to select Motion No. 3 on the basis of the arguments put forward by the member, I fear it could lead exactly to a situation that our report stage practice was designed to avoid, namely a repetition of the debate that occurred in committee on this matter. Therefore, I must inform the member that Motion No. 3 will not be selected for consideration at report stage.

[Translation]

There are nine motions in amendment standing on the notice paper for the report stage of Bill C-13.

Motion No. 3, as indicated previously, as well as Motion No. 6 will not be selected as they are identical to amendments defeated in committee.

I shall now propose Motions Nos. 1, 2, 4, 5 and 7 to 9 to the House.

MOTIONS IN AMENDMENT

Ms. Françoise Boivin (Gatineau, NDP) moved:

That Bill C-13 be amended by deleting the short title.

*[English]***Ms. Elizabeth May (Saanich—Gulf Islands, GP)** moved:

That Bill C-13 be amended by deleting Clause 3.

*[Translation]***Ms. Françoise Boivin (Gatineau, NDP)** moved:

That Bill C-13 be amended by deleting Clause 20.

*[English]***Mr. Sean Casey (Charlottetown, Lib.)** moved:

That Bill C-13, in Clause 20, be amended by adding after line 29 on page 14 the following: "(2) For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from the protections for personal information affirmed by the Supreme Court of Canada decision in *R. v. Spencer* 2014 SCC 43."

*[Translation]***Ms. Françoise Boivin (Gatineau, NDP)** moved:

Motion No. 7

That Bill C-13 be amended by deleting Clause 23.

Motion No. 8

That Bill C-13 be amended by deleting Clause 26.

Motion No. 9

That Bill C-13 be amended by deleting Clause 47.

She said: Mr. Speaker, this morning we debated the bill on prostitution. This afternoon, we turn to the bill on cyberbullying. I am almost tempted to start out the same way. This bill also garnered a lot of attention and caused quite a stir. I received many comments from my constituents in Gatineau about this. These people had the same concerns I did. That told me that I was on the right track when it came to the position that the NDP and I took on this file.

I believe it is important to reiterate that many people take the government at its word and believe that it can have a positive impact on the lives of the young people who have suffered all kinds of bullying, their parents and everyone who has been affected by bullying.

As we all know, Bill C-13 was created in the wake of tragic situations involving certain Canadians. Young people committed suicide. Suicide can happen anywhere, in the armed forces and in the general population. Bullying is not a new concept. It has existed for many a moon. I think that we need to find real solutions to offer help instead of playing politics.

From the outset, our approach was not to hold up Bill C-13, but to allow it to take its course. We wanted to be sure that there was an in-depth study in committee and that various witnesses would be able to share their point of view on the bill.

The bill is known as the protecting Canadians from online crime act. It contains 47 clauses and is 53 pages long, but it does not even touch on cyberbullying or online crime. Rather, Bill C-13 addresses the distribution of images, one very small part of bullying. The rest of the bill addresses issues as varied as immunity for Internet service providers, the concept of peace officers and public officers, telecommunications theft and so on. Bill C-13 covers a lot of ground.

Government Orders

We shared these concerns with the minister, the Attorney General of Canada. We thought it would be wiser to split the bill in two so that we could tackle the image distribution issue head-on since it was not as controversial. As for the touchier violation of privacy issue, there are tools that the minister makes a point of talking about regularly, saying that we cannot do one without doing the other. He would have us believe that there are currently no tools available, but there are. We wanted to make sure that what we were doing on that score was completely reasonable. However, the government turned a deaf ear.

Naturally, witnesses told us exactly the same thing and said they were very concerned. Many aspects of Bill C-13 resemble Bill C-30, even though the government agreed to some changes and realized it could not go any further with that particular vision. It did make some minor concessions. The government tried to address cyberbullying via image distribution and the highly publicized cases of Rehtaeh Parsons, Amanda Todd and others who did the worst thing imaginable. Seeing no way out of the problems they faced, they saw that as the only solution. That really breaks my heart.

• (1530)

Everyone will agree that there is nothing worse than thinking that suicide is the only way to solve a problem or the only way out. As a society, we are failing miserably. In my opinion, claiming that Bill C-13 will save young lives is laying it on rather thick.

I do not want to dwell on the issue, but even Amanda Todd's mother told the committee that she did not want people's privacy to be invaded in order to keep others safe. That was not necessarily the objective. Once again, the government is failing to be transparent. Like Sophia Petrillo-Weinstock in the television show *Golden Girls*, I am tempted to say, "Picture it."

Thursday, June 12 was the last day set aside for the clause-by-clause examination of Bill C-13. On Friday, June 13, the Supreme Court of Canada was scheduled to render its decision in *Spencer v. The Queen*. This case dealt with the matter of police access to personal information. Several witnesses who appeared before the committee said that this case would definitely have an impact. At the very least, the government should have exercised caution and waited for the Supreme Court ruling.

Some believe that the committee merely conducted a concept study, but that was not the case. The government was producing legislation. The government bill is 53 pages long and we examined it. Then, the committee heard from witnesses with regard to the various aspects of the bill that they were concerned with. For some, it was the distribution of images. For others, it was the violation of privacy and technology. We heard from a whole slew of witnesses who were concerned about very different aspects of the bill.

The people who were dealing with the part related to the interception of data and the gathering of information without a warrant or court authorization felt it was important to wait for the *Spencer* ruling. After it was tabled, some experts indicated that the June 13 ruling contradicted certain aspects of the government's bill. That is what we were trying to avoid. We had therefore asked the government to wait.

Time and time again in committee, I asked whether we should not wait until June 13. Should we not read the ruling? Should we not seek advice from staff at the Department of Justice who could explain the ruling to us and tell us whether or not it would have an impact?

In law, if you put five lawyers in a room, they would not all say the same thing. In the House, not everyone is a lawyer. Furthermore, even amongst those of us who are lawyers, not everyone is a specialist in every subject. That is why we study things in greater depth in committee, come back to the House with our recommendations, and then vote with full knowledge of the facts.

At this very moment, regardless of my personal opinion and the fact that several specialists said that the ruling in *R. v. Spencer* goes against many aspects of the bill, I am quite worried. If there is one area in which I do not want to see any glaring errors, that is justice. Justice must be applied correctly and equally across the board.

All that explains why we changed our position. We supported the bill at second reading, but all of our fears regarding this government bill were confirmed in committee.

It seems that the government is using this bill to try to score political points rather than make any meaningful changes. The evidence is quite clear. The fact is, the government voted against the motion moved by my hon. colleague from Chicoutimi—Le Fjord, M-385, regarding cyberbullying. Furthermore, it also voted against the bill introduced by my hon. colleague from Dartmouth—Cole Harbour, Bill C-540.

• (1535)

Basically, if you ask me, everything is crystal clear.

There is also Bill C-279, introduced by my hon. colleague who delivered a speech on it this morning.

This all tells me that this bill is more about politics than anything of real substance.

[*English*]

Hon. Peter MacKay (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I appreciate very much the comments of my friend opposite.

• (1540)

[*Translation*]

I particularly appreciate her expressions of condolences and compassion for the victims of cyberbullying. She was right to say those things. At the same time, she said she was taking a non-partisan approach to the bill.

[*English*]

Much of what my friend says is undeniably true. This is a complex bill. It does go very much beyond simply the issue of cyberbullying and the government's efforts to respond to this very real problem that has affected the lives of so many people in Canada, particularly young people.

Government Orders

However, in her reading of Spencer, she somehow would leave the House, and Canadians, with the impression that this creates new police powers or this is somehow going to lead to further breaches of privacy. Nothing could be further from the truth. What Spencer did in fact was confirm the fact that no new powers were going to be bestowed upon the police. What we are attempting to do is to very much ensure that the police do have, with lawful access, the ability to protect people online, to protect seniors, to protect young people, to protect businesses from flagrant abuses or breaches of privacy that allow criminality to happen online. The bill is very much an attempt to modernize those practices and also to ensure that people's privacy is protected.

We, of course, will respect the Spencer decision. We believe that the bill does meet the balance that is called for in the effort to give police powers to investigate, but at the same time to protect privacy rights. We believe, as well, that there is still ample opportunity to examine the bill in a meaningful way.

I do appreciate the fact that we have had a debate in the House of Commons now and that there will be debate in the other place. However, it is important that we continue to move forward and make progress in this critical area where people's lives are literally at stake.

[*Translation*]

Ms. Françoise Boivin: Mr. Speaker, I thank the minister for his speech.

That being said, he is proving my point. It is interesting to hear the minister's version of Spencer. Nonetheless, what would have been the big deal to wait until the day after the Spencer ruling, for instance, or a few days afterward to have experts confirm what the minister just said. That is his interpretation, but I have heard others that say exactly the opposite.

We proposed 36 amendments. I appreciate the minister's compliments. It is true that I try to look at justice bills in a non-partisan way. However, every time we present something, even amendments as benign as those asking for accountability, they are all rejected. Eventually, we have to say, listen, we take our work seriously. Beyond their words and compliments in this chamber, the members across the way might want to put their money where their mouth is.

Specifically, we asked for the inclusion of a gender equality clause, which had been already accepted. When I asked the minister, he said he had no problem with that. However, in regard to this amendment, the Conservatives should not have played back-room games and try to place people we never see on the Standing Committee on Justice and Human Rights just to try to defeat the amendment.

It is those types of actions that make it hard for us to recognize the government's open mind and so-called transparency.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I want to know whether the hon. member for Gatineau agrees with me that there is something about this bill that is moving too fast and something that is moving too slow.

[*English*]

Does the debate that we are having here today and what has transpired on June 13 of this year not simply drive home the importance of the motion that this member brought before the House when the bill was introduced, that this bill needs to be divided?

The landscape has changed since this debate started. The Supreme Court of Canada pronouncement on June 13 has changed the landscape, as does the interaction with what is happening in the other place in Bill S-4, which also has a connection.

Given what has happened since the bill was introduced in the Supreme Court of Canada and in the other place, is the case for the dividing the bill not even more pronounced now than it ever was?

[*Translation*]

Ms. Françoise Boivin: Mr. Speaker, I will answer quickly. In any case, I think that my Liberal colleague knows the answer to that. A good lawyer does not ask a question unless he knows the answer.

We are not spending enough time on the issue of violating privacy, which is the bulk of Bill C-13, and too much time on the issue of the distribution of images, which could have changed quickly. Once again, it goes without saying that the bill could be split.

Once again, it is very unfortunate that this is not a possibility. I think it is wrong to play politics at the expense of victims. I always say that there is nothing worse than dragging victims to a press conference to try to give everyone the impression that they are being supported. Then it is truly sad to see their expectations deflate when they are faced with the inadequate reality.

In this context, we know that the government wants to pass Bill C-13 as quickly as possible in order to hold other press conferences. However, this has also opened the eyes of the victims and their parents. Like Amanda Todd's mother, they have realized that this bill may not do exactly what the government claims it will do. We need to further consider and analyze the provisions.

● (1545)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, it is an honour for me to speak today to Bill C-13. It is a sad moment because this bill contains all the flaws it had at first reading.

[*English*]

I want to also put on the record that I regret the Speaker's decision. I understand the Speaker's reasoning, but I would have fully supported the request by the hon. member for Esquimalt—Juan de Fuca for that amendment to be selected. That is an important issue of gender identity and ending discrimination, and I think it is a shame that we missed the opportunity today to have that amendment before the House of Commons.

The point was well made just moments ago by my hon. colleague from Charlottetown that it is a terrible shame that the bill was not divided. There is no doubt that easy passage would have created a bill that genuinely dealt with cyberbullying and did not, once again, resurface efforts at what is called "lawful access" but which is generally known in common parlance as Internet snooping by the state into the private lives of Canadians.

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There are many troubling aspects on the Internet snooping or lawful access part of the bill that has bedevilled the part that we all would want to support to genuinely deal with cyberbullying. Therefore, my comments will be in relation to those portions that should have been split out, dealt with separately, and not brought forward as though there is nothing wrong with them. Those are the sections that relate to so-called lawful access.

Those sections that deal with the release of private information and private communications of Canadians under much less stringent circumstances than in the past, contrary to what the Minister of Justice said just moments ago, is very worrying. Had it not been worrying, we would not have seen such strong statements from various of our privacy commissioners, our former federal privacy commissioner, Jennifer Stoddart, and the Ontario privacy commissioner, Commissioner Cavoukian.

Many privacy experts have spoken out and said the bill would, as have so many other bills that have been put forward by the Conservative administration, violate our charter rights, certainly violate our privacy rights. The Canadian Bar Association and the Criminal Lawyers' Association have spoken out strongly, saying sections of the bill, with modest changes, could be made acceptable. However, those changes were all shot down in committee.

This is a case where, as the member of Parliament for Saanich—Gulf Islands and as leader of the Green Party, I was invited—I suppose that is the right term, “coerced” might be the one that comes to mind more often—by the new process that applies to members in my position, those with fewer than 12 members in the party in the House or independents, with 48 hours notice to come before various different committees. I brought forward a dozen or so amendments on Bill C-13 to the committee on this issue to try to deal with those sections where we would now ask for deletions. We would like to see the bill improved even now at report stage. Unfortunately, all my arguments were shot down and all the amendments were defeated.

In short form, I will cover the basic themes of what we find. Of course, some of themes have been well touched on by the hon. member for Gatineau in her quite strong explanation of what is wrong with the bill.

The provisions that allow for the telecom companies' voluntary disclosure of private information to be held harmless against any subsequent prosecutions are unnecessary. In fact, we now have the Spencer decision, which has been referenced as well this afternoon, that makes it clear that the bill is out of step with the Supreme Court. We do not need to make it easier for telecom companies to voluntarily turn information over without a warrant and without some of the protections that we used to see in other descriptions of when such information could be turned over.

The fact that we can see various levels of public officials asking for such information is worrying, in and of itself. The fact that they can do it voluntarily and be immune from prosecution is a further worry that we will have significantly more invasions of privacy in the guise of doing something about cyberbullying.

● (1550)

The second area of concern is the lack of accountability and oversight. We used to require that the police have reason to suspect. Now it is a watered-down provision.

We need to have more oversight when we are dealing with issues of privacy. In this Internet age, we are more aware than ever that the private information of Canadians, the kinds of things that we used to keep in our homes under lock and key, that a stranger would have to knock down the doors and rifle through our cabinets to get, now through technological breakthroughs and the Internet is easily accessible by the state through the simple process of pressuring a telecom to release the information to us. This is a significant threat to privacy rights in Canada.

Should this bill pass as currently before us? If it does, it would be a significant violation. It would inevitably lead to violations of the privacy rights of Canadians.

The other piece that has been widely criticized in this bill is the scope of public officers who can have access to this information. It has become too broad.

Justin Ling, who has a good sense of humour, had an opinion piece in the *National Post* on May 4, 2014. I know it was something of a spoof, but it was certainly a telling way to make the point that the list of public officers who would have unprecedented access to the private information of Canadians would extend to the current mayor of Toronto. Now, while he certainly is dealing with a personal tragedy in his life, and we hope nothing but the best for his health and recovery, the point was made that we do not want to have the private information of Canadians so widely accessible to such a broad group of individuals. Of course, it would also include CSEC, the Communications Security Establishment Canada. It would also include CSIS, as well as public officers of all kinds, including mayors.

This is not the kind of oversight, accountability, and control Canadians would come to expect when the apparatus of the state decides to reduce the tests and lower the threshold for having access to the private information of Canadians.

We will certainly have debate on this. In know that the hon. member who is now the Minister of Justice will have defences and will say that it absolutely does not reduce privacy rights. Why then do so many privacy commissioners think it does? If it does not intrude on civil liberties, then why do the major law organizations and legal scholars in this country say that it does?

Government Orders

There are a lot of members of Parliament on the other side of this place who describe themselves, in their own conversations, as libertarians. They distrust the state. They distrust government reaching into their private lives. I ask them this: How have they gotten so far from a distrust of the state to a cult of Big Brother? I am wondering how it happened that we have moved from a nanny state to a Big Brother state. If the government wants this information about Canadians, those of us on this side of the House who want to defend privacy rights, as a former minister, Vic Toews, said in this place, somehow "...stand with us or with the child pornographers". Are we to continue to hear that when we stand for the privacy rights of Canadians, we do not care enough about ending cyberbullying?

It is not too late, still, to split this bill and allow us on the opposition benches to strongly support the measures that will protect the vulnerable from cyberbullying, but please, let us draw the line at letting Big Brother have more access to private information. This bill goes too far, and they know it.

● (1555)

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, the member mentioned in her speech that she thinks this bill should be split into two pieces, one being a specific criminal provision having to do with the non-consensual distribution of intimate images, and everything else, that is, any investigative power, in a separate bill.

First, I did not hear from her what additional witnesses she thinks should come before the committee, since the committee had extensive hearings on this issue. My colleagues on the opposite side who were on the justice committee will confirm that.

Second, I wonder if the member has read the CCSO Cybercrime Working Group report, "Cyberbullying and the Non-consensual Distribution of Intimate Images", and, in particular, recommendation number 4 of that report, which says:

The Working Group recommends that the investigative powers contained in the Criminal Code be modernized.... These amendments should include, among others:

Data preservation demands and orders;

New production orders to trace a specified communication;

New warrants and production orders for transmission data;

Improving judicial oversight while enhancing efficiencies in relation to authorizations, warrants and orders;

Other amendments to existing offences and investigative powers that will assist in the investigation of cyberbullying and other crimes that implicate electronic evidence.

How can the member stand here and say that we do not need these investigative powers to prevent the next Rehtaeh Parsons or Amanda Todd case from happening?

I would like to know if the member agrees with recommendation number 4 or if she disagrees with any of the parts of recommendation number 4.

Ms. Elizabeth May: Mr. Speaker, we know that the Criminal Code contains a lot of the measures we need for investigating cybercrime. The current Criminal Code contains the following:

For greater certainty, no production order is necessary for a peace officer or public officer enforcing or administering this or any other Act of Parliament to ask a person to voluntarily provide to the officer documents, data or information that the person is not prohibited by law from disclosing.

We know that we can do more. We can track down cyberbullying. We want to support law enforcement. However, we always need to bear in mind that our role here, as members of Parliament, is to hold to account a government that is increasingly exercising abusive powers in terms of the way bills are rammed through this House and in terms of the new powers given to the state to intrude into the lives of Canadians. We have continually less respect for civil liberties and more trust in the idea that Big Brother can handle things.

I submit that the existing Criminal Code elements go quite far in giving us the powers that we need, and this bill would go too far.

[Translation]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I thank my colleague for her speech, which was as eloquent as ever.

I want to read part of an interesting article from *Global News* that I read this morning called:

[English]

"Why anti-'revenge porn' pioneer doesn't like Canada's cyberbullying law".

[Translation]

This is someone who would normally support the kind of initiatives the government is preparing to take.

[English]

"Mary Anne Franks has made a name for herself fighting 'revenge porn'—the dissemination of intimate photos of a woman (it's almost always a woman) without her permission or knowledge—often by an estranged partner."

This says something that I thought was pretty interesting, and I would like my colleague to comment. She says, "I do not think it's ever going to work to try to protect privacy by invading privacy."

Could I have the member's comment, please?

● (1600)

[Translation]

Ms. Elizabeth May: Mr. Speaker, I thank the member for Gatineau. As usual, I think she is right. That is a very interesting quote and I completely agree.

[English]

They will never protect privacy by invading privacy. They will never get more law and order by putting people in jail when they should be creating the circumstances that keep people out of criminality to begin with.

We need to actually think about what is getting passed in this place so that we can ensure that the rights and liberties of Canadians are not constantly whittled away in the creation of greater talking points and slogans for the next election.

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Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, it is a pleasure to rise at report stage of Bill C-13.

Bill C-13 does three things. It responds to a need to protect victims from the non-consensual distribution of intimate images. That is something on which I think we all agree. However, it is an omnibus bill that also expands police powers.

The third thing it does, in furtherance of the expansion of police powers, is provide immunity to telephone companies and Internet service providers for the non-consensual, secret, warrantless, but lawful, disclosure of subscriber information.

What I will do today is talk about each of those three aspects of the bill and also about the Spencer decision, which has very much changed the landscape, and where we ought to go as a result of the Spencer decision.

The first aspect of the bill is truly non-controversial, and it is somewhat troubling that we are still here talking about it, and that is the parts of the bill that are there to protect the Rehtaeh Parsons and Amanda Todds of the world. It is the part of the bill that is there to criminalize the non-consensual distribution of intimate images.

The opposition parties have offered to fast-track these provisions by splitting the bill, and it is somewhat troubling that we are here today, ten months after the bill was introduced, and that these measures have not been brought into law. There is a willingness within the House to bring them into law forthwith.

The reason for that is that we have an omnibus bill that has bundled in an expansion of police powers. We have an omnibus bill that has revived the Vic Toews e-snooping provisions, and it is troubling that these provisions have been included and wrapped in the flag of the victims of some terrible crimes.

I would like, for the benefit of the House, to share the testimony of Carol Todd, the mother of Amanda Todd, on May 13, to give a sense of how she feels about this omnibus legislation. She testified before our committee:

Bill C-13's cyberbullying provisions are needed for my wish to come true as a mother of a cyberbullying victim. While I applaud the efforts of all of you in crafting the sextortion, revenge porn, and cyberbullying sections of Bill C-13, I am concerned about some of the other unrelated provisions that have been added to the bill in the name of Amanda, Rehtaeh, and all the children lost to cyberbullying attacks.

I don't want to see our children victimized again by losing privacy rights. I am troubled by some of these provisions condoning the sharing of privacy information of Canadians without proper legal process. We are Canadians with strong civil rights and values. A warrant should be required before any Canadian's personal information is turned over to anyone, including government authorities.

We should be holding our telecommunications companies and Internet providers responsible for mishandling our private and personal information. We should not have to choose between our privacy and our safety. We should not have to sacrifice our children's privacy rights to make them safe from cyberbullying, sextortion, and revenge pornography.

Later in her testimony she said:

On my own behalf, I have one request. If there is any way we can separate these controversial provisions from the law designed to help other Canadians avoid the pain experienced by Rehtaeh and my Amanda, I would support that process. This would allow the bill to be free of controversy and to permit a thoughtful and careful review of the privacy-related provisions that have received broad opposition.

I do not want my privacy invaded. I do not want young people's privacy compromised. I do not want personal information being exploited without a protection order that would support individuals. I do not want any Canadian hurt in

my daughter's name. I want her legacy to continue to promote hope, celebrate our differences, and give strength to other young people everywhere.

• (1605)

That is Carol Todd, the mother of Amanda Todd, urging us to do the right thing, expedite the passage of those provisions that deal specifically with cyberbullying and take our time to get it right on the others.

With respect to the online surveillance provisions in the bill, this is the latest installment of a prolonged and concerted campaign by the Conservatives to play big brother.

In 2007, Stockwell Day launched an online consultation process with respect to the mandatory disclosure of customers' names and information. After it was exposed, he promised not to authorize warrantless access. That promise was broken in 2009, when the Conservative government brought in a bill, the first bill that was introduced. It had 13 identifiers that mandated warrantless disclosure of subscriber information. An election derailed that effort. At that time the Minister of Public Safety was the present government House leader.

The Vic Toews' version was then introduced, and it narrowed the identifiers from 13 down to six. We know what happened to the Vic Toews' version after the outburst against the member for Lac-Saint-Louis that one is either with us or with the child pornographers. Due to the outrage around the e-snooping provisions in the Vic Toews' bill, there was a promise by the next justice minister to not reintroduce those provisions. However, 37 of the 47 provisions of the Vic Toews' bill are in this bill.

What the government has done, however, in the bill is that it has kept out the most offensive aspects of the Vic Toews' bill dealing with warrantless disclosure, but it has come at it through the back door. Instead of mandating warrantless disclosure, what it has done is made voluntary disclosure easier by giving immunity to those who co-operate with police. Another bill that is going through the other place takes this one step further. It expands the audience. It expands the circumstances and the parties who may receive this voluntary warrantless disclosure.

The testimony on May 6 before the committee was quite telling. We had an expert in privacy law from Halifax, a fellow by the name of David Fraser, comment on this immunity that is being offered to telephone companies.

He said:

...I would touch very briefly on the issue of service provider immunity that's touched on within this statute. I find this to be gravely problematic. I think it's a very cleverly crafted provision. We're told that this is simply for greater certainty, but it goes beyond that. Everything we know suggests otherwise.

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It says that you will not be liable for handing over any data that you're not prohibited by law from handing over, and if you do so you're civilly immune. Now, only the criminal law and other regulations create prohibitions against handing over information, but you can hand over information when you're not legally prohibited and still incur civil liability. Civil liability is there for a reason. I may not be legally prohibited from accidentally driving my car into yours, but if I do that, you're entitled to damages from that. I should be paying for the harm that is caused.

The immunity provisions are very problematic because the government is trying to do indirectly what it cannot do directly. This was pronounced upon by the Supreme Court of Canada in the recent Spencer decision. Here is what the government argued to the Supreme Court of Canada:

...does a person enjoy a reasonable expectation of privacy in subscriber information? Put another way, should the police have to get judicial authorization to determine the physical address of an internet connection and the subscriber's name before they apply for judicial authorization to search that physical address?

The answer to those questions must be "no"....

• (1610)

That is what the government said. The court rejected that argument. The court found a privacy interest in that information and that the charter had been breached in the circumstances. That changes the landscape. That changes the debate. We need to split the bill.

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, the member mentioned that the government likes to wrap itself in the testimony of victims, as if there is something inappropriate about telling Canadians about the stories of victims that have led to this specific bill. Then he goes on to extensively quote from the testimony of Ms. Todd, which is terrific. I think people have a right to know what was said in committee.

I wonder if the member heard that Ms. Todd met with the Minister of Justice following her appearance at the justice committee and then did a subsequent CBC Radio interview about two or three days later. I wonder if the member heard that interview and what she said then. Maybe he could quote from that next time he has an opportunity. If he has not had a chance to hear that interview, I would be happy to provide him with a transcript. He would find that after speaking with the Minister of Justice, Ms. Todd understood why many of these investigative powers are necessary in order to prevent the kind of thing that happened to her daughter from happening again.

The member also did not mention what Glen Canning or Allan Hubley said about Bill C-13 or why they think these investigative powers are critical to ensure that what happened to their children does not happen to other children.

I would like the member to tell us if there are any parts of recommendation 4 from the Cybercrime Working Group report of June 2013 that he disagrees with. That group of experts said that those recommendations were necessary in addition to the criminal offence of distributing an intimate image to ensure that these types of crimes can be properly investigated and prevented. Perhaps the member could tell us about that.

Mr. Sean Casey: Mr. Speaker, I anticipated the last question. It was the very same question that was asked earlier in this debate. It was also put to me after my initial speech on the bill, and that is in respect to recommendation 4 from the working group.

The parliamentary secretary is correct that the bill would implement many of these recommendations, including recommendation 4. However, he is going much too far with his interpretation of the group's call for Criminal Code modernization. The government's talking point that this report calling for the update of some sections to reflect communications constituted a *carte blanche* for the government to do anything it wanted touching communications, from stealing cablevision to hate speech, is simply an overreach. It is not the case.

Yes indeed, I am fully aware of the immense pressure that was placed on Carol Todd after her testimony and her subsequent public statements.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I agree with the member for Charlottetown. We all heard members on the Conservative benches tell us that Ms. Todd had taken back some parts of her testimony. The committee worked based on the testimony heard. The testimony will certainly be recorded in parliamentary history. We all sympathize with what she has been through.

I think that the Parliamentary Secretary to the Minister of Justice is laying it on a bit thick with his question regarding recommendations. I do not think that the minister's colleagues in the provinces and territories asked him to go as far as changing the burden of proof so that people could obtain the private information of Canadians. A number of experts, including Mr. Fraser, as quoted by the member for Charlottetown, Michael Spratt, and also Michael Geist, came to tell us that it was dangerous to change the burden of proof for obtaining private information to "reasonable grounds to suspect" instead of "reasonable grounds to believe". Could my colleague comment on that?

• (1615)

Mr. Sean Casey: Mr. Speaker, I completely agree. A few experts testified in committee. All of them, in particular Mr. Geist, highlighted this subject.

Mr. Geist has written a few articles on the impact of the Spencer decision since his testimony. This decision is very important and is very relevant to the debate. A number of things have changed since the committee's meetings. I think that we need to continue the debate. For example, we did not hear from the telephone companies, and those are essential witnesses.

[*English*]

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am thankful for the opportunity to participate in today's very important debate on Bill C-13, the protecting Canadians from online crime act.

Bill C-13 would provide a strong criminal justice response to the problem of cyberbullying. Cyberbullying, much like bullying in general, is a very complex social phenomenon that requires the attention of all segments of society. Most bullying behaviour is not a criminal behaviour and should be dealt with outside of the criminal justice system. However, we know that the reach of the Internet, the speed at which information can be shared, and the ability to act anonymously have made cyberbullying a serious concern.

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This problem cannot be fixed simply by enacting a new law that would adequately cover all instances of this behaviour, but that does not mean that the criminal law cannot be strengthened in this area. This is why Bill C-13 provides a targeted response within the government's broader commitment to address the issue of bullying and cyberbullying.

If passed into the law, the proposed Criminal Code amendments would create a new offence of non-consensual distribution of intimate images with accompanying complementary amendments. The second main purpose of Bill C-13 is to provide the police with tools to give them the ability to address all crimes committed via the Internet or that involve electronic evidence.

Let me state the obvious here. All of the elements of Bill C-13 logically go together. Police will be able to more effectively and efficiently investigate the proposed new offence and other crimes committed via the Internet or that involve electronic evidence with the proposed legally authorized tools.

Absent the new production and preservation orders proposed in Bill C-13, there would be no tool in the Criminal Code to enable the preservation and ensure that important evidence is not deleted. There would be no tool designed for production of specific subsets of tracking data and transmission data, nor would there be a tool to assist in tracing a communication by using one order with multiple providers. Without these tools, law enforcement's ability to protect Canadians from online crime and cyberbullying would be seriously hampered.

I would like to focus my remarks today on a specific provision included in Bill C-13, proposed subsection 487.0195(2) of the Criminal Code, which would provide immunity from civil and criminal liability to persons who voluntarily assist police. In a nutshell, proposed subsection 487.0195(2) would amend existing subsection 487.014(2) of the Criminal Code, which was enacted in 2004 with the creation of production orders in the Criminal Code. Subsection 487.014(2) was designed to clarify that the new production orders were not intended to preclude ongoing voluntary assistance where such assistance was not precluded by law and to reconfirm existing legal principles that such assistance would not create any liability, either civil or criminal.

When new authorities such as production orders are created in law, the result can be that common law authorities are displaced. This was not the intent when production orders were introduced into the Criminal Code in 2004, nor is it the intent with respect to the updates to production orders and the new preservation authorities proposed in Bill C-13.

The ability of the public to voluntarily assist police is essential to effective policing and a core component of ensuring public safety. Police may request information on a voluntary basis in many situations, including general policing duties that may not relate directly to investigating a crime, such as requesting information so they can contact family members when there is an accident.

However, I want to be clear. Bill C-13 would not create a new authority for voluntary assistance. It would simply clarify that any existing authority for voluntary assistance continues to be in place where not prohibited by law. It would also not create a new

protection from civil or criminal liability but reconfirms the existing protection. This provision simply reconfirms existing legal principles that if an entity is legally permitted to turn over data to the police, then that entity will not be subject to civil or criminal liability for doing so. If an entity is prohibited by law from disclosing information, for example, by legislation or by contract, then immunity will not be available.

The minor revisions to existing subsection 487.014(2) that are proposed in Bill C-13 are primarily to make the provision more transparent and understandable by specifying that the protections from civil and criminal liability that are currently provided in section 25 of the Criminal Code, which deals with the protection of persons acting under authority, apply not only in the context of the current production orders but also in the context of the new production orders proposed in Bill C-13. The proposed amendments would also reflect the addition of preservation demands and orders to the Criminal Code.

• (1620)

This existing provision, which did not receive any attention when it was first enacted in 2004, attracted considerable criticism in the media and during committee hearings on Bill C-13. Indeed, this provision was wrongly reported as providing police with warrantless access to personal information and has been inaccurately described as a means of opening the floodgates of data between the private sector and the police.

In addition, some have also called for the deletion of this provision as a result of their interpretation of the June 2014 unanimous decision of the Supreme Court of Canada in *R. v. Spencer*.

I wish first to confirm what the government has stated all along, a view supported by the Supreme Court of Canada's decision in *R. v. Spencer*: that proposed subsection 487.0195(2) does not create any new search and seizure powers. Second, the proposed section continues to be required for those who continue to voluntarily assist the police where not prohibited by law. Those words are very specifically spelled out in the proposed legislation.

Specifically, the Supreme Court of Canada in *R. v. Spencer* said in paragraph 73 of the decision that the existing voluntary disclosure and immunity provision is "...a declaratory provision that confirms the existing common law powers of police officers to make enquiries", as indicated by the fact that the section begins with the phrase "for greater certainty". The decision makes it clear that Bill C-13 does not, and never did, create new police powers to access telecommunications data without a judicial warrant.

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In *R. v. Spencer*, the court expanded the privacy protections afforded to information related to an Internet protocol, or IP, address in certain circumstances, thereby taking this information out of the realm of information that can be provided voluntarily. However, the court did not suggest that voluntary disclosures were now impermissible. Rather, it held that voluntary assistance could still be provided in exigent circumstances, or pursuant to a reasonable law, or where there is no reasonable expectation of privacy. This clearly leaves scope for permissible voluntary assistance and provision of information without judicial pre-authorization.

Since the *R. v. Spencer* decision still allows for voluntary assistance to police in those circumstances, the clarification and the protection from immunity contained an existing subsection 487.014 (2) and proposed subsection 487.0195(2) are still needed.

Bill C-13 was thoroughly examined by the Standing Committee on Justice and Human Rights. The committee amended the bill to require a parliamentary review of proposed sections 487.011 to 487.02 of the Criminal Code—i.e., the new preservation demands and orders, the updated production order scheme, and the assistance order provision—seven years after these provisions come into force.

I agree with this amendment and said so at the justice committee. Given the highly technical nature of these reforms, I believe that a parliamentary review would be helpful to assess if the reforms have achieved their intended impacts. This amendment may also serve to alleviate some concerns expressed by privacy advocates, as it provides a future opportunity for inquiry into the privacy impacts of the legislation.

In summary, Bill C-13 was strengthened at committee and deserves to be passed into law in the form in which it was reported back to the House. I urge all hon. members to make this possible by ensuring the swift passage of the bill.

• (1625)

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I thank my colleague for his speech. I recognize a lot of things other members of the Conservative benches have already said on this topic.

I am particularly interested in a few issues, which I touched upon earlier with previous speakers. The article was rather interesting. I sometimes meet people who fight their whole lives to get their message across.

I would like to share another quote from the article entitled, “Why anti-‘revenge porn’ pioneer doesn’t like Canada’s cyberbullying law”, written by Anna Mehler Paperny and published today on *Global News*.

Mary Anne Franks is one of those people who travels all over the world defending the rights of people who are attacked after their images are shared on the Internet.

Here is what she said:

[*English*]

But Franks’ more serious objections have to do with the bill’s contents: “It seems like a way to get Canadians to accept a greater intrusion on the part of government and police into their personal lives and using revenge porn as a pretext for doing that,

which is incredibly upsetting. ... We don’t want to use a legitimate recognition of harmful behaviour as a pretext for violating people’s civil rights.”

[*Translation*]

I would like to hear what the Parliamentary Secretary to the Minister of Justice thinks about Ms. Franks’ rather harsh criticism of the Conservatives’ legislation. Did they receive any legal opinions regarding the *Spencer* decision that the opposition and official opposition benches would have an interest in seeing? It would be interesting to see what kind of information they have that we do not, aside from comments that this decision tears Bill C-13 apart.

[*English*]

Mr. Bob Dechert: Mr. Speaker, I appreciate the comments and questions by my colleague from the justice committee. She will know that the *Spencer* decision had been mooted in the lower courts and that everyone was quite well aware of those arguments. I think everyone on the Justice committee at the time that this bill was studied was aware of the arguments that were put before the Supreme Court.

The opposition seems to have a position that the government should wait for the courts to make decisions in cases. There are dozens of cases before the courts of this land at any given time, but what our government needs to do and intends to do is rebalance our justice legislation between the rights of the accused and the rights of the victims in order to restore people’s faith in the justice system. We think Bill C-13 does that with respect to cyberbullying. We are implementing the recommendations of the cybercrime working group, and the member will know that those provisions are very necessary in order to allow the legal authorities to investigate such crimes and prevent these crimes from happening again in the future.

We need to move quickly. The member has called for a split of the bill. She will know that virtually every expert who was called by the opposition appeared before the committee, that these issues were significantly debated, and they will be debated again when the Senate debates the bill.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I appreciate the parliamentary secretary restating the government’s position with respect to the innocuous nature of that immunity provision. We do not share their view, but their view is indeed clear. Given that it is innocuous, it really defies explanation as to why it is there to clarify existing law. Was it really that unclear?

My question for the parliamentary secretary relates to the witnesses who were called before committee. We had asked that the head of the Canadian wireless association appear, and he did not, nor did a single witness from a telecom company. Given that some, but not all, of the telecom companies have changed their practices with respect to co-operating with authorities as a result of the *Spencer* decision, does the parliamentary secretary not agree that it is now time for Parliament to hear from them? We have not heard from them yet.

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•(1630)

Mr. Bob Dechert: Mr. Speaker, my hon. friend did not make that case very clearly at the time the justice committee was choosing witnesses to appear before the committee. However, I will point out that as a result of the Spencer decision, telecom providers have changed their practices, as is appropriate. They are applying the law, which is what the provisions of Bill C-13 do: they say that it is when “not prohibited by law”. If the Supreme Court has decided it is prohibited by law to release the information, then that would now be the law.

The telecom providers will have an opportunity to speak to that matter at the Senate hearings, I assume in a very few weeks. There is no way that the government can operate by waiting for the many cases that may be percolating through the court system on any given issue before moving forward. What the courts do is clarify, and that is what they have done in this case. In our view, they have not changed the application of Bill C-13 at all.

[*Translation*]

The Deputy Speaker: It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Edmonton—Strathcona, Employment; the hon. member for Charlesbourg—Haute-Saint-Charles, Public Works and Government Services.

[*English*]

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, it is my pleasure today to rise and speak on a motion that I believe to be critical, so it saddens me that I will have to speak against it. It is Bill C-13, an act to amend the Criminal Code, the Canada Evidence Act, the Competition Act and the Mutual Legal Assistance in Criminal Matters Act.

Let me give a bit of perspective. In that regard, I want to congratulate my colleague from Dartmouth—Cole Harbour, who introduced Bill C-540 in 2013, following the tragic death of Amanda Todd and other victims of cyberbullying, including Rehtaeh Parsons. These deaths moved the nation. I would say that the feelings across the country were palpable. It did not matter whether one lived on the west coast, on the Prairies, or on the east coast; families right across Canada lived the pain that those families went through.

The bill put forward by my colleague was a fairly reasonable one. As members know, at that time the Conservatives introduced legislation as well, Bill C-30. Bill C-30 was from the minister of the day, who is no longer in the House. There was a huge, almost unprecedented reaction to that bill, especially through social media. Just to remind us all, Bill C-30 was called the “protecting children from Internet predators act”. That bill was rejected not only by the NDP, based on what was included in it, but also by privacy advocates and the public. That reaction forced the Conservative Party to back away from it.

I can remember some of the rhetoric from that time when it backed away from that legislation, which was ill thought out and an absolute invasion of privacy. At that time, I can remember hearing commitment from the government side that any attempts to modernize the Criminal Code would not contain the measures contained in Bill C-30. Now here we are on Bill C-13.

There are parts of this legislation that the official opposition heartily and happily supports. On more than one occasion we have suggested to the government that if it is serious about taking action on cyberbullying, it should separate the bill. We offered to expedite it through the House. It would have been law already.

However, once again I find the party sitting across from this side playing games with a very sensitive issue, producing a bill that has some good parts to it that we want to support but then throwing in parts that it knows will make it difficult for us to support the bill.

The NDP is never scared of hard work, whether it comes to standing up to speak on issues in the House and taking up allocated time spots, and normally filling in even for the government side because it does not take up all its speaking slots, or when it comes to committee work. In order to make this bill palatable and make it go through the House, the opposition put forward 37 amendments. They were all reasonable amendments that would have added some balance to the bill.

What is shocking is that the government did the same as it has done on bill after bill. It was its way or no way. It rejected every single one of those amendments.

•(1635)

The Canadian Bar Association came to present as well. I am not talking about a radical group here. I am talking about lawyers. The Canadian Bar Association expressed the same concerns as the NDP and other witnesses. It put forward 19 possible amendments to the bill, but not one of those amendments was taken into consideration.

Once again, the Conservatives are trying to bury things in a bill so they can get their agenda through, but at the same time they are trying to bury some legislation that is absolutely needed.

I have been a teacher all of my life. I am also a mother and a grandmother. The world has changed for our children. They are spending more time on the Internet or attached to their cellphones, although many of us are guilty of that too. They are socializing differently as well.

We have to look at modernizing the way we see bullying. It is no longer just about bullying in the playground, where a child is bullied physically or verbally, face-to-face. Cyberbullying allows for a certain amount of anonymity. We have seen the tragic results of that kind of bullying. We have seen its impact on young people.

It is upsetting for me today to speak against a bill that contains a component that I support. I would urge my colleagues across the way to take a second and consider that we could have the cyberbullying component in the bill turned into legislation quickly. We need to get off the ideological idea that we cannot have a simple bill that deals with one issue. We have to get off the ideological idea that other stuff has to be thrown in to get the ideological agenda done. It also gives those members an opportunity to stand up later and say that the NDP voted against this.

An hon. member: It is true.

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Ms. Jinny Jogindera Sims: Yes, Mr. Speaker, it is true. I have heard my colleagues say that. I wonder if that is what drives members across the way when legislation is put together. Instead of tackling an issue like cyberbullying and the protection of our children, they mire legislation with other stuff just so they can have political talking points at a later date.

Once again, right in this legislation, the Conservatives are trying to hide controversial aspects of their failed Internet snooping bill, and they are slowing down the passage of an important bill that would protect our children. It is time for the games to stop. Let us just deal with what is real.

This is not just something that I am saying. It is quite moving for me. I would like to quote, for the record, Amanda Todd's mother, Carol Todd, who said:

I do not want my privacy invaded. I don't want young people's privacy compromised. I don't want personal information being exploited, without a protection order that would support individuals. I do not want any Canadian hurt in my daughter's name. I want her legacy to continue to promote hope, celebrate our differences, and give strength to other young people everywhere.

I plead with my colleagues across the way to do the right thing, separate the bill, and let us get it done.

• (1640)

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, it was clear to me that when the member called for the separation of Bill C-13 into two parts, one of which is the criminal sanction against the non-consensual distribution of intimate images, that she had not read the report of the CCSO, Cybercrime Working Group, dated June 2013, called "Cyberbullying and Non-consensual Distribution of Intimate Images".

These are experts from every province and territory of Canada. They are the expert legal advisers who advise the provincial and territorial ministers of justice. The member has probably heard, if she has been here for the duration of this debate today, what the experts recommended in recommendation number 4. However, nobody is addressing what investigative powers that are recommended by the experts the government should enact in the Criminal Code.

Which of these provisions does the member disagree with? She is saying to separate it and to pass the non-consensual distribution of images part, which would not give the police any power to investigate anything. It would not stop anything from happening, the next Amanda Todd or Rehtaeh Parsons or Jamie HUBLEY, and the list of victims goes on.

In order to enable the police to help people, they need things such as the data preservation demands and orders. Does the member agree or disagree with that? They need new warrants and production orders for the transmission of data. Does she agree or disagree with that, yes or no?

Ms. Jinny Jogindera Sims: Mr. Speaker, I want to give a quote from Michael Geist. He said this over and over again, on the threshold needed to gain a warrant and the fact that the threshold is far too low in this bill. He said:

Given the level of privacy interest that is involved with metadata, the approach in Bill C-13 for transmission data warrants should be amended by adopting the "reasonable grounds to believe" standard.

It is not going to come as a surprise. There are some serious concerns already about this bill and the overruling powers it would give. We have already had the Supreme Court of Canada make a ruling that bars Internet service providers from voluntarily disclosing the names, addresses, and phone numbers of their customers to law enforcement officials in response to simple requests. There is a possibility that this bill may be unconstitutional.

Why is it that the Conservatives, even when the courts have made a ruling, continue to go down that path? They seem to feel that they know better than our court system.

[Translation]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I would like to thank the hon. member for her speech.

I would like to ask her the following question.

Is it a responsible practice for legislators to repeatedly use these types of political tactics in order to try and hide previous bills in new ones and then turn around and say that we voted against a bill when we actually supported many parts of it?

Does the hon. member think that it is responsible for legislators to do that and to try and play politics with bills that are this important and issues that are this critical for Parliament?

• (1645)

[English]

Ms. Jinny Jogindera Sims: Mr. Speaker, I want to thank my colleague, a hard-working member, whom I know is stellar in his service to his constituents. He does amazing work here in the House as well.

This bill is all about politics. It is about playing politics. We have parts of a bill that the current government said would never come forward again, and elements of that bill in Bill C-13 right now that are from Bill C-30. This bill, or kernels of it, originated with the NDP, as I said, by my hard-working colleague from Dartmouth—Cole Harbour. If this bill were separated, we could have passed it months ago. That concerns me. However, once again, the Conservatives would rather bury things that get into invasion of privacy.

Even the mother, in one of our most tragic deaths, says that this bill goes too far.

[Translation]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I am pleased to rise in the House for the second time to speak to Bill C-13, which addresses cyberbullying.

Government Orders

When the government announced Bill C-13 to combat cyberbullying, everyone thought it was a good idea. Perhaps the government had finally come up with a good idea. Everyone here knows that cyberbullying is taking a heavy toll on our youth. The people who work on the front lines—psychoeducators who work in high schools, street outreach workers and everyone else who works with youth—know how bullying can destroy lives, individuals and families. Some cases have made headlines, including the case of young Rehtaeh Parsons. Unfortunately, we know just how far cyberbullying can go. It can lead to suicide. No one in the House would say that we can remain indifferent about an issue as important as cyberbullying.

In the first speech I gave on Bill C-13, I emphasized the need to take action on the ground. I could even draw a parallel with the speech I just gave this morning on Bill C-36. The Conservatives often think they can use justice to solve all the problems inherent in a given situation. In the case of prostitution, for instance, inherent problems include poverty, exclusion and mental illness. The same is true when it comes to bullying. Some of the factors involved in bullying cannot be addressed through criminalization.

The provisions of Bill C-13, which makes it an offence to distribute intimate images, are a good start. In fact, the bill fits in with the bill introduced by my colleague from Dartmouth—Cole Harbour, which aims to prevent the kinds of situations that unfortunately led to the suicides of several young Canadians over the past few years.

Upon closer examination of the bill, one can see that it refers to various subjects ranging from cyberbullying to terrorism, banking information, telemarketing and theft of a telecommunication service.

Most of the provisions have very little if anything to do with cyberbullying. This bill is similar to the Conservatives' previous Bill C-30, which allowed access to Canadians' personal information.

The parliamentary secretary said that it was debated extensively and thoroughly examined in committee. That is all wonderful, except that all the experts agree that the study should have been even more thorough when it comes to the provisions regarding access to information. That is why we asked that the bill be split. Unfortunately, because we ran out of time, the provisions on cyberbullying were not examined much, if at all. We focused on the access to information provisions.

This issue is very important for our young people, and I find it extremely unfortunate that the debate is centred around access to information. That has nothing to do with our young students or the young girl who is being bullied by her classmates or receiving hateful messages on Facebook.

●(1650)

Access to information will have no impact on this girl, or perhaps it will, unfortunately, if the government wants access to her private information, which would be too bad. This is not going to help young people who need their government to work for them and do something about this.

A number of experts said that Bill C-13, together with Bill S-4, might have extremely significant repercussions on access to our private information, including access without a warrant.

I also asked a number of questions about an oversight mechanism. I would like to point out that the Conservatives refused to adopt such a mechanism. My colleague from Gatineau proposed an amendment requiring the department to report to Parliament on the use of this type of power. I would like to note that section 184.4 of the Criminal Code has already been struck down by the Supreme Court, not because the mechanism allowed information obtained without a warrant to be shared, but because application of that section did not include any oversight mechanism or notification mechanism. According to the Supreme Court, the rights of people being wiretapped were intrinsically violated because they did not know they were being tapped. At the end of the day, without an oversight mechanism, we are giving the police and the government power without accountability. We can agree that we are giving nearly absolute power to the minister and police officers to access Canadians' information.

The Supreme Court was clear. I have not even touched on the Supreme Court's recent decision in *Spencer*, which reiterates that telecommunications companies do not have the right to turn Canadians' private information over without a warrant. It is a violation and it is unconstitutional because there is no oversight mechanism.

I made a comparison with section 188, which was not struck down by the Supreme Court. That section allows for warrantless wiretaps, but it includes an oversight mechanism. The department is therefore obliged to report to Parliament on warrantless wiretapping.

According to the Supreme Court, this is clearly unconstitutional. Unfortunately, the Conservatives refused to adopt our amendments on creating such a reporting mechanism, which is too bad. We can already see that part of the bill will likely be challenged in court or even deemed unconstitutional.

Who will be the main victims of that challenge? My colleague from Gatineau told us several times. The main victims of the Conservatives' incompetence at drafting bills and studying issues thoroughly are the victims of bullying. The main victims will not be parliamentarians, lawyers or judges. No, the main victims will be victims of bullying, who unfortunately will have to wait for a legal challenge—which could take years and could go all the way to the Supreme Court—before justice is served.

I would like to underline the fact that when the Minister of Justice held his press conference, he said that Bill C-13 only legislated on a specific issue, namely cyberbullying. I know of several articles that quoted him as saying that this was not an omnibus bill and that its only purpose was to legislate on cyberbullying.

Government Orders

However, this bill contains a clause that gives not only peace officers, but also public officers access to these powers. Several experts wondered who would have access to these powers. Who would have access to Canadians' information? Would it be only the police, and only in specific situations, or would it be public officers from Revenue Canada in other situations?

• (1655)

This bill is so badly written that, unfortunately, the main victims who will be denied justice will be victims of bullying. Is that really what the Conservative government wants?

[*English*]

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, the member was a member of the justice committee when we studied this bill, and I believe she sat through almost all of the hearings.

If I follow her argument, she said that the NDP proposed a bill that was one paragraph long. It talked about the institution of criminal sanction for the non-consensual distribution of intimate images. We all agreed on that, so we could have just passed it, but then we had to spend time at committee dealing with that aspect and all of these other things. We actually spent most of our time talking about the investigative powers.

I did not quite follow the logic, because I think what she said was that everybody agreed on that criminal sanction. We say, and the Cybercrime Working Group also says, that, in addition, we need to provide the law enforcement authorities with some powers so they can properly investigate such crimes and bring people to justice for those crimes. She admits that we had significant debate about those issues, because she said that it was pretty much all that we discussed when we heard from the witnesses.

I would appreciate it if she would tell us specifically what other witnesses we should have heard from. Her party put forward a list of witnesses and the committee strove to hear from them all. In addition, specifically, what provisions is she concerned about that were not discussed or debated at committee? I think everything she is concerned about was debated.

She disagrees with the decision that the committee made, but they were debated. Maybe she could fill us in on what was not debated and what other witnesses we should have heard from.

Ms. Ève Pécelet: Mr. Speaker, to answer my colleague's comments, I remember him asking questions about metadata. We had professionals and experts answer what that was. However, I clearly remember that my esteemed colleague, the parliamentary secretary, did not agree with the experts. I clearly said, and I have my statement here, that it was not up to the parliamentary secretary to choose which data was more important than others.

I said that if we wanted to discuss what metadata really was and what we could do to protect it, my esteemed colleague really should have brought more experts. I specifically said this to him. Maybe we should have had more experts on metadata and what powers this bill would create to lawfully access this metadata without a mandate.

It is not up to Parliament to decide which data is more important than others. It is up to the experts, but the parliamentary secretary

never called any experts to contradict what other experts had said at committee.

• (1700)

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I would like to offer one word in the beginning of my remarks, which is Snowden. When we talk metadata and improper access, he has released to the world thousands upon thousands of examples of where metadata has been abused and put into the wrong hands.

I am a little concerned, especially hearing my friend's speech, about the fact that perhaps with bullying, it is something like a magician. A magician distracts with one hand and picks pockets with the other. We are very concerned that this is opening a door to allow access to data that is well beyond what anybody would understand is necessary to help prevent bullying. That distraction is very concerning.

[*Translation*]

Ms. Ève Pécelet: Mr. Speaker, I think it is extremely important. The main point of my speech was that right now, we are giving public officers powers that are not defined in the bill. The Parliamentary Secretary to the Minister of Justice spoke about customs officers and officials from Fisheries and Oceans Canada. There is no definition included in the bill. There are no guidelines for this type of power.

We are being told that if the official opposition really cares about helping victims of bullying, we should pass this bill quickly. All of the experts have clearly indicated that we must ensure that personal information is protected. However, we know that the government is not interested in protecting Canadians' personal information.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I am very pleased to rise in the House today to speak to Bill C-13, which has already been debated for three hours today and has just come back from the Standing Committee on Justice and Human Rights.

A lot of hard work has been done on this bill. I am thinking, in particular, of the many witnesses who appeared before the committee. I am happy to hear that good work was done in committee.

However, the results of that work are perhaps not quite what we on this side of the House expected. Unfortunately, the amendments that were made to this bill were not sufficient for us to be able to support it at report stage.

Government Orders

I must first say that this bill may be a rather sensitive subject for some people. It may hit close to home and be a sensitive subject for some people because it involves bullying and there is often mention of the unfortunate incidents that were reported in the media. It is vital that we remember the importance of the work we are doing as parliamentarians to try to address this issue, which sometimes has tragic consequences. Bullying is a problem in our society that has evolved over the past few decades. Obviously, the Internet is one of the elements that has changed the problem of bullying. It is becoming easier to bully someone online today because we can easily access the Internet with our cellphones and computers.

This problem has evolved and has become quite a significant issue for our youth and also for adults. As parliamentarians, we must discuss this problem and try to solve it, even though there is no magic solution. We have to consider the underlying causes. My colleague from La Pointe-de-l'Île often talks about the underlying causes. Furthermore, we must not believe that the solution to the problem is to create a Criminal Code offence and that all of a sudden there will be no more bullying. It is never that simple. It is therefore important to discuss this problem and other ways of dealing with it.

We were also somewhat disappointed with the process that led to the drafting of this bill. Members will remember that Bill C-30 was also introduced in the first session of the 41st Parliament and that there was significant opposition to that bill from civil society and the different political parties. It is unfortunate that Bill C-13 contains some of what was widely rejected in Bill C-30. I am talking about the provisions concerning the electronic surveillance of Canadians.

My impression is that the government is taking Bill C-13 and the issue of bullying—which is a very important and sensitive issue—and integrating certain parts of Bill C-30, which was very controversial, as I said. It was abandoned by the Conservatives after the uproar that followed its introduction. It is sad that they are using this tactic and are trying to do indirectly what they said they would not do. It was abandoned. It is disappointing to see that it is now being included in Bill C-13.

● (1705)

This issue could have been settled quickly, or at least more quickly. I do not think that we are going to solve the problem of bullying overnight. However, we could have at least moved in the right direction.

The hon. member for Dartmouth—Cole Harbour introduced a worthwhile bill. Unfortunately, it did not receive the Conservatives' support. However, one part of his bill did find its way into the Conservatives' current bill. I find that somewhat curious.

If I understand correctly, the Parliamentary Secretary to the Minister of Justice seems to have an explanation. He says that it is all well and good to add an offence to the Criminal Code, but it is also important to grant investigative powers to the police.

I do not remember when exactly during the process of studying the bill this happened—it may have been the day after it was introduced—but the Spencer decision provided some clarification. Unfortunately, the bill did not change, even in light of the decision, which defined the limits that can be placed on electronic surveillance

and the amount of personal information Internet service providers can share about Canadians.

I believe that the government should have complied with the Spencer decision, but that is not the case, unfortunately. That is the main reason we are opposing this bill.

I would like to clarify the court's decision in Spencer, which had to do with providers sharing information. The decision clearly established that Canadians had the right to online anonymity and that the police had to get a warrant to find out Internet users' identity.

However, Bill C-13 creates a new policy that allows access to personal information with or without a warrant. This opens the door to obtaining personal information without a warrant even though the Spencer decision said the opposite. It said that a warrant was absolutely necessary to get personal information about a Canadian citizen on the Internet.

Internet service providers have access to that information. They can find that information and share it with law enforcement to investigate bullying cases, for example. The Spencer decision set boundaries for getting information by requiring a warrant. However, Bill C-13 opens the door to getting personal information without a warrant.

All of this is unfolding in an era when people have growing concerns about electronic surveillance because the government is monitoring our actions more and more. Not long ago, groups met peacefully to talk about issues or met in the streets to demonstrate. We know that the government, which has thousands of employees who monitor Canadians, would watch what such groups were doing during those completely peaceful meetings and demonstrations that could not have given anyone any reason to believe there was a threat to Canada's security.

This is unfolding in an era when people feel that the government is collecting more and more information about Canadians. We also have to set clearer boundaries about how this information is obtained and about Canadians' right to privacy.

I would be pleased to answer my colleagues' questions.

● (1710)

[*English*]

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, the member mentioned the Spencer decision of the Supreme Court in his speech. Perhaps he did not have an opportunity to hear the speech I made earlier, but I will just quickly restate my position, which is that the provision in Bill C-13 that he refers to says that where a person is not prohibited by law from sharing information with police authorities, they will not incur any civil or criminal liability.

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The Spencer decision of the Supreme Court said that in specific circumstances where telecom companies, which is one small part of information that might be provided to law enforcement authorities in cases like this, do that voluntarily, going forward, that will not be permissible by law. Therefore, this provision of Bill C-13 simply upholds the decision of the Supreme Court in Spencer. In other words, it has clarified the law, and the provision specifically says it is things that are not prohibited by law from being disclosed. What was previously disclosed voluntarily in that specific situation can no longer be voluntarily disclosed without prior judicial authorization.

However, there are other things that can be. It is a general rule of law that people have a right to co-operate with the police, and we wish them to do so in order to keep our citizens safe.

[*Translation*]

Mr. Pierre-Luc Dusseault: Mr. Speaker, I would like to thank my colleague for that clarification.

In light of his explanation, I believe that a door has been opened. Perhaps it has been opened too wide in that it allows telecommunications companies and Internet service providers to voluntarily provide more information. In my opinion, the door has been opened too wide. My colleagues on this side of the House share that opinion.

The door has been opened too wide. In 2014, we must be very careful about this kind of measure and new provisions that may threaten Canadians' privacy. We have to be very careful in this regard. In this case, a line has been crossed. The government should have been more restrictive and more careful. The work is not finished. The bill is still being examined, and the Senate also has to look at it. Perhaps some improvements will be made there.

• (1715)

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, it is interesting to be here and to talk about telephone companies. However, the Standing Committee on Justice and Human Rights did not hear from any witnesses who represented telephone companies.

Does the member share the parliamentary secretary's opinion that the testimony of these representatives was not relevant and that the blame for not calling these witnesses falls squarely on the opposition?

Mr. Pierre-Luc Dusseault: Mr. Speaker, I think that is an interesting question, particularly since I did not participate in the meetings held by the Standing Committee on Justice and Human Rights on this bill.

I am rather surprised to hear that no witnesses from telephone companies, telecommunications companies or Internet service providers appeared before the committee. I am rather surprised that these types of companies were not called upon to testify given that they share vast amounts of information. They have the power to collect that information. I find it rather strange that they were not called upon to testify when they are the ones who will be passing the information on to law enforcement upon request.

I was not aware of this. I am rather surprised and disappointed that the government refused to hear from such important witnesses. They could have shared expertise that was particularly relevant to the committee's examination of the bill. I am very surprised and disappointed to hear that.

[*English*]

Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP): Mr. Speaker, I am pleased to some extent to participate in the debate at this particular time, at the report stage.

I want to start by commending my colleagues, our justice critic and other members of the justice and human rights committee, who have worked so hard on Bill C-13 and introduced 37 amendments at the committee stage to try to take away some of the more onerous portions of this particular bill so that it would not, for example, spend the rest of its life in court being challenged constitutionally. It has taken a fair bit of effort and energy, I know, and patience on their part to do what they have done. I want them to know how much I appreciate it.

I want to, also, remind members that back on October 17, 11 months ago almost, I rose on a point of order to say that I was concerned about the issue that had been raised in my private member's bill, Bill C-540, making it a criminal offence to distribute non-consensual intimate images. While I had heard from the government in the throne speech and from utterances of the then minister of justice that he supported this in principle, I was concerned that the issue would get bundled up in a major piece of legislation, a controversial piece of legislation, and that it may get delayed or lost.

I sought unanimous consent at that particular time to consider Bill C-540 deemed read a second time and referred to the Standing Committee on Justice and Human Rights. I did so because everyone in the House, of all parties, to a person, said that they supported the idea of holding people to account, changing the Criminal Code to ensure that the non-consensual distribution of intimate images was a crime and that people were going to be held accountable. I then moved a motion to say, let us move this to committee right now. This is a serious situation. It's affecting families. It is affecting lives across the country. Let us deal with it now. There is a will here. Let us find the way.

Unfortunately, that was turned down by the government.

It is interesting. The government then brought in Bill C-13, the initial portions of which dealt with the same issue that my private member's bill did, a little more thoroughly, of course, but it dealt with it. However, then the government did exactly what I and many of us were afraid of. It tacked on a great deal of what was in the former bill, Bill C-30, which it had to yank off the table two years ago because it was so soundly repudiated by privacy experts and others from across the country. The government attached it to the back of the cyberbullying bill.

When it introduced the bill, it did so in the company of the parents of people who had committed suicide, who had taken their lives as a result of cyberbullying, and it said, "We're here to deal with this". It did not talk about the other parts of it.

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Of course, there was great hope in those families and by advocates across the country that the government was going to move forward on this. Lo and behold, as is too often the case with the Conservatives, we got involved in a very controversial debate. We began to learn more about what was really in the bill, and advocates and privacy experts from across the country began to raise concerns.

• (1720)

Even one of the parents, who stood with the minister when the bill was introduced, said at committee that even though she wanted the Criminal Code to be changed to make the non-consensual distribution of intimate images a crime and that there should be consequences, she could not abide what else was in the bill, the outrageous and invasive parts of the bills that would allow for information on the Internet to be more accessible to authorities.

As was talked about in the recent Spencer case, the Supreme Court said it was about barring Internet service providers from disclosing names and addresses. It said that Canadians have the right to be anonymous on the Internet.

Here we have a bill that has been cloaked as an attempt to deal with the heartbreak and anguish experienced by families across the country as a result of their loved ones being bullied mercilessly through the Internet. It is a bill that has been identified as being meant to deal with that, yet in fact it is much more.

I had the opportunity to talk today with another parent. I explained to that parent what had happened, how things have progressed, the concerns that we have with the bill. I explained that the NDP would not be supporting this legislation.

He knew this anyway, because of work we had done in the past, the support I have provided, and the things we were doing together with other people to build awareness and to try to deal with this scourge of teen suicide. He understands my commitment. He, too, is shaken by the infringement on privacy provisions that are part of this bill. I am not going to tell the House that he gave me a pass, but he understands my concerns. He appreciates that I have tried to work, and will continue to work, with him and others to deal with this problem.

The point is that we are here. It has been a year and a half since I introduced the private member's bill, and it is another year and a half into this serious problem. We have still not dealt with it.

I get discouraged sometimes in this House when it seems that we cannot get from one point to the other without creating all kinds of controversy and hard feelings, bitterness and division.

Right now, as we speak, there are people in communities who are helping to build awareness of why cyberbullying is wrong. They are coming up with strategies to identify when teenagers and others are beginning to experience feelings of depression and suicide.

One of the parents I spoke to said that the most gratifying thing that happens as he goes across the country talking to junior and high school students is when the 12-year-olds and 13-year-olds come up to him. They are saying there is a problem and that this is what they are doing about it. The students are telling him what they are doing because they recognize it.

This is what is happening in communities across the country. People are recognizing that they have to step up and do something, because unfortunately governments are not up to the task.

• (1725)

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I thank the member for Dartmouth—Cole Harbour for his work on the issue of cyberbullying. I know he cares about it quite deeply. I also thank him for the bill he brought before the House.

He will know, because he has studied this issue quite extensively, about the recommendation of the cybercrime working group, which is a group of experts in the law that report to the federal-provincial-territorial ministers of justice. It recommended that in order to address cyberbullying, we needed to provide police authorities with some additional powers for investigation. They include data preservation demands and orders, new production orders to trace specified communications, like we had in the Amanda Todd case, and new warrants and production orders for transmission data. I would like to assure him that nothing in Bill C-13 allows for new warrantless release of information.

Could he tell us if he disagrees with the recommendations that are contained in Bill C-13? Perhaps he could tell us why he thought his bill would work without them.

Mr. Robert Chisholm: Mr. Speaker, there was a huge number of concerns raised about the authorities overreaching as it related to provisions within the bill. Those concerns were brought to the committee and the NDP members of the committee introduced a number of amendments to try to deal with things like changing reasonable grounds to suspect, to reasonable grounds to believe, specifying the meaning of police officer to police officers and removing public officers.

The point is that we need to implement and enforce the law, but we also need to ensure that there is some control over how that is done, that there is transparency and that people need know there are limits to their authority.

• (1730)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I would like to pick up on the member's comments in regard to some of the work he has done. I recognize that he had a private member's bill, which I suspect received a considerable amount of support from all sides of the House. I know my colleague from Vancouver also had a bill on the floor in anticipation that we would want to try to deal with cyberbullying. Through the advancement of the Internet, there has been a great deal of abuse. There was an expectation that Parliament would work together, build on consensus and get something done relatively quickly.

Does the member believe the government has lost some of that goodwill from members to try to act as quickly as possible on dealing with some of the concerns that many of our constituents share and want to see action by the federal government?

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Mr. Robert Chisholm: Mr. Speaker, I do not think there is any question that the government has lost its way on this and many other issues. Conservatives appear not to hear very well when people raise concerns. For example, my colleague, the member for Chicoutimi—Le Fjord, introduced a bill calling for a national strategy against bullying that unfortunately did not get support from government members.

That is the kind of opportunity we have to provide the leadership Canadians are looking for on this and a whole host of other issues.

The Acting Speaker (Mr. Bruce Stanton): We are out of time for the five-minute period for questions and comments. I know this is a question that is not without its complexities, but I see there is a lot of interest in questions and comments. Members might keep their comments and interventions succinct so more members may participate.

Resuming debate, the hon. member for Esquimalt—Juan de Fuca.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I rise today to speak in opposition to Bill C-13, and I think that is unfortunate.

Like many MPs, I had high hopes when the issue of cyberbullying first came before the House. I had high hopes that we would recognize the urgency with which we needed to respond to cyberbullying and the risk of suicides, especially when we were faced with the unfortunate examples of Rehtaeh Parsons in Nova Scotia and Amanda Todd in B.C. taking their own lives.

In fact, we did respond relatively quickly. The member for Dartmouth—Cole Harbour introduced a private member's bill in June 2013. It was a simple bill that did not include a lot of extraneous material. It was a simple bill that would have made it an offence to produce or distribute intimate images of an individual without that person's consent.

Unfortunately, despite attempts to get unanimous consent to move the bill forward, the government said that it had to do a lot more study and think a lot more about what it wanted to present in a government bill. When that bill finally got before us in November 2013, nearly a year ago, as usual with the Conservative government we found a far broader bill than was necessary. It is a bill that includes many issues that have little or nothing to do with cyberbullying, including restrictions on telemarketing, theft of telecommunication services, provisions on terrorist financing, and bank financial disclosures.

What we have before us now is a bill with a much broader scope and one that includes bringing back many aspects of the Conservatives' previous Bill C-30, which was widely rejected by public opinion and especially by privacy advocates.

As someone who worked closely with the criminal justice system for more than two decades before coming here, I have some very serious concerns about the government's attempt to expand access to personal information, both with and without a warrant, that remains in Bill C-13.

I am very concerned about the new and low bar for grounds for getting a warrant to get personal information. I see no justification for lowering the grounds for a warrant from "reasonable grounds to

believe", to this new category of reasonable suspicion. For that reason, of course, we proposed an amendment to delete this clause entirely from the bill.

In fact, I believe, despite the speeches we have heard from the Parliamentary Secretary to the Minister of Justice, that the Spencer case this summer brings into question the constitutionality of many provisions of Bill C-13. This was an important ruling banning Internet service providers from disclosing names, addresses, and phone numbers of customers voluntarily to the authorities.

The bill would also create a worrying new category of those entitled to our personal information. It has expanded from the well-defined, in law, concept of peace officers, and we know who they are, to this unclear new concept of "public officers". Does this mean tax officials? Who does this mean are public officers?

In committee we proposed 37 different amendments to try to narrow the scope of the bill. As my colleague for Dartmouth—Cole Harbour so eloquently put it a few moments ago, we were trying to make sure that this bill did not spend the rest of its life being challenged in court. Unfortunately, we did not see any of those amendments adopted, and I do not think we will see our amendments adopted at report stage.

I want to return to one surprising inclusion in Bill C-13 that I was happy to see there. For whatever reason, the government decided to reopen the hate crime section of the Criminal Code in clause 12 of Bill C-13. There is some connection there with cyberbullying and cyberbullying's relation to an escalation into hate crimes.

I think perhaps there was a justification, but I was very surprised to see that when the government listed the new identifiable groups to receive protection, it added national origin, sex, age, and mental or physical disability, while what was left out was gender identity.

The House of Commons had already agreed, in a vote on my private member's bill, Bill C-279, on March 20, 2013, by a margin of 149 to 137, with support from all parties, to include protection on the basis of gender identity. Therefore, there was a deliberate omission from this list of new protected grounds of something that we had already decided in the full House.

This is why earlier today I proposed an amendment to clause 12, which I had already placed in the justice committee. I was optimistic that we would be allowed to debate this bill again. I proposed this amendment in committee to try to correct what I felt was an error in the drafting of Bill C-13. It should have included gender identity, precisely for the reason I cited: we had already voted on this provision here in the full House of Commons.

Government Orders

• (1735)

I was very optimistic in committee. After all, two of the five government members in the justice committee had voted for my private member's bill. Therefore, I expected when I proposed the amendment it would pass in committee by a vote of 6 to 3 in favour, because that is how those members had previously voted on the very same provision in Bill C-279. However, at the last minute, one Conservative changed his vote and one member was substituted out of committee. Hence, my amendment was defeated 5 to 4.

This is why I placed my amendment on the order paper again and asked the Speaker to take the unusual step of allowing it to be put before the full House again. The Speaker ruled that my amendment did not meet the test set out in our rules, which would have allowed it to come before the House today as part of this debate.

The problem, of course, is not the Speaker's ruling. It is instead that the government, which always posed as neutral on the provisions of my private member's bill, has found a way of using a government bill to undo the decision that had already been taken in the House on Bill C-279 to provide protection against hate crimes to transgender Canadians. This shows a fundamental disrespect for the will of the majority as already expressed in the House. Therefore, when it comes to respecting the rights of transgender Canadians, it turns out the government is not as neutral as it was pretending to be. This perhaps explains what has happened to the same provision we could have been talking about today, over in the Senate in Bill C-279.

The second problem we have in achieving protection against hate crimes for transgender Canadians is, of course, the Senate. The bill has been before the Senate two different times. The first time was in the spring of 2011. It was approved by the House of Commons and sent to the Senate, which failed to act at all before the election was called. Therefore, that provision died before the Senate.

As I mentioned earlier, Bill C-279 passed the House of Commons on March 20, 2013, a year and a half ago. It has been in the Senate for a year and a half. I know they only meet three days a week, but there are still plenty of sitting days for them to deal with this. In fact, in 2013, it did pass second reading. In other words, it received approval in principle. Now we have the House of Commons saying that what we were supposed to be dealing with in the bill to be true and the Senate, in principle, agreeing. It was sent to the human rights committee, which held hearings and approved Bill C-279 without amendment and returned it to the full floor of the Senate, where a third reading and final vote was not called. The House prorogued and that bill started over.

Here again is where the supposed neutrality of the government on protecting transgender Canadians against hate crimes comes into question. The bill could have been expedited through the Senate, as it had already been through all the stages there. Even simpler, the bill could have been sent back to the human rights committee, and since it had already held hearings and dealt with the bill, it could have been returned quickly to the floor of the Senate. Instead, the government leadership in the Senate sent the bill to a different committee, the legal and constitutional affairs committee. This is an interesting choice. This not only meant that the committee would have to hold new hearings, but it is the busiest committee in the

Senate, with the government's crime agenda. It means this committee will have to deal with bills like the one we have before us today, Bill C-13; Bill C-36, dealing with sex work; and Bill C-2, dealing with safe injection sites. It will have to deal with all of those before it ever gets to a private member's bill.

Again, the fig leaf of neutrality claimed by the government is looking a little withered, since decisions on where the bill is going and its timing are made by the government leadership in the Senate. It is beginning to look a lot like the government intends to let Bill C-279 die in the Senate once again.

The final obstacle to achieving protection for transgender Canadians against hate crimes, and I think the real reason gender identity was omitted from the new groups protected in the hate crimes section 12 of Bill C-13, is the failure to recognize not just the fundamental justice of providing equal rights to transgender Canadians, but the failure to recognize both the urgency and the inevitability of doing so.

Transgender Canadians remain the group most discriminated against in Canada. They remain the group most likely to be subject to hate crimes and most disturbingly, they remain the group most likely to be subject to violence when it comes to hate crimes. All transgender Canadians are looking for is the recognition of the same rights that other Canadians already enjoy. We are missing a chance here in Bill C-13 to provide equal protection against hate crimes to transgender Canadians.

• (1740)

There was a time when other Canadians did not enjoy the equality they do today. There were provisions in our law that seem incredible now. There was a time when Asian Canadians could not vote or practise the professions. There was a time when I, as a gay man, could have been jailed for my sexual orientation, fired from my job, or evicted from my housing. Now, fortunately, that time has passed.

I am disappointed, then, that we are missing a chance today to move forward to the time when we look back and cannot imagine that transgendered Canadians did not enjoy the same rights and protections as all other Canadians. I know that day will come, and I will continue to work to make sure it is sooner rather than later.

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, the justice committee heard from a number of family members of victims of cyberbullying, including Allan Hubley, the father of Jamie Hubley. I do not know if the member had an opportunity to review the testimony before the justice committee, but I will quote Mr. Allan Hubley. He stated, "When we were younger, you always knew who your bully was. You could do something about it. Now, up until the time this legislation gets enacted, they can hide behind that." Mr. Hubley continued, "Not only does it start to take the mask off of them, but through this legislation there are serious consequences for their actions."

Government Orders

Bill C-13 introduces a number of measures to take the mask off the perpetrator, such as production orders that allow for the disclosure of certain information. I wonder if the member opposite could explain why he is opposed to judicially authorized measures that will help unmask those that exploit others online, such as Jamie Hubley.

Mr. Randall Garrison: Mr. Speaker, if that were actually being done, I might be supporting this bill, but many other things have been packed into the bill, things that I think are questionable. This is why I have lost my optimism. I thought the House of Commons could act to do something effective in cyberbullying, but I do not think this bill is it. I think it will spend its life before the courts, and I do not think we will accomplish the goal we set out to accomplish.

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I wish to thank my colleague from Esquimalt—Juan de Fuca for his speech. He highlighted the hypocrisy demonstrated by this government when it comes to defending the rights of the transgendered community. I wonder if he could elaborate a bit on this issue and talk to us a little more about what is missing from Bill C-13.

• (1745)

[*English*]

Mr. Randall Garrison: Mr. Speaker, I thank the hon. member for her question and for her devotion to equality in this country, which I have seen many times in the House.

I would say that any bill that deals with cyberbullying but ignores the rights of transgendered Canadians misses the group that is bullied more often than any other group in this entire country, both in daily life, in physical presence, and online. That is why I made that a focus of my speech today.

The hon. Parliamentary Secretary to the Minister of Justice raises a tragic example, but I wonder if he is familiar with the literally hundreds of examples of violence against people in the transgendered community every year in this country.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I said earlier in part of my speech at report stage that I was dismayed that we were not able to have a debate on the specific amendment he brought forward, because the discrimination persists. When we are talking about cyberbullying, we ought to identify those groups that are significantly marginalized and underprotected in a whole range of our laws.

This is not so much a question as a comment to thank the member for his leadership on this issue. I hope his private member's bill on a related matter passes through the Senate soon. Perhaps the member wants to use any remaining time to further explore what ought to be done in this bill but is not being done.

As the member will know, for many reasons I have to vote against this bill. I do so with regret, because I would like to have us act on cyberbullying.

Mr. Randall Garrison: Mr. Speaker, I thank the hon. member for Saanich—Gulf Islands, my neighbour, for her support for equality for transgendered Canadians.

Half of my private members' bill, Bill C-279, is identical to the changes that are being made in this bill on behalf of women and those who are discriminated against on the basis of national origin or mental or physical disability. Again, I want to go back to the fact that someone deliberately omitted gender identity from that list. I think it exposes the government on this issue, in that it has not been neutral but has instead been an obstacle to achieving full equality for all Canadians.

[*Translation*]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, it is with great humility that I rise in the House today, especially after hearing those of my colleagues who are legal experts debate Bill C-13. I would like to contribute based on my own personal experience.

I was a teacher for many years. I was lucky enough to teach many classes and work with many students. As an educator, I realize that in this modern world, education and information play a very important role. These days, young people need to adapt to a society that is quickly evolving. From my teaching days, I remember how students sometimes spoke to one another, how boys and girls talked. Sometimes it was troubling, because I found that the language they used often mimicked what they heard in the media, on TV and perhaps all around them, even on the street. It always troubled me to hear such language spoken between boys and girls. I taught for many years and then I did something else. However, that memory stayed with me.

In our society, social media and the Internet play a very important role in our lives and in the lives of young people. Unlike me, my nieces and nephews have never known a world without the Internet. Protecting privacy was very important in the past. My nieces and nephews were raised in a world in which the Internet plays a very important role. They were born with the Internet, much like I was born with television. We sometimes forget that when we are in our offices or in our rooms in front of a computer, as soon as we connect to the Internet, we are no longer in the privacy of our own space. We are in a public place. We are on display for everyone to see.

That is why my colleague from Chicoutimi—Le Fjord proposed a bullying prevention strategy, as a means of increasing awareness about bullying, including cyberbullying.

We need to keep in mind that the Internet is an absolutely terrific tool for sharing information, but it can be used maliciously. On the one hand, it can be an extraordinary information tool, but on the other hand, it can be a very powerful tool for bullying. As such, it must be used very carefully. To me, education and prevention are very important. We have to know how to use a tool as powerful as the Internet, how to protect ourselves against cyberbullying, what means we can use to do so, and what resources are available if we fall victim to cyberbullying.

Government Orders

•(1750)

By providing information to young girls, young boys, women, the marginalized, and even those who are being bullied, by providing them with the tools to protect themselves and a safe place where they can be protected from these attacks, we are giving them the power to combat bullying and violence. Of course, often awareness, information and education are not enough. However, it is very important that we start with this approach as much as possible.

It is not easy to talk about bullying because it affects not only us as humans and our emotions, but also memories and things that have happened to us. I have to admit that it is not always easy to talk about it.

I am also the chair of the Standing Committee on the Status of Women. We recently studied the issue of eating disorders. As part of this study, we spoke about the impact of social media and the Internet. The way in which body image is projected—especially for women—is very interesting, as is the way that the Internet and social media put an incredible amount of pressure on girls and women, when it comes to that body image. There is work to be done when it comes to the media, social media and the Internet. At the end of the day, what can we do to bring this body image more in line with reality?

As many of my colleagues have mentioned, the current title of the bill is unfortunately misleading. The bill is called the Protecting Canadians from Online Crime Act. As it has done with many of its bills, the government has included a number of elements in this bill that go far beyond the issue of cybercrime. I want to stress that we are now not only talking about peace officers, but also public officers, which the bill describes as someone “who is appointed or designated to administer or enforce a federal or provincial law”.

I find these excesses troubling. Once again, I want to congratulate our new justice critic and all the members of the official opposition on the Standing Committee on Justice and Human Rights. They presented perfectly reasonable amendments to address the excesses in Bill C-13. For example, the amendments dealt with changing the wording of “reasonable grounds to suspect” to “reasonable grounds to believe”; establishing that the term “peace officer” applies to police officers; and removing the worrisome term of “public officer”, which is poorly defined and could, once again, lead to spillover. They also proposed including a clause to require that the minister report to the House to indicate how many request and orders were submitted, and to include a certain clause.

•(1755)

I want to once again express my support for my colleague from Esquimalt—Juan de Fuca regarding the importance of including a clause on gender equality, in order to protect transgendered people from cyberbullying.

A great many troubling things have been added to this bill, and they have no business being there. That is why the official opposition cannot support this bill.

[English]

Mr. Dan Albas (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, I have young children who range from 2 years old to 17 years old, so I understand some of

the concerns that the member opposite has, particularly around protecting our youth.

However, it seems that the NDP continue on different tracks, and it is quite confusing to this side. We have the member for Sherbrooke who said, “Do not change the Criminal Code. That will not do it. We will get the best results if we give the authorities more funding to deal with these kinds of things.”

Then we have the member for Dartmouth—Cole Harbour saying, “If my private members' bill were passed, it would put provisions in the Criminal Code, and then everything would be fine.”

Then we hear from other members who say, “We can put it in the Criminal Code, but whatever you do, do not give the authorities the ability to go to a judge and lawfully be able to ask for information so that we can not just charge someone with an offence under the Criminal Code but we can actually get a conviction.”

I think the NDP continues to put out different messages. Would the member please enlighten us as to the reason they continue to not support provisions in the Criminal Code, and the investigative tools that are required to successfully convict?

•(1800)

[Translation]

Ms. Hélène LeBlanc: Mr. Speaker, I would like to thank the Parliamentary Secretary to the President of the Treasury Board for his question. The message is very clear: in this Parliament, government bills are introduced and they are sent to committee to be studied for a very good reason. It is to ensure that we review a bill once more to ensure that there are no problems, that an in-depth study is conducted and that amendments are made if necessary.

The official opposition always has a clear message. We study bills carefully and we propose amendments. We regret that the government rejects completely reasonable amendments that would improve a bill.

[English]

Mr. Arnold Chan (Scarborough—Agincourt, Lib.): Mr. Speaker, I have a question the hon. member for LaSalle—Émard, and I thank her for her comments. The government has often taken an approach with respect to legislation such as this in focusing on the punitive or investigatory aspects of its legislation. However, the hon. member for LaSalle—Émard I thought raised a particularly important point, which is to focus on the preventive or protective aspects of this legislation.

What would the hon. member suggest should be included to make the bill more palatable?

[Translation]

Ms. Hélène LeBlanc: Mr. Speaker, I thank my colleague for his question and for the fact that he recognizes that some bills are designed to punish rather than to prevent. An ounce of prevention is worth a pound of cure.

Government Orders

I have to say that some of the provisions and amendments we suggested would have made the bill easier to stomach, if I can put it that way. Let us be frank: It is not just the official opposition that is saying so. Witnesses appeared before the committee to study this bill and they gave their expert opinion. They are members of civil society and have studied the issue. They are experts and they also agree with the amendments we proposed to make this bill much more acceptable.

[English]

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, last night in Halifax I was with some friends, a group of women, some feminists. We were getting together to talk about different issues. I said that I was speaking to a bill tomorrow and asked if any of them had any feedback or perspectives they thought were missing in this debate. Everyone knew instantly what bill I was talking about.

Rehtaeh Parsons' story has touched us all in Nova Scotia. It has left an indelible mark on all of us as Nova Scotians to know that this woman died by suicide as a result of images about her spread over the Internet. It has also ignited a really good and healthy debate in Nova Scotia. Everyone has taken part in this conversation, and we are trying to find solutions. The province put together a cyberbullying task force to think about what steps the province can take to prevent this tragedy from happening again. The debate has been lively, solemn, and very real. People have taken this burden seriously and have said that this is something we need to figure out as a community.

I was at this gathering of friends last night, and I told them I had to speak to this bill. One of the women I was with said, "The problem you will have tomorrow with this speech is that the Conservatives are not actually interested in issues. They are just interested in advancing their own agenda, and if they happen to find a situation or a case that helps them advance that agenda, they will use that opportunity to their advantage." I really believe that this is what is happening here.

There are many reasons why I care about this issue. I care because Rehtaeh Parsons was a member of my community, because she was raped, because she was humiliated, and because she felt that the only option for her, the only way to end that humiliation, was suicide.

I care about this bill as a woman and as a public figure who understands the hurtful and humiliating power of the Internet. I care about this bill as a feminist. I care about this bill as a legislator, because Rehtaeh Parsons is not the only victim. I want to ensure that we have legislation in place to prevent cyberbullying. I want to send a message to Canadians that the distribution of private images without consent will not be tolerated. There are a lot of reasons to care about this bill.

I know that I speak for all of my NDP colleagues when I say that we must better protect people of all ages from the distribution of private images without consent. That is without any controversy. We were all proud to support our colleague, the member for Dartmouth—Cole Harbour, when he tabled his bill. He worked to present a balanced and sensible proposal to deal with this issue. He proposed Bill C-540, a bill that would make it an offence to produce or distribute intimate images of individuals without their consent. We stand in solidarity with the member for Dartmouth—Cole Harbour.

Rehtaeh Parsons' parents are his constituents. He made a commitment to them to figure out how we could change the law to prevent this kind of tragedy from happening again.

However, as my friend said last night, the Conservatives do not have an interest in this issue. They have an interest in advancing an agenda, because Bill C-13, the bill we have before us, goes well beyond what we need to do to change legislation to prevent cyberbullying. The scope of this bill is much larger than my colleague from Dartmouth—Cole Harbour's proposal.

Members will remember when the former public safety minister, Vic Toews, stood up in this House and said that we were with them or with the child pornographers. That was in February 2012. It was a pivotal moment for me in my experience as a member of Parliament, because the response from the community was swift and strong. Canadians said, "Not on our watch does a member get away with saying stuff like that".

● (1805)

That was February 2012. It was when government introduced its hyperbolically named "protecting children from Internet predators act". It was a bill that everyone rejected. We in the NDP rejected it, privacy advocates rejected it, and the public rejected it. The government was shamed into pulling this bill, never to be heard from again or so we thought.

Here we are and it is two years later, and finally the Conservatives have figured out a way. They have found their vehicle to get those changes brought in. This is their vehicle. This is their opportunity. They are taking two very tragic events, the deaths of Amanda Todd and Rehtaeh Parsons, and are using those events to advance their own agenda because, lo and behold, two years later we find the long-forgotten aspects of the Toews bill here in Bill C-13. Only this time it is under the auspices of cyberbullying.

What does targeting banks' financial data have to do with cyberbullying? What does making changes to the Terrorist Financing Act have to do with young people and the spread of images online without consent? If they are trying to prevent cyberbullying, why in the world do they need to change rules around telemarketing and the theft of communications services? It is a gross misuse of our privilege, the privilege we have as parliamentarians. It is dishonest and it is an abuse of the trust Canadians put in us when they cast their ballots.

If we were honest about our commitment to preventing cyberbullying, we would pass my NDP colleague's motion. If we were honest about our commitment to preventing bullying, we would have passed the motion put forward by my colleague, the member for Chicoutimi—Le Fjord, to develop a national anti-bullying strategy. If we were honest about our commitment to preventing cyberbullying, we would have split this bill a long time ago.

Government Orders

I would like to thank my colleague, the member for Gatineau, who has worked incredibly hard on the bill, giving us advice as members of Parliament, doing the legal analysis, going to committee. She has tried at every turn to split the bill, because we agree with parts of it but not the rest.

It would be an incredible victory if we could say that this piece of legislation passed with unanimous consent, that there we were as parliamentarians, united in working to prevent cyberbullying. Instead, we have everything and the kitchen sink thrown into one bill, so of course the New Democrats have to say no. Of course we have to vote against it and that is going to be used for political partisan purposes. Thank goodness we cannot send ten percenters into other people's ridings anymore, because I know I would have one sent into my riding saying, "Do you realize that the member for Halifax voted against protecting your children?"

It is for partisan purposes. We should be splitting the bill. We have tried to split the bill. We also have tried to bring forward amendments. These are not crazy, complicated ideas for fixing the bill. They are simple and elegant. Some of these changes are not deal breakers; it is just changing a word. An example is raising the standard from "reasonable grounds to suspect" to "reasonable grounds to believe". It is one simple word. We know what the solution is. Change that word from "suspect" to "believe" because there is a world of difference between those two concepts. I am suspicious all the time. Do I actually believe that things are happening? Probably not. It is a big legal difference. It is an elegant and simple solution. We proposed it after hearing from witnesses at committee, yet the proposition was voted down.

When my colleague, the member for Dartmouth—Cole Harbour, introduced his bill in June 2013, this was, as I said, a commitment to his constituents, Glen Canning and Leah Parsons. The member did an interview with Tobi Cohen, a journalist here on Parliament Hill, on July 22, 2013. He said at that time that he does not care who gets credit as long as it gets done, and he hoped the government would introduce a piece of legislation, because as we know, the process of passing government legislation is much more swift. The member said, "I hope that they don't try to wrap too many things into one piece of legislation."

● (1810)

Maybe we should not be so cynical as to try and predict that this kind of thing is going to happen, but it is the *modus operandi* here these days. Perhaps I can address some of my other points when I answer questions.

I find this whole bill to be disappointing. I really wish we could have worked together on this.

Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I was quite surprised at some of the content of the speech by the member across the way. I would take issue with the fact that she claims the Conservatives do not care about these issues. Were we not to care about these issues, we would not put forward a bill that addresses the needs of not only the Parsons and the Todd families, but of police officers who care intimately about solving these kinds of crimes. They do not have the tools required.

It is obvious just by looking at the makeup of our parties that having 12 police officers sitting in a Conservative caucus and no police officers sitting in the NDP caucus that we have some experience in dealing with victims. We are going to continue to push forward for victims.

I am hopeful my colleague will correct the statements made about us not caring about these issues and caring only about an agenda. How on earth can she explain the fact that both of these poor young women's families have agreed 100% with this Conservative government's bill? Not only do those two families agree, but Glen Canning, who was also in committee, agrees 100% with this legislation.

I hope the member will withdraw those really senseless accusations of us not caring about the issues. These are serious and heartfelt.

● (1815)

Ms. Megan Leslie: Mr. Speaker, I know about my colleague's history as a police officer. We were both elected at the same time and we have a friendship across the aisle. I honour the work she has done as a police officer. She has taken some brave positions in the House based on her experience as a police officer, and I applaud her for those positions.

However, I cannot agree on this bill at all. We look at the fact that the Terrorist Financing Act would be changed. What in the world does that have to do with the Amanda Todd or the Rehtaeh Parsons situation? Absolutely nothing. Terrorist financing, telemarketing and the theft of telecommunication services are in the legislation. If the government could explain to me how this would protect a 17-year-old girl who is having pictures of her spread from cellphone to cellphone maybe I could get there, but the government cannot explain it.

I do not want to get into a war of words around what parents said this or that, but I will point out that Amanda Todd's mother has had some pretty profound issues with the privacy violations that are inherent in the legislation. I would not be so quick to say that the parents are universally in support of this on that point.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I want to pick up on the member's reference to the size of the legislation.

She made reference to some of the work that one of her colleagues had done. My colleague, the Liberal Party health critic from Vancouver Centre, has done a lot of work with respect to cyberbullying. Technology has advanced and there have been all sorts of abuses.

Our constituents and Canadians from coast to coast to coast have told us that they want to see progressive legislation brought forward to protect the citizenry. There is a need for that.

Would the member not agree that many of the pieces of legislation that were brought forward received virtually unanimous support of all members of the House? It is somewhat disappointing that the goodwill that was there for many of the private members' bills or motions seems to have been lost in the development of this legislation.

Government Orders

Ms. Megan Leslie: Mr. Speaker, I agree with my colleague's statement about the impact on goodwill. There are only so many times we can go in with our hats and say that we will work together on something and then have the door slammed in our face or have it twisted around somehow. At some point, we stop being willing to work across party lines. I hope we are not there yet, but we are getting there in some ways.

My colleague did bring up a good point about laws needing to be changed. He is absolutely right. They are not modern enough. They are not keeping up with the times.

It is interesting that we are having this debate today when a young man in Halifax just pled guilty to the distribution of child porn images in what the media has called a very famous child porn case. The media cannot identify what that case is, but we all know what it is. It is the case we are talking about today. The media cannot identify the victim because of the publication ban. The parents of this victim have said that it is better for the public good, that it is better for the public to know. They waived the rights of their deceased child because it is for the public good, that it is good that the public know who we are talking about.

There are moments when the laws do not make sense. We in this place listen to people. We hear whether our laws are making sense or not and hopefully we try to make some sense of them. Sometimes that means changing them.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I listened with great interest to my colleague from Halifax's speech. It is very difficult to say it more eloquently than she has, particularly with her knowledge from the Halifax area of the impact that the tragedy of the Rehtaeh Parsons case had, not only on the family, but also on the whole community, in terms of it developing an understanding of how serious this is and can be.

She also has knowledge of the consequences, not only for individuals who go so far as to be induced to commit suicide, but also the thousands of others who are affected by bullying but not affected to that extent. However, they are still affected in their lives, in their self-esteem, and in their ability to carry on an ordinary life. This is particularly when we talk about cyberbullying.

For the most part, research shows that the ones who are most affected by cyberbullying are young people, particularly young women between the ages of 12 and 14. However, it can affect people at any age. This is a very vulnerable group when it comes to attacks on self-esteem and the kinds of bullying that take place online.

In its most common form, we are talking about cyberbullying as threatening or hostile emails. That affects about three quarters of victims. Hateful comments affect about half of all victims. The research considers 12- to 14-year olds to be most at risk, and girls are affected more than boys.

When we talk about this event, we are talking about vulnerable young women for the most part, and the serious damage to their mental health and well-being. It has negative effects on social and emotional levels, and schooling. It provokes feelings of despair and isolation, depression, and suicidal tendencies. An interesting research result is that victims and bullies are nearly two times more likely to commit suicide.

There are extreme cases. Amanda Todd is one of them. The perpetrator has not yet come to trial, as far as I know, but he was an Internet predator. He committed what appears to be a serious and intentional criminal act. However, if we look at the bullies being twice as likely to commit suicide, we are clearly talking about people with problems of their own who are engaged in this behaviour.

It tells me that this issue has to be dealt with as a criminal matter, because it is one. It is the causing of intentional suffering using the means of the Internet. It also has to be dealt with as a problem that needs another aspect to it, in terms of prevention. We need to deal with it as a criminal matter. The member for Dartmouth—Cole Harbour brought that forward very quickly. However, we also have to have some strategy for trying to educate, prevent, and to help people understand what they are doing and how much harm it can cause.

We did have both of those reactions from this side of the House, and in a very timely manner. The member for Dartmouth—Cole Harbour brought forth something that was mocked. It was perhaps not mocked, but it was a small bill that dealt squarely and head-on with the problem. It identified the problem and asked all hon. members to bring this forward and deal with it. That was a year and a half ago.

When it wants to adopt a private member's bill that meets political needs, the government will adopt it. It will bring it forward and make sure it is fast-tracked. It could have done the same thing with the bill by the member for Dartmouth—Cole Harbour, but it did not. If the government had said it did not work or if it did not like the wording, it could easily have been changed. There is a lot of expertise in the Department of Justice.

● (1820)

We have an omnibus bill now. We have our usual “throw in the kitchen sink” bill. The Conservatives will call it one thing—it is called “protecting Canadians from online crime”—but it is really about all kinds of other things. There are all kinds of other things thrown in there about protecting Internet providers or theft of communication services and all sorts of other stuff. It has nothing to do with the issue that we are dealing with.

Instead of taking it, going forward and doing the right thing for once, the government decided to use it, as my colleague from Halifax said, to have another go at this failed bill brought forward by the former minister of public safety who shocked Canadians with his statement and his approach and had to have the bill withdrawn. The elements of that bill are still here, in terms of how they are dealing with the so-called “lawful access” provisions, and I will get to that a little later.

However, I am more interested in the failure of the government to take seriously the plight of victims of cyberbullying and deal with it swiftly and uncontroversially, because it could have been done. That is what the victims, the families, the school teachers and community leaders across the country wanted to see happen. They did not get that from the current government because it has this other agenda, this other way of dealing with things that tries to push forward something along with something that is good and put in all the other things that were failed policies in the past and do not meet the tests of compliance with the general law, do not meet the standards that have been there for many years when it comes to privacy and other events, and obtaining of warrants when it is invading people's policy, listening in on their private conversations, and getting access to their data, which is based upon a warrant.

We have, sadly, a failure to do that.

Then, when the opportunity came to support a motion brought by another colleague of ours on this side calling for a national anti-bullying strategy, what did the government do? It said, "No, we're not going to do that. We're not going to support that." That would have provided some of the other preventive educational opportunities to support the schools, which are trying to solve some of the problems among the schoolchildren, to help communities deal with this, and perhaps even to help provide education to police officers and police departments. They do not all have all the answers, either, frankly.

While we are glad for the contribution that any member of the House has made in their private life prior to coming here, we do know that a lot of work needs to be done to ensure that police departments across the country have the tools to be able to work with us. That comes by having some legislation in place, not so swiftly as to not be considered, but to take it and say this is something that we have identified as a problem, it is a shock to so many Canadians that this would go on, and let us try to ensure that the problem is solved as quickly as possible.

That brings me to the other part. As I have two minutes to deal with it, I will not repeat all of the things—I cannot obviously—that my colleague, the member for Gatineau, has so ably represented in her argument in the House and her work before the committee in identifying, along with the experts, the failings of the bill, when it comes to invasion of people's privacy, the use of standards such as reasonable suspicion instead of reasonable and probable grounds to believe as a standard for obtaining a warrant. That is something that experts pointed out, that my colleague from Gatineau pointed out. She has done a wonderful job in presenting numerous and reasonable amendments to that part of the bill, all of which were rejected by the other side.

I do not think Canadians are surprised anymore when they hear that bills go to a committee of reasonable responsible people, experts come and give their opinions as to what needs to be done to make it acceptable, those amendments are put forward and not a single one, not one reasonable amendment that would fix the bill, was adopted. However, we are used to that, and I think Canadians are used to the fact that the current government has its own ideas about things and is not prepared to listen to anyone else. It wants to ensure that it has things its own way.

Adjournment Proceedings

That is what is wrong with the bill. We would have loved to be able to be here and have a non-contentious bill that would solve the problem and hopefully save some lives. This is a matter of life and death.

• (1825)

The Acting Speaker (Mr. Bruce Stanton): We have reached the end of the period permitted for government orders for the day. The hon. member for St. John's East will have five minutes remaining for questions and comments when the House next returns to debate on the question.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

• (1830)

[*English*]

EMPLOYMENT

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I rise in the House yet again to raise serious concerns about the temporary foreign worker program on behalf of people in Alberta.

On April 1, the Minister of Employment and Social Development responded to my question in the House that no Canadian workers in the oil sands had lost their jobs to temporary foreign workers, and that if so, all were immediately rehired.

As I was informed by the ironworkers, this was patently untrue. On April 28, I wrote to the minister seeking more detailed information on the action by his department in the matter of the layoff of 65 Canadian ironworkers at the Imperial Oil Kearn project site.

As is evident from the information provided to the minister by the International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers local 720, Canadian workers were in fact replaced by less qualified temporary foreign workers, a violation of the law, and while some of the Canadian workers did eventually find other employment, many did not. One such person was an aboriginal apprentice.

Regardless, the layoffs were illegal.

Three hundred Canadian workers reportedly were displaced as well at the Husky Energy Sunrise project under similar circumstances. The obvious question is, what enforcement action has been taken?

Five months have passed, and the minister has not had the courtesy to even reply to my letter. The displacement of available highly qualified Canadian workers by temporary foreign workers continues to be a recurring problem not just in the oil sands but across Alberta. Both the previous accelerated temporary worker program and the pilot project for Alberta, later extended, removed any obligation for a labour market analysis or proof of labour shortage.

Adjournment Proceedings

Recent reports, including reports by the C.D. Howe Institute and the Parliamentary Budget Officer, raise serious problems regarding the reliability of labour shortage data. These incidents suggest problems also exist for skilled worker employment data. This is being verified by the number of complaints I continue to receive from Canadian skilled tradespeople who are unable to get a job, let alone an interview.

Serious questions are also being raised about the certification process for temporary foreign workers for skilled trades, compared with the process for Canadian workers who have invested time and money in gaining their professional tickets.

Here are the questions that I wish to put today to the House.

Which specifically designated federal officers are mandated to inspect and enforce the temporary foreign worker program?

More specifically, which federal officers are mandated to inspect and enforce the temporary foreign worker program for the oil sands, and in what numbers?

Third, who is being held accountable and liable for compliance with the temporary foreign worker legislation? Is it the labour brokers, the operators, or the owners?

At what juncture are temporary foreign employment brokers paid for temporary foreign workers when they bring them into Canada?

What new measures, beyond increased penalties, is the government taking to ensure better government oversight to identify, track, and respond to violations and to prevent abuses?

Mr. Scott Armstrong (Parliamentary Secretary to the Minister of Employment and Social Development, CPC): Mr. Speaker, our message to employers has been clear and unequivocal; Canadians must always be first in line for any available job.

Our comprehensive and balanced reforms restore the temporary foreign worker program to its original purpose, as a short-term last resort for employers when there are no qualified Canadians to fill available jobs. This comprehensive overhaul of the program will significantly reduce the number of temporary foreign workers in Canada, it will improve labour market information and correct labour market distortions caused by the previous program. It will also strengthen enforcement and penalties for employers who attempt to break the rules.

Let me list the reforms that the Minister of Employment announced just this past June. Employers must now also attest that they are aware of the rule that Canadians cannot be laid off or have their hours reduced at a work site that employs temporary foreign workers. Employers with 10 or more employees applying for a new LMIA are subject to a cap of 10% on the proportion of their workforce that can consist of low-wage temporary foreign workers. Applications for the lowest-wage, lowest-skill, entry-level occupations in the food services, accommodation, and retail trade sectors will be barred from the temporary foreign worker program in areas of high unemployment, those areas with greater than 6% unemployment.

LIAs for low-wage temporary foreign workers will be reduced from a two-year standard duration to a one-year period, making the

program truly temporary. Annex agreements with provinces and territories can no longer be used for employers to avoid labour market screening. Employers who are seeking to hire high-wage temporary foreign workers will now be required to submit transition plans that show how they will be hiring more Canadians in the future to fill their available positions.

More and better labour market information will be available for stronger screening. A new enhanced job-matching service will allow Canadians to apply directly through the Canada job bank for jobs that match their skills and experience, and provide information to program officers who are reviewing an employer's LMIA application on how many qualified Canadians have applied for specific jobs.

There will be stronger enforcement and tougher penalties for employers who break the rules. There is a massive increase in the number and scope of inspections, so that one in four businesses employing temporary foreign workers will now be inspected by the temporary foreign worker program each and every year. There will be an increase in the number of program requirements that inspectors can review when they review these applications from three to 21. We are improving and expanding the temporary foreign worker tip line, and creating a new complaints line to better detect when employers have violated this system.

Expanding the ability to publicly blacklist employers who have been suspended and are under investigation, as well as those who have had an LMIA revoked and are banned from using the program, have been put in place. Additional funding for the Canada Border Services Agency to allow for an increase in the number of criminal investigations is also in place. Improving information-sharing among departments and agencies involved in the oversight of the temporary foreign worker program, including provincial and territorial governments, has been established, and we are introducing significant monetary fines for those who violate the system of up to \$100,000.

Those are some of the recent changes we have made to make sure we enshrine the principle that Canadians must always be hired for any available job, a sign of real action made by this minister last June.

● (1835)

Ms. Linda Duncan: Mr. Speaker, I am disappointed yet again. None of my questions have been answered. All we hear are generalities.

I would put again to the parliamentary secretary, and on to the minister I hope, where is the overhaul of the skilled worker program? By and large, all the reforms that were made were to the lesser-skilled program. We are still waiting.

Adjournment Proceedings

As the member is likely aware, the International Brotherhood of Boilermakers has now entered the fray and joined forces with the ironworkers and other workers, including welders, who are deeply upset with the way the temporary foreign worker program is being applied to their areas of work. The boilermakers have put forward ideas for reform. They would like to replace the international broker companies with the unions actually running the temporary foreign worker program to make sure Canadian workers are not displaced.

I look forward to hearing a response to what they are saying to the boilermakers.

I would like to also put a final request to the parliamentary secretary to pass on to the minister. Would he be willing to table in the House what enforcement actions have been taken against the owners, operators and brokers in the oil sands regarding the violations of the temporary foreign worker program?

Mr. Scott Armstrong: Mr. Speaker, those questions are coming from a member that, if she had her way, would shut down the oil sands and eliminate all those jobs that Canadians would be performing.

While we have made a comprehensive and balanced overhaul of the program, the Liberals and NDP have been incoherent about where they stand, while inundating our government with requests for temporary foreign workers in their own ridings. They are voting in favour of an expansive moratorium on the program, while demanding changes to the program. They have voted against all of the previous reforms to tighten the access to the temporary foreign workers program and all of our previous efforts to crack down on employers who abuse this program.

These reforms will require that employers make greater efforts to recruit and train Canadians for available jobs. These initiatives, like the Canada job grant, will ensure that the program is only used to provide temporary help where clear and acute labour shortages exist and Canadians are not available for the job.

I encourage the member opposite that if she is aware of abuses to call the tip line: 1-800-367-5693 or email integrity@servicecanada.gc.ca.

Any employer who misuses this program will be publicly named and shamed on our blacklist, be banned from the program and face other consequences.

• (1840)

[*Translation*]

PUBLIC WORKS AND GOVERNMENT SERVICES

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I am rising in the House today to come back to an important question that affects the region I represent and that is so important to the people of Quebec City. The question was not adequately answered when I asked it last spring.

Before the summer break, I asked the government what had become of the construction of the Quebec City covered ice rink. We learned that construction was being delayed, even though the funding for this new infrastructure had already been committed.

What is more, we all know that the minister responsible for that file at the time promised that one-third of the construction cost would be covered by the federal government.

In my question, I also pointed out that she had promised that the old Building Canada fund would be used to carry out the project. However, when I rose in the House we learned that the money may no longer be available.

Since then, weeks have gone by and the idea of a covered ice rink may seem far away, especially after the warmth and sunny days of summer. Unfortunately, I did not get a satisfactory response from the government. That is why I am asking the question again today.

I am not sure if it was because of the noise in the House that day or a problem with the translation, but when I asked a question about the ice oval, the government's response was about the Davie shipyard and the awarding of shipbuilding contracts.

Therefore, I would like to give my colleague opposite another opportunity to update the people of Quebec City about the status of the project.

Based on what was reported in the media last spring, it seems clear that other levels of government were responsible for the temporary freeze on the project.

We learned that the project would be temporarily delayed because of the budget situation and that time was needed to update the necessary studies. However, the federal government publicly committed to contribute financially to this project last winter.

Even though the project is on ice—pardon the pun—could we have, here in the House, a formal commitment from the federal government that the funding earmarked for this important project will still be available when it is time for it to be built? Can the government commit to delivering the money that it promised?

I would like to remind my colleague that this bill is important for the development of sports infrastructure in the region because the ice rink will be located in a city known for its winter activities. The ice oval will also enable certain sports and their federations, such as Quebec's speedskating federation, to use world-class infrastructure to help our athletes develop. This national training centre would serve all of eastern Canada.

Has the federal government set aside the promised \$32.5 million for this project?

I hope that my comments will not fall on deaf ears and that my colleague understands just how much people from Quebec City are counting on original projects that will allow the city and its athletes to gain international exposure. I hope that the government's commitment is serious and that the funds will still be available when construction of this long-awaited project begins.

Quebec City is a winter city, and it must have appropriate facilities for young athletes who want to participate in such sports as speedskating without having to move to another part of the country to train and pursue their dreams.

Adjournment Proceedings

Having said that, I understand the budgetary situation in which we are currently living. Nevertheless, I remain convinced of the potential economic benefits of this project.

The government promised to provide one-third of the budget. It must keep its promise when the time comes to do so.

[*English*]

Mr. Peter Braid (Parliamentary Secretary for Infrastructure and Communities, CPC): Mr. Speaker, I appreciate the opportunity to refresh my colleague's memory on the ice oval project in Quebec City.

As always, we look to the provinces, territories, and municipalities to prioritize infrastructure projects that are important in their respective regions. The former government in Quebec prioritized this project in its budget, and it is still a priority for the current Quebec government.

There was money available for Quebec under the 2007 Building Canada fund. The hon. Minister of Infrastructure, on February 27, 2014, confirmed that we as a federal government have also prioritized this project under the 2007 Building Canada fund. The money has been set aside, so when Quebec City is ready to move forward, we will be there to support it.

I would also like to point out to my colleague opposite that recreational and sports infrastructure is still an eligible category under the largest component of the new Building Canada plan, the gas tax fund. The gas tax fund and the GST rebate represent close to 70% of all the new funding in the new Building Canada plan.

I would also like to remind my colleague that it is this Conservative government that made the gas tax fund permanent. Unfortunately, the NDP voted against that. It is also this Conservative government that doubled the gas tax fund, from \$1 billion to \$2 billion. Again, unfortunately, the NDP voted against that.

It is this Conservative government that indexed the gas tax fund going forward, which will add close to \$2 billion to the gas tax fund over the next 10 years. Once again, true to form, the opposition across the aisle voted against it. In fact, the NDP has voted against almost all of our measures to increase infrastructure funding to provinces, territories and municipalities. However, thanks to our Conservative government, provinces, territories, and municipalities can now rely on predictable sources of funding for their infrastructures priorities and, as I mentioned, this includes the ice oval in Quebec City.

● (1845)

[*Translation*]

Mrs. Anne-Marie Day: Mr. Speaker, my father-in-law is 97 years old and he has always kept his promises. I extend my warmest greetings to him. He is probably watching at home right now.

The Minister of Infrastructure and member for Roberval—Lac-Saint-Jean committed \$32.5 million. The program ends in 2014, and we want to ensure that the money will still be available in 2015 and 2016 when the Government of Quebec needs it for the ice oval.

The minister said, “Quebec can take the money that is still available, and this is a priority for us.” He guaranteed that the \$32.5 million would still be available after March 31, 2014, regardless of whether there was a change in government as a result of a future provincial election, which obviously took place. He said, “The money will be there. We worked with both governments over the years.”

I hope that like my father-in-law, the minister will keep his promises.

[*English*]

Mr. Peter Braid: Mr. Speaker, again, I will certainly be crystal clear. This project is a priority for Quebec City. We know that. It was a priority for the former government in Quebec, and it is still a priority of the current government in Quebec.

On February 27, 2014, the hon. Minister of Infrastructure confirmed that as a federal government we have also prioritized the ice oval project under the 2007 Building Canada fund. Recreational and sports infrastructure are still eligible categories, as I explained earlier, under the largest component of the new Building Canada plan, the gas tax fund. Combined with the GST rebate under the plan, this represents close to 70% of the new funding.

We have delivered the largest and the longest infrastructure plan in Canadian history. We will continue, as a federal government, to work very closely with our municipal and provincial partners, and we will continue with these important investments, renewing infrastructure across the country, creating jobs, and enhancing the quality of life for Canadians.

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): 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 6:49 p.m.)

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