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Monday, May 27, 2002

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, May 27, 2002

The House met at 11 a.m.

Prayers

● (1100)

[*Translation*]

BUSINESS OF THE HOUSE

The Acting Speaker (Mr. Bélair): Pursuant to Standing Order 81 (14), it is my duty to inform the House that the motion to be considered tomorrow during the consideration of the business of supply is as follows:

[*English*]

> That this House has lost confidence in the government for its failure to persuade the U.S. government to end protectionist policies that are damaging Canada's agriculture and lumber industries and for failing to implement offsetting trade injury measures for the agriculture and lumber sectors.

The motion standing in the name of the hon. member for Vancouver Island North is a votable item. Copies of the motion are available at the table.

[*Translation*]

It being 11.05 a.m., the House will now proceed to consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

● (1105)

[*English*]

CHILD PREDATOR ACT

Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.) moved that Bill C-437, an act to provide that persons who commit a sexual offence involving a child serve the entire sentence imposed without early release or parole and be found to be child predators, and to amend the Corrections and Conditional Release Act and the Criminal Code, be read the second time and referred to a committee.

He said: Mr. Speaker, in summary, the child predator act defines the expression "child predator offence" to cover sexual offences involving children that include sexual activity by the offender. It would amend the Corrections and Conditional Release Act to prevent any unescorted temporary absence, day parole, full parole or statutory release being granted to a person who has committed a child predator offence or who has been found to be a child predator under the new provisions of the criminal code. Thus, the bill would ensure that the full term of the sentence would be served in custody in every case of a child predator offence.

Further, the enactment would amend the criminal code to provide for an application to a court to find a person to be a child predator on the basis of having committed a child predator offence and having shown an inability to control sexual behaviour or an indifference to the consequences of that behaviour for victims.

The enactment would allow the court to order an offender who is found to be a child predator to be held in custody for an indeterminate period if the offence were a second or subsequent child predator offence and would require the court in all such cases to order counselling and, in the case of any subsequent release, avoidance of contact with children, electronic surveillance and monthly reporting to police of residence and place of work for at least five years after his or her release.

If the offender is not found to be a child predator the court, on passing sentence for a child predator offence, may still make any or all the orders specified in the enactment and find the accused to be a long term offender and shall in all cases order avoidance of contact with children and monthly reporting to the police.

The Minister of Justice would be required to establish procedures to ensure that any breaches of an order, including a failure to report to police, would result in an immediate issuance of a warrant for the offender's arrest and the notification of the relevant police authorities.

One of the Liberal government's biggest failures has been its refusal to strengthen the criminal justice system and its ability to deal with violent and repeat offenders. The result is that we feel less secure in our homes and communities.

According to the Canadian Centre for Justice Statistics, crime has steadily increased since 1993. However it was not until recently, when the regional psychiatric centre in Saskatoon was forced to accept convicted pedophile Karl Toft, that people in that community really understood the extent to which the criminal code did not adequately protect society.

Toft is the notorious child sex offender who received a 13 year sentence for 34 sex attacks on boys while he worked at a youth training facility. What is truly disturbing is that Toft, whose victims could ultimately number in the hundreds, became eligible for parole after serving only a fraction of his sentence. Not only was Toft eligible for parole, even though his prospects for rehabilitation were poor and he was a high risk to reoffend, he actually qualified for release into a community based halfway house.

It should have been a foregone conclusion that a predatory offender like Toft would have to spend the rest of his natural life behind bars. However at the time of sentence he was given concurrent as opposed to consecutive sentences. Therefore, despite the heinousness of his crimes against children, Toft became eligible for parole after serving only two-thirds, nine years, of his sentence.

As a result, and following a brief evaluative stay in Saskatoon, National Parole Board officials quietly released Toft. This occurred despite the objections of his victims who have been forced to live with the emotional and physical scars of what was done to them.

As a result, I introduced this private member's bill designed to prevent a repeat of this situation. Bill C-437, the child predator act, would ensure that all individuals convicted of a sex related crime against a child would serve their full sentence and be declared a dangerous offender. The dangerous offender designation is essential to keeping pedophiles behind bars indefinitely. There would also be greater emphasis placed on deterrents because the sentencing provisions would apply to first time offenders.

From a judicial perspective and where the safety of our community is concerned, the child predator act is a common sense approach that puts the safety of our children ahead of the rights of pedophiles.

While the Liberal government refuses to consider changes to the criminal code, the onus is on elected representatives at all levels of government to continue telling it like it is in the hope that public opinion will force changes to be made.

I have the psychiatric evaluation of child sex offender Karl Toft. I do not have time to read it all into the record but I will read one paragraph which will highlight the seriousness of the situation. The psychiatric evaluation reads:

> You have been diagnosed as a homosexual pedophile...the highest risk category for sexual reoffending even after intensive treatment, with a personality disorder with schizoid and anti-social features. The prognosis for individuals with this profile is generally poor as therapy is difficult.

Despite that evaluation, the guy was released after having served only two-thirds of his sentence, having been convicted of 34 sex offences against children.

● (1110)

Releasing pedophiles into our communities is highly dangerous and I am appalled that they spend such little time in prison. The bill would prevent the release of deviant sex offenders into the communities where they prey upon our children.

Studies prove that pedophiles are incurable and are a threat to our children. They belong behind bars. The Liberal government has refused to make child predators subject to an automatic dangerous offender designation when they are sentenced, which would ensure that they remain in prison indefinitely.

I of course appeared before the committee that reviews private members' business to request that this bill be deemed votable but the Liberal members who sat on the committee declined that request. I would like now to request the unanimous consent of the House to deem the bill votable.

The Acting Speaker (Mr. Bélair): Does the hon. member have the unanimous consent of the House to make the bill votable?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, it is a privilege to participate in the debate on this private member's bill, Bill C-437, sponsored by the member for Saskatoon—Humboldt. I want to congratulate my colleague from Humboldt for bringing forward this private member's bill. It is a timely piece of legislation.

The bill aims to amend the Corrections and Conditional Release Act to prevent any unescorted temporary absences, day parole, full parole or statutory release being granted to an individual who has committed a child predator offence and who has been found to be a child predator under the new provisions of the criminal code. In other words, if the bill were ever passed, child sex predators would have to serve their full time in custody. That is a novel idea: making rapists and other sadistic predators spend their entire sentence behind bars where they can no longer pose a threat to children.

I would respectfully recommend to the member for Saskatoon—Humboldt that this or a similar bill go even further and eliminate the statutory release for all offenders and that day parole and escorted absences be used much more discreetly. Unfortunately the bill is not votable and therefore will not become law. It is highly unlikely that this or any other measure aimed at eliminating statutory release or limiting day parole and escorted temporary absences ever will be a reality with this government at the helm.

There is ample reason to support measures such as those that we find in the bill. Correctional Service Canada figures from 1989 to 1994 reveal that some 4,980 persons, or 60%, who were convicted of violent offences such as child molestation, manslaughter, rape or attempted murder repeated their crimes, that is, they repeated their crimes while they were on conditional release from the penitentiary.

Statistics do not provide an adequate picture of how repeat offenders become progressively more violent. Therefore, I would like to provide the House with a few prime examples of why statutory release, day parole and even escorted temporary absences for sex offenders, particularly child sex offenders, need to be eliminated or restricted. Here is one example:

> Since 1975, Allan Wayne Walsh of Mission, B.C. had more than 60 convictions for kidnapping, confining women, sex crimes, robbery and weapons offences. In 1983, he was convicted of 26 offences, including two counts of rape, and sentenced to 25 years in prison. Ten years later he was out on parole. Within months he used a knife to try to rape one woman and then raped and robbed another. On September 21, 1995 he was convicted of seven new offences, including sexual assault, which led the crown to have him declared a dangerous offender. These seven additional offences never would have occurred if Walsh had served his full 25-year sentence. Seven innocent people would have remained unharmed if this dangerous offender had served out his full sentence of 25 years.

Seven families who were devastated would have remained unharmed.

The Canadian Alliance believes in truth in sentencing for all violent and all dangerous offenders. We do not have truth in sentencing today. Truth in sentencing means that if a 25 year sentence is imposed, a 25 year sentence is served. In essence we support no parole for violent offenders, no reduction in the term decided by the courts upon consideration of the facts.

Another example that exemplifies my point is that of Ronald Richard McCauley, another British Columbia rapist who was sentenced to 17 years after two vicious rapes in which his victims were left for dead. At the time of sentencing, McCauley was another one who had an extensive criminal record. In 1992 when McCauley came up for parole he told the parole board he felt that had he not been caught he would have become another serial killer like Clifford Olson. The board, noting that McCauley appeared to benefit only superficially from treatment, turned him down, but two years later in 1994 McCauley got statutory release and was out. In 1995 McCauley was under investigation in the murder of two Vancouver women.

● (1115)

In another instance, in 1983 James Ronald Robinson of Ottawa was convicted of manslaughter in the stabbing death of Roxanne Nairn, a 17 year old grade 12 student. He was sentenced to three years on a manslaughter conviction, but again, he also was released early despite being caught trying to smuggle hashish into jail while returning from an unescorted pass. In 1990 Robinson spent two years in jail for raping and threatening to kill a woman he had lived with after his release from prison. On March 6, 1995, he was charged with another count of sexual assault on another victim whose life was hurt and damaged.

In another instance, despite having consecutive sentences adding up to 27 years, and despite having committed crimes while on parole, Claude Forget was given an escorted pass to visit his sister in 1993. He escaped. Forget forgot how to get home and two months later he shot two police officers. In September 1995 he was up for parole after serving only a very small fraction of his sentence because parole loopholes required any new sentence to be merged with any existing sentence. In Forget's case, this meant that he was eligible for parole almost as soon as he was convicted of the attempted murders because there was no consecutive sentence. Forget was granted a full parole hearing in December 1995.

I will give the House yet another example, one from 1986, and one which we have read about in many of our papers. Martin Dubuc, a Montreal hockey coach, was convicted of molesting team players:

> After his release from prison he did not let a lifetime ban on coaching in Quebec stop him. He changed locales, becoming a coach and eventually president of the minor hockey association of southwest Montreal. As well, three different school boards in the Montreal area hired him as a substitute teacher. In September of 1995 he pleaded guilty to using the telephone to threaten boys aged 10 to 13.

More and more of these types of cases have occurred and will continue to occur unless amendments are made to the Corrections and Conditional Release Act, amendments such as those contemplated in this private member's bill, Bill C-437.

There will be no discernible impact on the recidivism rates unless the government is willing to go the extra mile. The Liberals' soft on crime approach to justice simply is not working. What we need to do is implement zero tolerance for violent offenders and zero tolerance for sex offenders, which means we have to come down hard on those sadistic criminals who prey upon the weak and vulnerable members of our society.

The only way to truly protect our children from sex offenders is to keep those offenders locked up for their full sentences, then closely monitor them following their release and have their names and whereabouts registered on the national sex offender registry that the government has promised for months although we see no evidence of any registry coming forward.

There is probably no crime short of murder that offends the sensibilities and values of a community more than that of sexual assault on a child. It is most unconscionable when criminal acts such as these take place because they victimize the weakest, they victimize the most vulnerable and they victimize the most innocent among us as a society. Yet the government seems to remove itself from any type of remedy for the problem.

I therefore stand today to again congratulate the member for Saskatoon—Humboldt. I am fully supportive of this private member's bill, Bill C-437.

● (1120)

[*Translation*]

Mrs. Marlene Jennings (Parliamentary Secretary to the Minister for International Cooperation, Lib.): Mr. Speaker, I am pleased to rise to speak today on Bill C-437, which creates the new category of child predator, and restricts release on parole for offenders in this category.

An examination of this child predator act, which the member is asking us to support, might lead one to conclude that there is not, at the present time, any legislative instrument to deal with this category of offenders, and this is not the case.

Contrary to what some might suggest, I am not against this bill today because of any softness of attitude toward those who commit sexual offences on children. The truth is that I cannot see the point of creating a new category of offender. The deviant behaviour involved is already, by definition, addressed by the criminal code provisions on dangerous offenders. Dangerous offenders, the large majority of whom are in fact sexual offenders, can already have sentences of indeterminate length imposed upon them.

A dangerous offender is a dangerous offender. Calling one a child predator will change nothing.

If an offender cannot be classified as dangerous under the present criteria, there is still the possibility of declaring him a long term offender, and thus subject to the addition of a maximum of ten years monitoring at the end of his sentence. This category was created specifically for sex offenders for whom it is advisable to add a long period of monitoring once they are back in the community in order to reduce the risk of repeat offences.

These provisions, which exist only in Canada—I repeat, only in Canada—have been held up as examples by experts in other countries, who saw them as an excellent means of closely monitoring high risk offenders within the limits imposed by our charter of rights and freedoms. Too often we try to adopt new solutions that are copied from what is done in other countries, where there are not the same wise measures as there are here.

I would point out in particular that this bill is particularly off track when it proposes restriction of gradual release or parole for this category of sex offenders, which is in my opinion contrary to its avowed objective of protecting Canadians.

This bill starts from the premise that public security is less threatened by an offender who serves his entire sentence, and then is required to report to the police once a month once set free. My colleague may not know this, but an offender under conditional release is subject to much stricter conditions than that, and can be sent back behind bars if he is deemed likely to reoffend. Once the sentence has been served, the police cannot act on a mere hunch.

Whether on day parole, full parole, or statutory release, the offender must report to a parole officer. The offender must abide by the conditions established by the National Parole Board, or risk having his parole suspended by his parole officer and being sent back to jail. Also, the parole officer can discuss the offender's behaviour with his entourage, such as his family or his employer, which makes it possible to detect any increase in the likelihood of reoffending. The police certainly do not have the time to monitor all sexual offenders this closely.

The other premise of this bill is that longer sentences constitute the best guarantee of public safety, which is not true.

● (1125)

According to research dating from May 2002, the longer a person is incarcerated, the greater that person's chances of reoffending upon release. This study was based on 111 studies, involving more than 442,000 offenders. I think that conclusions based on this amount of supporting data deserve to be taken into consideration. The conclusions stated specifically that a longer prison sentence was associated with a slight increase in the chances of reoffending, the repeat rate of approximately 3% rose to 7% when the sentence was longer than two years. So it is not by locking criminals up for longer that we will protect the public over the long term.

Even if this bill were passed, most offenders would return to the community one day. Experience has taught us that the best way to reintegrate offenders is to give them gradual freedom, and to monitor and supervise them properly to help them live their lives in abidance of the law.

The fact that the parole program begins with short escorted absences is not a coincidence. These are followed by unescorted temporary absences designed to evaluate the offender's ability to adjust to life in society. Day parole is a less restrictive form of freedom, but it does involve significant monitoring and controlling, since the offender must go back to a halfway house every evening. Full parole brings the offender closer to full release, but the parole officer can follow up on that person and take action if he deems that the situation is deteriorating.

Taking action does not necessarily mean putting the offender back in jail immediately. It may mean to make him go for counselling, impose stricter parole conditions, or require the offender to see his parole officer more often. It may also mean sending the offender back in jail if there is a serious risk that he may reoffend.

We must also not put all sexual offenders in the same boat. The risk of reoffending varies from one individual to another. Our system is based on that reality. We can evaluate the risk posed by an individual but not an homogeneous group and, depending on the seriousness of this risk and our ability to monitor it in the community, decide when the individual should be freed. If the offender is automatically released, something which is often criticized, he will be monitored until the end of his sentence. However, if he remains incarcerated until the end of his sentence, we no longer have the right to monitor his activities once he is released.

As I mentioned earlier, when an offender requires long term monitoring, we have two options. A dangerous offender is necessarily imposed an indeterminate sentence and remains under the surveillance of the parole board for the rest of his days, even if he is released.

If an individual is deemed to be a long term offender—and this is an option that already exists—he may be under surveillance for a maximum of ten years after the end of his sentence.

Finally, these figures show how important it is to ensure that offenders remain in the community without reoffending. An excellent way to help them achieve this is precisely to monitor them through a parole program.

In conclusion, it is not at all necessary to create new categories and to eliminate the discretionary power in the whole system. What we must do is to make educated choices based on current knowledge, so as to truly help increase public safety. This is a very important issue. It is unfortunate that there is not more time to debate it, but that is the way things are.

● (1130)

Ms. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, I rise today to speak to Bill C-437. I must say that I have found it extremely difficult to take a position on this issue because of the distinction that must always be made between the purpose of good legislation, i.e. protecting children, and the means used by that legislation to achieve that purpose, i.e. creating a new system or a new status for those who commit sexual offences against children. If someone is found to be a child predator, he would now have to serve his full sentence, with no possibility of early release or parole.

It is only after long reflection on the fundamental purpose of Bill C-437, which is to protect children, that I declare myself in favour of Bill C-437 in principle—and only in principle. I do not, however, support the means used by this bill to attain the aforementioned goal of protecting children.

To begin with, it is impossible not to be sensitive to the welfare and especially the safety of children, who must be protected against any attempts to commit sexual offences against them and must most certainly be protected from possible attacks by sexual predators.

We have only to look at the dictionary definition of predator, an animal naturally preying on others, and link it up with child to realize immediately the extremely great risk that a sexual predator may pose to any human being, whether male or female, and that this risk is even greater when a child sexual predator is involved because, as we know, a child is defenceless.

Everyone will remember the terrible tragedy which took place in Belgium some years back when child sexual predator Marc Dutroux was arrested for kidnapping and murdering several young children. The public will also remember the 1996 White March in which 300,000 Belgian men, women and children demonstrated against all forms of pedophilia and against those crimes which could have been prevented if a rigorous system of surveillance had been put in place to thwart people like Marc Dutroux.

We do not need to look to other countries to seek out examples of these terrible predators. We need look no further than our own, where we have the recent cases of two sexual predators in Ontario, Paul Bernardo and his wife, and of Conrad Brossard in Quebec, who is alleged to have just recently committed his latest heinous crime against a Trois-Rivières woman. These cases are proof that no civilized society is safe from the hideous misdeeds of these monsters, who must be made incapable of perpetrating any further acts, in order to protect potential future victims.

There are not many means of neutralizing these dangerous beings, who represent a danger not only to society as a whole but also and particularly to potential victims. They can be sentenced to death, as they are in the United States and many other countries, or they can be imprisoned, in countries like Canada where the death penalty has been abolished.

In the latter case, however, the whole issue of the potential rehabilitation of these sexual predators crops up, with the eventual possibility of their being released on parole. That possibility stirs up enormous fears if a child predator is concerned.

Many people are absolutely convinced that child predators are never cured and remain an ongoing danger, because of the phenomenon of recidivism.

That fear is what has prompted the hon. member for Saskatoon—Humboldt to propose Bill C-437, when he learned that notorious child sex offender Karl Toft had just been released. According to the member for Saskatoon—Humboldt, the Saskatoon Regional Psychiatric Centre was forced to accept what the sponsor of Bill C-437 describes as this "pedophile found guilty of 34 sexual attacks on young boys, whose victims could ultimately number in the hundreds".

The member went on to say:

> Studies prove that pedophiles are incurable and are a threat to our children. They belong behind bars. The Liberal government has refused to make child predators subject to an automatic dangerous offender designation when they are sentenced, which would ensure that they remain in prison indefinitely".

● (1135)

Therefore, even though the goal of Bill C-437 is eminently laudable, the means used to attain this goal pose serious problems and are ill-adapted to the fundamental principles of our criminal law system. In fact, the definition of child predator offence is unclear in that it does not define rigorously enough the seriousness of the sexual offences contemplated and how much criminal behaviour must tolerated before someone is found to be a child predator, with the very serious ramifications that may ensue. The proposed legislative wording seems to allow for the term child predator to be applied retroactively, contrary to the usual custom that legislation not be retroactive. For these two reasons, the bill is not acceptable in its present form.

In addition, this bill creates a special system for child predators. I see no reason to exclude women or men from this form of protection against sexual predators, for their lives surely deserve just as much attention from the legislator as do those of children. We have only to think of the fifty or so women in the Vancouver area who have allegedly been kidnapped and murdered to realize that all human beings, men, women and children, must be protected against predators and that this protection must not be limited solely to children.

It must also be pointed out that proposed section 753.11 in Bill C-437 provides for a dubious and unusual system requiring the Minister of Justice to monitor whether an offender is in breach of an order against him. A simpler and more effective system of administrative monitoring should be provided for, if required.

Finally, we must ask ourselves whether the existing criminal code system is not entirely sufficient to cope with the admittedly very serious situation of child sexual predators, and whether it is really necessary to create this special new system solely for children.

[*English*]

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I would indicate quite clearly, as did the previous speaker, that we in our party support the idea behind the bill. We support the sentiment that we must do everything in our power to protect our most valued and valuable asset: our children. Yet I have real reservations about the method by which Bill C-437 might invoke that.

I very much commend the hon. member who has moved the bill. This is a cause he has long been engaged in and strongly believes in. Bill C-437 is intended to bring about a greater system of protection for children. It is intended to enforce many of the things one would assume should already be happening in the system of release, the parole system and the prison system. Were it to be enacted, the bill would further define the expression "child predator" in the criminal code to cover all sexual offences involving children that include sexual activity by the offender.

We in our party support the sentiment behind the bill. It is laudable that we encourage every effort to protect children and ensure that fairness for the victim prevails in the system. This is often lost. Victims are often thrust into a life of fear not only of what has happened but of the legal system which can be extremely cold and difficult to navigate. The system is at times unforgiving and lacking in compassion and information. I have often heard this from victims.

Bill C-437 would create a separate type of sentence in the criminal code. This is quite clear from the wording of the amendment, the effect of which would be to amend the Corrections and Conditional Release Act to prevent unescorted temporary absences, day parole, full parole or statutory release from being granted to individuals who have committed child predatory offences or been found to be child predators under the new provisions of the criminal code.

There will be a need to clarify the definition. This is not to be misinterpreted, but there is a scale of sexual offences in the criminal code. We can never forget that. It may sound clinical but I am saying this to clearly indicate that there is a scale for looking at types of offences. It ranges from inappropriate touching, which is not to be condoned but is one type of offence, to the horrific cases of rape, murder and serial rape and murder we have seen in the country.

With respect to sentencing, Bill C-437 seeks to ensure the entire sentence is served in custody in every case in which a child predator offence is perpetrated. Yes, there would still be the full protection of due process. Individuals would still be able to avail themselves of due process from the time of disclosure to a conviction or not guilty finding. We must ensure all the protections currently afforded remain in place and that due process is not interfered with.

However Bill C-437 is about what happens after the fact, after the finding of guilt. That is an important point. Because of the special nature of the offence and the special type of harm to society and the individual that results from it, we very much need a change in response and attitude by the justice department. That is implicit in the legislation.

Bill C-437 would amend the criminal code to provide for applications to the court to find people to be child predators on the basis of having committed offences against children or their inability to control their sexual behaviour. A finding of guilt and a finding of that designation would have certain consequences. We are talking about a type of dangerous offender application, something which is already permissible under the criminal code. We are talking about the worst of the worst.

● (1140)

I shudder to mention the names Olson and Bernardo but these are the types of predatory, sexual and violent offences envisioned by the criminal code change. We can talk about rehabilitation in the context of some offenders, but at the upper end of the scale rehabilitation is no longer a consideration. Rehabilitation of these offenders is virtually non-existent.

When looking at the intent of our justice system the protection of the public must be given precedence. This is brought about by deterrence and denunciation. It is why I recognize what the hon. member is trying to do. He is trying to draw a clearer line to distinguish the types of offences that are so horrific and damaging in their psychological and physical impact on victims. Such offences require special treatment. The offenders should be denied early release or any leniency that could be misinterpreted as condoning or embracing that type of behaviour.

Bill C-437 would give courts the ability to hold offenders for an indeterminate period of time. This is akin to the dangerous offender applications that currently exist. The bill calls for mandatory treatment. This should happen in every instance. It is a resource question. It is a priority question within the penal system and the parole board.

Under the bill counselling would be ordered in all cases to ensure avoidance of contact with children after release. Electronic surveillance might be employed as well as monthly reporting to the police. Certain parameters in the system which are now discretionary would be made mandatory in instances where sexual predators have been identified.

I have a similar bill in this regard which talks about banning contact between convicted sex offenders and children in dwelling houses. This is because of the frequency of contact between offenders and children in dwelling houses. It is where most offences are perpetrated.

Bill C-437 would require the minister of justice to establish procedures to ensure that any breach of an order including failure to report to police resulted in the immediate issuance of a warrant for arrest. That is common sense. It is what should be occurring now. Bill C-437 would codify some existing tenets which have flexibility and require discretion in the field and within Correctional Service of Canada. Under the bill offenders identified as sexual predators would be treated with special caution and in some instances given no leniency.

This is a sentiment we should embrace. The Progressive Conservative Party commends the mover of the motion in this regard. It is trite to say how important children have become in our society. Everyone recognizes that. It is a sentiment everyone should be quick to embrace.

Cautious estimates note that one in three young women are sexually abused before the age of 18 and one in six boys are sexually abused before the age of 16. These are startling figures. Even more frightening is that most abused and neglected children never come to the attention of the authorities. The cases we hear of are but a fraction of what is occurring.

Sexual predators in some instances are never caught. It goes without saying that this is sad. There is a serial element to their behaviour when there are no deterrents or consequences. They can be found in every province. It is not a rural-urban issue. There is not a higher instance in some provinces than in others. It is prevalent throughout. There is a high rate of recidivism. This is another important factor in the mover's motion. The life altering and lasting implications for the victims and the damage that results is shocking and abhorrent to Canadians. We have heard time and again of these events and the impact they can have on a child.

● (1145)

We should bring the bill to the justice committee where amendments can be put into place. I respect what the hon. member is trying to do. However we should change the bill's details to make it possible, charter proof and applicable under the law.

Mr. Gary Lunn (Saanich—Gulf Islands, Canadian Alliance): Mr. Speaker, I am pleased to stand and speak to Bill C-437. I commend the hon. member for Saskatoon—Humboldt who brought the bill forward.

This an important issue. The bill would make people who commit sexual offences against children ineligible for parole. It would create a sex offender registry to which offenders would have to report for five years concerning their residency, employment and other things.

A number of people have spoken to the bill in the House. The hon. member for Crowfoot said he fully supported the bill. He commended the member for bringing it forward although he said he would like to see changes. The hon. member for Pictou—Antigonish—Guysborough said very eloquently that the bill was not perfect but was something we needed. He said we should get it to committee where we can make changes and work together in a non-partisan way to see that it becomes law. Unfortunately, government members ensured the bill would not be votable. The hon. member asked for unanimous consent but was denied it by the government.

Bill C-437 seeks to protect the most vulnerable in society: our children. The hon. member for Pictou—Antigonish—Guysborough talked about statistics and the disturbing number of children in our society who are subjected to sexual predators. Also disturbing has been the government's refusal to act on the matter prior to the bill coming forward . It refused to let the bill go to committee so it could be fine tuned to make it charter proof. There needed to be changes.

In British Columbia where I come from we had the Robin Sharpe case. The man preyed on our most innocent and vulnerable: our children. He went through a number of trials beginning at the trial division. He was acquitted of possession of child pornography. The case went to the court of appeal and all the way to the Supreme Court of Canada. All through the process there was a need for the government to bring in a clear law to protect children. The cases were thrown out because section 164 of the criminal code violated his rights under the charter.

The government could have intervened and brought forward a tight and bulletproof law. Opposition members are trying to fill in the void. The hon. member for Saskatoon—Humboldt has brought forward Bill C-437 in an attempt to protect children. He spoke eloquently about the case in his province of a pedophile, Mr. Karl Toft, who was convicted for 34 sexual attacks on boys. He read into the record part of the psychiatric report which said it was one of the most severe cases. The report said there was no possibility of rehabilitation and an extremely high likelihood of Mr. Toft reoffending.

The recidivism rate is well over 50% for these types of sexual predators. Yet we as legislators are refusing to deal with the issue. Bill C-437 is not perfect. The hon. member for Crowfoot said we could tighten it up and make it positive in some aspects. The Tory member says he applauds the hon. member and understands what he is trying to do, but would like to see some changes in committee. That is where we could tighten the bill up. Yet government members are refusing to allow this to happen. The most vulnerable in our society, our children, have no opportunity to stand and defend themselves. It is unfortunate that we will not do it for them.

● (1150)

This is a serious problem and there are obviously holes in our current criminal code. There are holes in our legislation. We see repeat cases all the time. There are the severe cases like the Karla Homolkas and the Paul Bernardos, which are enough to send chills up anyone's spine, but there are also tens of thousands of cases for which we need to tighten up the legislation to ensure these people are not released. One of the key aspects of the bill is that sexual predators would not be eligible for parole. We could track them once they are released because the rate of reoffending is so high. Once they have served their full terms, we would know where they are working and where they are living.

The Canadian Alliance has called for the creation of a national sex offender registry in supply day motions. It was even voted upon by all members of the House. It passed yet we have not seen any action. That is the frustrating part. The issue has been brought before the House by numerous members, albeit opposition members, who recognize the void in our criminal code legislation. Yet the government has stonewalled every single time while our most vulnerable in society are put at risk.

There are a number of positive aspects to the bill. I do have some concerns as to whether the bill would be bulletproof with respect to the charter, but we could make it happen. We could take it to committee. I am sure the member would be open to listening to members from all sides as long as we followed his intent to protect our children and ensured these sexual predators would not reoffend.

We could make the necessary amendments. I am sure the member would be more than willing to listen to those amendments and the arguments, as long as we tried to do that. But no, the bill will get an hour of debate today and it is not votable. The member asked for unanimous consent to make this serious matter votable.

I can imagine the hundreds of thousands of dollars that we spent on the Robin Sharpe case alone as it went from the trial court to the court of appeal to the Supreme Court of Canada and back down to the trial court division, taking years and years. Children who were victims of sexual predators watched these shenanigans go on for years with no results.

It is our job as legislators to ensure that the legislation in the criminal code is there. When it is not working we should do something about it. I mentioned a specific case but there are many more.

I applaud the member for Saskatoon—Humboldt for bringing this forward as well as the member for Crowfoot and other members who have spoken on the bill. Unfortunately we have not heard a lot from the government side. I appeal to all members of the House to put partisanship behind us and let the bill go to committee in the name of all children, their own children and grandchildren who could be subject to sexual predators.

I will ask members to think once again, to re-evaluate this and let the bill go to committee. I ask for unanimous consent to make the bill votable which would allow it to go to committee where the necessary changes could be made. This would be a positive aspect for all Canadians and something of which every member of the House could be proud.

● (1155)

The Acting Speaker (Mr. Bélair): Does the hon. member have unanimous consent of the House to make the bill a votable item?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.): Mr. Speaker, I would like to thank my colleagues from Saanich—Gulf Islands, Crowfoot and Pictou—Antigonish—Guysborough for expressing a degree of support for the intent of my bill.

I want to express my profound disappointment that Liberal members refused to allow the bill to proceed through a legislative process. I would like to state for the permanent record that the member for Notre-Dame-de-Grâce—Lachine spoke against the intent of the bill, and I will be making some comments on that in a moment.

I would also like to state for the record that the Minister for Citizenship and Immigration and the member for Brossard—La Prairie are the ones who declined unanimous consent of the House to allow this legislation to proceed. I urge the constituents they are supposed to represent to bear that in mind at the time of the next federal election. The priority of their Liberal members of parliament was to mollycoddle child sex offenders as opposed to protecting our children.

I am astonished at the remarks made by the Liberal member for Notre-Dame-de-Grâce—Lachine who in her remarks said that putting criminals behind bars would not protect the public and that it was important for offenders to be released into society. It is clear that she is detached from reality. She does not appreciate the obscenity in releasing a guy like Karl Toft who was convicted of 34 sex offences against children and as I stated in my previous speech the number is probably in the hundreds. He would only serve nine years behind bars and then be released into our community. That is obscene and offensive.

The Liberal members are shirking their responsibility as representatives of their constituents by not allowing the bill to go forth. Once again I would like to express my profound disappointment at their lack of willingness to represent their constituents who would virtually unanimously agree that releasing such a deviant into society after only nine years, considering the number of victims that he has left in his wake, is completely unacceptable. Their unwillingness to allow this child predator act to go to committee is inexplicable and highly disappointing.

● (1200)

[*Translation*]

The Acting Speaker (Mr. Bélair): The period provided for consideration of private members' business has now expired. Since the motion has not been selected as a votable item, the item is dropped from the order paper.

We shall now proceed to Government Orders.

[*English*]

Mr. Peter MacKay: Mr. Speaker, I rise on a point of order. Before we proceed to orders of the day we understand that changes have taken place in the cabinet. The House should know why those cabinet changes took place before it proceeds to consider the business the government wishes to place before the House.

I would ask that the government table the letter of resignation from the Minister of National Defence and further, that the House itself be informed by the government of the reasons for these changes. The Prime Minister, whether he likes it or not, is accountable to the House and owes the House some explanation.

Could the Speaker confirm that it would be in order for the Prime Minister to make a full ministerial statement in the House and that the government would be within its reason to table that letter of resignation?

The Acting Speaker (Mr. Bélair): I must inform the hon. member for Pictou—Antigonish—Guysborough that was not a point of order.

Does the assistant government whip want to state the reasons for the cabinet shuffle? I understand the answer is no.

GOVERNMENT ORDERS

[*English*]

ASSISTED HUMAN REPRODUCTION ACT

The House resumed from May 24 consideration of the motion that Bill C-56, an act respecting assisted human reproduction, be read the second time and referred to a committee.

Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance): Mr. Speaker, I am pleased to participate in this important debate. Bill C-56 is a piece of legislation that has been long in coming. Canadians have been calling for legislation since 1993 when the royal commission on new reproductive technologies reported.

This issue has a long history. In July 1995 minister Marleau introduced a voluntary moratorium on some reproductive technologies. In June 1996 the government introduced a bill prohibiting 13 uses of assisted reproductive and genetic technologies but allowed the bill to die on the order paper at the time of the 1997 election. Draft legislation was thereafter submitted to the health committee on May 3, 2001 for consideration. The committee presented its report entitled "Building Families" in December 2001.

In March 2002 the Canadian Institutes for Health Research pre-empted any legislation by parliament by publishing rules to approve funding for experiments on human embryos and aborted fetuses. Funding was put off for one year following opposition protest of that particular move.

I wish to make it clear that the Canadian Alliance strongly believes in the improvement of human health. We support research wherever it is compatible with the dignity and value of human life. We will work to protect the value of human life and the best interests of children born of assisted reproductive technologies as well as ensuring that prospective parents have access to the best assisted reproductive technologies that science can ethically offer.

On such an important issue members of all parties should have the right to a free vote on the bill. It is important that we hear from Canadians on this issue and then, when in possession of all the facts, be able to vote free from party discipline on this important subject.

There are parts of the bill that I am pleased to see. I support the bill in regard to reproductive technology and the legislative framework it would create for this important subject. I do not wish to throw the baby out with the bathwater because there are parts of the bill which I cannot support.

I hope the committee will truly flex its political muscles and allows amendments to be passed so that we might at the end of the day be able to support the legislation.

What concerns me about the legislation? I believe we run the serious risk that donor insemination creates divided families. Recently *Maclean's* magazine published a six-page article entitled, "Who's my birth father?" In it the journalist states that with the exception of a few instances, "approximately 14,000 Canadians born by donor insemination in the past two decades are locked in a system that protects the donor anonymity." The article stated that, "until recently, physicians even encouraged parents not to tell their children how they were conceived." The remainder of the article contained numerous stories of children born by donor insemination who were demanding to know who their biological fathers were. In Canada over one million families are single parent homes and approximately 900,000 of these parents are mothers.

Too many children in Canada have little access to their natural fathers and I fear that the bill will only cause these numbers to increase and not serve in the best interest of children born of assisted human reproduction. Children born through donor insemination must have access to information about their biological fathers.

Another area of concern is the issue of stem cell research. There have been considerable advances in this area of medical technology. It proves to be a promising field that could lead to revolutionary discoveries. However, in this piece of legislation Canadians are only getting half the story. Legislation based on only half the story may lead to many sufferers of terminal diseases never seeing a cure.

● (1205)

This is the case when we rely too heavily on embryonic stem cells as the cure all for these debilitating diseases. Simply put, there are other sources of stem cells other than embryos. For the information of the House today, I have reviewed some of the available research on this issue. I have learned that scientists and doctors across the country are discovering stem cells taken from sources such as placentas, umbilical cords, bone marrow and even human fat are equally as capable as those collected from embryos.

For instance, a team of researchers from the University of Alberta have recently isolated and extracted healthy islet cells from an adult pancreas. These are cells that produce insulin. They have successfully transplanted the cells into the pancreas of 25 people suffering from juvenile diabetes.

There are other examples. For instance, a researcher from McGill University also discovered that stem cells collected from adult skin was capable of growing into brain cells and other tissue.

Then again, researchers found evidence that stem cells circulating in the bloodstream could grow new tissue in the liver, gut and skin. Adult stem cells are therefore more versatile than previously thought.

Finally, University of Minnesota Stem Cell Institute researchers showed that adult bone marrow stem cells can become blood vessels. The researcher said "The findings suggest that these adult stem cells may be an ideal source of cells for clinical therapy".

The Duke University Medical Centre researchers turned stem cells from knee fat into cartilage, bone and fat cells. The researcher said: "different clinical problems could be addressed by using adult cells taken from different spots throughout the body, without the same ethical concerns associated with embryonic stem cells".

These are only a few examples of successful advances that have been made in the area of adult stem cell research. Why then would the Liberal government put all its eggs in one basket, so to speak, in the bill, fail to acknowledge that even though scientists have been working for over 20 years with embryonic stem cells without any significant breakthrough in treating disease and seemingly pay no regard to the scientific breakthroughs that are happening within Canada and around the world in adult stem cell research?

Derek Rogusky, director of research at Focus on the Family, has stated that:

> While embryonic stem cell research holds out a faint hope for Canadians suffering with disease, adult stem cell research is already changing lives for the better. Building on these successes, not the challenges of embryonic stem cells, is where we should be investing our tax dollars.

Stem cell research is a relevant issue to the bill and Canadians are eager to have the government take action. I suggest that the Liberal government take seriously the recommendation made by the Canadian Alliance to call for a three year prohibition on research on human embryos in order to realize the full potential of adult stem cells. This research thus far has only proven successful and therefore suggests that its future is bright.

The standing committee has said:

> —in the past year, there have been tremendous gains in adult stem research in humans. We also heard that, after many years of embryo stem cell research with animal models, the results have not provided the expected advances. Therefore, we want to encourage research funding in the area of adult stem cells.

The official opposition's minority report called for a three year prohibition on the experimentation with human embryos, to allow time for the use of adult stem cells to be fully explored. It recommended:

> —that the government strongly encourage its granting agencies and the scientific community to place the emphasis on adult (post-natal) stem cell research.

The House must acknowledge the use of adult stem cells and the significant advances that have already been made in this area. I therefore urge the government to implement the three year prohibition of experimentation on human embryos. While this is important legislation that has been long coming, let us not rush it through only to create new problems. People who suffer from debilitating diseases deserve the best science, certainly the best cure and indeed the best legislation. Let us do the job right if we are going to do it at all.

● (1210)

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, I had an opportunity in the debate to reply to some of the comments made by my colleague opposite. I respect absolutely the position that has been taken by the opposition and some Liberal members on the issues raised by Bill C-56, particularly as they pertain to stem cell research.

The member opposite in a very reasoned argument suggested that perhaps society is moving too quickly on this whole matter of experimenting with embryonic stem cells and the potential that they show and that surely first we should exploit, as a government, as a society, as scientists, the potentials of adult stem cells that may be taken from elsewhere in the body and may indeed with research be proved to be as effective as embryonic stem cells in addressing some of the illnesses that we have such hope these new procedures will cure eventually.

My problem with the argument is simply this. It is an ethical one, indeed. I think the whole debate is an ethical issue. If embryonic stem cells, taken as part of the procedures in which they would otherwise be discarded, because no one is in favour of creating embryonic stem cells deliberately for the purposes of research, but given that embryonic stem cells are now being routinely discarded, if we do not encourage the scientists to carry on research with these embryonic cells, and if we as my colleague opposite suggests and set that issue aside and concentrate on adult stem cells, what if we are delaying the procedures and the opportunities of people who have debilitating illnesses from becoming well?

For instance, I have a relative who has Parkinson's disease. It is very difficult to watch somebody who is close suffering from a disease for which we know there is no present cure. When I look at him, I am very anxious that a cure be provided for him before the Parkinson's disease reaches such an advanced state that it really debilitates him.

A person in my community suffers from Lou Gehrig's disease. That person has shown incredible courage in the way he has managed that disease over 10 years. He is really exceptional in the sense that he has lived far longer than anyone expected. He is completely paralyzed. It may be a matter of weeks or months, but it is a very short time in which that disease will finally kill him.

My difficulty is that if there is reasonably good scientific thought to the effect that embryonic stem cells may offer a better road to curing people of these terrible diseases, and we do not know for certain but the possibility is there, I feel very strongly that we have an ethical obligation to take advantage of that opportunity as it sits right now.

A problem with the idea of delaying, as was suggested in the minority report of the opposition to the health committee report, and I do not dispute the sincerity with which it made that report, is that there will be people who will die. There will be people whose diseases will advance enormously if we may find out in retrospect that embryonic cells are better and more effective in bringing about the cures that we hope from the stem cell research. That is my dilemma. I am not sure we can wait.

I would like to make one other point. There has been some reluctance to address the moral issue, the faith issue, that is lurking behind the whole debate on embryonic stem cells. There are a great many Canadians who as a matter of faith believe that life begins at conception and that part of the resistance to using embryonic cells for research is this whole idea that we are dealing with cells that have to do with the fundamentals of an individual human being.

● (1215)

I can only say how I react to that. I can accept that life may begin at conception. When a procedure occurs in which death follows that life, although these cells may be only a week old, they have to be discarded. That is death and I would submit that if in death those cells which we might regard as human beings can be used to give life, is that not what we all should want? I do not know how to express this very adequately, but I feel very strongly that the greatest gift that a living human being can give is the gift of life to another human being. If that gift of life is given at the moment of death then I think morally it is correct.

My difficulty in the bill is that I acknowledge the commitment and the passion that is felt by the people debating on all sides, and I have been reading the *Hansard*, but in the end with me it is an ethical and moral issue. In deciding, when the legislation does come before me for a vote, I will have to support the idea that when life gives over to death and that death gives opportunity to life, and I know where my vote will be.

The legislation, in supporting the limited use of embryonic cells always with the understanding these are discarded cells, ethically, at least for this person, the only choice that we have is to support what is in the legislation.

● (1220)

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Speaker, I thank the two previous members who spoke to the legislation. They made some very thoughtful comments.

I rise today to address Bill C-56, an act respecting assisted human reproduction. The legislation deals with some very difficult medical, scientific and ethical issues.

The bill has been expected for a long time, ever since the royal commission on new reproductive technologies reported in 1993. It is of course a direct response to the report of the House of Commons Standing Committee on Health which reviewed draft legislation and made a series of recommendations on December 12, 2001.

I would like to publicly commend all members of that committee for their work, particularly our health critic, the member for Yellowhead, and the former member for Calgary Southwest, the former leader of the opposition, Mr. Preston Manning.

As the two previous speakers said, this is one of the most important issues we will discuss during this parliament. What does the bill do specifically? The proposed bill prohibits unacceptable practices, such as creating a human clone for any purpose, reproductive or therapeutic purposes; identifying the sex of an embryo created for reproductive purposes except for medical reasons, such as sex linked disorders; creating human/non-human combinations for reproductive purposes; paying a woman a financial incentive to be a surrogate mother, commercial surrogacy; paying donors for their sperm or eggs or providing goods or services in exchange; and selling or buying human embryos or providing goods or services in exchange. The official opposition generally supports these measures.

I would like to point out in particular the prohibition of sex selection for reproductive purposes. In 1994, as an assistant to the former MP for Surrey North, I had the opportunity to work on a private member's motion that sought to do exactly this. I commend the government for finally putting forward this measure in legislation.

The legislation would also establish the assisted human reproductive agency of Canada. This agency would operate as a separate organizational entity from Health Canada reporting to the Minister of Health. It would have up to 13 members on a board of directors reflecting a range of backgrounds and disciplines. I would suggest that whoever determines the agency, such as the minister, should consider someone like the former member for Calgary Southwest, Preston Manning, as a member on that board.

The agency would also be responsible for licensing, monitoring and enforcement of the act and its regulations. It would maintain a donor offspring registry. Finally, it would provide reliable information on assisted human reproduction to Canadians.

Our main concern about the agency is that it would report to the Minister of Health. We question whether it would have the independence required of such an agency to be truly effective.

The most contentious issue in the bill is obviously embryonic stem cell research, in particular, the fact that excess embryos would be used for research purposes. The bill would prohibit the creation of embryos solely for research purposes, something which I very much support.

I want to respond to the previous speaker whose comments I felt were well thought out. If we were to allow excess embryos from IVF, how could we be sure that they were not created simply for research purposes?

The member also indicated that the embryo was life and that if an excess embryo were created and subsequently killed, through death would we not seek to help other lives? That is partly true ethically, but the question is, are we unwillingly killing an embryo? This is not a willing person giving his or her life in a defensive situation for another life. There is no consent and that is something we have to consider.

This is a very difficult medical issue. My uncle is a diabetes researcher in Edmonton. I know many scientists are looking at embryonic stem cell research and see a lot of possibilities in it. They are looking at helping people through this research.

My main concern with this legislation and with other bills that come before the House is the lack of guidance by first principles. The majority report of the health committee suggested we include in the preamble of the legislation the phrase "the dignity of and respect for human life". That has to be in the bill at the very beginning. We have to be guided by that first principle.

● (1225)

That was stated in both the majority report from the Liberals and the minority report from the official opposition. It should be included in clause 22 of the bill as a primary objective of the new agency.

That brings me to the biggest question we face, which is the question behind the bill. It seems that many people do not want to answer the question of the distinction between a human life, human being or human person. It is interesting to note that philosophers in ancient times always defined terms in the preamble or before they even got down to the serious work. That is what we have to do here. We have to define these terms.

The definition of a human being under section 223(1) of the criminal code, as it is currently written, states:

> A child becomes a human being within the meaning of this Act when it has completely proceeded, in a living state, from the body of its mother, whether or not
>
> (a) it has breathed,
>
> (b) it has an independent circulation, or
>
> (c) the navel string is severed.

Frankly, that definition is unacceptable to me and it is unacceptable to most ethicists and people in the medical community in Canada.

I would draw the attention of the House to a question Mr. Preston Manning asked during the health committee discussion on this draft bill. He wanted to know what the moral status of the embryo as captured by the legislation should be and how we would establish and define that moral status in law? That was an excellent question.

Ms. Françoise Baylis, from Dalhousie University's department of bioethics, gave the following response:

> In philosophy, we would refer to this as an essentially contested concept. There is no answer to it because it is not a matter of fact, and there are no more facts to put on the table that will resolve the question, though there are more facts about human development.
>
> The first thing to recognize in the legislation and in all of your conversations is that embryos are human beings.

Her response contradicts the definition that is currently in the criminal code.

She went on to state:

> That is an uncontested biological fact. They are a member of the human species. What is contested is their moral status. The language we use there is technical and that's where we talk about persons.

She has distinguished between a human being and a human person.

She went on to state:

> I think what becomes very clear is that when you are talking about embryos you don't need to have a debate about whether or not they are human or human beings. The answer is yes.

She said that debate had been decided. She said that it was a biological claim and stated:

> The term "person" however is not a biological term. It is not a term about which there are facts. It is a moral term, a value laden term about which people will disagree and they will then point to facts and try to tell you that their definition is the right one.

I think that was a very illuminating exchange between Preston Manning and Françoise Baylis. That to me is the crux of the issue here. If it is, as she said, decided that the embryo is in fact a human being but it is not technically a human person, then that is what our debate should be about today.

If we all agree that the embryo is a nascent human life but it is not necessarily a person, what is it that distinguishes a human person from a human being? What characteristics or criteria do we use? When do embryos become persons and what is the distinction?

In researching this I went through some of my old essays. One essay was by the Canadian philosopher, George Grant, one of the most pre-eminent philosophers this country has ever seen. In discussing another issue, he said that we have to think as a society about what it is that is common to us as a species but unique to us as a species so that we can stand up and say there is a charter of rights in which we as human beings have a right to life. We do not do that. The definition in the criminal code is simply biological, not ethical. That is a debate we should have.

The reason the Canadian Alliance and the official opposition are very hesitant about embryonic stem cell research is not only because of the potential of adult stem cell research but because it is part of our conservative philosophy that we define things, as Aristotle did, not simply as they are, not simply looking at what they are today but at what they will potentially be. That was his famous concept of actus et potentia in which we examine an acorn, not just look at it but examine it, knowing that it will become an oak tree. We also look at an embryo not just as an embryo but we look at it knowing that it will become a human being.

● (1230)

In conclusion, I encourage all members to deliberate on these very difficult medical, scientific and ethical issues.

Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Canadian Alliance): Mr. Speaker, I think it is important for all members to make comments in this particular debate. It is something that is controversial and something with which I think each of us have struggled.

There is one thing that I think is necessary. So far the government is doing it and I hope it will continue in this vein, and that is that there has to be full and unrestricted debate on this legislation. We cannot have closure on this at some point or some attempt to rush this through. I hope the government sees that. There is no indication it would do otherwise but I trust it will stay with that.

In committee, in particular, aside from debate, it is very necessary that there be full public consultation. We have had some arguments, I guess we could call it, with the transport committee recently. The Canadian Alliance refused travel on a particular piece of legislation. I go along with that simply because with the committee travel that I have been a part of before I have seen occasions where we go out and hear overwhelming testimony from the public one way or another where people are of a common mind. Yet the legislation or any amendments that pass at the committee level do not reflect what we have heard from the public, which then of course brings to cause whether we should be bothering to consult and pretend to go through this facade if indeed we are not going to reflect what people have said.

In this bill in particular it is very important that we not only consult with the public but that the legislation ultimately reflects the will of the public as a result of those consultations. Beyond that, when it comes back to the House for a vote, I think it is very necessary that this be a free vote. A free vote is often something that is misinterpreted. A free vote should not be for individual members of parliament like myself, my colleague who just spoke or any of the members across the way to vote the way they personally feel regardless of input from others.

There are 301 members of parliament in the House and collectively we represent all the people of this country. The free vote should reflect our consultation with the people we represent in our individual ridings. We should take the time and the trouble to explain these issues, to bring the information before our constituents, to seek input from those constituents and ultimately to vote according to the direction of those constituents after they have been informed as openly as possible of the pros and cons of this bill.

We support a three year delay in proceeding with any experimentation on embryonic stem cells. We do this, first, because there have been great advances in the case of adult stem cell research and utilization of adult stem cells in treatments. There has been nothing that indicates or has demonstrated the ability of embryotic stem cells to be superior to adult stem cells. We keep hearing about the potential of what might be, what could be. The reality is that there is absolutely nothing concrete yet that says it is superior.

To the contrary. We know there are a lot of problems with embryotic stem cells because of rejection. We are using foreign tissue and, as a result, there is a rejection problem. I have some acquaintances and friends who have gone through organ transplants only to reject them and need the operation again. Rejection is a serious thing and it is something we want to avoid at all costs.

There is probably a desire on the part of some people to say that they want some kind of magic fix that is squirted up their noses which fixes their toes, so to speak. The reality is that in the treatment that comes from adult stem cell research, the stem cell is taken from the individual who is being treated so there is no rejection problem but it is very site specific. There is not necessarily a problem with that as long as they ultimately manage to produce the medications and cures necessary to deal with illnesses that are currently treatable.

I hope the vote of individual members of parliament does reflect the information that has gone out to the public and the opinions of their own constituents that they get back.

● (1235)

Certainly we need some of the things proposed in the bill, and there are some things that should be in the bill but are missing, one of them being a total and absolute ban on the creation of hybrids. A hybrid is the result of a human egg fertilized with an animal's sperm. It is fine to say that we will not allow it to proceed to fruition, but there is no justification for even the creation of it. It opens up the door to all kinds of horrors. We think it is something that should be nipped in the bud and stopped. I do not think there will be much support at all from the general public. I am sure that if hon. members took the trouble to have even quick consultations with their constituents they would find that most of their constituents would be shocked and horrified at the very concept of this thing proceeding.

One area that I have a couple of concerns about deals with the same category. It has to do with placing limitations on the donors. There is a very obvious need for this. I do not think it has been spelled out in the bill at all, and it needs to be. We have had some cases, one in particular in the United States, where a very unscrupulous individual who was supposedly acting on behalf of a number of donors simply supplied all the sperm himself. It turned out that he had hundreds of offspring with none of them realizing that they were interrelated, with all the potential problems that brings forward. There need to be some guidelines and safety measures put in place to ensure that this can never happen.

Beyond that but on the same concept is an area that our party is proposing, and I agree with it, providing the right caveats are in place, and that is the rights of the child who is born as a result of embryonic mixing. When that child grows up and wants to know who the parents are, our party's position is that absolutely the information should be available to the child. I agree that our background history, our knowledge of our ancestors and our heritage is very important. There is something that needs to be put in the bill with regard to this, very clearly and specifically. There must be some kind of legal protection for the donors so that there can be absolutely no question about it, so that the child cannot come back years later and say "You are my father so you have to pay for my full education" or for some other costs. The intention has supposedly been spelled out in the bill, but we know that often intention does not prove to be reality.

In regard to intention, we have seen all kinds of bills offered by the government. One that always sticks in my mind is conditional sentencing. That is where someone does not serve any time in jail. Violent offenders were allowed to go free as a result of that. When we brought the issue back to the House, the minister who introduced that legislation said that it was never the intention that it would apply to violent offenders. The reality is that because it was not clearly spelled out in the bill it was indeed applied to violent offenders.

It needs to be made absolutely clear in law, in the bill, that the children created through this type of birth can have access to their parents' histories but that there can be no legal or financial ramifications that would come back on those parents.

One area which I think shows maybe a bit of arrogance on the part of the government is the method by which the assisted human reproduction agency of Canada would operate. I would hope we would all agree that there is something fundamentally wrong with creating an agency for which the government appoints those who will be in that agency and then allows the minister herself to give that agency any policy direction that she wishes. Further, the agency is obliged to follow the directions given to it by the minister and must ensure that these directions remain secret. That basically says that we will appoint one person in the House who will decide for herself which direction things will go in and who will be accountable to absolutely no one and will not even have to release the information about which decision was made except to give direction to those who would carry out that will. That is fundamentally wrong. That is one thing that has to stop.

I see that I am out of time, but I think this is the kind of subject for which we need to have a great deal of time and consideration. We need to listen to one another and consider one another's position. I would hope that each person does take the time to consult with their constituents and reflect upon their needs and wishes rather than just take direction from their parties, and I hope that we ultimately have a free vote which truly will reflect the wishes of our constituents.

● (1240)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I dare say that this is a bill which more than any other in recent years, perhaps, has caused members of parliament to look deep within themselves, to consult broadly with constituents, and to hear from many groups that I think have a very visceral and emotional attachment to the content and implications of this legislation. Many members have given very thoughtful, personal and almost philosophic views as to how the bill would impact them, their constituents and the country as a whole.

As I said at the beginning of my remarks, it is a bill upon which we should reflect with a great deal of care and caution as we proceed. Although the bill is one that has been a long time in coming, I certainly hope that the government does not push it through with any degree of urgency or carelessness. It is one that will require significant input from numerous sectors in society, including the religious, the scientific, the groups concerned about privacy elements, and there are the medical concerns of the numerous groups working toward medical research which will enhance and improve basic human life.

The bill has been a long time in the process, but I will preface my remarks by saying that we should not by any means rush headlong into the final draft of this legislation. In May, when the bill was first introduced, it came to public knowledge with a great deal of attention and consternation. The bill, I am quick to point out, prohibits human cloning and the creation of an in vitro embryo for purposes other than creating life. It also prohibits the creation of an embryo from an embryo or from a fetus for the purpose of creating a human being.

It creates the assisted human reproduction agency of Canada, the AHRAC, which would exercise the powers found in clause 24 in relation to the licences under the bill. Subclause 25(1) states:

> The Minister may issue policy directions to the Agency concerning the exercise of any of its powers, and the Agency shall give effect to directions so issued.

There has been concern expressed about the accountability of this agency. What will comprise the agency? How far reaching will its powers be? What checks and balances will be in place? These are very legitimate questions. The bill states that the governor in council may make regulations concerning the use of human reproductive material or an in vitro embryo for research purposes, that is, use of embryonic stem cells. A licence from the referred to agency for such research will also be required.

Although the bill would prohibit the paying of surrogate mothers under clause 6, certain expenditures may be reimbursed according to the regulations set out in paragraph 65(1)(e).

Suffice it to say that the bill is one in which it is important to examine and highlight what it prohibits as well as what it allows or permits. It raises questions that, as I have referred to, may be incomplete at this point and may even be dangerous. It is a bill that will test the intellect of individuals and members of parliament, their moral fibre, the conflicts that may exist between their religious beliefs and their rational view of the scientific elements of the bill, and their emotional personal beliefs. I would suggest that it raises as many questions as it answers. Caution should be exercised.

The bill gives the government a wide range of powers to regulate the type of research that will occur and parliament may therefore be marginalized or pushed aside after the legislation comes into effect. It is a stark reminder for us that parliament has to do its work in the first instance. In essence, we must get it right the first time, because if changes are not brought about to keep parliament in the loop there may be no future ability for parliament to reconsider and bring these issues back to the floor, at least not as is envisioned in the current bill.

It also goes against the spirit of the recommendation of the Standing Committee on Health that human embryonic stem cell research be allowed as an exception and only after it has been demonstrated that the research can be done with no other biological material. That came about under recommendation number 14. Nor does it reflect the recommendation with respect to the research and the ability with which the government then intervenes in or commences this research.

● (1245)

The agency I referred to earlier, AHRAC, will issue licences for research, advise the government and oversee the application of the law. This agency is not at arm's length but is under the powers of the minister, as is clearly stated in clause 25. Limits on the acceptable number of embryos created and stored for reproductive purposes are not addressed by the bill in its current form. The government will determine these limits as it sees fit, outside the purview of, the review of and the rigorous testing that is supposed to occur in the parliamentary process.

The bill also follows closely the CIHR regulations and guidelines that were issued on March 4, well before the bill. At the committee level, Dr. Bernstein, the president of the CIHR, confirmed that the minister was well aware beforehand that such guidelines were being issued. In all likelihood the guidelines serve as a barometer to check public relations and public opinion on the proposition. This method of proceeding is highly undemocratic, I would suggest, and again it pushes parliament aside and prevents us from doing the rigorous review that is demanded and required in democracies.

The committee also recommended that at least half of the members of the agency be comprised of women. The bill does not address that issue.

In looking at the bill, I want to highlight, as other members have, that there are a number of practices that are out and out banned. It is important to highlight them again. Banned are: human cloning; creation of in vitro embryo for anything other than creating a human or improving reproductive purposes; creating an embryo from an embryo; sex determination of embryo for non-medical purposes; human and non-human hybrids for reproductive purposes. Other members have talked about the horrors of this sort of tampering with God's creation. To in some fashion bring in stem cells or life forms that were not envisioned in the beginning is very unsettling and is frightening to the very core for many Canadians.

Also banned are: inheritable DNA manipulation of sperm, ovum or embryos; maintaining an embryo outside a woman's body past its 14th day of development; removal of reproductive materials from a donor's body after death without prior written consent of the donor; commercial surrogacy, that is, paying sperm or ovum donors and buying or selling a human embryo. All of these practices are completely banned under this legislation. I would suggest that when examining the legislation we can see that many of the great, grave and legitimate concerns that have been expressed are to some degree addressed in the out and out banning of those activities.

It is also important to note the deterrence elements. Those convicted of contravening these bans face criminal code offences with fines of up to $500,000 or prison terms of up to 10 years. The consequences are severe, are real and are codified in the legislation.

Regulated activities include the storage, handling and use of sperm, ovum and embryos and also the provision of compensation to surrogates for reasonable expenses such as maternity clothes, medical treatment and for other receipts that are provided.

This is without a doubt a very comprehensive bill, one that inevitably will cause members to consult broadly, as they should, as I said in my opening remarks. It is important for us to take the bill very systematically and very carefully through our process. It will proceed next to the committee, where some of those same members who sat on the earlier committee will have an opportunity to use their prior knowledge, their gained knowledge, to rigorously examine witnesses who will be called, witnesses with the expertise that many members of parliament, including myself, might lack. They are individuals who have a very important perspective to be heard.

● (1250)

I suggest again that this is not a bill that we should sidestep in any fashion but it is one that we have to proceed with and respect because of the elements of a human life which are encompassed in this type of legislation.

Miss Deborah Grey (Edmonton North, Canadian Alliance): Mr. Speaker, I appreciate the opportunity as well to rise on this important occasion, one that we have been anticipating for years. In fact this dates back many years now. When the Prime Minister came in and assumed office in 1993, there were some fundamental issues then. Here we are almost nine years later dealing with this.

It seems very strange that we are doing this in almost a hurry up fashion before the House rises for the summer. In fact there is even talk of prorogation. We certainly have to question how important this is to the government, in light of recent events. I am sure the government has some concerns about this but one would hate to think that this might be some sort of tactic to toss it in to get flaming issues off the back burner. Nonetheless, we do need to look at this but not in such a hurried fashion. We should really study this.

Ten or fifteen years ago we would not have even had this debate because the technology was not available to determine some of these very sensitive but important ethical and technological questions. We certainly need to deal with it because the advances in medicine have been absolutely phenomenal.

I would like to take the few minutes I have to talk about the important and amazing breakthroughs taking place with non-embryonic stem cell research or adult stem cell research if that is a synonym. Then I would like to talk about what the whole argument is, where the road will lead us and what is the definition of human life. I would like to use that as my thesis and discuss for a few moments how important it is to say that the Canadian Alliance supports stem cell research. Again the breakthroughs in medicine and research have been just absolutely phenomenal in these last few years, and we are able to celebrate that.

Having said that, it is not all done because there are breakthroughs daily, weekly, monthly, in terms of stem cell research and exciting things are happening all the time. It is not a closed book.

If we bring in legislation to say that we will go down the embryonic stem cell research route without fully realizing and celebrating the importance and amazing breakthroughs taking place with non-embryonic stem cell research, then it seems to me we would be cutting ourselves short, cutting the Canadian public short and cutting short the people whose lives are depending on this.

There have been tremendous breakthroughs with Parkinson's disease and MS. We had the ALS people here on the Hill not long ago. These are real people who have real names, real faces, real families and whose lives can benefit so much by this.

It would be premature for us to say that the government has all the answers and that we will go down this path when we have not fully explored the path of adult stem cell research. Because of these exciting breakthroughs, it would be essential for us to say that there would be a three year review, as the government has said. That is terrific but I hate to be cynical but this. Those of us who have been around more than three years have watched some of these reviews. A few of us have seen a few three year cycles in this place. The Canadian Alliance is calling for a three year moratorium on this so we can see, in the long term, some of the scientific advances being made in this area.

Adult stem cell research, or non-embryonic stem cell research, has three benefits. There are probably lots more but we could talk about three of them. First, the cells are readily accessible and there are plenty of us around.

Second, they are not subject to tissue rejection. These are cells that have gone on and in some cases some much longer than others. There is tremendous potential and realization. If the cells are not subject to tissue rejection, what a wonderful thing. We could do the stem cell research and testing. Because these are not embryonic stem cells, people would be able to move ahead because there would be no tissue rejection, which is important and can be devastating to many transplant patients.

Third, it poses minimal ethical concerns. I am sure that every one of us would agree that there are huge ethical concerns here. As I mentioned earlier, this was not even a factor 10 or 15 years ago. We did not have the potential for these kinds of things so it was not a real ethical dilemma. However it now is.

● (1255)

We get into the very question of what is important and what is essential for us to realize in terms of embryos are embryos and when do we stop saying that an embryo has been developed by parents. Let us not just call them donors, because whoever they are, they have names, faces, families and loved ones as well. When does it leave that path and swap over to the path of getting at it and farming these things for pure scientific research or use as donors.

We talk about that and the transition from embryonic stem cell research to what is the definition of human life, because I think that is with what all of us probably struggle. I know the committee, which did tremendous work, discussed that I am sure at length and had to come up with what human life really was and when did it start. Those questions have been asked for a very long time. I will not get into that debate.

I just want to show a couple of examples of how thankful I am and how strongly I believe, because of DNA and because of all kinds of other factors, that life begins at conception. If we look at the DNA of any embryo, that is again technology which has only been perfected or advanced in the last several years. DNA does not start at birth. It does not start at 27 weeks gestation. It does not start at 13.5 days. It starts at the moment of conception. That, with scientific research to back it up, is when life really starts. Then we get down the road to whether we start farming these things or do we celebrate that as human life.

Let me tell the House about my brother, Sean, who is adopted. He came to our home when I was about six years old and he was about two or two and a half years old. All of a sudden I had a brother. I am very grateful that somebody, somewhere, who was in a difficult situation, chose to give him up for adoption. Because of that I ended up with a brother. I do not pay any attention to the fact that he is adopted or that he has different DNA than any of the rest of us. It does not matters. What matters is that somebody, somewhere realized that this was a human life.

He is now a living, breathing human being. He is my brother, he has been for a very long time and I am glad for that. That is the real life, the real face, the real people issue of this for which I am grateful. He has been my brother forever and will continue to be. I am grateful that somebody, somewhere realized that although he was just an embryo then, he was still a human being.

Let me talk for a couple of minutes about something I read in the newspaper yesterday. When we talk about when human life really starts, we think it has to have so much weight or so much gestation or whatever. There was a story about a little girl. The newspaper named her Pearl because it could not give her real name. This took place in France. She was born in February. She weighed 10 ounces. This is an absolute record of a living, breathing person who was born at 10 ounces.

I think about a pound of butter. I am not too good with math, but I think about my palm pilot and how I can bounce it around in my hand. It feels a little bit less than a pound of butter so maybe it is 10 ounces, I do not know. The palm pilot people would know, but it is not very big. If we hold 10 ounces in our hands, it is not very big. Yet there she is. She came home from the hospital this weekend. She weighs four pounds, four ounces now. She is a real live human being. That to me is exciting.

That is what we need to debate and celebrate; that human life begins right at the moment of conception, because that is when our DNA starts. That is where little baby Pearl started. She has gone home from the hospital now and I am sure she will give great joy and satisfaction to her family.

I will just wrap up by saying, I move:

That the motion be amended by replacing all the words after the word "that" with:

"this House declines to give second reading to Bill C-56, an act respecting assisted human reproduction, since the principle of the Bill does not recognize the value of non-embryonic stem cell research which has had great advancements in the last year".

● (1300)

The Acting Speaker (Mr. Bélair): The amendment is in order.

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, first, I want to go back a year and explain the process that went on with the legislation. It is very important that we look at exactly what we have in Bill C-56 and understand why it is in there. It all started a year ago on May 4 when the bill went directly to committee. It is the first piece of legislation that has ever gone directly to committee. It went right to committee, and I commend the minister at the time for doing that. It is a very contentious issue which is important to all members of the House and all Canadians.

Putting it before committee was a very wise thing to do, before entrenchment of partisan lines and before people said things in which they would entrap themselves before fully understanding the issue. For nine months the committee examined this issue. It had the best witnesses from across Canada and around the world tear the legislation apart and look at it from all sides; the scientific side, the ethical side and the family values side. At the end it was suggested that maybe it was named inappropriately and that it should be named building families.

There are really two parts. We have the part about the in vitro fertilization, the idea of what it takes when infertile couples cannot have children and what has to happen for them to conceive. We looked at what would assist them to build families, to build healthy new Canadians who would develop into prosperous individuals to help and grow society in Canada.

The other side is perhaps as some people would argue not even applicable to the bill. It is all on the scientific side which drives the idea that research should be done to ease the suffering of individuals, which has nothing to do with reproduction other than getting some of the material that could perhaps be used for stem cells in this area. That was important to understand.

We listened to everyone. For scientists, the success of in vitro fertilization is a brand new baby boy or girl. However for society it is much deeper than that. We had witnesses who appeared before the committee who said that who their parents were, where they came from, if there was an anonymous donor that they did not know anything about, left a void in their life which they could not handle later in life. It was very important that we understood the structure of the human body, which is very complex, and the psychological effects on many individuals. Success from the different perspectives was very different so we had to look at all sides of the issue.

On the embryonic stem cell side, if we are going to destroy an embryo, destroy life at its beginning to achieve stem cells by 14 days, kill it, take the stem cells and do research is an ethical minefield in the eyes of many people. We are taking human life at its very early and most vulnerable stage and destroying it. It is not an issue of whether life begins there or not. Biologically it does and whether we like that or not there is nothing we can do about that. The issue is how much value do we place on life at that stage. That is the ethical dilemma in which the House will be placed. It is something that we wrestled with as a committee for a year.

At the end of that, we recognized that there were other alternatives. We had scientists come to the committee who said that we should not go down that path. From the scientific research being done and the easing of human suffering, it was much more successful on the adult stem cell side of it.

In December the committee issued its report on its findings entitled, "Assisted Human Reproduction: Building Families". This was an all party committee. The committee had a majority of Liberal members, and the other members of parliament were three Canadian Alliance, two Bloc, one NDP and one Progressive Conservative. After we listened to all the witnesses, we came up with these recommendations.

● (1305)

The recommendation states:

> Research using embryos be a controlled activity requiring a licence. Even if all other regulatory criteria are met, no licence may be issued unless the applicant clearly demonstrates that no other category of biological material could be used for the purposes of the proposed research.

Prior to that, the preamble, we came to that conclusion because we heard that embryonic stem cell research presents some possibilities. Other sources, such as umbilical cord blood or adult stem cells are more available, are more easily obtained, are less ethically contentious. Some witnesses argued that research on stem cells using sources other than embryos might be sufficient to obtain the stem cell potential.

The committee was struck with the testimony that in the past year there have been tremendous gains in adult stem cell research in humans. We also heard that after many years of embryonic stem cell research in animal models, the results are not providing the expected advances. Therefore, we want to encourage research funding in the area of adult stem cells.

After nine months of listening to the best and the brightest in our land and in the world, the committee which had no vested interest said that there were two ways we could go. We could destroy life at its beginning and do research on the embryo which has very limited scientific possibilities at this time, or we could go on this other line which is the adult or non-embryonic stem cell research, which is umbilical cord blood, amniotic fluid and on and on. The committee decided to go there. The bill does not reflect that and therein lies the problem and the reason for an amendment. We need a piece of legislation that recognizes the value of the adult or non-embryonic stem cell research.

What has happened since December? As I reported a couple of days ago in the House, in the last 60 days there have been a number of different advancements that have happened involving Parkinson's patients. These results were not just proposed and looked hopeful; the patients were actually cured. It is the same thing for multiple sclerosis and autoimmune resistance and on and on. We have seen tremendous gains in the last 60 days compared to any other time in history. What has happened in this line of research in the last year has been absolutely phenomenal. The advancement is growing and growing.

What happens in the next 60 days or in the next year becomes something we have to recognize. We have to be very cautious of going down the ethically charged line of destroying life at its beginning. All of this is important.

What is interesting is that because of this research we see actual cures coming from adult stem cell research. This was in an article on the fourth or fifth page of the *Globe and Mail*. If the research had been done on embryos and it had been embryonic stem cells that had cured the Parkinson's and MS patients, it would have been a shot heard around the world.

The drive of the scientists and society to get to the embryos is absolutely astounding. We do not have enough information on this whole area. It is very important that we take our time. We have to deliberate. Society has to wrestle with the same things we have wrestled with in committee so that we do not make mistakes. We must be wise in how we go down this ethically charged line.

The whole idea of patent law is not part of the bill because patent law comes under the industry minister. It is unfortunate. Something on patenting the human body should be placed in this legislation. Patenting the human body should not take place. The human body should be something that we cherish. How we find it may be patented, but certainly we should not allow ourselves to patent the human body.

The most important part of this legislation is not what we do with the embryo; it is what we do with the agency that licenses the research as we go forward in the 21st century. It must be accountable and garner the trust of Canadians if we are to truly have a piece of legislation and work in areas that are so ethically charged. It has to be looked at. It has to be changed. We have to make that as open and transparent as possible. I encourage all members to be wise as we deliberate in that area.

● (1310)

Mr. Paul Szabo (Parliamentary Secretary to the Minister of Public Works and Government Services, Lib.): Mr. Speaker, Bill C-56 has to do with reproductive technologies and related research. I would think that most members would agree that the vast majority of the bill has some important provisions which should be supported. However, there are a few items which should be considered for amendment.

One of the areas has to do with stem cells. Stem cells in lay terms are cells which can be adjusted to become virtually any healthy cell in the human body. This means that those cells could be used to repair damaged cells.

Stem cells can be harvested from embryos. They can also be harvested from aborted fetuses, umbilical cords, umbilical cord blood, placentas, amniotic fluid, in fact from virtually every organ in the human body. They are readily available but the question does come up as to whether or not it is ethical to harvest embryonic stem cells from the human embryo.

There is a saying in ethics that when the ethically unacceptable and the scientifically possible are in conflict, the ethical view must prevail. I also cite Dr. Françoise Baylis, who is a bioethicist at McGill University. In her testimony before the Standing Committee on Health, I believe it was on May 31, 2001 she said "An embryo is a human being. That is an uncontested biological fact. It is a member of the human species".

I do not believe that in terms of the ethical view there is a disagreement with regard to whether or not an embryo is a human being. However, there are ethical arguments about whether or not that human being is in fact a person. It is a deep ethical argument into which I do not have the time to go. There is some basis for having concern about embryonic stem cell research.

The province of Quebec, on hearing the direction in which the Canadian Institutes of Health Research was going, immediately called for and imposed a ban on all embryonic stem cell research in the province. That was in January.

In February there was another important development. The secretary of human and health services in the United States introduced an amendment to a regulation which defines child. For health purposes, child in the United States is defined as a person under 19 years of age, including the period from conception to birth. It is a very significant change in the United States in terms of its policy with regard to the unborn.

The big debate has to do with an ethical argument surrounding when life begins. Human embryos can provide stem cells but uniquely from those stem cells there is an ethical problem in that to harvest the stem cells the embryo must be destroyed. That is an important point. Also, because the stem cells taken from an embryo would be of a particular DNA foreign to the ultimate patient, that means there will be immune rejection problems and the requirement for lifelong anti-rejection drug treatment which is a difficult situation.

In addition, embryonic stem cells which are injected under the skin have a tendency to create spontaneous tumours. They are very difficult to control. In a monograph I wrote, "The Ethics and Science of Stem Cells", I related an example where embryonic stem cells were injected into the brain of a Parkinson's patient. After the person died about year later an autopsy showed that there was hair and bone growing in the person's brain. It gives an idea of the kinds of things that should concern people about what can happen when we start to play with genetic engineering.

On the other hand, with adult stem cells, there is no ethical problem. Because they would come from the patient, there would be no immune rejection problem nor the requirement for drugs. The stem cells would be readily available. Instead of being injected into a person's damaged area, they are simply injected into the blood and they have the ability to migrate to the damaged area.

● (1315)

It makes a great deal of sense to expand the research with regard to embryonic stem cells. This was the point of the motion made by the hon. member, to amplify the importance of adult stem cell research as the health committee indicated.

The whole issue has to do with research on surplus embryos from fertility clinics. If there was no surplus, there would be no question here. Let me give the House an idea of what happens.

Dr. Baylis, to whom I referred earlier, indicated there were about 500 frozen embryos in all fertility clinics across Canada. Currently about 250 of those are being utilized for reproductive purposes which leaves 250. In her presentation she also indicated that half of the frozen embryos will not survive thawing. They will die simply because of the process. That leaves 125. She went on to say that of the 125 embryos left, only nine of them will have the capacity to produce any kind of stem cell and only about five of those will actually produce stem cells which are of a quality necessary for research purposes. This means that only five out of 250 embryos are useful, but 250 embryos have to be destroyed just to get five that are going to be useful for research. That is 2%, which is an unacceptable threshold for scientific research. We have to do something about it.

What can we do about it? If there were no surplus embryos from fertility clinics, the question would be moot. We would be dealing with a motion that states that embryos can be created specifically for research and then put that question to the House.

The bill suggests that we use surplus embryos which should not exist. That is trying to get through the back door what research cannot get through the front door, that is, to have embryos for research. We should deal with that question directly. I wish the House were able to deal with that motion.

We can do something about this. There has been extensive research with regard to the process of storing women's eggs. Fertility clinics drug women very heavily to make them hyperovulate. This makes them produce a whole bunch of eggs. Ten to 20 eggs would be harvested. All of those eggs would then be fertilized. Some would be used for in vitro fertilization. The balance would be frozen for future in vitro processes. If the first process worked and the couple did not want a second child and they did not want to donate the egg to another person who wanted it, the embryos would become surplus.

What happens if we store women's eggs? It means that only a few will be harvested. Those needed for the in vitro fertilization process will be fertilized and stored. Once the first process is done and more eggs are required for the next process, they simply are thawed out, fertilized and then implanted. The bottom line is there would be no surplus. It is very important that more be invested in the process of storing women's eggs.

In a previous speech I indicated my concern about the whole question of commercialization. On May 24 I received from Dr. Timothy Caulfield, who appeared before the health committee, a response to my concern about commercialization. He said:

> In particular, I too am concerned about the impact of the commercialization process in this context. Much of my work has sought to highlight the potentially adverse implications of commercializing genetic research, e.g., the creation of unique conflicts of interest, the skewing of university based research, contributing to the narrowing of the social definition of "normalcy" and a broadening of the notions of disease and disability.

There are very many issues involved with this legislation, including things like patentability and the idea of having an agency to whom we would second the responsibility for defining an ethical framework for research. The bill needs a lot of work. I want Canadians to know that there is no group, no organization, no individual who is opposed to stem cell research. The question is will we get them ethically?

● (1320)

Mr. Reed Elley (Nanaimo—Cowichan, Canadian Alliance): Mr. Speaker, once again it is a pleasure to participate in this important debate today now that we have an amendment before the House stating that the House declines to give second reading to Bill C-56, an act respecting assisted human reproduction, since the principle of the bill does not recognize the value of non-embryonic stem cell research which has had great advancements in the last year.

The amendment gives me an opportunity to further expand on some of the comments I made earlier today in terms of my concern that the bill, as it is presently before the House, does not represent the broad bases of science that are available to us in Canada and around the world particularly relating to stem cell research. Those of us who have concerns about the bill would like to bring to the attention of hon. members that the legislation should be sent back to committee for a more balanced approach in terms of the best science we can get from embryonic and adult stem cell research.

All of us want to see cures for some of these debilitating diseases, diseases that can be terminal such as ALS and others. I would not want to be responsible for not allowing the science to go forward within some kind of regulatory framework that would allow for a cure, if indeed there was a cure, to be found through adult stem cell research. We do have an ethical dilemma surrounding the use of embryonic stem cells. We do not have the same kind of dilemma with adult stem cell research.

I must say I was struck by the comments of my hon. colleague from Hamilton, a former McMaster graduate who I went to school with. I was taken by his comments about the use of adult and embryonic stem cells and particularly, the fact that we would not want to see any stone left unturned in this whole debate to allow the science to go forward. Indeed, he made the comment that if a life had to end to give new life to someone else, he would be in favour of that.

I am in favour of seeing tissue and organ donation come forward. The only thing I want to say to him about that is that the fetus and embryo do not have a choice. They do not have the opportunity to make a choice as to whether or not they will be a donor, in effect giving life to someone else through their death. We do have an ethical concern surrounding that issue and we need to spend more time on that. I am sure hon. colleagues will take that into consideration when they are thinking about this issue.

We have talked about the issue of ALS, Parkinson's and others. An article in the Reuters News Agency on April 8, 2002, stated:

> A transplant of his own brain cells have treated a man's Parkinson's disease, clearing up the trembling and rigid muscles that mark the disease, researchers reported on Monday.
>
> The researchers believe they isolated and nurtured adult stem cells from the patient's brain, cells that they re-injected to restore normal function.
>
> "We definitely need to do more studies," said Dr. Michael Levesque of the Cedars-Sinai Medical Center in Los Angeles, who led the study. "This is the first case that shows a promising technique may work. It is an experimental procedure and has to be investigated further before it becomes accepted procedure."
>
> More than two years after the experimental treatment, the man has no symptoms of Parkinson's, an incurable and fatal brain disease that starts with tremors and ends up incapacitating its victims.

● (1325)

That is fantastic. If indeed we are seeing those kinds of advances in medical research today and if in this case, as in some others we could cite, it has come about because of medical research with adult stem cells, then it is incumbent upon us as parliamentarians to ensure we do all we can to bring all of the research available in this field into the legislative equation. We must not go overboard on one aspect of stem cell research which seems to be the case in the present legislation.

There is also the whole business of donor consent. Those children who are born through artificial insemination do not at the present time have access to the medical records or the background of the donors. The legislation is absolutely faulty in that regard.

I recently spoke on the telephone with a constituent back in Nanaimo. This young lady is 20 years of age. She is wonderfully healthy and a productive member of society who is the result of artificial insemination. Her concern is that she does not have access to the medical records and histories which could be helpful to her as she goes into adulthood and wants to raise her own family.

The government, through this legislation, is unwilling to open the door to this particular kind of thing. Her suggestion was, and I pass it on to the rest of the members of the House and particularly to the committee, that we should only be considering donors who are willing to be identified to those who, at the age of majority, need to have this kind of information about their birthing parents in terms of artificial insemination.

There are a number of considerations that come into play. When we compare it to adoption there is indeed legal recourse for finding out this kind of information. People who at this point in their lives want to find out where the egg or the sperm came from that created them through artificial insemination need to have the same access to that kind of information that people who were adopted have. Indeed there should be a level playing field in that area.

There is a real need to clarify some important points in this legislation. We are hoping that when it goes back to committee it will indeed be prepared to accept amendments that bring this legislation into an even stronger position to protect those who are looking for protection in the bill and who are looking for cures that at this point are not available.

● (1330)

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, I am very pleased I have an opportunity to again reply to a speech by the member for Nanaimo—Cowichan because we are having a very important dialogue here. What is before the House is a bill dealing with a high moral issue. It is proper for parliament to debate a high moral issue when morality comes into interface with science or other aspects of society.

I note that the member for Nanaimo—Cowichan called for a free vote on this piece of legislation and I take him at heart on that because I will give him an argument that I hope he will consider when he comes to vote himself.

There are two givens in this argument. First, one should accept, for this bill, that life begins at conception. Second, one needs to accept that to arbitrarily take life away is murder. We are not talking about collecting embryonic stem cells deliberately by creating individuals and then killing them.

The collection of embryonic stem cells for the purposes of research into Parkinson's, or whatever else, is only in the context of where the embryonic stem cells would be discarded otherwise, either from a fertility clinic or, and the bill does not mention this, presumably from spontaneous miscarriage, or wherever there is fetal material that as a result of a proper hospital procedure results in embryonic material being available.

The moral argument from my point of view is that the ultimate good is to preserve human life. My difficulty is with the proposals coming from the opposition and members of my own side. They suggest that we should delay implementation of allowing embryonic stem cell research as proposed in this legislation until we see whether adult stem cell research can have the same effect. My problem with that, as I mentioned earlier, is that we may be condemning people to death or to disability who we might otherwise save should embryonic stem cell research be fruitful as a means of curing things like Parkinson's, ALS and others.

I would like to put it again in a human context. In my village there is a couple in our church who we know very well. The wife is suffering severely from Parkinson's disease. The husband comes to me and says, "John, please support Bill C-56 because if there is any chance that embryonic stem cells can be developed as a cure for Parkinson's I would like it in time to save my wife who is in a great deal of difficulty right now".

So, the basic moral dilemma from my point of view: even if embryonic stem cell research only has a 5% chance of being more successful than adult stem cell research, I do not feel I have the moral right to delay that research if it means it could possibly save some lives of people out there who are suffering from these terrible diseases.

The member for Nanaimo—Cowichan, after our interchange before, came over to me and said, "John, I listened to you very carefully", and he is a very good member if I may say so. We really want to get at the truth here. He said that the problem from his point of view is that the embryo does not have a choice. He alluded in his speech just now to the fact that of course we encourage transplants. We can donate our kidney, our liver or whatever else. We can sign a form and when we are in an accident and killed that body part can be used to save another life. We agree that is a good thing. However, the problem is, as the member opposite has observed, an embryo does not have that choice. If we assume that a person is created at conception and that person inevitably dies—because we are only talking about a situation where that person as an embryo dies—that embryo does not have the choice of creating new life.

● (1335)

We agree that creating new life is a good thing. As a matter of fact, it is the highest moral good that we can think of. Now, this is where the really subtle moral distinction comes in. I do not want to get into religion and that kind of thing, but I think there is a very strong feeling that those who are alive, those who are persons before birth, are the ultimate persons of innocence. In other words, if one is a person between conception and birth, all of us would agree that as a person one is morally pure in every sense.

If we take that principle and apply it to the logic that to give life in death is one of the highest goods that one can give then surely an embryo, as a person who is the ultimate in innocence, would want to choose the highest good, and that highest good is, instead of being discarded, instead of being destroyed, to be part of giving new life and new opportunity to the living.

That to me is the ultimate ethical dilemma. It is not whether life begins at conception or not. The ultimate ethical dilemma we must face in this parliament is the fact that we have to make a choice for those who cannot choose, and we have to make the right moral choice for those who cannot choose. An embryo cannot choose, but we know in its innocence that what it would do in death is want to give life.

Mr. Jim Gouk (Kootenay—Boundary—Okanagan, Canadian Alliance): Mr. Speaker, I had in mind what I would say when I rose but listening to the hon. member across the way has changed what I wished to talk about. I will direct myself to what he said. I appreciate his sincerity but do not fully agree with him.

There are so many things we get into that could be referred to as designer fixes. By that I mean we focus on what is popular or current and tend to ignore everything else. Following the hon. member's suggestion and saying embryonic stem cell research is a potential cure all could create problems. That is the decision the House would make by passing the bill as it stands. We would go ahead with embryonic stem cell research right away without further development of adult stem cell research. Adult stem cell research would be pushed off to one side. Scientists and researchers would focus instead on embryonic stem cell research and we would miss an opportunity.

I will use an example. Some might say it is a little radical but I am trying to make a point. A lot of people are in need of organ transplants. The need often exceeds the supply. Why do we not take people who have committed serious crimes, shoot them and take their organs so we can preserve the lives of the more morally upright people who have not committed crimes? There are two reasons why we do not. First, there is the moral issue. Second, there are alternatives.

This is exactly what we are facing in the question of stem cell research. First, we are facing a moral issue. Is it right to destroy embryos so we can harvest their stem cells to find cures for diseases that may or may not be curable another way? This raises a lot of moral questions. It is not just the moral argument, as the hon. member suggested, where embryos that are not used for artificial insemination would cease to exist in any case.

Some might argue that in the tightest confines of control where there are absolute safeguards and assurances it is only by accident that an extra embryo would exist. Perhaps the people involved thought it would be needed and by happenstance it was not. Faced with an extra embryo they would ask what to do and whether it was for the greater good. An argument can be made that way. The problem is that nothing in Bill C-437 would prevent such people from saying that to be absolutely sure they had better have a lot of extra embryos in case some did not take. They would end up with a huge amount of embryos. They would be creating a supply to serve a need they created themselves.

As in the wild example I gave where there is a moral issue, there are also alternatives. There are alternatives in terms of donors. There is a shortage of supply. We need to do all kinds of things to ensure organ donors come forward. Maybe we need more education in terms of the health of people who make donations. What would be the potential future problems for someone who donates a kidney?

With regard to people passing away, there are concerns that people who are anxious might decide a bit too quickly that a person will probably not survive. They might decide to get the organs while they are fresh and before too much time has expired. These are real fears that exist in some people's minds. Perhaps we need to do more advertising to ensure people understand the shortage and the real need for organs. We could show people that making the sacrifice in one form or another could preserve a human life.

There are alternatives in the case of stem cell research. Adult stem cell research is underway to effect potential cures. Treatments are currently underway using adult stem cells. Because it is not foreign tissue it does not have the problem of rejection that we see, ironically, with organ transplants. There is real potential in adult stem cell research. All we are saying in our proposal is that we should properly explore the alternative, the one with fewer moral implications and potential health problems for recipients.

● (1340)

If we moved too quickly to embryonic stem cell research many people would put adult stem cell research aside. They would say it was old while embryonic stem cell research was new. They would want to focus on the new and not bother with the old. Government grants would dry up and become non-existent. There would be no move toward research. Research would wither and die. All bets would be on embryonic stem cell research and the demand for it would go up. People would be inclined to cheat and create far more embryos than needed. Embryos would be created for the pure purpose of destroying them for medical research. That is the moral question.

I am not saying that at some point we need to investigate the possibility for the greater good of mankind or to treat the living without destroying life in the process. However while we have alternatives, and we do have alternatives, we owe it to the public and ourselves to fully explore them to ensure they get an honest chance.

We are not saying we should move the issue aside indefinitely or forever. We are saying we should be given three years to make a concentrated effort to determine whether we can effect cures through an alternative, morally higher and perhaps medically safer ground. If at the end of that time evidence suggests it is not working and that embryonic stem cells have greater potential, let us move cautiously in that direction and design a bill that provides safeguards. However we should know we have exhausted the alternatives before moving onto that ground. That is a reasonable request.

The hon. member shared some ideas with us. I appreciate that. It is what we are supposed to do in this place. We are supposed to share ideas, not fight one another. There is a good mixture on both sides of the House on the issue. It is a disturbing and controversial bill on which we need to move slowly.

I will consider words of the hon. member and I trust he will consider mine. I hope everyone in the House is listening carefully to everyone's ideas. It ultimately will help us design a bill that reflects the needs and wishes of the Canadian public.

● (1345)

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Speaker, I appreciate the comments from my colleague.

I will speak to the amendment to Bill C-56, which states:

> ...this House declines to give second reading to Bill C-56, an act respecting assisted human reproduction, since the principle of the bill does not recognize the value of non-embryonic stem cell research which has had great advancements in the last year.

As my colleague pointed out, this is really one of the main points which was in the official opposition report to the health committee that studied the draft bill: that we have a three year moratorium on embryonic stem cell research, that we proceed with caution on these serious and grave ethical matters, and that in areas like adult stem cell research where the potential is quite frankly limitless at this point and is unknown, let us use these three years to really examine those alternatives. As the former leader of the opposition, Preston Manning, used to say, where there is an ethical route and a scientific route that converge, that is the route that should be taken.

I do want to quote extensively from an article in the New York *Times* of March 7, 2002, because it does point to some of the potential of adult stem cell research. It stated:

> Adding an important piece to the rapidly changing picture of human stem cells, researchers have found that cells from the blood can regenerate not just the blood supply, but tissues of the skin, liver and gut.

This means that adult stem cells may actually be very potent, which was previously thought to be a criteria that applied only to embryonic cells.

> The finding strengthens the emerging view that the body may possess a cache of universal repair cells that could patch up almost any damaged tissue. These repair cells, probably located in the bone marrow and fairly easy to harvest, can move out into the bloodstream and help regenerate any tissue that signals it is in distress.
>
> Such a theory is far from proved, but if true could lead, some scientists believe, to new therapies aimed at enhancing the natural process.

This could be a possible answer to the pleas from people who, as all of us do, know people who suffer from degenerative diseases like Parkinson's. This could be the hope for them. The embryonic stem cells are being held out as the only hope for them when in fact there could be another hope for them in dealing with these diseases.

The article goes on to quote Dr. Helen Blau, a stem cell expert at Stanford University, who stated:

> This appears to be a regenerative response we were never previously aware of. It suggests there may be a repair mechanism that goes on throughout life but is insufficient in major disease. If we could amplify this mechanism it could become a whole new form of medicine based on using the body's own cells to treat disease.

Some researchers even say that we should do the embryonic stem cell research because we need that as a comparative study for adult stem cell research, but again, in an area ethically fraught with danger, we believe we should proceed with caution.

I want to continue quoting this article because it is interesting. It stated:

> The new finding is based on patients who received transplants of blood-forming cells from relatives after cancer treatments that had destroyed their own bone marrow cells.
>
> ...In a similar study reported this January, patients' own cells were found to have become incorporated in transplanted hearts. But this is the first report that human donor stem cells, presumably from the bone marrow, can populate several different kinds of tissue.

There is another quote, from a Dr. Donald Orlic of the National Institutes of Health, the advisory board to the president, who stated:

> What is so good about this study is that it is showing bone-marrow derived stem cells demonstrating a high degree of plasticity because they have repopulated three organs.

Stated the article:

> Plasticity is the stem cell's ability to become several types of mature cell.
>
> Biologists have believed until recently that each tissue in the body has its own dedicated source of stem cells that repair just that tissue. While this idea still seems true, bone marrow has begun to emerge as a source of general purpose stem cells that work to repair damage wherever it occurs. It is not clear if the system of stem cells found in particular tissues is entirely separate, or somehow dependent on the bone marrow system.
>
> What does seem clear is that the bone marrow stem cells are far more versatile than the tissue specific stem cells.
>
> Physicians have already learned how to make the blood-forming stem cells rush out of the marrow into the bloodstream by injecting a person with a natural factor or cytokine called GCSF. The stem cells can then be harvested from a donor's bloodstream and used instead of a marrow transplant.

● (1350)

> The patients studied by [this] team received blood-borne cells harvested from their donors in this way. Though the cells that contributed to the patients' skin, gut and liver presumably came from the donors' bone marrow, this has not been proved.

This suggests that there needs to be more research in this area to see exactly what the potential is.

The article went on and stated:

> But experiments with mice have revealed the bone marrow as a source of versatile stem cells that can incorporate into several tissues, including the heart.
>
> Bone marrow stem cells may in fact repair many, if not all, tissues and perhaps on a daily basis. But the repair system obviously fails to cope quickly enough with major damage, such as the loss of tissue in heart attacks. Perhaps, with the use of cytokines like GCSF, the marrow repair system could be brought to bear in many types of disease.
>
> The...researchers said they were considering several such approaches, including collecting marrow cells from a donor's blood and injecting them directly into a damaged organ. "We might see the first clinical data in two or three years," Dr. Körbling said. Dr. Orlic is working along these same lines and plans to see if GCSF-induced marrow cells can reverse heart attacks in rhesus monkeys before testing the approach in people.

It seems to me that particularly when we are embarking upon this new area of research where we have great potential in adult stem cell research, we ought to focus our efforts and resources in that area rather than embarking upon the ethically fraught area of embryonic stem cell research. That brings me back to a point I made in my previous speech. The bill fails to include or refer to arguments of first principle, that is, we are discussing issues on the surface without defining some of the most fundamental things before we get into those arguments.

The official opposition has asked that the preamble be amended by including the phrase "the dignity of and respect for human life". That needs to be in the bill. It was in the Liberal majority report. It was in the official opposition's minority report and it needs to be in the forefront of the bill. It also needs to be in clause 22 of the bill as the primary objective of this new assisted human reproductive agency. It needs to have that as a guideline.

I come back to the whole issue that was highlighted, as I mentioned before, in the discussion between Preston Manning and Ms. Françoise Baylis from Dalhousie University. Ms. Baylis stated:

> The first thing to recognize in the legislation and in all of your conversations is that embryos are human beings. That is an uncontested biological fact. They are a member of the human species. What is contested is their moral status. The language we use there is technical and that's where we talk about persons.

Therefore, the distinction for her is the distinction between a human being, which an embryo is, and a human person, but what has to be done in the bill and throughout the land on all of these life issues, I think, is that we then must distinguish between a human person and a human being, if there is a distinction. Maybe there is not a distinction. That is the debate we need to have in this place.

Ms. Baylis stated:

> I think what becomes very clear is that when you're talking about embryos, you don't need to have a debate about whether or not they're human or human beings. The answer's yes. That's a biological claim. The term "person", however, is not a biological term. It is not a term about which there are facts. It's a moral term. It's a value-laden term about which people will disagree, and they will then point to facts to try to tell you that their definition is the right one.

It seems to me that this is the main issue for us to debate here. Quite frankly I am not one who will stand in the House and say I know all the answers as to what exactly makes up a human person and a human being, but I have studied the issue. I have read the words of people like George Grant, one of the most pre-eminent Canadian philosophers of all time, who said this is the most fundamental question for any society because it impacts on so many other pieces of legislation and it impacts on how we value human life. He said that we have to decide what it is that is common to human beings and yet unique to them, so that we can stand up and say we have a charter of rights that says human persons have a right to life.

If human persons have a right to life, then we had better justify why it is they have that right to life. Is it the exercise of reason? Is it the capacity to exercise reason? Is it free will? Is it the capacity to exercise free will?

● (1355)

We have to decide exactly why it is we say that human beings or human persons have a right to life and the right not to be deprived thereof, or that for certain things such as an embryo, even an excess embryo created through IVF, somehow we can destroy that life and use it for research purposes. We need to answer that very fundamental question and debate that question in the House before we decide on what particulars the bill will have. That is the main point. That is why the official opposition has introduced this amendment, quite frankly: to ensure that this issue and this debate receive full deliberation and to ensure that in this very sensitive area we move very cautiously and prudently.

STATEMENTS BY MEMBERS

[*English*]

LEGAL AID

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, apparently legal aid fees have not been increased since 1987. It was reported last week that as a result 46 Ontario regional law committees had withdrawn their services from legal aid work.

S. O. 31

In addition, at the largest gathering of lawyers in British Columbia history, lawyers demanded that the attorney general restore the $48 million he plans to divert from legal aid.

Speaking to the Defence Counsel Association of Ottawa, lawyer David Scott said that low rates for lawyers have reduced our legal aid programs to "token systems", where the rights of the poor are breached routinely.

Time is long overdue for governments to bring legal aid funding to fair levels. All Canadians must have access to legal counsel regardless of wealth.

* * *

MEMORIAL CUP

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, yesterday the Kootenay Ice won the Memorial Cup in Guelph, Ontario.

Let us look at the team's history. In Cranbrook for only four years, the first two playing at the old Cranbrook Memorial Arena with a seating capacity of only 1,500, the Ice won the Western Hockey League championship in their second year, then moved to the new Cranbrook Recplex.

Now at 4,500 screaming fans, they decisively won the Western Hockey League championship this year. The Kootenay Ice lost their first two playoff games at home, but just like the rest of the residents in my constituency, they did not give up. They came back, first defeating Prince George, then Kelowna and then a very strong team from Red Deer.

Coached by Ryan McGill, the Ice moved on to win the Memorial Cup with a convincing 6-3 win over the Victoriaville Tigres. I wish to extend congratulations to team owner Ed Chynoweth and particularly to the players, who showed so much character in playing a controlled, disciplined, forceful style of hockey.

I was proud to be among the hundreds of Kootenay residents who went to Guelph, Ontario to cheer for the Ice. Fans and players were fire on ice.

* * *

● (1400)

WORLD PARTNERSHIP WALK

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, yesterday thousands of Canadians in cities across the country participated in the 18th annual World Partnership Walk. The Aga Khan Foundation organizes the annual walk in Canada, the United Kingdom, the United States and Portugal. It raises money for development projects in the poorest parts of Africa and Asia.

This year's walk brought in an estimated $2.6 million in Canada, 25% more than last year. There was also record breaking participation in many cities.

In the past 18 years this entirely volunteer run event has raised millions of dollars for the funding of early childhood development, health care improvements and rural development.

S. O. 31

I ask all hon. members to join me in congratulating the Aga Khan Foundation on another successful World Partnership Walk and in applauding them for their very important work.

* * *

[*Translation*]

JESSE ROSENSWEET

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I am both happy and proud to rise today and announce to the House that a Canadian was awarded one of the most coveted prizes of the 2002 Cannes Film Festival, which ended yesterday in France.

Toronto filmmaker Jesse Rosensweet won the jury prize for his short film *The Stone of Folly* during the closing ceremony of the 55th Cannes festival.

His animated film, lasting eight minutes, is a dark comedy about the adventures in a hospital during medieval times. Of the 11 short films listed in the official competition, *The Stone of Folly* was the clear audience favourite.

I invite the House to join me in congratulating Jesse Rosensweet for this major accomplishment. I am certain that we will be hearing more about him in the near future.

Bravo, Jesse.

* * *

[*English*]

HEPATITIS AWARENESS MONTH

Ms. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, I am pleased to inform the House that May has been declared Hepatitis Awareness Month by the Canadian Liver Foundation.

Hepatitis is the most prevalent liver disease in this country. It affects over a half million Canadian men, women and children. Hepatitis C, which spread by contact with contaminated blood, is expected to reach epidemic proportions in Canada increasing the number of liver related deaths by 126% and the demand for donor organs by 61% by the year 2008.

Hepatitis A and B are the only forms of liver disease that are preventable by vaccine, yet thousands of people still contract these diseases each year because they do not understand their risks or how to protect themselves.

The Canadian Liver Foundation was the first organization in the world committed to reducing the incidence and the impact of hepatitis and other forms of liver disease.

For those living with hepatitis, the foundation's 30 volunteer chapters across the country are a valuable source of information and support. I ask the House to join me today in honouring the Canadian Liver Foundation and its volunteers during Hepatitis Awareness Month.

* * *

MEMBER FOR YORK CENTRE

Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance): Mr. Speaker, I remember just a couple of months ago, when we were asking questions about the conduct of the Minister of National Defence, that he was having some trouble explaining about his men taking al-Qaeda prisoners in Afghanistan. He was not very clear on when he had been briefed, on when he had been rebriefed, on when he had told the caucus, on when he had told the Prime Minister and on why he had not told the Prime Minister. However the Prime Minister still refused to replace that minister.

That was not all. The defence minister was not sure about uniforms. He was not too clear on the rules of engagement. He was not very solid on helicopters. He was not all that impressive on any of it, quite frankly. Still he stayed on in the job until Sunday when the overwhelming incompetence caught up with the staggering lack of ethics.

Canadians deserve better.

The Speaker: I think the hon. member knows that attacks on members are not permitted under Standing Order 31 statements.

* * *

[*Translation*]

FÉRIA DU VÉLO DE MONTRÉAL

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, on Saturday, the 11th Tour des enfants launched the Féria du vélo de Montréal. During this event, more than 6,500 kids rode 20 km on bicycles in the streets of Montreal.

It took a great deal of courage and perseverance for these kids to brave mother nature and take up this challenge. Afterwards, they clearly relished the celebrations planned for them.

Throughout the weekend, Montrealers were encouraged to use their bikes to travel the streets of the city.

Adults are also invited to take up the challenge of the Tour de l'Île, which will be held at the end of the week and will close this year's Féria du vélo de Montréal. Many kilometers of streets will be reserved for the use of cyclists. Take advantage of it.

* * *

● (1405)

GOVERNMENT CONTRACTS

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, for several weeks now, the media, the opposition parties and all those who believe in transparency have been asking the government to launch a public inquiry.

New revelations are made daily. The reports from Groupaction, the contracts to *L'Almanach du peuple*, and the connections linking the former minister of public works and the minister of immigration to an advertising firm seem to be just the tip of the iceberg.

Over the weekend, we learned that another minister, namely the Minister of National Defence, displayed favoritism by awarding a $36,500 contract to his ex-girlfriend.

How many more scandals will have to be unearthed before the Prime Minister realizes the need for a public inquiry?

[*English*]

CHILDREN'S HOSPITAL OF EASTERN ONTARIO

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, on May 23 the Ontario health minister, Tony Clement, announced that the heart and vascular surgery unit of the Children's Hospital of Eastern Ontario will close in April 2003.

When the CHEO unit closes, eastern Ontario children requiring vascular surgery or emergency cardiac procedures will have to travel approximately 400 kilometres to Toronto's Hospital for Sick Children to receive the medical attention they so desperately require.

CHEO serves a population of approximately 1.5 million people in eastern Ontario. Why would 140 children per year who require cardiac or vascular procedures travel to Toronto when an effective unit exists already at CHEO? Not only will this put some children at risk, it will worsen the almost unbearable stress already experienced by these children and their families. Centralization is not the best way to improve health care delivery in Ontario.

While he attempts to explain this most recent announcement to eastern Ontarians, I wonder if Mr. Clement will declare that Toronto's Hospital for Sick Children will offer its services in both official languages, as the CHEO has been mandated to do.

* * *

MEMBER FOR GLENGARRY—PRESCOTT—RUSSELL

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, let us rewind the tape to last Thursday. The minister of public works was having a very difficult day explaining to the House that he might have made a little mistake in selecting a departmental contractor's home for a family vacation weekend but that it really was not all that bad.

Opposition question after opposition question called for him to do the honourable thing and resign. "No, no, Mr. Speaker", said the minister, "there is no reason to resign". "No, no, Mr. Speaker", said the Prime Minister, "I have confidence in my minister".

Two days later the world changed. The minister was tossed out of his portfolio and was no longer credible in the role of clean-up guy.

However, in a strange twist he reappears in his old job and Canadians are left to wonder whether he was fired, punished, rewarded or given a get out of jail free card from the Prime Minister.

When it comes to ethics and morals, there is much to wonder about with this government.

* * *

NATIONAL DEFENCE

Mr. Janko Perić (Cambridge, Lib.): Mr. Speaker, I would like to welcome the 136 Kiowa air cadet squadron from Ayr and the 21 Royal Highland Fusiliers of Canada army cadets from Cambridge.

Founded two years ago, the 136 Kiowa is Canada's newest air cadet squadron while the 21 army cadet corps was formed in 1887. The 121 Galt branch of the Royal Canadian Legion sponsors both groups.

The national cadet organization promotes leadership, responsibility, discipline, good citizenship, physical fitness, communication skills and an interest in the Canadian forces. Cadets receive hands on training that complements school studies with some education boards accepting cadet subjects for school credits.

My riding of Cambridge has a long and proud history of involvement with the national cadet program and I welcome these cadets to Ottawa as they learn about parliament and our federal institutions.

* * *

OTTAWA JEWISH COMMUNITY

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, the Ottawa Jewish community is living in fear today, its religious institutions under siege as police have warned of an impending attack on a local synagogue. This is disturbing in itself but even more so because it is part of a pattern of hate motivated crimes against Jewish institutions across Canada.

Just a week ago Quebec City's only synagogue was firebombed. Earlier attacks occurred against Jewish institutions in Saskatoon, Toronto, Montreal and Edmonton. This is not to mention the rise in anti-Semitic vandalism and personal assaults. There have been 110 reports of anti-Semitic incidents this year alone. In Winnipeg, members of the Jewish community report an increase in incidents of verbal abuse, racial slurs and damaging graffiti.

These horrific developments demand our immediate attention. As the Jewish Federation of Winnipeg has said, the situation requires the Canadian government to be bold, decisive and unequivocal in speaking out against what has become a well planned campaign of hatred and vilification.

Let us stand today against the rising tide of anti-Semitism and against racially and religiously motivated hatred any time it happens, anywhere in Canada.

* * *

● (1410)

[*Translation*]

CABINET SHUFFLE

Ms. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, yesterday, after being pressured for several months because of a series of scandals, the Prime Minister was forced to make an urgent cabinet shuffle, the second one in four months, and he demoted the minister of public works.

Yet, this minister had been appointed in January to clean up the department after the controversial Alfonso Gagliano left, in the midst of accusations of political interference.

With this new shuffle, the Prime Minister is once again hoping to clear his government of the multiple accusations that are being levelled at it.

But no one will be fooled. This is a cosmetic shuffle, a sad attempt to divert people's attention from the real problem, which is the corruption that plagues this government. We all know that the real problem remains and the Prime Minister can rest assured that the Bloc Quebecois will get to the bottom of things.

* * *

[*English*]

OTTAWA JEWISH COMMUNITY

Ms. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, I too want to speak about the events in the Ottawa Jewish community.

This weekend the Jewish community in Ottawa rose above fear and intimidation and proved that hope and courage will always thrive.

Despite threats of violence, 700 people attended the Aviv festival yesterday. This spring festival included a walk-a-thon, a relay race, a spell-a-thon, entertainment and a marketplace booth area.

The spirit displayed at yesterday's events reflects the Canadian determination not to allow the aura of intolerance and fear that plagues other countries to impact our open and inclusive society. Canadians must always be vigilant against intolerance but we must also not succumb to fear and hate.

I congratulate all those who participated in yesterday's festival. I invite the House to join me in condemning those who would threaten the freedom of any among us.

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FISHERIES

Mr. Rex Barnes (Gander—Grand Falls, PC): Mr. Speaker, again overfishing comes to haunt Newfoundland and Labrador. It could be any port in Canada but today it is ports in Newfoundland and Labrador.

Lack of initiatives by DFO and lack of action by the minister's office are causing widespread economic hardships on the fishing communities in my riding. For the minister to close Canadian ports to Faroese fishing crews for overfishing has left communities feeling like they are the ones being blown out of the water.

The time has come for the minister to start doing something about real sanctions instead of sleeping with the enemy. It is time for the minister to protect Canadian fish stocks as well as the thousands of Canadians who work in the fishing industry.

The time has come for Canada to seize the catch of countries who are overfishing and processing this catch in Canadian ports for its own people. As well, captains of these ships should be levied heavy fines. The time has come for real action for our fishing communities.

* * *

KENNER COLLEGIATE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, the 50th anniversary of Kenner Collegiate in Peterborough will be celebrated this summer. The school opened in 1952 as a junior high school, soon becoming a full high school by popular demand.

The school is named after the late Hugh Kenner, a distinguished scholar in our community.

Over the years, Kenner has served the south end of Peterborough and the surrounding townships well. Its students, staff and alumni have enriched the community. Its facilities, academic, technical and athletic, have become a centre for community activities. Its specialized programs have a special place in our school system.

Kenner's first principal was Dr. Eldon Ray. He was succeeded by principals and staff who built Kenner to its present position of strength. School teams, drama groups, musicians and scholars have achieved great success over the years.

I ask members to join me in congratulating Kenner Collegiate on the achievements of its first 50 years. We look forward to the next half century with confidence.

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LIBERAL PARTY OF CANADA

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, the Prime Minister is pouring cold water on Canadians' concerns about Liberal ethical flameouts but the oily black smoke of scandal hangs everywhere.

Ministers under a cloud are shuffled off to Denmark or switched to a new post where they cannot be questioned.

The auditor general discovers, quote, “every rule in the book” has been broken under Liberal orders.

There are new, full-blown RCMP investigations into questionable Liberal contracts.

Canadians have watched a growing list of Liberal practices take heat: the billion dollar boondoggle; Shawinigate; the Prime Minister leaning on a federal bank president to give a bad loan; a luxury bed and breakfast exclusively for Liberals close to the pork barrel; uncashed cheques in the offering plate; convenient contracts for cronies; and now goodies for girlfriends.

The Liberals are burning more than crosses over there. They are burning credibility and trust.

* * *

● (1415)

UV INDEX

Mrs. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, it is with a healthy dose of national pride that I rise in the House today to speak about the 10th anniversary of the Canadian invention: the UV Index.

Developed by three Environment Canada scientists, Dr. James Kerr, Dr. Tom McElroy and Dr. David Wardle, the index measures the levels of the sun's harsh ultraviolet radiation, a primary source of skin cancer.

Adopted by both the World Health Organization and the World Meteorological Organization as an international standard, the index is already being used by 26 countries around the world.

I ask the House to join me in congratulating these three outstanding Canadian scientists for their invaluable contribution.

ORAL QUESTION PERIOD

[*English*]

GOVERNMENT CONTRACTS

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, late Friday the RCMP ordered an investigation into the Groupaction affair. This morning we have some new revelations. It was reported that over $100,000 was paid to Communication Coffin with nothing to show for it. We have now learned that subsequently this firm began to contribute generously to the Liberal Party.

Has the new minister of public works taken steps to refer the Coffin contracts to the RCMP for investigation?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, there is no information before me at the present time that would lead me to the conclusion that the Leader of the Opposition invites.

However I want to assure him sincerely that the matter is under a very active review by me. If such circumstances should arise, he can be assured that the appropriate action will be taken forthwith.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, this new revelation only adds to what we have been saying for weeks, that the government must take action to deal with the growing cash for contract scandals at public works.

While the new minister is reviewing this information will he now do what his predecessor failed to do and order a freeze on discretionary advertising and sponsorship programs pending completion of police and auditor general investigations?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I am not in a position to give the hon. gentleman a precise answer to what he is inviting with respect to the advertising part of his question.

However, with respect to the sponsorship issue, unless and until I am satisfied that the program criteria are correct and that each and every project in fact meets those criteria, I will be making no further approvals.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, this is a positive development. We will push for action on the advertising front too.

Will the following also be done? We believe in fighting accusations of corruption with a policy of transparency. To end the government's culture of secrecy, will the new minister of public works once again do what his predecessor failed to do and table a complete list of its advertising and sponsorship contracts today?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, as the hon. gentleman will know, that request would involve a very considerable amount of paperwork. I would assure him of my personal commitment to transparency. I am very anxious for Canadians to be fully informed with respect to these matters. I will be very carefully examining what steps are necessary in order to accomplish that.

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, it really does not surprise us on this side. The reports do not exist so why should there by any lists that exist? No wonder he has a problem finding them.

The Prime Minister noted the other day that some of the seats in this place have ejector buttons. I guess all of Canada is watching to see if the minister of the month will be able to keep riding his for a little while.

Will the Minister of Public Works and Government Services order an immediate independent public inquiry into this fiasco?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, I remind the hon. member that the auditor general was invited to review particular contracts that arose as a result of internal audits. I remind him that the responsibility of the auditor general is to review operations of government. We have demonstrated a willingness to see those reports followed up rapidly and we have demonstrated our co-operation with her. I do not understand why the member would want to duplicate the work that is already being done by the auditor general in her existing office.

Mr. Gerry Ritz (Battlefords—Lloydminster, Canadian Alliance): Mr. Speaker, certainly everyone knows that an independent public inquiry would have a larger scope and broader list of witnesses than anything we can do in the House. We would ask for that again and again.

The latest skeleton out of the coffin of the Liberal ethics graveyard comes courtesy of another Montreal ad company and more missing reports. In spite of never having donated before, it did not forget to cut a cheque for the Liberal Party for $20,000 after it got the contract. It made $38,000 in commissions and then the Liberals gave it $116,000 to do a post mortem report. We cannot find it. Where are the reports?

● (1420)

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, the matter in relation to the Coffin company was identified in the course of an internal audit that was inspired and undertaken by the department of public works itself. The general results of that audit have been on the website since October 2000.

There were remedial actions taken by both of my predecessors in this portfolio. As I indicated earlier to the Leader of the Opposition, I am considering now what further may be required.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, like the former minister of public works, the minister of immigration has also enjoyed the hospitality of the president of Groupe Everest. In fact, he admitted on Friday that he had stayed in the Îles-des-Soeurs condo of Claude Boulay in 1997. Yet, when asked about this in 2000, the minister categorically denied having stayed in a condo owned by Claude Boulay.

Could the minister of immigration explain to the public why, for two years, he deliberately concealed his connections with Claude Boulay?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, the events referred to by the hon. member occurred before the member was a minister. The code of ethics does not apply to other members of this House.

We have proposed that there be a code of ethics for MPs and senators, but this was not in place in 1997.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Precisely, Mr. Speaker. The member became a minister, and one of his first decisions immediately after his appointment as Secretary of State for Amateur Sport, was to announce in May of 2000 that there would be a large scale consultation across Canada on sport. And who was it that obtained the $500,000 contract to organize that consultation? You guessed it: Groupe Everest.

Since this arose out of an initiative directed by the very same person who had enjoyed the condo of Claude Boulay, will the minister of immigration admit that the $500,000 contract awarded to Groupe Everest has all the characteristics of "you scratch my back and I'll scratch yours"?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, it is possible that, according to a certain standard, ministers do not have a right to a private life.

MPs do, however, have a right to a private life. He was not a minister, so he was not obliged to conform to a code of ethics applicable to ministers.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Deputy Prime Minister's answer is pretty weak. As soon as a minister, who used to be a backbencher, established special ties with someone to whom he then gave an advantage, I believe that that minister has placed himself in a conflict of interest.

My question is for the minister of immigration: did he not deny having stayed at Claude Boulay's condo in the first place because he was well aware that this put him in an untenable position when he awarded him contracts once he was appointed minister?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, that was never the standard here, that members could not have ties with the private sector. In fact, I think that the experience that people here have is valuable. However, when they are ministers, the code applies.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, will the Deputy Prime Minister not admit that the fact that the minister stayed in Claude Boulay's condo for a six-week period before being appointed minister, that Claude Boulay's wife, vice-president of Everest, served as his campaign organizer in the 1997 and 2000 elections, and that once appointed minister, one of the first contracts he gave out was to Claude Boulay and Everest, places him square in the middle of a conflict of interest, a situation where "you scratch my back and I'll scratch yours"?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, the issue is whether the contract was given to this group according to Treasury Board rules. If so, then I do not believe there are any other questions.

As I already said, members have a right to have ties with the private sector. The code of ethics only applies if they are ministers.

● (1425)

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, in asking this question I would like to welcome the new Minister of National Defence to his challenging new portfolio.

In view of what would seem to be a convergence of scandal ridden portfolios, it has come to our attention that DND through the department of public works has commissioned Groupaction to undertake communications work for the armed forces.

Will the new Minister of National Defence confirm that Groupaction has been doing work for the Canadian military? What has been the total value of any such contracts? Will the minister get off to a good start in his new job by tabling any such contracts and the billing schedules of any such contracts?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, with respect to Groupaction's relationship to the sponsorship program, my predecessor took the appropriate action in terminating that relationship.

With respect to any activity that Groupaction may have in connection with any other department, that obviously is not tainted or connected by the issue with respect to sponsorships. If there is any information, it should come to the government's attention in that regard. The hon. member may be assured that the government will take the appropriate action.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, unless I missed something, he is not the new Minister of National Defence.

We already know that part of Groupaction's work for DND was to design and test market a disastrous new logo for the military. It was deemed unusable because first of all, it eliminated the word "Canadian" and second, it made the word "forces" read like "farces". The farce of course is the government's incestuous relationship with Quebec communications companies.

This time I want the Minister of National Defence to tell us how much he spent for this unusable logo. How much more DND spending has already been preapproved by four Groupaction contracts? Will the minister agree then—

The Speaker: The hon. Minister of National Defence.

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, after 10 hours on the job I do not know the answer to that question but I will look into it.

I will say that as one whose father participated in the liberation of Holland more than 50 years ago, I am proud and humbled to be appointed as Minister of National Defence. I will do my best to carry on this job appropriately.

I think we can all feel extraordinarily proud of the way in which our soldiers have been conducting themselves in recent years.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, I have a question for the Minister of Citizenship and Immigration about the ability of the House to accept his word.

The minister was questioned by the *Globe and Mail* about his actions as a minister in urging that two contracts be issued to Groupe Everest. He acknowledges that the *Globe and Mail* asked "Is it true that Everest loaned you a condo?" The minister said "No, not all. No, no, no". He has now changed his story. He admits that he stayed in a condo owned by Groupe Everest to whom his department later gave business. He received a benefit and so did Groupe Everest.

Why did the minister change his story? Does he recognize that accepting hospitality from a company which later profited creates the appearance of being placed under an obligation to an organization which—

The Speaker: The hon. Deputy Prime Minister.

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, we have already noted the contracts were given in accordance with treasury board guidelines by the Department of Canadian Heritage. The fundamental point is that the member was not a minister at the time that he received this refuted benefit. He is not subject therefore to the code at the time he was merely a member of parliament. Nor is any member of the House subject to such a code, which is one of the reasons we are proposing that such a code be adopted.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, the minister had an obligation to tell the truth which he did not. He incurred a benefit and so did Groupe Everest.

May I ask the Deputy Prime Minister, at any time since the appointment of the Minister of Citizenship and Immigration to cabinet, has that minister stayed at any residence or property owned by Groupe Everest or by Claude Boulay? For that matter, has any other minister stayed at any residence or property owned by Groupe Everest or by Claude Boulay?

● (1430)

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, first, the minister was not under any obligation to give any answers at all with respect to what he did when he was not a minister. He is entitled to personal privacy as a member of parliament. I think the hon. member ought to be one who respects that.

With respect to the conduct of ministers, the Prime Minister made the point very clearly yesterday that he wants a high standard and that if anyone was becoming too comfortable in the past, they are surely much less comfortable than they were before today.

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, money for non-existent work is bad and incompetent. Money for non-existent work and a kickback to the Liberal Party is evil and corrupt.

We have heard a lot of questions. We have seen ministers get fired or resign. When is the government going to call an independent inquiry so we can get to the bottom of this issue?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, I fail to understand why the Alliance Party does not believe that the auditor general is independent. Surely the nature of her reports thus far, the fact that they are disclosed publicly and the response that has been required both by the government and other agencies are enough to indicate not only the thoroughness of the work she does but her independence in pursuing them.

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, when the Liberals were in the opposition they did not feel the auditor general was good enough and were demanding an independent inquiry of the Tory government of the day. Let me quote the member for Glengarry—Prescott—Russell who said:

> Therefore, I would ask the minister the following: when will his old and tired government learn that taxpayers' money does not belong to the Tories and that they cannot use it to reward friends?

He used that statement in asking for an independent inquiry. This House wants one. Why will the government not do it?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, in the good old days when that member was a member of that party, the auditor general only reported, we only heard from him, once a year. We now hear from the auditor general four times a year.

In addition to that, on the particular issues that have been the subject of debate in the House, the auditor general was operating on a special assignment. Where did that assignment come from? It came from the government itself. That is a whole different standard than the one the member used to adhere to when he was a Tory.

[*Translation*]

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, last week, the Prime Minister said, in reference to the minister of public works, that if the minister had not paid, it would be serious, but that if he had paid, then it was not serious.

Will the minister of immigration, who did not pay to use the condo of the president of Groupe Everest, admit that what he did is serious, based on the criteria of his own boss, the Prime Minister?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, considering their question, the Bloc Quebecois will undoubtedly support a code of ethics for MPs and senators. Such a code did not exist in 1997 and the minister, who was then just a member of parliament, was not required to comply with any code whatsoever.

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, I should point out to the Deputy Prime Minister that when he awarded these contracts he was indeed a minister.

By getting a significant personal benefit from the president of Everest and by having the vice-president of Everest act as his personal election campaign organizer, did the minister not become indebted to Everest in a significant way, a debt he quickly settled as soon as he was able to do so, that is when he became minister?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, were the contracts awarded to Groupe Everest in compliance with Treasury Board guidelines? I believe so.

There is no indication to the effect that the rules were not followed when contracts were awarded. Since the minister was not a member of cabinet when he received these benefits, this is not a question that relates to the code of ethics.

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, the former minister of public works was not the only one to have useful connections with Mr. Boulay and Groupe Everest. We know that the minister of immigration stayed for free at Boulay's and that, when he became a junior minister responsible for sport, one of the first things that he did was to award a juicy contract to Groupe Everest.

Could the government explain why the minister of immigration is not subjected to the same rules as the Minister of National Defence, or even the minister of public works?

● (1435)

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, it is the same question and the same answer.

[*English*]

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, the government rewards unethical behaviour more often than it punishes it because the Prime Minister has a floating standard that changes based on what his pollsters tell him and what the front page of the newspaper says. Alfonso Gagliano was rewarded for abusing and wasting taxpayer dollars by being appointed as the ambassador to Denmark.

Now that the RCMP investigation is underway and the Prime Minister has decided to punish some of his ministers, will the government do the right thing, rescind the appointment of Mr. Gagliano and recall him to Canada right now?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, this is not about punishment. This is about maintaining the confidence of the people of Canada. The hon. member himself well knows that sometimes it is best to change responsibilities when one's credibility has been affected.

With the actions that the Prime Minister has indicated we will take, in his speech last Thursday, and with the efforts that the minister of public works and his predecessor have taken to deal with issues that have been raised, the confidence of the Canadian people will be maintained.

[*Translation*]

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, the business involving contracts to Coffin bears a strange resemblance to the Groupaction affair. In the Groupaction affair, the federal government got one report for the price of three, while in the Coffin affair it got none for the price of two.

Will the Deputy Prime Minister not acknowledge that this new and worrisome affair again justifies a public inquiry?

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, the facts in relation to the Coffin matter were revealed through an internal audit which was initiated by the department of public works itself.

As a result of that audit, corrective action was taken by at least two of my predecessors. As I informed the House earlier, I am determining at this moment whether anything further is specifically required with respect to this matter or the broader issues involved.

[*Translation*]

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, every day brings with it a new case. The most disconcerting thing is the connections between ministers, ministers' offices and companies, and the nature of the contracts obtained by those companies.

In light of the fact that what we have discovered to date looks far more like a well organized system than an isolated event, will the Deputy Prime Minister not admit that even basic decency requires a public inquiry in order to bring everything out into the open?

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I can assure the hon. member that my concern in this matter is just as large and just as sincere as hers. The auditor general is undertaking the appropriate examination. As well, of course, certain matters have been referred to the RCMP where that is appropriate.

The House and all Canadians can be assured that the government will co-operate fully with all those inquiries to ensure complete transparency.

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, the immigration minister has done a spectacular flip-flop on the facts about his close personal relationship with the man who raked in millions in Liberal contracts and donated generously in return. The minister vehemently denied receiving any help from Boulay. He pooh-poohed the very suggestion as “damn nonsense” and flatly stated: “No. Not at all”.

Yesterday the minister had to admit that he had stayed at chez Boulay. He has clearly failed to be open and above board. Why should Canadians still trust him with an important government portfolio?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, the contract in question, first, was not awarded by the individual who is now the minister of immigration. It was awarded by the Department of Canadian Heritage.

Second, as I have said repeatedly, he was not obliged to answer any questions about his private life when he was a member of parliament. The test of the code of ethics is not based upon the standards that the hon. member suggests. After all, why should anyone believe people in her party who said they would not receive a pension as a parliamentarian?

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, in his first year as minister, Liberal largesse to his friend Boulay from his department more than doubled. The minister knew the situation violated the prohibition against "real, potential or apparent conflicts of interest".

Here is his direct quote when asked recently about another minister "Between you and me, I don't stay in a place of a guy that is seeking government contracts". However, once again that did not square with his secret lodging deal at chez Boulay.

How do these new facts reflect the Prime Minister's talk about integrity and public trust?

● (1440)

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, I understand the lust for blood on the other side because, as they say, politics is a blood sport. However the failure of the Alliance to acknowledge that the standard for ministers does not apply to members of parliament to me is a trifle difficult to accept. It is rather disingenuous to not have a standard that applies to them and their statements and yet suggest that a backbencher on the government side is subject to some standard of their creation.

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RESEARCH AND DEVELOPMENT

Ms. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, it was over 15 years ago that our Canadian hero, Rick Hansen, embarked on his record setting Man in Motion World Tour, raising awareness and $24 million for spinal cord injury. Since then he has raised $137 million.

Could the Minister of Industry tell us what the Government of Canada has done to help Rick Hansen in this important endeavour?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, 15 years ago, the courage and determination shown by Rick Hansen inspired the nation. It did more than that. It galvanized an effort here and elsewhere in the world to find a cure for spinal cord injury.

This year the Government of Canada was proud to contribute some $13 million to a partnership fund shared by the University of British Columbia and the Vancouver General Hospital, which will accelerate the research through the Rick Hansen Institute in finding a cure for those afflicted with spinal cord injury.

He is an extraordinary man, one we respect and treasure as a great Canadian.

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HEALTH

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, this past Saturday 40,000 British Columbians spoke out against Gordon Campbell's horrifying vision of B.C. It is a vision where one cannot afford to get sick or attend school and where even the basic right to assistance is being destroyed.

Why is the Minister of Health not supporting the people of B.C. to stop the destruction of our public heath care system. Is the government now so gutless that it will not even defend its own vision and mandate for health care as set out under the Canada Health Act? Why will she not defend our public health care system?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, the five principles of the Canada Health Act are fundamental to our health care system and the renewal of our health care system. My officials are monitoring and working with the officials in B.C. to ensure that the restructuring which takes place in the province of British Columbia does not violate the five principles of the Canada Health Act.

Let me remind the hon. member that all of us, federal, provincial and territorial ministers of health and governments, are working hard on behalf of our residents and citizens to renew our health care system and to have a health care system that is there for everyone when they need it.

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I do not think the health minister really gets it. Canadians expect this government and this minister to act. They wonder when the health minister, after four months of inaction, will finally engage in the critical health debate of the day.

Today the health care in Canada annual survey came out. It shows that three-quarters of Canadians believe now that medicare is underfunded. Seventy per cent actually say they would pay more in taxes for the necessary changes to health care.

Canadians are willing to do their part. Will the Minister of Health do hers?

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, as the hon. members knows, if she put aside the rhetorical flourishes, we are very much involved with the renewal of health care, along with our provincial and territorial colleagues, other stakeholders and those who use our health care system. In fact the Romanow commission is concluding its national consultations with Canadians everywhere.

Senator Kirby and his senate committee are consulting with Canadians and others in relation to the future of health care.

In fact in September of 2000, the Prime Minister and the first ministers entered into an accord with $21.1 billion new dollars for health care.

Oral Questions

GOVERNMENT CONTRACTS

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, in a cynical effort to shift attention away from the unethical conduct of his ministers, the Prime Minister has simply shuffled the deck. The hasty changes in cabinet leave Canadians more suspicious about the Liberal government. It should dawn on the minister that the issue of public trust, real and perceived, has not been addressed.

Would the renewed government House leader clear the air once and for all and simply table the sequentially numbered cheques. This will allow Canadians to judge for themselves whether the minister's weekend at Boulay's was paid for prior to the scandal breaking?

● (1445)

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, one is sometimes still surprised by the extremes to which this member will go.

Clearly, the minister has not only indicated the process by which he paid for the stays at the cottage, but it is not his cheque. Nor does the hon. member across the way have any right to see any of the other cheques in the cheque book of minister's daughter-in-law. Really that goes beyond the pale.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, it is nothing compared to the extremes that this member and this government will go to avoid accountability.

In keeping with the usual practice, in November 1996 Jean Carle, then the Prime Minister's director of operations, and Chuck Guité attended a meeting with Molson Indy organizers where the government's sponsorship program was discussed. True to form, the government later awarded a sponsorship program of $850,000 to Molson, including a 12% commission to Lafleur.

Could the Deputy Prime Minister explain why the PMO's office was involved at all? Is that the regular practice. Since 1996 have there been other meetings with other sponsorships by Mr. Carle or—

The Speaker: The hon. Minister of Public Works and Government Services.

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I have no personal knowledge of the matters that the hon. gentleman alleges. I will certainly make inquiries and see if I can provide any further information.

[*Translation*]

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, this morning's news confirmed that there have been other abuses of public funds. The figure is in fact over $150,000. What is more, these funds generated $20,000 for the Liberal Party of Canada, from the coffers of the company that was awarded the contract.

Can we count on an RCMP investigation into this company, or can we not?

[*English*]

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I presume the hon. gentleman is making a reference to the Coffin matter. He did not specify in his question if there was an item in particular to which he was referring.

Let me say that if there are any facts that come to my attention that merit a reference to the RCMP, the auditor general or any public authority for investigation that reference will be made.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, 70% of Canadians think that federal politics is corrupt and the government and the Prime Minister are missing its opportunity to right that imbalance. Yesterday's cabinet shuffle half step does not suffice to clean up the reputation of the government or our federal political institutions. Canadians deserve better.

The government can do better by opening up the process of the investigation to make it an open public inquiry. Will the government have an open public inquiry and, if not, what is the principled argument against hiding this damage from the Canadian public so that it can know what their government has been doing?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, the preamble of the member's question is not news. It would be news if he got up and said that the shuffle was adequate, so I guess there is no surprise there.

I again ask if the auditor general is not independent who is? If her reports have not been made public, what reports have been made public? In fact, all the discussion in the House and the actions that we have taken have been in response to the thorough, independent work of the auditor general herself, fulfilling the tasks assigned by law to her office. Why duplicate it?

[*Translation*]

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, yesterday, when he lost the job of minister of public works, the government House leader happily declared "At last, I will not have to answer any more questions", referring to the contracts handed out to firms run by friends of the Liberal Party.

Does this expression of relief not indicate that there are still many questions unanswered, and that the next minister will have his work cut out for him explaining how and why there are so many ties between ministers of this government and firms run by their friends, which receive all sorts of generous contracts?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, if the member wishes to ask questions of substance, he may do so, and we will answer them.

It is a basic rule of this House that the minister responsible for the department is the one who answers.

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, is this statement by the former minister of public works not just more proof that, if we are really to get to the bottom of this whole affair, what is needed is a public inquiry, with more powers than those available to the auditor general?

● (1450)

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, the auditor general, who prepared the report in question, is already independent. She does excellent work.

We have responded and we are continuing to respond to the auditor general's recommendations.

[*English*]

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, while it is a good thing that the RCMP is now investigating Groupaction, Canadians cannot be confident that there will be no political interference. Judge Ted Hughes called for legislation to ensure no political interference with the RCMP, but the government rejected it.

Will the solicitor general do the right thing and act on Ted Hughes' recommendations, assuring Canadians that this government will not interfere with the Groupaction investigation as it did with APEC, Shawinigate and Airbus?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I think my hon. colleague is well aware of what the APEC report indicated.

My hon. colleague is also well aware, and as I have indicated many times in the House, that as solicitor general or as the government we do not get involved in police investigations.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, Canadians must have confidence that the RCMP can do its job and that includes doing its job with respect to investigating the government in suspected cases of wrongdoing without the fear of reprisals or interference.

I therefore ask the Deputy Prime Minister: Will he immediately launch a full public inquiry to clear the air over the corruption allegations?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, I know that the Alliance Party is a big spender, but I do not really see the basis for spending millions and millions of dollars to duplicate the work of the auditor general, who has proven her independence, who has proven the thoroughness of her work and whose recommendations the government is taking seriously and upon which we are acting.

* * *

SOFTWOOD LUMBER

Mr. Gary Pillitteri (Niagara Falls, Lib.): Mr. Speaker, my question is for the Minister for International Trade.

A campaign was organized at several Canada-U.S. border crossings this week to increase awareness of the punitive duties that have been imposed on our lumber producers and to dispel the myths spread by the very active lobbyists in the U.S.

Could the minister please tell us if the Canadian government plans to assist the Canadian industry in its efforts to increase awareness of the unfair hardships that the U.S. lumber industry has imposed on it?

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, I was very pleased to announce today that the Government of Canada will provide $20 million over the next few years to support our industry in its awareness building campaign in the United States.

The objective of this campaign is to inform and educate key segments in the United States about the punitive impact that these duties are having on them and their interests.

This measure complements the recent $75 million announcement made by my colleague, the Minister of Natural Resources. The government will work with its industry.

* * *

GOVERNMENT CONTRACTS

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, earlier in question period I raised the matter of Coffin Communications and the similarities between that case and Groupaction. This missing work was uncovered by an internal audit, money went to the Liberal Party, and the deal was signed off on by the very same civil servant.

Given that the facts in the case are practically identical, will the minister reconsider his earlier response and agree to refer this matter immediately to the RCMP?

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I had the privilege of speaking to Ms. Fraser earlier today and I will be meeting with her later this week, and beyond the all encompassing work being undertaken by the auditor general my officials are again reviewing all of the files in relation to the sponsorship program.

I assure the hon. gentleman that if there is any information presented to me that merits a reference to the RCMP, that reference will be made immediately.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I would like to seek clarification of another matter. In an earlier answer, the minister indicated that he would not sign off at the moment on any further sponsorship deals. However, the previous minister indicated to the House that he did not sign off on sponsorship deals; they were awarded through a standing offer list.

I would like to seek clarification. Is the minister saying simply that he will not sign off on any more deals or is he in fact freezing all new sponsorship contracts?

● (1455)

Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.): Mr. Speaker, I am still examining the administrative process by which this happens, but as I understand the process, if there are community groups and organizations that have applied for the sponsorship program like, for example, the one in the constituency of the House leader for the opposition, that are recommended by officials for approval, that list is presented to the minister. The minister must give his approval.

What I said earlier in answer to a question is that I intend to give no further approvals unless and until I am satisfied with the criteria of the program and that every—

The Speaker: The hon. member for Argenteuil—Papineau—Mirabel.

* * *

[*Translation*]

BOAT TOWING

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, yesterday afternoon, some 200 fishing boat and pleasure craft owners demonstrated at Cap-aux-Meules to denounce the coast guard's decision to contract out boat towing to the private sector. This essential service, which has been offered free of charge round the clock since 1982, made up 90% of the vessel trips made by the Magdalen Islands coast guard last year.

Will the Minister of Fisheries and Oceans commit to maintaining the free, 24 hour boat towing service provided by the Magdalen Islands coast guard?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I can assure the member that the coast guard will be available seven days a week, 24 hours a day to tow any boat in distress or in potential distress.

However, it is not the policy of the coast guard to compete with the private sector. When their price is justified, we will not stand in the way.

* * *

LA SOIRÉE DU HOCKEY

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, on a totally different note, for 50 years already, hundreds of thousands of Canadians have been watching *La Soirée du hockey* on Saturday evening. The French network shows the Montreal Canadiens, while English network shows other Canadian teams. It appears that, as early as next year, these hockey games will only be shown on RDS. This would mark the end of a tradition.

Does the Minister of Canadian Heritage intend to make representations to the club, the league or even the Radio-Canada to ensure that this 50 year old Canadian tradition can continue?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, considering the importance of *Hockey Night in Canada*, both in French and in English, I think it is important that Canadians make representations not only to the CBC, but also to the National Hockey League and more specifically to Gary Bettman.

I personally intend to directly contact Mr. Bettman if this issue cannot be settled. It goes without saying that the Radio-Canada is the network on which to watch *La Soirée du hockey.*

* * *

[*English*]

ETHICS COUNSELLOR

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Speaker, the Prime Minister asked the former defence minister to resign after the ethics counsellor ruled that conflict of interest guidelines were violated, yet the contract in question was given in July 2001, the report was presented in November of last year, and the ethics counsellor did absolutely nothing for months. He acted only after the media brought the issue to light and after consulting with the Prime Minister.

This demonstrates how ineffective this unaccountable ethics counsellor is. When will the government finally honour its commitment to appoint an independent ethics commissioner who reports to parliament and has the faith of the Canadian people?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): On the contrary, Mr. Speaker, in fact this case has demonstrated that the ethics counsellor does play an important role. He made a recommendation to the Prime Minister with respect to the code of conduct for public office holders and the Prime Minister acted upon it immediately.

I fail to see what the hon. member is pointing to. In point of fact, that is what the ethics counsellor is supposed to do, to advise the Prime Minister, who under the British system of governance has responsibility for the conduct of his ministers.

* * *

[*Translation*]

FERRY SERVICES

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, in answer to a question I asked on May 23 regarding the interruption of ferry services between Trois-Pistoles and Les Escoumins, the Minister of Transport replied that he thought he would come up with a solution in June. However a letter from his department on that same date says the opposite and confirms that Transport Canada is unable to authorize the resumption of ferry services from Les Escoumins for the summer 2002 season.

Will the Deputy Prime Minister assure me that the Minister of Transport did not mislead the House on Thursday, and that he will authorize the resumption of ferry services this summer?

● (1500)

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, meetings took place on the weekend with those involved in this matter.

As the Minister of Transport said on Thursday, we hope to sort this situation out soon.

[*English*]

ABORIGINAL AFFAIRS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the final report on the Walkerton tragedy tells us that there are 83 potential Walkertons across Canada as we speak. I refer to the 83 first nations communities that are under boil water notices and have no access to clean, potable water. This situation would never be tolerated if these were white communities.

Instead of spending millions of dollars to promote the first nations governance initiative that nobody wants, let us talk about the basic needs of thousands of first nations families.

Will the minister of Indian affairs commit today that water quality in these communities will be the number one priority of his department?

Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I want to report to the member, who is pretty high on rhetoric and usually not too much on fact, that the reality is that in 1995, after a major study between Health Canada and the Department of Indian Affairs and Northern Development, we undertook to make those changes because of the report's analysis of the issues related to first nations water quality. We have spent over $500 million above and beyond since 1995.

To answer his question on whether it is a priority of the government, absolutely. Will we be doing something about it? We are doing something about it and we are going to continue to do as much as we possibly can.

* * *

MINISTER OF CITIZENSHIP AND IMMIGRATION

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, my question is for the minister of immigration. Why did the minister of immigration say he had not stayed in the Groupe Everest condo and then say he did? He was a minister when he made both statements. Why did he not tell the truth the first time?

Hon. John Manley (Deputy Prime Minister and Minister of Infrastructure and Crown Corporations, Lib.): Mr. Speaker, a member of that experience ought to know that he has no right to pose questions to members about their conduct when they were not ministers and which has nothing to do with their portfolios.

ROUTINE PROCEEDINGS

[*Translation*]

EMPLOYMENT INSURANCE

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, pursuant to subsection 3(3) of the Employment Insurance Act, I have the pleasure to submit, in both official languages, two copies of the 2001 annual report monitoring and assessing the EI system.

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to two petitions.

* * *

COMMITTEES OF THE HOUSE

FISHERIES AND OCEANS

Mr. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on Fisheries and Oceans.

In accordance with its order of reference from the House on February 28, 2002, your committee has considered votes 1, 5 and 10 under Fisheries and Oceans in the main estimates for the fiscal year ending March 31, 2003, and reports the same less the amounts voted in interim supply.

* * *

BUSINESS OF THE HOUSE

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I believe you would find unanimous consent for an issue that we have discussed earlier today among House leaders. I thank my colleague House leaders for the informal conversations that we had earlier today. I move:

> That, notwithstanding the provisions of any Standing Order or usual practice, the consideration of the estimates of the Minister of Public Works and Government Services pursuant to Standing Order 81(4)(a) shall be deferred from Tuesday, May 28, 2002, to Tuesday, June 4, 2002.

● (1505)

The Speaker: Does the government House leader have 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)

* * *

[*Translation*]

PETITIONS

AIR TRANSPORTATION

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, it is my pleasure to present in the House a petition on behalf of the member for Manicouagan, who is convalescing.

This petition is signed by almost 2,000 residents of the North Shore, who are strongly opposed to the introduction of the infamous $24 airport tax. North Shore residents often need to use a plane, not just for economic reasons, but especially for essential services, often for health reasons. Understandably, taking the plane is not a luxury for those who live in remote areas.

North Shore residents and inhabitants of the riding of Manicouagan support the member for Manicouagan, who allowed me to table this petition in the House.

They are asking that Sept-Îles and Blanc-Sablon airports not be subject to the $24 tax.

EMPLOYMENT INSURANCE

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, it is my pleasure to present a petition on behalf of members of the New Brunswick Federation of Labour, which represents 33,000 workers. They are calling on parliament to reject the proposed amendments to the employment insurance regulations, which will provide for the collection of interest on overpayments, particularly since there is a surplus of $42 billion in the EI fund.

[*English*]

HEALTH

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have the honour to present a petition which is signed by residents of British Columbia, including several hundred residents of my own constituency of Burnaby—Douglas, on the subject of the Canadian public health care system.

The petitioners call upon parliament to stop two tier, American-style health care from moving into Canada. They note concerns about federal government cuts for health care funding and the fact that the federal government currently is paying just 13.5% of health care costs. They are concerned with respect to the importance of immediate action to save public health care in Canada and to stop two tier, American-style health care from coming.

They call upon parliament to stop for-profit hospitals, to restore full federal funding for health care by increasing the federal government's share of health care funding to 25% immediately, and finally, to implement a national home care program and a national program for prescription drugs.

KIDNEY DISEASE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I am pleased to present a petition from numerous people in the Peterborough area who are concerned about kidney disease across the country and the pain and suffering involved. They point out that this is a huge and growing problem. Real progress is being made in improving the condition of those with kidney disease and hopefully curing their condition.

The petitioners admire the work being done by an institute of the Canadian Institutes of Health Research to help those suffering from kidney disease, but they believe that the name of the Institute of Nutrition, Metabolism and Diabetes is too complicated and confusing for the general public to engage in it. They believe that the research would receive better support and be more effective if the name of that institute was changed.

They call upon parliament to encourage the Canadian Institutes of Health Research to explicitly include kidney research as one of the institutes in its system, to be named the institute of kidney and urinary tract diseases.

* * *

● (1510)

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mrs. Karen Redman (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[*English*]

Ms. Marlene Catterall: Mr. Speaker, I rise on a point of order. I would seek the consent of the House to return to motions so that I may table a motion requesting the unanimous consent of the House to agree to a change to the standing orders to establish the standing committee on government operations and estimates.

The Speaker: Is there unanimous consent to revert to motions?

Some hon. members: Agreed.

* * *

STANDING ORDERS

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, I move:

That the Standing Orders be amended as follows:

(a) by deleting the words "and Government Operations" from Standing Order 104 (2)(p);

(b) by adding the following after Standing Order 104(2)(p):

"(q) Government Operations and Estimates (sixteen members)"

(c) by deleting Standing Order 108(1)(c);

(d) by adding the following after Standing Order 108(3)(e):

(f) Government Operations and Estimates shall include, among other matters:

(i) the review of and report on the effectiveness, management and operation, together with operational and expenditure plans of the central departments and agencies;

(ii) the review of and report on the effectiveness, management and operation, together with operational and expenditure plans relating to the use of new and emerging information and communications technologies by the Government;

(iii) the review of and report on the effectiveness, management and operation of specific operational and expenditure items across all departments and agencies;

(iv) the review of and report on the Estimates of programs delivered by more than one department or agency;

(v) with regard to items under consideration as a result of Standing Orders 108 (3)(f)(i)(ii)(iii), in coordination with any affected standing committee and in conformity with Standing Order 79, the committee shall be empowered to amend votes that have been referred to other standing committees;

(vi) the review of and report on reports of the Privacy Commissioner, the Access to Information Commissioner, the Public Service Commission and the Ethics Counsellor with respect to his or her responsibilities under the Lobbyists Registration Act, which shall be severally deemed permanently referred to the Committee immediately after they are laid upon the Table;

(vii) the review of and report on the process for considering the estimates and supply, including the format and content of all estimates documents;

(viii) the review of and report on the effectiveness, management and operation, together with operational and expenditure plans arising from supplementary estimates;

(ix) the review of and report on the effectiveness, management and operation, together with operational and expenditure plans of Crown Corporations and agencies that have not been specifically referred to another standing committee;

(x) in cooperation with other committees, the review of and report on the effectiveness, management and operation, together with operational and expenditure plans of statutory programs, tax expenditures, loan guarantees, contingency funds and private foundations that derive the majority of their funding from the Government of Canada.

And

That the Standing Committee on Procedure and House Affairs shall prepare and report to the House within five sitting days of the adoption of this Order lists of Members to compose the new Standing Committees created by this Order; and

That the Clerk be authorized to amend any order of reference or proposed order of reference in accordance with the intent of this Order.

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

REQUEST FOR EMERGENCY DEBATE

ETHICS

The Speaker: The Chair has notice of an application for an emergency debate from the hon. member for West Vancouver—Sunshine Coast.

Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance): Mr. Speaker, I seek leave pursuant to Standing Order 52 to make a motion for the adjournment of the House.

The scandals and allegations of corruption against the government are a matter of urgency. The issue has become so critical the media is suggesting it is unravelling the government. Canadians are losing confidence in the Liberals' ability to continue carrying out the constitutional duty of providing good government.

We need to discuss the ethical standards of the government and the measures that need to be taken to correct them. When we look to the recent controversies involving ethical conduct by ministers it is uncertain what the standard is. Mr. Gagliano was appointed ambassador to Denmark. The hon. member for York Centre was removed from cabinet. The hon. member for Glengarry—Prescott—Russell was fired and then readmitted to cabinet.

The Prime Minister must immediately establish a uniform standard of ethical conduct for cabinet ministers and members of parliament by an ethics commissioner who reports directly to parliament, as he promised nine years ago. He has waited so long it has festered into a crisis. If the Prime Minister waits until all his friends are paid off before turning off the taps of corruption it will be too late.

Mr. Speaker, if you are tempted to take into account the fact that a supply day is scheduled for tomorrow you will note that the supply day deals with another serious emergency that needs to be addressed. The emergency debate I am requesting under the provisions of Standing Order 52 involves a parliamentary and democratic emergency.

If the Liberals cannot demonstrate they can provide good, honest government the discussion in tomorrow's supply debate or any emergency debate will be redundant. We need a discussion of the government's ethics now. We need to determine if it has the ethical competence to identify and deal with the concerns of Canadians other than those who are friends of the Liberal Party. We need to debate the fact that for nine years the Prime Minister has promised parliament an independent ethics commissioner who would report to parliament. Canadians are demanding it. The timing is excellent.

SPEAKER'S RULING

The Speaker: The Chair has carefully considered the request of the hon. member for West Vancouver—Sunshine Coast, but if the Chair's memory serves him correctly we had a debate on this very subject on Thursday last, a full day's debate which I know was stimulating. I have no doubt that if I were to order a debate for tonight it would also be very stimulating.

Unfortunately, stimulating debate is not one of the criteria set out in Standing Order 52 for having an emergency debate. Perhaps if it were I would be more inclined to grant the hon. gentleman's request, but in the circumstances I feel he has not raised a case of urgency that meets the contingencies of Standing Order 52 at this time. However I thank the hon. member for Port Moody—Coquitlam—Port Coquitlam for his helpful assistance.

GOVERNMENT ORDERS

● (1515)

[*English*]

ASSISTED HUMAN REPRODUCTION ACT

The House resumed consideration of the motion that Bill C-56, an act respecting assisted human reproduction, be read the second time and referred to a committee, and of the amendment.

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, every once in a while in the course of human history it becomes incumbent upon us as legislators to make difficult decisions involving life, death, ethics and morality. Such is the position we find ourselves in today. As a representative of a constituency of individuals I feel a responsibility to ensure Bill C-56 strikes a proper balance between ethics and science.

It seems the more one seeks to know about stem cell research the more complex the issue becomes. However I take comfort in knowing I am not the only person grappling with this ethical dilemma. It was with great interest that I read the speech given by President Bush last fall when his nation was creating legislation on stem cell research. In his speech Mr. Bush called the issue one of the most profound of our time. I will read some excerpts from his speech:

> The issue of research involving stem cells derived from human embryos is increasingly the subject of a national debate and dinner table discussions. The issue is confronted every day in laboratories as scientists ponder the ethical ramifications of their work. It is agonized over by parents and many couples as they try to have children, or to save children already born.
>
> The issue is debated within the church, with people of different faiths, even many of the same faith coming to different conclusions.
>
> As I thought through this issue, I kept returning to the fundamental questions: First, are these frozen embryos human life, and therefore, something precious to be protected? And second, if they're going to be destroyed anyway, shouldn't they be used for a greater good, for research that has the potential to save and improve other lives?
>
> At its core, this issue forces us to confront fundamental questions about the beginnings of life and the ends of science. It lies at a difficult moral intersection, juxtaposing the need to protect life in all its phases with the prospect of saving and improving life in all its stages.

These are the questions we in the Canadian parliament are asking ourselves. It is important that we create coherent laws in the area as soon as possible. Canada must not stray too far behind the rest of the world on the issue. Although it is a contentious issue we as members of parliament must work through it and come to a conclusion as soon as possible. If we do not, we risk getting ourselves into a situation where we will be reactive instead of proactive in creating well thought out legislation.

That said, I will take the opportunity to outline some of my concerns with the legislation as it currently stands. I want to state unequivocally that I am a firm supporter of science, research and technological development. I have concerns that the legislation would allow research on human embryos if their use was necessary. It is significant that necessity is not clearly defined in the existing legislation. I will therefore spend the remainder of my speech on the notion of scientific necessity.

Scientists and advocacy groups have recently brought forth evidence that there are credible alternatives to embryonic stem cells for the treatment of some of humanity's most debilitating diseases. Carrie Gordon Earll, a bioethics analyst, has documented several promising medical successes using alternatives to embryonic stem cells. Such alternatives can be found in adult stem cells that come from areas in the developed human body such as bone marrow and umbilical cord blood. These do not require the loss of human life or potential human life. In her work Mrs. Earll cites the following examples:

> Researchers at Harvard Medical School used animal adult stem cells to grow new islet cells to combat diabetes. Researcher[s] [said they] had reversed the disease without the need for transplants. Plans for human trials are underway.
>
> Thirty-six-year old Susan Stross is one of more than 20 MS patients whose conditions have remained steady or improved after receiving an adult stem cell transplant. The same results are reported with several hundred patients worldwide.

In addition to the obvious moral advantages of using adult stem cells, research also seems to be proving that they are safer than fetal cells. Dr. Helen Hodges, a British researcher, recently found that adult stem cells travel to areas that need repair whereas fetal stem cells remain where they are injected. She says that because patients can donate their own adult stem cells for treatment their immune systems will not reject them.

● (1520)

In 1999 the journal *Science* quoted a Professor Prentice who wrote:

> In the last two years, we've gone from thinking that we had very few stem cells in our bodies and recognizing that many (perhaps most) organs maintain a reservoir of these cells.

Professor Prentice went on to say that adult stem cells have shown themselves to be scientifically more successful than embryonic stem cells because of the variety of different tissues they can become and because they are more readily available.

In contrast, embryonic stem cells have not yet alleviated or cured any diseases. Indeed scientists are telling us now that embryonic stem cells can sometimes be a bit too flexible, often differentiating into all kinds of tissue, some of which are desirable and some of which are not. In some cases, when injected under the skin of certain mice, they grew into tumours consisting of numerous tissue types, from guts to skin to teeth.

Women in my constituency from the organization REAL Women of Canada raised this issue in their fall 2001 newsletter. It states:

It strikes us as curious that intense pressure is now being placed on the potential of experimental use of embryo stem cells when there are already proven alternate sources of stem cells from bone marrow, umbilical cord, placenta, human fat tissue, skin and even the brain cells of deceased adults, to name just a few, which makes embryo stem cell research unjustified. This is especially so since these alternate sources eliminate the difficult problem of rejection of foreign material by the body caused by embryonic stem cell implantations. In contrast to the successful use of adult stem cells, human embryonic stem cells have never been used successfully in clinical trials.

It is very important to note that the mainstream scientific press is also taking notice of the potential of adult stem cells. A recent article from the *New Scientist* titled “Ultimate stem cell discovered” states the following:

> A stem cell has been found in adults that can turn into every single tissue in the body. It might be the most important cell ever discovered.
>
> Until now, only stem cells from early embryos were thought to have such properties. If the finding is confirmed, it will mean cells from your own body could one day be turned into all sorts of perfectly matched replacement tissues and even organs.
>
> If so, there would be no need to resort to therapeutic cloning—cloning people to get matching stem cells from the resulting embryos. Nor would we have to genetically engineer embryonic stem cells to create a “one cell fits all” line that does not trigger immune rejection. The discovery of such versatile adult stem cells will also fan the debate about whether embryonic stem cell research is justified.

It is notable that some of this groundbreaking research is being conducted right in our own backyard at Montreal's McGill University.

Canada should commit itself to continuing to be a leader in this groundbreaking research and technology. It is to these activities that we should be channeling our money and efforts.

Finally, I am ever mindful of the opinions of the constituents of Blackstrap who have taken the time to write me about their opinions on this topic. I would like to share some of what they have to say.

Andrew and Louise Novecosky of Viscount wrote to me stating the following:

> Regarding stem cell research, it is our hope that this not be allowed. It will lead to the harvest of stem cells. I am afraid this is likely already happening, but allowing the research will increase the harvest of young humans.

Mrs. Donna Hundeby of Elbow, Saskatchewan wrote:

> I am writing to voice my opposition to any form of medical research that results in the taking of human life. Because I believe that an embryo is a human life, and human life is sacred, I urge you to ban the destruction of human embryos for stem cell research.

Kevin Dyck of Saskatoon wrote me to say:

> I am writing to you today with a great sense of urgency. With the new legislation on assisted human reproduction passing through the Commons soon, I see a great need for the leaders of our country to speak out against the dangerous and often unethical practices proposed by researchers and clinics across the country.

● (1525)

In summary, I would like to underscore the most important point of my message. We must act quickly yet cautiously when forming legislation on such a profound moral issue.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Mr. Speaker, it is always a pleasure to speak in the House, particularly when there are more pages than members of parliament in the House. That aside, this is an important issue. It is one I am glad to speak on, the tumbleweeds blowing through the House aside.

The opposition has been calling for legislation on this subject since 1993 when the royal commission on new reproductive technologies reported. The then minister, which I believe is three or maybe four health ministers ago, introduced a voluntary moratorium on some technologies in July 1995. The government introduced a bill on June 14, 1996 prohibiting 13 uses of assisted reproductive and genetic technologies, but the bill died on the order paper at the call of the 1997 election.

That is an important point. We often talk in the House about the importance of certain legislation. There can be nothing more crucial than the regulation and government consideration and oversight over the creation and disposal of human life. What is more essential than that? However, the government in its haste called an early election in 1997 because it saw an opportunity to win a campaign then. That kind of opportunism killed a very important bill and a very important debate that this House and Canadians were expecting from their legislators.

Those are some of the technicalities and realities that the government uses political opportunism in order to call a quick early election. Frankly that is one of the reasons the Canadian Alliance and its predecessor, the Reform Party, has always believed in the principle behind fixed election dates. It is exactly for situations such as this one, so that important legislation does not suffer the whims of the political capriciousness of the prime minister of the day.

After the 1997 campaign draft legislation was submitted for consideration to the Standing Committee on Health on May 3, 2001, four years later. The committee presented its report "Building Families" in December 2001. In March 2002 the Canadian Institutes of Health Research, followed by Genome Canada, pre-empted parliament by publishing rules to approve funding for experiments on human embryos and aborted fetuses.

Here we have a case where legislation was on the table but it died on the order paper because the Prime Minister wanted to say he had another majority government under his belt. He called a very opportunistic early election campaign and the legislation died.

It got to the point in March 2002 when the government still had not tabled legislation that people outside the House of Commons had to do the government's business for it. The provinces have to pick up the slack and do the government's business for it on the health care side. Now on the most fundamental issues of when life begins, how it is regulated and so on, people in the private sector are doing the government's business.

I want to spend the bulk of my time talking about the agency that will oversee the regulations. First I want to talk briefly on what my colleague from Blackstrap, Saskatchewan was talking about, which is the issue of the rise of adult stem cell research and its promise.

Canada is already a leader in adult stem cell research. For example, by supercharging adult blood stem cells with the gene that allowed them to rapidly reproduce, a team of Canadian researchers at the University of British Columbia healed mice with depleted blood systems. Some day these adult stem cells may be able to reproduce bone marrow for transplant in humans. These are promising advances in medical technology.

There are numerous examples of recent advances in adult stem cell research beyond that as well. Here are a couple.

Researchers found evidence that stem cells circulating in the bloodstream can grow new tissue in the liver, gut and skin. Adult stem cells are therefore more versatile than previously thought.

University of Minnesota Stem Cell Institute researchers showed that adult born marrow stem cells can become blood vessels. The researchers said "the findings suggest that these adult stem cells may be an ideal source of cells for clinical therapy".

Duke University Medical Center researchers turned stem cells from knee fat into cartilage, bone and fat cells. The researchers said "different clinical problems could be addressed by using adult cells taken from different spots throughout the body, without the same ethical concerns associated with embryonic stem cells".

The official opposition's minority report called for a three year prohibition on the experimentation with human embryos to allow time for the use of adult stem cells to be fully explored. It recommended "that the government strongly encourage its granting agencies and the scientific community to place the emphasis on adult, post-natal, stem cell research". A three year prohibition would also coincide neatly with the three year review already mandated by the bill.

The idea of having a three year moratorium is entirely justified. I know that there are Liberal members of parliament who agree. The member for Mississauga South circulated to all members a publication on the idea of having a three year moratorium on embryonic stem cell research.

● (1530)

It makes perfect sense because when we think about it, science is transnational. It crosses the boundaries of borders. It is not relevant to the jurisdiction where discoveries are made so much as it is that the discoveries are made. Just because other jurisdictions have more liberalized their capacity to experiment in embryonic stem cell research does not mean Canada has to rush to the fore. It is my view and the view of the majority of my colleagues in the Canadian Alliance, that rather than rush into science and hope for ethics and a respect for life, we should rush into ethics and respect for human life and hope for sound science. That is the appropriate balance most Canadians, if asked, would really hope to see.

One thing about the bill that we do applaud is the ban on commercial surrogacy. Although it is reasonable to reimburse actual expenditures made by surrogate mothers, commercial surrogacy should effectively creep in simply by inflating the expenses associated with it. Clause 12(2) should ensure that this cannot happen by adding "and the expenditure is reasonable, necessary and directly related to the objects above".

We fully support the ban on human and therapeutic cloning, chimeras, animal-human hybrids, sex selection, germ line alteration, buying and selling of embryos and paid surrogacy. These are steps in the right direction.

Given that I do not have a whole lot of time left, I want to address the agency as I said I would. The mandate of the agency in clause 21 of the bill is to "promote the human dignity and human rights of Canadians". If this is not reflected in the preamble of the bill, this contradiction can be resolved by including the following statement in the preamble. The proposition we are going to be tabling is taken mostly word for word from the majority report of the health committee. It states:

> It is hereby recognized and declared that assisted human reproduction and related research must be governed by principles and practices that respect human life, individuality, dignity, and integrity.

The assisted human reproduction agency of Canada will not report to parliament but only to the minister. It should be made into an independent agency for reasons that are self-evident. Principally if we are talking about human life, when it begins, how it is regulated and how it is overseen, it should be a decision by the entire House and by extension therefore of the entire country because this is an issue for us all. This is an issue of the fundamental premise of what all government is. As a mentor of mine said, governing in politics is answering and hypothesizing about a sequence of questions: what is human nature; how does it intersect with power; how therefore can power be formed to the realities of human nature. It is a cycle that goes around and around.

Adult stem cell research and embryonic stem cell research is a core issue that fits right into that cycle. It is an issue for broad discussion and broad consultation with as many voices as possible having an opportunity to speak.

Clause 25 allows the minister to give any policy direction she likes to the agency and the agency must follow it without question. The clause also ensures that such direction will remain secret. If it were an independent agency answerable to parliament, such political direction would be more difficult. The entire clause must be eliminated.

Members of the board should also have fixed twice renewable terms of three years to ensure that the minister simply cannot get rid of a non-compliant board member or keep one on forever. This was recommended by the majority report that came out of the health committee. The chair of the agency should be appointed for a five year rather than a three year period so that this appointment surpasses the electoral cycle. This will minimize political pressure on the agency.

The performance of the agency should be evaluated by the auditor general rather than the agency itself and the review should be made public.

Those are obvious areas of accountability. If we asked some six year olds to organize a group to make a tree house and they all pitched in 25¢ a week, they would have better managerial oversight of those 25¢ contributions than the government seems to have over the management and regulation of the creation and destruction of human life.

The licensing process for new fertility clinics should be made transparent and should become a public process.

With respect to the records kept by the agency, in the current bill there are no reporting requirements. At the very least an annual report to parliament must be mandated.

Also we need to keep in mind on this issue that reproductive technologies is a matter of provincial constitutional jurisdiction. If we studied and understood sections 91 and 92 of the constitution as most members of parliament should, we would all recognize that this area is one of provincial responsibility. There needs to be some federal oversight for continuity between jurisdictions, however, the application of this is indeed one of provincial jurisdiction.

● (1535)

The government's attempt to limit the contributions of members of parliament, of the committee and of the provinces is hardly a way of desensitizing the moral implications of the bill because we need to broaden the discussion and have more input so more Canadians can have as big an input as possible into the creation and potentially the destruction of human life.

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, it is a pleasure for me to rise today to contribute to the debate. This debate could be easily sidetracked by special interest considerations and sectarian concerns over religion and morality.

As parliamentarians, we have a duty and obligation to address the bill from the perspective of balance. We all have strongly held views on abortion and other fundamental issues of faith and morality. In that regard I must admit that I am impressed by the level of decorum and respect that has been given all members who have contributed in the House to the debate.

Members from all sides of the House have spoken eloquently and from the heart about their belief systems and personal accounts on this issue.

It is not uncommon for debates on controversial issues to digress into the realm of heckling and disrespectful exchanges. I congratulate my colleagues in the House for rising above partisanship and truly respecting Canada's pluralistic reality. I hope that the high level of decorum remains throughout the life of Bill C-56. I believe that this exercise can serve to bring Canadians together by finding common ground.

I state for the record that Bill C-56 addresses the status of an independent embryo outside a woman's body and as such the bill has nothing to do with abortion or issues of choice.

Like it is all members, there are a number of factors that will influence my decision. As a libertarian I believe in the fundamental right of the individual over the jurisdiction of their bodies and property. As a Muslim I believe that life is sacred. The saving of a life is a duty and the taking of a life is a grave sin.

Islamic bioethics also permit organ donations and in vitro fertilization. In terms of origins of life, most Muslim scholars agree that ensoulment occurs 120 days after conception. Most important, I am a parliamentarian committed to consulting with my constituents and voting their will. I state for the record that I have yet to decide how I will vote on the bill.

I have several questions pertaining to a number of issues arising from the debate. To answer these concerns I will be consulting with my constituents and studying the issue in greater detail. I hope to have a number of my questions answered throughout the legislative process of Bill C-56, and most likely during the summer.

At first glance, the issue of assisted human reproduction conjures up Orwellian images of sterile laboratories where future generations are determined through genetic manipulation. The legislation bans cloning, human-animal hybrids, gender selection and all other taboos popularized by science fiction. In reality AHR provides people with reproductive challenges the opportunity for dreams of having children, a service of immeasurable societal value to those affected.

Recently two of my staff members became parents. I see how fulfilled their lives have become as a result of having children and how much they cherish parenthood. I believe that we should do all we can as parliamentarians to ensure that as many Canadians as possible can realize their dreams of becoming parents.

The inevitable question is how far we go to reach that goal. I believe that the report of the standing committee on the subject was balanced and represented the opinion of the majority of Canadians.

Bill C-56 must balance ethical scientific advancement and the rights and liberties of Canadians. Most of all, it must be accountable and transparent.

The agency proposed in the legislation is only accountable to parliament through the minister and we all know how accountable ministers have been lately. I believe that the agency must be accountable directly to parliament to ensure that the concerns of Canadians on this sensitive issue are addressed in the House.

My colleague from Esquimalt—Juan de Fuca is dedicated to the cause of organ donation and has done a considerable amount of work in raising public awareness for this cause. Organ donation is widely accepted and deemed to be an honourable act. From every death new life can be given to several people through the donation of vital organs. We consider it a tragedy when healthy human tissue that can help others is buried instead of being utilized through a transplant.

● (1540)

Current in vitro reproduction practices involve the destruction of left over embryos. As the embryos are disposed of so too is the possibility of saving lives and curing diseases. I do not understand the rationale used by those opposed to embryonic stem cells who condone destroying embryos but not using them for medical research.

Like most issues, stakeholders on both sides of this debate have a vested interest. Those on the side of medical research would have us believe that embryonic stem cells will cure every ailment known to men and women. Those opposed to embryonic stem cell research counter these claims with what basically amounts to mass rejection of embryonic tissue. Somewhere in the middle lies the facts.

I believe that research should continue on embryonic stem cells. I believe that the progress of this research should be monitored by the House and reviewed every three years. By doing so, we can ensure that the legislative framework is keeping up with the technological advancement and also ensure adequate funding.

I am not a parent nor have I tried to start a family. However, I want to have as many choices and therapeutic options available to me when I get to that stage in life. I applaud the legislation in that a parent has the choice in determining the outcome of unused embryos. We must ensure that parents are given every opportunity.

I am a staunch advocate of privacy rights. Many have criticized the legislation's lack of disclosure of donor identification. I do not believe that the identity of a donor should be required. I believe that if such a requirement were to be established, a direct reduction in the number of donors would result.

Although the agency would hold information on donor identity, children conceived by AHR would have no right to know the identity of their parents without their written consent to reveal it.

That being said, I do believe that information other than the identity of the donor should be made available, including family medical histories and predispositions to disease and ailments.

I have questions pertaining to the prohibition of commercial surrogacy contained in the bill. Pregnancy and childbirth have long lasting, debilitating effects on a woman's body. I fail to see the harm in providing fair compensation over and above the actual expenses of a surrogate mother. Rather than a prohibition, I believe that clear regulations and guidelines should be developed to address the issue of compensation. Such regulations should be automatically referred to the health committee to ensure public scrutiny and transparency. The minister must be obligated to consider standing committee recommendations and not ignore them as is the current practice.

I, like most Canadians, am enticed by the ability of people to manipulate life. At the same time, I am apprehensive of the consequences. Canada is a world leader in innovation. The ingenuity of our citizens is limitless. It is our role as parliamentarians to not only ask the question can we do it but should we.

The bill must not be fast tracked. It must be carefully studied, voted upon freely and open to amendment. The debate can be a healthy exercise in public policy development but only if it is truly open and transparent.

As I said in the outset of my speech, I have not yet decided how I will vote on the bill. I will consult with my constituents and personally study the issue in greater detail before I come to that determination.

As well, it is healthy to see that in this place, on this bill, parliamentarians are in fact coming together to express their opinions, their own moral beliefs and their views on this issue as we are all becoming more aware of its consequences. We are not being heckled, criticized for those views or being unfairly discriminated against . This will have grave consequences on future technology, on health and on future generations.

It is clear that we need to come together as parliamentarians. We need to be able to express our views openly and honestly. We need to make decisions based on sound science and on what we fundamentally believe. I am glad to see that sort of spirit can exist in the House when the commitment is made on behalf of all members to do so. It does not happen as often as we would like but it is happening on this bill, and I applaud that.

● (1545)

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance): Mr. Speaker, it pleases me that I am able to speak to the Bill C-56 amendment where the words are inserted:

> —this House declines to give second reading to Bill C-56, an act respecting assisted human reproduction, since the principle of the Bill does not recognize the value of non-embryonic stem cell research which has had great advancements in the last year.

This past weekend this very issue was brought to light through the Pembroke and area diocese of the Canadian Catholic Women's League. It brought forth the following resolution which bans human embryonic stem cell research.

> Whereas The Canadian Government will soon formulate legislation on reproductive technologies including human stem cell research, and
>
> Whereas the compelling moral, ethical and scientific issues surrounding embryonic stem cell research needs clear guidelines to avoid the dehumanizing and the utilitarian premise that the end justifies the means, and
>
> Whereas human embryos, tiny human beings are being killed to obtain stem cells, and
>
> Whereas killing of human life at any stage of development is intrinsically evil, and
>
> Whereas no amount of public benefit can ever justify the deliberate killing of a human being, especially since the scientific literature demonstrates that stem cells from sources other than from human embryos are being used successfully for therapeutic benefit in human; therefore, be it
>
> Resolved that the Ontario Provincial Council of the Catholic Women's League of Canada, in the 55 Annual Convention assembled, urge the Federal Minister of Health to formulate legislation which would ban human embryonic stem cell research under the Criminal Code of Canada, and be it therefore
>
> Resolved that this resolution be forwarded to the National Council of the Catholic Women's League of Canada for consideration at the Annual Convention in 2002.
>
> Submitted by Our Lady of Lourdes Parish, CWL Council.

Members of the regional council diocese are: president, Margaret Maloney; vice president, Andria Dumouchel; secretary, Inie Schlievert; treasurer, Silvia Smith; past president, Irene Perrault; and resolutions chair, Donna Shaddock. They will be bringing this forth and it will eventually reach the federal level. However, if the bill goes forth now, Canadians in this one area alone will not have had a chance to speak.

I would like to expound upon the issue brought forth by Wesley Smith and the conclusions drawn by the Catholic Women's League, that when research advances occur with embryonic stem cells, the media usually gives the story big treatment. Whereas when researchers announce even a greater success with adult stem cells, the media reportage is generally less intense and a stifled yawn.

As a consequence, many people in this country continue to believe that embryonic stem cells offer the greatest promise of developing the new medical treatments involving the human body cells. This is know as regenerative medicine. While in reality, adults and alternative sources of stem cells have demonstrated much brighter prospects.

This misperception has real societal consequences, distorting the political debate over human cloning and embryonic stem cell research and perhaps even affecting levels of public and private research funding that embryonic and adult stem cell research therapies receive.

For example, this media pattern was again very evident in the reporting of two very important research breakthroughs announced within the last two weeks. Unless people made a point of looking these stories, they might have been missed.

Patients with Parkinson's disease and multiple sclerosis have received significant medical benefit using the experimental adult stem cell regenerative medical protocols. These are benefits that the supporters of the embryonic stem cell treatments have yet to produce even in the animal experiments they have been doing. Yet adult stem cells are now beginning to truly alleviate the suffering in human beings.

We have celebrities like Michael J. Fox and Michael Kingsley really promoting embryonic stem cell research in the *Washington Post* and on *Crossfire*. Yet these major advances are being almost totally disregarded by the American press and less so by the Canadian press.

● (1550)

In case some members may have missed the story I will repeat it again. A man in his mid-50s had been diagnosed with Parkinson's disease at age 49. The disease grew progressively leading to tremors and rigidity, especially in the patient's right arm. Traditional drug therapy did not help. Stem cells were harvested from the patient's brain using a routine brain biopsy procedure. They were cultured and expanded to several million cells. About 20% of those cells matured into dopamine secreting neurons. People suffering from Parkinson's disease are short of the neurotransmitter dopamine. In March 1999 these cells were injected into the patient's brain.

Three months after this procedure the man's motor skills improved by 37%, and there was an increase of dopamine production of 55.6%. One year after the procedure the patient's overall unified Parkinson's disease rating scale had improved by 83%. This was at a time when he was taking no other treatment for Parkinson's disease. That is an astonishing and remarkable success story. One would have thought that story would have set off blazing headlines across the country and around the world. Had the same treatment been achieved with embryonic stem cells we would have seen those headlines.

Unfortunately, reportage about the Parkinson's success story was strangely mooted. It is true that the Washington *Post* ran an inside the paper story and there were some wire service reports, but overall nobody has really heard about this.

Multiple sclerosis patients have also benefited from adult stem cell regenerative medicine. MS is an autoimmune disorder in which the patient's body attacks the protective sheaf surrounding the patient's neurons.

A study conducted at the Washington Medical Center in Seattle involved 26 rapidly deteriorating MS patients. First, physicians stimulated the stem cells from the patients' bone marrow to enter the blood stream. They then harvested the stem cells and gave the patients strong chemotherapy to destroy their immune systems.

Finally, the researchers reintroduced the stem cells into patients hoping they would rebuild healthy immune systems and alleviate the MS symptoms, and it worked. Of the 26 patients, 20 stabilized and six improved. Three patients experienced severe infections and one died.

This was a very positive advance offering great hope but rather than making headlines the test was lost. This test received less attention than the successful studies using animals on embryonic research. The Los Angeles *Times* and the New York *Times* ran articles but they were only minimal reports.

Meanwhile, in Canada younger MS patients whose disease was not as far advanced as those in the Washington study have shown even greater benefit from the same procedure. Six months after the first patient was treated, she was found to have no evidence of the disease on MRI scans. Three other patients have also received successful adult stem cell graphs with no current evidence of active disease.

The Parkinson's and MS studies have offered phenomenal evidence of the tremendous potential effects of adult stem cell research and the regenerative medicines offered.

It is worth underscoring and re-emphasizing the fact that adult stem cell research is providing cures. It is not necessary to go into the zone of creating life only to destroy it.

● (1555)

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, I am pleased to have the opportunity to make a few comments on this particular bill and on the issues before the House.

This issue is more than simply a matter of science, of medical technology or of what our scientists or medical doctors can do. The possibilities that science has brought forward are seemingly endless and appear to continue to grow weekly, monthly and yearly.

The issue though that does not seem to get the same attention and on which we see the same development, is in the growth of our understanding of these issues, not from a medical science point of view but from an ethical or a moral point of view.

I noted the decision of Mr. Justice Duncan Shaw in the Sharpe case dealing with child pornography. In reviewing the issues before him and examining the material which involved brutal exploitation of children by adults, he indicated that while the writings by Mr. Sharpe did not advocate this type of brutality, they did in fact glorify the actions.

I have a lot of difficulty understanding what the distinction is between advocating and glorifying, but the disturbing statement he made continues in that judgment. The justice stated that in reviewing the material and the defence of artistic merit that was afforded to this individual under our law, he had to examine the issue on a totally amoral basis. I found it an astounding statement to make for a learned justice of a superior court in Canada, in talking about the issue of exploitation of children, to say that we have to examine it on an amoral basis.

How can one examine a law for which society has specifically expressed its moral and ethical disapproval of the exploitation of children by adults? How can one look at that issue on anything but a moral basis? Once the justice had decided that the law had to be seen in a moral vacuum, it was not surprising that he believed he had no alternative but to acquit Mr. Sharpe.

All of our laws have a moral underpinning to them. I do not mean that in any narrow or partisan religious sense. I mean it in a broad sense. All our laws reflect our moral understanding of issues. The distinction between a person being allowed to kill an animal for food or for other reasons and the general prohibition against murdering a human being is not a rational decision as much as it is a moral distinction.

● (1600)

Our laws against murder reflect our moral disapproval of the murder of human beings. Our laws against theft tell us that we as a society believe that it is morally wrong to take someone else's property. All of our laws have this moral underpinning.

Without the understanding of a legal system we could not justify laws such as the prohibition against child pornography or the laws against prostitution. Those laws, for example, tell us that it is morally wrong to sexually exploit another human being.

In the case of this particular law that we are dealing with here today, we know about the scientific advancements and the tremendous medical research going on and yet as a society we have not come to an ethical or a moral consensus with respect to this very troubling issue.

What bothers me is that the minister is trying to neatly sidestep the issue of developing that moral consensus with respect to this law on assisted human reproduction, the law on stem cell research. The government is neatly attempting to sidestep a discussion on that issue. In typical Liberal fashion, what do they do? They designate a government body to make those determinations, an agency.

This is not an issue for an agency of government to make that determination. This is an issue that must be made in the House through debate, through discussions, through hearings and, most important, that the voice of the people of Canada be heard and reflected in the law.

The bill is more than simply improving human health. I do not accuse anyone in the House of saying that there are ulterior motives or that there is something untoward in the intent of the bill. I am not suggesting that at all. I am simply saying that we as a nation and we as parliamentarians are not in a position to move forward with respect to some of these very difficult issues. It is not because of the medical science or the research capacity involved. It is because we as a nation have not yet addressed the moral issues that underlie this legislation.

Human embryos and their use in research is a very troubling issue. We have not heard from the people on this issue. I would support a moratorium on any stem cell research that involves the destruction of human embryos.

● (1605)

Therefore, I leave those thoughts with the House: We should move very carefully before we proceed in this direction.

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, I am pleased to rise for a second time in debate, at the second reading of Bill C-56. In my initial remarks on the bill, I outlined at some length my objections to the approach taken, or rather not taken, in the bill to the protection of embryos from manipulation and destruction in the process of research.

I suggested, as have many of my colleagues, that the government take note of the enormous potential presented to medical science through the experimentation with and research on adult stem cells. By adult stem cells, I mean essentially non-embryonic, non-fetal stem cells. Even stem cells taken from the umbilical cords of newborn babies provide enormous potential for the sort of scientific advances that the advocates of embryonic stem cell research seem so interested in.

I would like to yet again endorse the principle of the Standing Committee on Health in its report: that stem cells ought only to be harvested from living embryos if there is clearly no other option. That high standard set by the all party committee is not reflected in the legislation before the House today.

In fact the legislation today takes no position. Rather, it leaves this matter entirely in the hands of a self-governing agency, which will presumably be made up, in part, of research scientists who, frankly, have a professional and personal interest in the acquisition and manipulation of embryonic stem cells, whose first and greatest concern when they approach this tremendously sensitive matter is not necessarily the moral consideration of the sanctity of human life but rather the utilitarian ethical framework that governs the drive of so many scientists to use life for the purposes of research.

In those earlier remarks, I also suggested that the government should be proposing at least a three year moratorium on embryonic stem cell research in order to allow the scientific community more time to demonstrate the enormous advantages presented by non-embryonic stem cell research.

In fact I would go a step further and suggest that the government, if indeed its objective as stated in the bill is to in part advance such research, ought to be increasing funding to and making a high priority of the development of non-embryonic stem cell research, so that three years hence we could as a parliament revisit the question of whether in fact embryos must be created, collected, manipulated and destroyed in order, purportedly, to advance medical science.

In that speech I also responded to the point raised by the hon. Minister of Health in her remarks in defence of the bill when she first introduced it, at which time she said that if embryos created and frozen for in vitro fertilization purposes are not at some point used for research or implanted in their mother's uterus, at some point they are thrown in "the garbage". She suggested, I think erroneously, that these were the only alternatives: either research or, as she would have characterized it, wanton destruction of these nascent human lives.

I think that she and her advisers fundamentally have missed a third option, which is for us to embrace and promote the emerging new field of embryonic adoption. At first that sounds like a somewhat absurd idea, but indeed it is not.

● (1610)

Let me just address three reasons. The strongest pragmatic objection would be, as the minister has said, that these conceived embryos simply are thrown in the garbage. Let me offer three arguments against this.

First, if there are a significant number of embryos left over at in vitro fertilization clinics, then the real question is not what to do with extra embryos but why so many extra embryos are being created in the first place. At a minimum under this legislation, IVF clinics should be restricted to producing the least possible number of embryos necessary to result in successful conception. Research to allow IVF clinics to reduce the number of embryos that have to be created for successful implantation should be promoted vigorously. Clinics that seem to be producing too many embryos should be sanctioned by the agency. This is an entirely legitimate point, because many researchers have provided evidence to the Standing Committee on Health that IVF clinics are producing far more embryos than are necessary for implantation. This raises some very serious ethical concerns.

Ideally, every embryo created by IVF could be implanted successfully in the womb. This should be the goal of IVF research and undoubtedly some day the technology will improve to the point where this is the case. When this occurs there will be no leftover spare embryos to speak of. At that point, does the minister envisage biotech firms and research labs suddenly deciding that they do not need or want embryonic stem cells any more? No, instead they will still want embryos to be created, but this time solely for research purposes. Already scientists are saying that the bill is too restrictive and that if we are really to have success with the research we will need therapeutic cloning as well.

Therefore, the minister's position that the only embryos being used are leftover embryos that would otherwise be destroyed is in fact a red herring. On the one hand, improving the technology eventually will reduce or eliminate the supply of extra IVF embryos. On the other hand, the government is creating a demand in the research community and the biotech industry for embryonic stem cells. If the supply of IVF embryos is choked off, they will be back in a few years demanding that the government allow new embryos to be created or cloned solely for research.

Second, I would argue on moral grounds that allowing non-implanted embryos to die need not imply a lack of dignity. It is far more dignified to let human beings who cannot survive without artificial support die naturally than it is to destroy them while stripping them down for spare parts. Even in the case of dying people donating organs, medical ethics requires that we wait until they are brain dead and therefore no longer capable of consciousness before organs are removed. Even then, the rest of the body is disposed of with great dignity and care. An embryo is not a dead body but a living human being. It can be nothing else: it is a living being of human parentage. It is a living human being. It is more in keeping with its dignity that if an embryo is outside of the womb and cannot survive by natural means it be allowed to die rather than simply be used as an object for research. What I am suggesting is that what the minister so eloquently described as throwing in the garbage need not be the means of disposal of these human embryos. A natural death is a natural death at any stage of human life.

Third, there is another alternative to allowing an embryo to die or using it for research, to which I alluded earlier, that is, the growing support for embryonic adoption. The government's overall purpose in this bill is to provide hope and to help infertile couples. If that is truly the government's objective, then surely rather than promoting the use of spare IVF embryos for research the government should encourage couples who successfully conceive through IVF to donate them to other infertile couples in the same situation.

Last summer when the U.S. senate was gripped by the same question we are now facing, one of the senators who favoured embryonic stem cell research argued that destroying an embryo was not ending a life. He held up a piece of paper and drew a tiny dot on it with a pencil saying that was how big an embryo was, but there was a couple providing testimony that day who had, crawling around the committee room, a live baby who had been born through the process of embryonic adoption. Many hundreds of children have been born thanks to the gift of an embryo from a fertile couple to a completely infertile couple.

● (1615)

In closing, I would ask that the government please not open this door to using a utilitarian, relativistic ethic to justify the creation of life in order to allow its manipulation and destruction when other dignified and life giving options, such as embryonic adoption, are available to us.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, I thank you for this opportunity to address this bill, which deals with very personal values and moral issues on which every member of parliament must reflect before taking a position which, in the end, will not necessarily be a party position, but a personal position based on all the values that we inherited through our education and that we developed throughout our lives.

What is the object of the bill on assisted human reproduction? This legislation deals with the use of embryonic stem cells. As we know, this is a very controversial area in medical research.

What are stem cells? They are cells that have not reached maturity and that have the ability to either specialize to form various human tissues or organs, or reproduce themselves. According to the Canadian Institutes of Health Research, these cells have huge potential to help better understand human development and to treat degenerative diseases such as Parkinson's disease, Alzheimer's disease and multiple sclerosis.

Stem cells used for research can come from three main sources: embryos that are at a very early stage of development, fetal reproductive organs, which also have stem cells that could potentially be used for a number of purposes, and adult tissues, such as skin and muscles, which are stem cells with limited possibilities.

There are pros and cons about this. This is not an issue that is easy to settle. However, it is obvious that the lack of legislation in this area opens the door to possible abuse. We cannot bury our heads in the sand and not legislate in this area. This is why it is appropriate to have this bill before us.

In recent years, the Bloc Quebecois has been pushing this issue in a significant way, particularly through the hon. member for Drummond, who once introduced a bill, which was considered but died on the order paper before an election.

We then decided not to introduce a new bill, because the government had pledged to introduce legislation. It took a long time, but it now before us and we must evaluate it.

In my opinion, a vote at second reading stage will be a vote to indicate whether or not we want legislation in this area. The details and the position need still more study. I plan to hold a roundtable in my riding, which will enable me to get advice from experts as well as to sound out the public on this reality.

Because in certain aspects—as has been shown by the arguments in favour—as a historical argument, in the 1970s, DNA research was strongly objected to. After the establishment of government guidelines, however, not only was there a good framework but this also made it possible to develop human insulin for diabetics.

There are therefore some aspects such as these which need to be addressed in order to see whether indeed a more advantageous situation will not be created which will make it possible to cure disease, to remedy situations and to improve the lot of human beings in general. On the other hand, this must not be unconditional and without a very specific framework.

Many of those who argue in favour state that research on embryonic stem cells has a very high potential for curative medicine. As a humanitarian argument, the Juvenile Diabetes Research Foundation has pointed out that research is indispensable if the situation of those with diabetes is to be improved.

A number of experts have pointed out that hundreds of frozen embryos are being allowed to thaw out in Canada's fertility clinics because they are no longer needed, while they could be used to discover treatments for such diseases as cancer, diabetes and Parkinson's disease.

It can be seen from this example that this is a not a black and white situation, but rather a grey one. It deserves some framework in order to avoid potential excesses.

There is one other argument in favour. This is that certain women's groups and certain legal experts argue that, in our current legal framework since 1988, the supreme court has been obliged to recognize that not only is a fetus not a human being—which civil law also acknowledges—but that it could not be considered viable before the 20th week of gestation.

If a fetus is not a human being, then tissues from it are not tissues from a human being. This shows just what very basic concepts we are dealing with, the basic values of individuals.

There are opposing arguments. This research on stem cells from human embryos stirs up controversy, particularly because it leads to the destruction of the embryo. This is a reality we have to come to grips with.

● (1620)

According to the Catholic Church, the creation of embryos for research purposes and the use of embryonic stem cells are actions contrary to the will of God, for whom reproduction must always be a conjugal act. This position does not perhaps reflect the general public perception, but it gets us thinking deeply about fundamental issues, such as that of the belief in God, which can have repercussions. Members of this House may have different beliefs. That is all the more reason for a free vote. In these circumstances, I believe that the assisted human reproduction bill, which has been some time in coming, deserves to be considered.

In order to ensure the health and safety of those who turn to assisted reproduction, this bill stipulates that individuals thinking of donating an ovum or an embryo for assisted human reproduction or research purposes must give their informed consent in writing before any procedure. In effect, a certain form of charlatanism is avoided if consent is required.

Children born through the use of reproductive material will have access to medical information on donors, but will not necessarily have access to their identity, donors being free to decide whether or not to divulge their identity. Many issues will have to be considered by the committee. The committee will hear from experts and determine whether, in fact, the bill goes far enough. I think that we must really take the time to consider this bill, get opinions and determine what Quebecers and Canadians want in this regard.

The legislation would also prohibit unacceptable activities, such as the creation of human clones for any reason whatsoever, i.e. for purposes of reproduction or for therapeutic purposes. The legislation would also prohibit creating an embryo for purposes other than creating a human being or improving assisted reproduction techniques, creating chimeras for reproductive purposes, or providing financial inducements to a woman to become a surrogate mother. This situation exists in our society. We want there to be a clear framework, and a debate is therefore relevant.

There is also a very important aspect of the bill in terms of regulating assisted reproduction techniques. As far as I am concerned, it is very important to have the resulting regulations and guidelines on the most contentious aspects of the legislation in short order, so that we know what the regulations will actually contain.

Given that this is a very sensitive bill with long term repercussions that will undoubtedly establish the foundations of a policy that will be in place for many years, it is important to ensure that the regulations do not contradict the will of legislators. We must be careful to study this issue in depth and be able to see the regulations beforehand.

The bill contains a number of the main recommendations of the Standing Committee on Health, made in December 2001, which the Bloc Quebecois supported. We have already spoken to these recommendations contained in the bill.

However, Bill C-56 does have some deficiencies. For example, it states that Health Canada will consult with the provinces regarding regulations on research and activities related to assisted reproduction. We must ensure that this promise is kept. We must give the bill some teeth to guarantee this measure.

It is critical that Canada's policy is developed in co-operation with the provinces and that there be an unequivocal recognition that this is an area of shared jurisdiction.

This is a bill that touches on fundamental questions. I believe that all members of the House should be allowed to vote on this according to their conscience, that it be a free vote. This does not prevent discussion in caucus or speeches in the House, but at the end of the day, we must have legislation that the House of Commons can be proud of and that reflects our society's vision on such a controversial subject.

In closing, I would invite all of my colleagues to reflect on this bill and to participate in the different debates that will take place. I personally intend to organize a roundtable on this issue in my riding.

● (1625)

[*English*]

The Acting Speaker (Mr. Bélair): 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 Saskatoon—Humboldt, Government contracts; the hon. member for Edmonton Southwest, Leadership campaigns; the hon. member for Yorkton—Melville, Firearms registration.

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, when a person comes to public life, the person has to come with certain convictions. We do not come as a blank sheet; we come as full people. We come as people who have a certain belief system, certain values. It is those values that our constituents see and those values that our constituents either vote for or vote against. Above all, when we come to public life we must have courage. We must have courage to stand and speak up on the issues that are important to us.

In the time I have had the privilege of representing the people of Kootenay—Columbia I can think of no other bill that is any more important to the very value of who we are as people and who we represent. This bill goes to the very core of our human life.

I was very impressed throughout my political career with Mr. Preston Manning. He thought things through very clearly and incisively. I would like to quote something he said in his concluding speech as he left the House.

> In this country for a long time we have tended to avoid moral and ethical issues in the public arena for fear that they would divide us rather than unite us, or for fear that we would be misunderstood as trying to impose our particular values on others. Likewise, we have virtually banished expressions of religious faith largely now to the private or personal sphere because we simply do not know how to handle expressions of faith in the public arena.
>
> This parliament will soon legislate on how to regulate the genetic revolution, one of the most exciting and potentially advantageous developments in the history of mankind. However, because that science deals with the beginnings and the intergenerational transfer of human life itself, it cannot help but have moral and ethical dimensions of the most profound kind which parliament must openly and seriously discuss. I for one think this is a good thing, not something to be feared and avoided, but an opportunity to be embraced. I want to wish this parliament openness and honesty and wisdom and success in those deliberations.

Those are very profound words from a very wise gentleman.

As I look through the papers and as I read comments, I am open to understanding where my constituents are coming from. It is very important as a member of parliament to understand where my constituents are coming from. I encourage them to speak to me. As they speak to me and express their thoughtful views about this topic, I listen with great attention and indeed with great respect. I also listen to other members in the House on whatever side of the House with respect. That is what it is all about. It is not only about respect for ourselves, but it is a respect for the most closely held values and beliefs that we have.

In doing some reading I happened across an article that was in the Calgary *Sun* on May 26. The article is entitled "We must not kill in the name of science" by Bishop Fred Henry. He went into the whole issue of where I see the most pressing ethical dilemma. To my mind the most pressing ethical dilemma is the issue of stem cell research on embryos. We have no idea where that research will go, particularly the research on stem cells of adult stem cells. Let me quote him directly:

> So, how do we solve this ethical dilemma? Simple. We ban the easy cases, i.e., cloning of humans, creation of human-animal hybrids, and sex selection of babies for non-medical purposes. Secondly, create a new body, the Assisted Human Reproduction Agency of Canada to regulate scientific and medical use of human reproductive materials. Of course, the agency could permit research using stem cells from embryos left over from infertility treatment but scientists would have to show the use of embryos was necessary for research. Who would make this determination? The board would be appointed by the government.
>
> According to the act, this new agency would also have another task. It would be illegal to give a financial incentive to a surrogate mother, but she could be compensated for reasonable expenses.(It takes a bit of mental gymnastics to get your head around that one.) However, you guessed it. Permissible expenses would be determined by the new agency.

● (1630)

The article continues:

> [The people involved with this bill], bedeviled by technological possibilities, forget the materials kept in frozen storage are whole human organisms. They contain a full set of chromosomes. They are human beings at a very early stage of development. Whether or not one is a human being does not depend upon size or location in the physical world.

This is the key point and I agree with the writer totally:

> They are not "potential" human life. They are precisely what human beings look like at that point of their lives. Freezing an embryo does not kill it, but merely arrests its development.

We have to be strong and forthright in having a discussion about this very problematic issue. The article continues:

> Scientists have long recognized the principle that no experimental or research procedure should be conducted on human subjects if it provides no direct benefit or if risks to the subject are inordinately great.
>
> In the case of human embryo experimentation, not only is there no direct benefit to the subject, but the embryo is killed. This cannot be done for whatever reason, even in view of the possibility that it might provide advances that would benefit others. No amount of public benefit can ever justify the deliberate killing of a human being. The argument is particularly hollow when the same results could be achieved by alternate means, such as the use of adult stem cells or stem cells derived from umbilical cords or placentas. Such research would have no ethical complications and has already shown promising results.
>
> No human being, including the embryo, should ever be used as a means to an end; no human should be considered "surplus" or "spare".
>
> It is always wrong to destroy another human even to help another. Both the means and the objective must be good—there is no middle ground.
>
> We cannot kill in the name of science.

That is where I am coming down with all the force I possibly can. There is a whole new world available to us as human beings in this entire area of reproductive technology and genetics. It is absolutely unbelievable the amount of potential there is for good in this area. I believe with all the passion I have that the research must take place in the areas where we will not be killing human life. To repeat what the writer said, and I agree with his thoughts completely, the whole issue of human life is that those so-called embryos are simply human life at a particular state put into suspended animation as a result of the procedure of freezing them.

The preamble to the bill includes the phrase "the dignity and respect for human life" and is generally stated both in the majority and minority reports of the Standing Committee on Health and clause 22 of the bill as primary objectives of the assisted human reproduction agency. Without that preamble, without the phrase "the dignity and respect for human life", this parliament is simply sidestepping the issue.

Note that I did not say the government or the Liberals. I am not getting into partisanship here. The 301 people in this assembly representing the people of Canada have to come to grips with this issue. We cannot sidestep the issue. We either respect the dignity of human life or we do not. If we do not deal with that issue, then we are sidestepping it; we are wimps and we are walking away from the problem.

On the other side of the coin, I state again that as the representative of the people of Kootenay—Columbia, I must have full respect for other perspectives in this place. I must have full respect and listen with intelligence and integrity to the representations of the people in my constituency. I have put a stake in the ground right here. I have respect for the dignity of human life.

● (1635)

The Acting Speaker (Mr. Bélair): Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bélair): All those in favour of the amendment will please say yea.

Some hon. members: Yea.

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

Some hon. members: Nay.

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

Some hon. members: On division.

The Acting Speaker (Mr. Bélair): I declare the amendment lost.

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, I rise again to debate the issue in the main motion. It is an issue that crosses all party lines. Its is so valuable and important I hope the government and all House leaders will see fit to give members the opportunity to vote as they see fit and according to their consciences. It would be unconscionable for party discipline or any other force to silence people on this important issue.

We in our party have had an opportunity to look at Bill C-56 and are concerned about a number of issues contained in it. The bill is about improving human life. The Canadian Alliance strongly supports research to this end whenever it is compatible with the dignity and value of human life. As I said when we were debating the amendment, that is absolutely the key issue. Everyone must come to this place with great courage and look at the issue of the dignity and value of human life. It is something the Canadian Alliance will strive to protect.

Bill C-56 is about the best interests of children born of assisted reproductive technologies. The Canadian Alliance will work to protect them. The bill is about access by prospective parents to the best assisted reproductive technologies science can ethically offer. The Canadian Alliance will work to preserve this. As I said at the outset, MPs from all parties should have a free vote on the bill at all its stages.

Clause 40 of the bill says human embryos could be harvested if the new agency was satisfied it was necessary for the purpose of proposed research. The discretionary power must be reduced by defining in the bill what constitutes necessary. In my public life people have come to me to talk about various decisions that have been made in the legal system. Not being a lawyer, one of my frustrations has been looking at legislation and seeing the words necessary or intent suddenly appearing in it. Such words may be common to members of parliament but what they mean in ordinary discussion can be totally different from what they mean in an court of law. That is why the word necessary must not be left to regulations or the agency to define.

The purpose of research on human embryos is not specified in the bill. It must be restricted to creating medical therapies that assist in healing the human body. More importantly, we are looking for a delay in the passage of the bill because of the rapid changes in research that are happening as we speak. Rapid change is taking place within the whole medical community in terms of what we can learn from adult stem cells as opposed to embryonic stem cells.

The modification of the phrase from the majority standing committee report should be replaced in clause 40 of the bill with the following: "Unless the applicant clearly demonstrates that no other category of biological material could be used from which to derive healing human therapies". This is not an incidental amendment. It is an absolutely key amendment because we must respect human life, and embryo life is human life.

To stop licensees from producing more embryos than are necessary with the ulterior motive of harvesting them for research, a new clause should be added: "No licensee will produce more embryos than are reasonably necessary to complete the reproductive procedure intended by the donors". Again, this goes to the issue of respect for human life.

● (1640)

We are creative. I am dating myself when I speak about the fact that I can recall turning up to work early one morning and seeing the headline at the newsstand "Man on the Moon". We have moved so far past that point it is unbelievable. The concept of being able to safely go to the moon, land on the moon and walk on the moon as Armstrong did was beyond my comprehension. How much further are we than that? We are 100 or 1,000 times further than that with our research.

Again, there are possibilities for research. Although it is essential research, possibilities can happen in the context of adult stem cell research, placenta cell research or other materials that do not get to the issue of terminating human life.

Bill C-56 specifies that consent of the donor would be required to use a human embryo for experimentation. The bill would leave it to the regulations to define donor. However there are two donors to every human embryo: a man and a woman. Both donors or parents, not just one, should be required to give written consent for the use of a human embryo. Both the woman and the man have the right to consent or not consent to the use of the embryo.

This is where we seem to be drifting apart as a society. We seem to be drifting away from the concept of procreation between a man and a woman in a marriage situation which results in children and what is called the nuclear family. We are now into recreational sex, which is fine. However talking about sex for procreation is considered old fashioned. That is what God created it for in the first place. If we talk about donors why do we not use the correct term which is parents? That is what they are. If one parent dissents the embryo should not be harvested for experiments.

One thing that bothers me as much as anything when it comes to legal jargon or interpretation, particularly in the political realm, is the use of euphemisms. To harvest embryos for experiments sounds terribly scientific, does it not? However what we are doing is taking human life. We are not harvesting it. We are taking human life, experimenting with it and then discarding it. Even the word harvesting is somewhat problematic from my perspective. That is why language is important. To accord the dignity and respect due to the human embryo the word parents should be substituted for the impersonal word donor wherever the bill refers to both male and female contributors to a viable embryo.

There are concerns about experiments with human beings. Stem cells derived from embryos and implanted in a recipient are foreign tissue and thus subject to immune rejection, possibly requiring years of costly anti-rejection drug therapies. Stem cells taken from embryos and injected into rats grew brain tumours in 20% of the cases. Dr. Roger Barker, a researcher from Cambridge University, said:

> I don't think this will be a treatment in humans for quite some time.

In an editorial in September, 2001 the editor in chief of *Stem Cells* magazine stated:

> I continue to think that clinical application is a long way off for at least two reasons. Prior to clinical use of embryonic and fetal stem cells, it will be necessary to thoroughly investigate the malignant potential of embryonic stem cells. In addition, a much more comprehensive elucidation of the immune response is necessary to provide the basis to prevent transplanted stem cells and their progeny from being rejected by the transplant recipient.

This is important to note. There have as yet been no successful therapeutic applications for embryonic stem cells.

● (1645)

We seem to be rushing forward at light speed. The health minister has said that she wants the bill through the House of Commons and on to committee so it can be considered over the summer. I am saying that we should hold on a second because there have not as yet been any successful therapeutic applications for embryonic stem cells. Therefore, why are we rushing forward at this light speed?

I think one of the greatest lessons I have learned is that when legislation comes to the House not infrequently it ends up slowing down.

In conclusion, I have appreciated the opportunity to speak to this and I look forward to the debate from the other members.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, I had the opportunity to speak to the previous amendment, which the House voted on a few minutes ago, but I would like to take this opportunity to speak in the debate at second reading in order to clarify certain notions I raised in that speech and to set them out now in greater detail.

Back then to the bill on assisted reproduction. We are now at the second reading stage, which addresses mainly the use of embryonic stem cells.

I repeat, stem cells are cells that have not attained maturity and therefore have the capacity to either specialize and form a variety of human tissues or organs or to renew themselves.

According to the Canadian Institutes of Health Research, they offer an enormous potential for a better understanding of human development and treatment of degenerative diseases such as Parkinson's, Alzheimer's and MS. These stem cells can come from a variety of sources: embryos at a very early stage, fetal reproductive organs and pluripotent cells, that is, those with a number of possibilities for development.

As far as this bill is concerned, the Bloc Quebecois has focussed its energies on getting this issue put into legislation. We still feel that it should, despite the great complexity of this subject. In my opinion, it involves the personal values of each member, which is why I believe there ought to be a free vote.

Since June 1996, the Bloc Quebecois has devoted a great deal of energy to developing the necessary legislation. In October 1997, the member for Drummond introduced a bill to make human cloning illegal. That bill was identical to the clause concerning cloning in government Bill C-47. Unfortunately, it died on the order paper when the election was called. This has not prevented ideas from continuing to evolve since then, and today we find ourselves with this bill.

As I have already said, I will be carrying out consultations on this within my riding. I feel it is important for all elements of this society who may wish to share their point of view with us on as sensitive a subject as assisted reproduction to have the opportunity to do so.

So, I will consult with, among others, church people, women's groups and scientists, who can help me, as a member of parliament, understand the impact of the terms used and the need to legislate. It is often in the details that we see whether the spirit of a bill was respected or not. I will also consult my fellow citizens, who can give me their opinion like anyone else, because this is an issue that concerns us all. People who are my age read, in the so-called literature of the future written at the beginning of century, about things that have now become reality. The same kind of progress will continue in the future.

Along with these individual consultations, I also intend to hold a roundtable to allow these people to exchange ideas, on a voluntary basis of course, to see if positions which, at first glance, may seem irreconcilable can be brought together, to explain the bill to all these people without getting into too many details, to provide an opportunity to my fellow citizens to express their views and help me in my consideration of this issue, so that when we vote at the various stages of the process, my position will be based on the input provided by my constituents.

This is not an ordinary bill involving party lines or partisan positions that have been developed over the years. Assisted human reproduction is an area that does not in any way relate to partisan notions, but to choices that will have to be made on scientific progress in the coming years, on how we will be able to make these choices and on the legislation that will govern this area. This is probably the main issue at second reading.

● (1650)

Whether or not anyone supports this bill, for me there is only position which is not acceptable and that is not wanting legislation. I think that there must be legislation. We can take the time to get it right. We can take the time to hold public hearings. We must ensure that we have all the information necessary, and that members of the public can express their views.

It is a challenge to get ordinary citizens to express their opinions on these matters, in their words, using their own vocabulary, so that we will have a bill reflecting what our society wants. Such a bill would set out the broad outline of what we wanted as a society with respect to these things. Health comes up daily in our debates. The progress made in the treatment of certain diseases, particularly those which are age-related, is a very important factor.

We must ask ourselves the following. What support do we want in order to fight these diseases? How do we want to develop the tools? How can we be sure of developing the necessary tools? How can we be sure that this will not become an opportunity for unacceptable business transactions? Are there moral behaviours which would be unacceptable? We must ask ourselves all these questions and ensure that the legislation answers them.

Once the bill has gone through second reading, the committee will be able to study it in detail, to see the different elements that we have spoken about and all of the inherent complexity. This deals with the use of embryos for research and how that would be done. These are important and very complex elements. They also represent a vision of the future.

We are leaving our children with a legacy of considering these issues in terms of morals vis-à-vis the evolution of science. We must learn from the past and consider the debate that took place then, whether it be in the 18th century, the 19th century or the beginning of the 20th century. Ideas were put forward that might have appeared to be heresy at the time when they were proposed. However, some years later, we may have realized that some very good or very bad choices were made to allow this to develop. When it comes to this issue, it would be best if we knew all of the facts when making decisions. The repercussions will not only be scientific in nature. There will also be repercussions on how people will act in the future and on the importance of assisted reproduction and the impact it will can have on our society.

Given all of these situations, I hope that the consultations I will be holding will allow me to vote according to my conscience, but also knowing the opinions of those who want to share with me their perceptions of this situation. I may be able to contribute something, by making amendments and suggestions regarding the regulations, by ensuring that the guidelines included in the bill by lawmakers cannot be interpreted differently by those who enforce the law, so that we can achieve the desired results.

These are the consultations that I want to have so that the legislation, once passed, will serve as a solid cornerstone of the direction that we want research and assisted reproduction to take.

● (1655)

[*English*]

The Acting Speaker (Mr. Bélair): Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Bélair): In my opinion the yeas have it.

And more than five members having risen:

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

[*Translation*]

And the bells having rung:

The Acting Speaker (Mr. Bélair): At the request of the deputy government whip, the recorded division stands deferred until tomorrow, after government orders.

* * *

● (1700)

PUBLIC SAFETY ACT, 2002

The House resumed from May 21, 2002 consideration of the motion that Bill C-55, an act to amend certain Acts of Canada, and to enact measures for implementing the Biological and Toxin Weapons Convention, in order to enhance public safety be read the second time and referred to a committee.

Mr. Robert Lanctôt (Châteauguay, BQ): Mr. Speaker, we know that Bill C-55 is the follow-up to Bill C-42. It was as a result of comments, pressure, and even questions that we got the federal Liberal government to see how far-reaching Bill C-42 was and the risks of passing such a bill.

The government backed up and introduced Bill C-55. Obviously, in response to the Bloc Quebecois' representations, on a number of points in particular, the government at least reduced the magnitude of the problems. But it has not eliminated their impact entirely.

In my view, all the interim orders represent a very serious problem. For the benefit of taxpayers and those listening, this means that, under this bill, a number of ministers have authority to make interim orders. What are interim orders?

Under this bill—I will give an example—if a minister feels that a situation is a threat to national security or the health of individuals, he can immediately implement an order in council. The problem with this resides in the fact that orders come under the Statutory Instruments Act. Orders must meet the criteria in the Statutory Instruments Act, except that this bill is exempt from the application of sections 3, 5 and 11 of the Statutory Instruments Act.

What does this mean? I will tell those listening about these three important sections of the act. When a bill is considered with respect to a regulation, or an order in council—it is the same thing, just a different term—one applies the same legislation, the Statutory Regulations Act. However, this bill says that section 3 does not apply.

Among other things, section 3 tells us that "where a regulation-making authority proposes to make a regulation, it shall cause to be forwarded to the Clerk of the Privy Council three copies of the proposed regulation in both official languages".

And then, what happens at the privy council? First, the proposed regulation must be examined to ensure it is authorized by the statute pursuant to which it is to be made. Second, it must be examined to ensure that it does not constitute an unusual or unexpected use of the authority pursuant to which it is to be made. Third, it must be examined to ensure that it does not trespass unduly on existing rights and freedoms and is not, in any case, inconsistent with the purposes and provisions of the Canadian Charter of Rights and Freedoms and the Canadian Bill of Rights.

Members will see that there is no obligation to determine, among other things, whether the interim order violates the charter. It is indeed a form of abuse, because a minister will have the power to make an interim order without having to conform to this obligation of ensuring that it does not go beyond the charter.

A minister could, overnight and for a certain period, make an interim order to designate a controlled access military zone because, as I was saying earlier, there are objective concerns regarding a security or health problem for people in that zone. That allows the minister to designate such a zone for a certain period.

All this is totally undemocratic. Why? We have a good example with the minister of defence. In Bill C-55, he himself made sure that he had the power to make these orders and to designate these security zones.

● (1705)

We saw how a single person, the Minister of National Defence, admitted his errors in committee. A person can make a mistake. It is not because a person is the Minister of National Defence or the Minister of Justice that he cannot make mistakes. That person is a human being who can make mistakes. We demonstrated on a number of occasions that mistakes were made. So, the bill is dangerous and undemocratic for this reason.

Why does the government want to create a security zone? Let me give an example. An instance could be the G-8 summit, in areas where there may be problems. It could be the summit of the Americas. When we considered Bill C-42, we saw that it was very important to remove this provision because of its wording. Under Bill C-42, a security zone could even cover an entire province. This is no longer the case. The zone is now smaller and it is simply established to protect defence equipment.

However, the interpretation of this provision may be too broad. There is still a risk, even though a zone can only be designated to protect military equipment. The minister may create this zone or ask his staff to do so without, for example, asking Quebec what it thinks about it. Where is the urgency, and where is the consultation? The federal government can go on the territory of Quebec, or of any other province and, without asking the province what it thinks about the idea, include the corresponding airspace above, and water and land below the earth's surface. The Minister of National Defence alone may decide to create this controlled access military zone without the approval of Quebec, the provinces or the territories.

Once again, this bill undermines democracy and relations between this government, Quebec and the provinces. How can the government dare give itself such powers without consulting Quebec to find out if such an important zone can be designated?

Just imagine if this zone were located in an axis or territory so important that it would be governed by the National Defence Act. This bill on public safety will violate the rights of all those who live inside this controlled access zone.

When we speak of controlled access military zones, here is the problem: the zone has no limits. We are told "The zone is limited to ensure the protection of military equipment and facilities". Take the example of a visit by President Bush to Quebec. He is protected by the army or by people with the necessary military equipment. What happens? This bill allows the minister to establish this zone and, once again, there are no limits. They refer to a reasonable time in order to protect military equipment. But let us think about the possibility of some kind of threat when the president is in a place like Quebec. What does "immediate" and "to protect" mean? Does it involve all the borders, or all the city of Montreal, if he should come to Montreal? Is it the entire St. Lawrence River, because the president is out on it in a boat? We have no demonstration of the limits as far as this bill is concerned.

Again, what is regrettable is that they backtracked on Bill C-42 because of our interventions, but this bill contains no substantial changes. Before setting out a provision for orders in council to set up these zones, there must be consultations with Quebec and with parliament so that it is not one minister alone who has the power to decide, or several ministers, the minister of health or some other. This bill amends a number of laws.

I see my time is up, unfortunately. This bill creates an emergency situation and must be opposed.

● (1710)

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, it is a real privilege for me to talk about this very important and truly antidemocratic bill. I share the views expressed by my colleague from the Bloc Quebecois on the matter. I would like to say clearly, as my colleague from Churchill, the NDP's transportation critic has said already, that the members of the New Democratic Party will vote against this bill. We will do all in our power to try to stop it and to ensure that it is never adopted in Canada.

[*English*]

In the days since September 11 we have witnessed a number of very serious assaults on the most fundamental civil liberties and human rights of Canadians. All of us of course support a fight against terrorism which is targeted and respectful of basic human rights. Indeed, there are some elements in this legislation, as my colleague from Churchill pointed out, that we support.

For example, we support the provisions with respect to money laundering, the new criminal offences for bomb threats, the implementation of international conventions to fight the proliferation of biological weapons, explosives and people smuggling by organized crime.

We do not oppose those. What we had hoped is that the government would have listened to Canadians from coast to coast to coast who voiced their outrage and anger about the provisions of Bill C-42. Instead what we see is legislation now tabled, Bill C-55, which while it purports to improve some elements of Bill C-42, is some very draconian and dangerous provisions that were not encompassed in the previous legislation on Bill C-42.

We have seen too often in Canada and in other countries the fight against terrorism being used as an excuse to suppress fundamental human rights.

[*Translation*]

We have seen this already in the case of Bill C-36, the anti-terrorism bill. Only one political party voted against this bill at the second reading stage, the New Democratic Party. I was really disappointed to see that my colleagues from the Bloc Quebecois had not heard the strong voices of all Quebecers who exposed the possible abuse Bill C-36 could lead to. They even supported this bill at the second reading stage. This was far from acceptable.

[*English*]

As a number of international human rights organizations have pointed out, it is precisely at times such as this that civil liberties and human rights are most vulnerable. As the UN high commissioner for human rights, Mary Robinson, stated:

> Excessive measures have been taken in several parts of the world that suppress or restrict individual rights including privacy, freedom of thought, presumption of innocence, fair trail, the right to seek asylum, political participation, freedom of expression and peaceful assembly.

My colleagues already have pointed out some of the concerns about this legislation, such as the sweeping and unaccountable discretion that is given to cabinet ministers, who only have to report back to parliament after a number of days, and the fact that there is no guarantee whatsoever that there will be any accountability to parliament. All they have to do is table their reports.

We know as well that the concerns with respect to the so-called controlled access military zones are very serious concerns. Canadians spoke out against this in the context of Bill C-42. While there have been some modifications, overall there is still a very grave potential for abuse in this area as well.

In the context of Kananaskis, my colleague from the Bloc Quebecois has pointed out that these provisions could indeed be used there, despite the denials of the minister. Many of us are very concerned about the growing atmosphere of intimidation of those who would peacefully and non-violently dissent at the upcoming G-8 summit in Kananaskis.

In fact just last week a senior brigadier general from the Canadian military threatened to use lethal force, lethal weapons at Kananaskis. This is shameful. He said "We are very serious...we have lethal weapons and we will use force if we think there is a serious threat". He warned protesters and others that they would be risking their lives by protesting at the G-8 summit.

We do not want to give these kinds of sweeping and unaccountable powers to the government such as those proposed in Bill C-55.

One of the most dangerous provisions of this legislation is a new section that was not included in Bill C-42 at all. That is the possibility of sweeping access by the RCMP and CSIS to passenger lists for airlines. We have to ask ourselves why this is needed. Is it strictly needed to target potential terrorists? In fact that is not the case. The legislation includes some 150 offences under the criminal code for which this dramatic expansion of privacy invasive police powers is possible.

I want to pay tribute to the privacy commissioner of Canada, George Radwanski, who has sounded the alarm bell in the strongest and most eloquent terms against these abusive and dangerous provisions of Bill C-55. He said in a direct warning to parliament that:

> It appears to be, quite simply, a power grab by the police. More precisely, since the police in a free and democratic country like Canada cannot seize power for themselves, a provision like this could only go forward into law as an award of unnecessary and unjustified new powers to the police by naive or indifferent political authorities.

What has been the response by some Liberal members of parliament to this cry of anger and concern by the privacy commissioner who has the mandate to protect the privacy of Canadians? Has it been to have another look at the legislation, to go back and say that maybe he has raised some serious concerns here before parliament? No, shamefully it has been to attack the privacy commissioner, in some cases in very personal terms.

We have heard for example the Liberal MP from Aldershot who said that he was condemning parliament and that he had gone way too far. George Radwanski, the privacy commissioner, is not condemning parliament. He is condemning a Liberal government that is prepared to abuse its powers to trample on the most basic privacy rights of Canadians. In fact, far from condemning parliament, he is sounding an alarm to parliament, one which it appears that Liberal members of parliament are quite prepared to ignore.

● (1715)

An hon. member: We disagree with him.

Mr. Svend Robinson: It is one thing to disagree, and the member from Mississauga says they disagree with him. That is all well and good, but instead of disagreeing, Liberal members of parliament are attacking the messenger. They are attacking the privacy commissioner himself and surely that is not acceptable.

We know that the privacy commissioner has raised these concerns with the solicitor general. He has raised these concerns with the Minister of Transport. As my colleague from Churchill has pointed out, the Minister of Transport has been totally silent on this important legislation. Where is his leadership on this assault on privacy?

Here is what the privacy commissioner had to say about the response of the solicitor general to his concerns on the bill. He said that these are "highly misleading statements, half-truths and assumptions". Those are very strong words from the privacy commissioner.

We in the New Democratic Party want to voice our strongest possible opposition to the legislation. When the government brought forward Bill C-42 we urged it to go back to the drawing board, to reject this attack on the most basic rights of Canadians.

● (1720)

[*Translation*]

It was done without any consultation with the provincial governments and the Government of Quebec and without any consultation with Canadians.

[*English*]

Instead of going back to the drawing board and coming back with a finely crafted piece of legislation, what the government has done is come back with a sledgehammer that is an assault on human rights and the privacy rights of Canadians. We as New Democrats will do everything in our power to stop this abuse of power by the Liberal government.

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I would like to compliment the previous speakers for their remarks, which I think were very good and right on the money.

This whole thing seems ironic to me. We are talking about a bill that is a response to the assault of September 11, and it turns out that like so many bills the Liberals have now it is an assault on parliament. It tries to restrict parliament's control and role in so many things. Just a few minutes ago we talked about Bill C-56 and the same concerns were raised in that debate. The same concerns were raised with the bill prior to that one. The problem is that the government is trying to restrict parliament from doing its duty and is trying to remove the role of parliament from many aspects of government legislation.

It is ironic that Bill C-55 is here only because parliament complained so much about Bill C-42 that the government withdrew it and replaced it with Bill C-55. I believe that is proof positive that parliament does play an important role in reflecting the interests and concerns of Canadians. However, this bill again restricts the role of parliament in so many ways and it goes along with so many actions by the government to adopt and establish agencies that are out of the reach of parliamentarians and committees. It has adopted foundations that distribute money and has privatized organizations like Nav Canada so that we can no longer have access to information for reports on safety and on the aspects of aviation that are so important to Canadians. This is a constant thing. Every single bill that comes forward seems to have an element in it that takes away our role in parliament, even though the very existence of this bill is proof positive that parliament does play an important role.

The bill takes tremendous powers from parliament and gives them to a minister. It is hard to believe that the government has even proposed such a bill. The interim orders that a minister can establish can remain secret for 23 days. They can go 45 days without cabinet approval. A minister can create a military security zone and not even seek cabinet approval for 45 days. What can possibly be the excuse for that? Why would it take 45 days to get the cabinet together if there is an emergency that justifies such a measure? Why is that not a few hours? Someone has proposed 72 hours. Why is that not acceptable? Why do we have to wait 45 days to get cabinet approval, much less keep it secret for 23 days? This is just absolutely amazing and there is no need for it. It must be an attempt by the Liberals, or the officials working for the Liberals, or someone, to establish power, maintain it and take it away from our parliament.

If we compare this to the Emergency Measures Act, which is designed to do much the same thing, only for different reasons perhaps, it really brings out the differences, the anomalies and the unacceptable conditions in Bill C-55. The emergency measures must go to parliament within 7 days, not 45 days. They must come back to parliament and we must vote on them here in parliament. Under the actions in Bill C-55 we would never vote on that. Why? Why would the Emergency Measures Act require a vote in parliament and Bill C-55 not require a vote in parliament?

Parliament could actually turn down an emergency measures recommendation or order by a minister. Under Bill C-55 parliament cannot even touch a recommendation. Under the Emergency Measures Act every regulation must come back to parliament and must be reported within two sitting days. Under Bill C-55 they never have to come back to parliament. Bill C-55 would come into effect immediately. There is not even a declaration of the implementation required under Bill C-55. There does not even have to be a petition to bring it in. Bill C-55 must be reported only 15 days after the House returns to sit again. If it does not sit, this is not reported at all. There is no requirement. There is no debate, no accountability, no nothing. It cloaks every aspect of Bill C-55 in secrecy. Parliament is left literally completely out of the loop.

This is a public safety bill but we should almost have a parliamentary safety bill to protect parliament. We should bring in a bill to protect parliament and our role to make sure that we still have a role in issues such as these, issues such as security and safety, a role that the bill tries to take away from us.

● (1725)

As the privacy commissioner said, as reported by the previous speaker, he takes total exception to this and says that the Liberals are trying to create a totalitarian society. Their response is to attack the privacy commissioner. This is a new strategy of the Liberals. They recently had an array of members of parliament attack the auditor general when she came out with a report they did not like. Now they have attacked the privacy commissioner. The Liberals establish these positions and support them, but if these people do not agree with them, they attack them. Then there is the ethics counsellor, who just does exactly whatever the Prime Minister wants him to do.

It is a serious issue. Many Canadians are concerned about the direction the government is going in. They are concerned about the intrusion of the United States on our sovereignty with this whole security aspect and the demands of the Americans to have their customs throughout Canada at our ports and in our airports. They want to take over our military by creating a perimeter security philosophy. What they really want to do is to control it; they do not want to share it. They want to control the customs officers in Canada. Again it seems that the Liberals are falling for this and going along with it. Although the United States is a very important friend to Canada, we must maintain our distance and our sovereignty. I hope that we do not move any closer and comply with some of the requests that the Americans continually are coming up with.

Our industries are now finding that the Americans are changing the rules every day. When truckers arrive at the border with a load of goods or even seeds or agricultural products, they find that the rules have changed and that they cannot proceed in the same way they did last week or the week before. The Americans are trying to control trade, security, the police and the military. This is a very dangerous direction to take and Bill C-55 plays into those hands.

Under the bill, the powers given to a minister require that cabinet be notified only after 45 days. I come back to that again because I think it is so unacceptable that cabinet does not have to approve some of these actions that a minister can take. It puts tremendous power in the minister's hands. That should be changed, if nothing else.

We support the amendment today because of these actions, because they put so much power in the hands of a minister when it is not necessary. I have no idea why the Liberals have come up with these conditions in the bill for transfer of the power to ministers. It is not necessary. They have lost total respect for parliament. They want to keep parliament out of the loop. They want to have just a very small number of ministers over there, not even the entire cabinet, making all the decisions and having all the power, and they want to have all the Liberal members stand up like trained seals and say yes, that they support it and they will do it. It is amazing that they continue to do this.

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, I appreciate the opportunity to speak to Bill C-55. It is an interesting bill from the point of view that it contains an awful lot of what the government is so adept at, which is to sweep everything together in an omnibus bill. It is not specific. There are many very problematic parts of the bill. However until we see the regulations we will not really understand the intentions of the government.

This is so much a pattern of the Liberals that it is getting to the point where, as former Prime Minister Trudeau used to say, MPs are nobodies when they get away from the Hill. It seems to me that the current Prime Minister has taken that to mean MPs are nobodies even when they are on the Hill because we are asked to come to this place and enact omnibus legislation with few, if any, regulations. We have only the broadest intent from the government as to where it is going with the legislation and we are supposed to be prepared to cast an intelligent vote on its legislation. I say shame on the Liberals because this is absolutely a pattern, specifically with respect to Bill C-55.

I note from a comparison of the transportation issues in the bill that it really is a pale reflection of its American counterpart. The U.S. introduced, debated, amended and enacted much more comprehensive security legislation within a period of eight weeks. It has taken this government eight months just to introduce our legislation.

The problem is the bill does not get to the problem areas facing Canada. There is a problem of invalid documents. All persons who do not have documents should be detained automatically until they can prove their identity or a criminal check is run overseas. Our government does not have the intestinal fortitude required to stand up and be counted on behalf of Canadian citizens and people in this country who should be properly protected. This does not mean that any person with invalid documents should be detained automatically. If people present valid documents when they get on to an aircraft, how do they become invalid by the time they reach Canada?

There is a change in that there is no provision in the bill to send people back if they have come through a safe third country. We have said for the longest time, particularly with respect to our friends in the United States, that it does not make any sense to us that people would be in transit through the United States having landed in the United States. The difference is that they have landed in the United States and they then refugee shop and come to Canada.

Unfortunately, in spite of the fact that it was the Canadian Alliance that raised the bill and put the Deputy Prime Minister on the spot with respect to the bill and in spite of the scandalous comments that came out of the mouth of the immigration minister, we still maintained our position. Lo and behold, only a week after we brought up the issue, the government changed the rules and negotiated an agreement with the United States. Indeed, what we recommended as being just plain common sense will now be in place and we will see that people will not be able to refugee shop.

The concern I have and the reason why I specifically want to speak to the bill is that the bill invests a lot of power in the ministers through interim orders, giving the power to pass an immediate order equivalent to regulations passed by cabinet. This is a power grab. The interim orders need to be approved by cabinet 45 days after they are declared. This is 31 days more than the 14 days currently required by section 6.41 of the Aeronautics Act. Given that sweeping powers already exist in the Emergencies Act to declare a public order emergency, an international emergency or a war emergency, the new interim orders are probably not necessary in most cases.

I am always concerned when the government sees fit to pull to itself powers that are unnecessary. I was the solicitor general critic for the Reform Party during the time of APEC when we clearly saw the Prime Minister's Office involved in running the police actions against some of the more aggressive protestors in Vancouver in 1997

● (1730)

I am committed to the concept that our democracy is defined as being a country where we are protected by the police but we are also protected from the police. Anytime we have politicians giving directions to police, we have the starting point of anarchy, even in a civilized country like Canada. It was this Prime Minister who was involved in that activity through his operative Jean Carle. I saw it, I heard it and I witnessed the testimony that occurred before Justice Hughes in the APEC inquiry.

I have a tremendous amount of difficulty with respect to this section of the bill. If only for this section of the bill, I would be compelled to vote against it. Giving politicians more power and the ability to move against ordinary citizens is just plain wrong.

There are some good sections to the bill. Job protection for reservists if called out "in respect to an emergency" is an important provision which has long been called for, but clarification will be required to ensure these provisions are adequate. We highly value reservists in our Canadian forces. They are men and women who are prepared to give up their time and work within their jobs around on our behalf. We must respect the fact that these people are prepared to put themselves in harms way. Therefore job protection for our reservists is a very important part of the bill.

In the bill there is little controversy about the provisions for greater sharing of information among financial institutions and regulators to comply with the money laundering act. I was involved in another parliament in the negotiation behind the scenes between political parties, particularly with respect to the money laundering act. Canada's money laundering act has the proper balance at this time. The relationship of this bill to the money laundering act is not problematic at all.

However I will restate the main reason why I wanted to speak on this issue. We must always stand on guard. Our national anthem says that we stand on guard for Canada. It is the role and responsibility of members of parliament to stand on guard for Canada. It is our role to ensure that any legislation we are involved in does not give to the government of the day any more power than it absolutely needs for us to have a proper civilized civil society.

I will oppose this legislation, but I look forward to the amendments that may occur during committee process.

● (1735)

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, this bill before us, Bill C-55, for those who are interested in jogging their memories, is Bill C-42, which was withdrawn by the government following pressure from the Bloc Quebecois. It became apparent that the defence minister was assuming excessive powers. Indeed, he could have decided that a controlled access military zone would cover the entire territory of a province. He could declare this zone without even consulting the concerned province in order to obtain its approval.

For these reasons, and for many others, the government decided to withdraw the bill. However, today it becomes apparent that with this government, the bureaucracy has a lot of sway.

In fact, the people who want more control managed to put the bill back on the agenda, thanks to a defence minister who, we have seen, did not necessarily have all of the abilities required to do the job. As a result, a bill has been introduced, which, when it comes down to it, has had a few changes.

The government did listen to the Bloc Quebecois' arguments by tightening the eligibility criteria for creating controlled access military zones. However—and this is a big however—it is still the minister alone who has the authority to designate controlled access military zones. As such, in the present case, it was the same minister who neglected to inform his government of the Afghan prisoners of war.

It seems as though errors in judgment run rampant in this government. Canada is involved in an international engagement in Afghanistan, and we learned through photos in *The Globe and Mail* that Afghan prisoners were captured by the Canadian military. The Prime Minister himself was not even informed when it happened.

This serves to illustrate the type of mistake that can be made and that could hurt many Quebecers and Canadians. Today, we have a new minister of defence who has no special expertise in the field and who may have to make swift decisions.

Imagine if this bill were passed as is. This would mean that, next fall, the new Minister of National Defence, who will just have had enough time to get up to speed on the various issues, might have to make a decision of this type without necessarily having any guidelines in the legislation that would prevent mistakes from being made.

We are not talking about mistakes that would have minor consequences. We are talking about the impact of designating controlled access military zones. If mistakes were made by the military, the citizens who are the victims of these mistakes would not have the right to take legal action. It is clearly stated that they could not seek compensation from the government.

One may indeed wonder why, after withdrawing Bill C-42, this government, which really had before it all the arguments to justify withdrawing the bill, came back with another bill that is not much clearer.

Why is it that, once again, somewhere in the upper echelons of the federal public service, it was decided to introduce monitoring standards, which give more and more power to the bureaucracy?

They must have thought that, if they were lucky enough to have a minister that was not really thorough in his examination, he would become their mouthpiece and they would have this huge power.

This issue was raised by the Bloc Quebecois. I hope the government will change its position and correct the situation so that a single minister does not have the power to designate controlled access military zones.

There is another aspect, namely that the approval of the government of Quebec or of a province is not required in establishing controlled access military zones.

Would it not be a good safety mechanism to see to it that, whenever the minister, under the influence of his senior officials and high-ranking officers, wants to designate a controlled access military zone, he consult the province concerned to ensure that it agrees?

If it is justified, if the decision is warranted, they are all capable of taking the right position in the end. However, if we do not give ourselves such a safety mechanism, then this power becomes much too broad, which is unacceptable to the Bloc Quebecois because the government of Quebec has no say. This seems important to us.

● (1740)

Let us think about everything that is in the vicinity of the Citadel in Quebec City. The National Assembly is very close to military installations. When the military decides on the zone—even if they keep telling us it is about protecting everything that is military property in particular—it is obvious that in very restricted buffer zones, such as that between the armories and the Quebec National Assembly, a totally unacceptable situation could be created. Sparks could fly, highly unreasonable provocation could ensue, and that is why this bill is not acceptable as it is.

They talk about the "reasonably necessary" criterion for the creation of these military security zones. This has not really changed since Bill C-42. It is still highly discretionary. This government is very big on this discretionary aspect, as we have seen in a number of instances in recent months. We can see how dangerous this can be. On occasion, it gives them an opportunity to encourage their cronies, but it could also result in decisions that would penalize the public in an unacceptable manner. I think that this aspect needs tightening up.

There was one other aspect I spoke of, the fact that people who have been wronged cannot take legal action for loss, damage or injury. There has been reference just now to controlled access zones in urban areas. It could easily happen that an officer or soldier could act in an unacceptable manner. The way the bill is worded, it comes down to this, "Tough luck, fella. You are in a country where military personnel has this type of power and can exercise it, even mistakenly". There is no obligation for them to defend their actions. The result of this is encouragement of a mind set that could be expressed as follows, "It is a free for all, we can do as we like. After all, we cannot get into trouble for it".

In this connection, I feel that the bill still needs some fine tuning. It ought to be sent back to the drawing board. This time, they ought to make sure that it is really the result of work by parliamentarians rather than senior public servants.

Bill C-42 also refers to such things as international relations, defence or national security as grounds for creating military security zones. These are dropped from Bill C-55. There is no longer such a specific list of criteria and grounds for creating these zones. The minister is given greater discretion and the problem which existed in Bill C-42 becomes even worse. This is something else that must be corrected.

I think that it is also a good idea for all citizens to give some careful thought to the exchange of letters which took place between the ministers concerned and the privacy commissioner. People realized that there were many shortcomings in this bill and that the privacy commissioner was seriously concerned that the government was creating the equivalent of a police state. There are some important areas that need correcting in this regard.

As for interim orders, here again, too many things are left unclear. With respect to information, many of the provisions mean that information can be provided to the RCMP and to CSIS. The procedure is not really clear and specific.

For all these reasons, it seems to us that the bill, as drafted, even though it bears a different number, is just another bad version of the idea originally contained in Bill C-42.

We must indeed wage war on terrorism and ensure that it may be defeated, but we must not do so by eliminating rights and creating a state which will ultimately serve terrorists' ends because it creates a society which is less free and balanced.

In this sense, I think that the arguments against presented by the Bloc Quebecois, which led to the withdrawal of Bill C-42, deserve to be heard here again so that the government will overhaul Bill C-55.

It is for this reason that I will be voting against the bill and encouraging members of the House to do likewise, so that many amendments can be made. Should the bill not be withdrawn, at the very least extensive amendments should be introduced in committee in order to make it acceptable.

● (1745)

[*English*]

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, Bill C-55 is a replacement for the original anti-terrorism bill which garnered so much opposition and outrage that it was scrapped.

The purpose of the bill is to strengthen the law against acts of terror. All Canadians want to have strong measures to protect us against possible terrorist attacks or terrorist activity in our country. We want to be safe.

Unfortunately the bill also has some very glaring flaws. It would amend 19 different acts of parliament, implement one international treaty and have an impact on nine different ministries.

There are three problems with the bill. The first one is that it is pretty much a poor imitation of the U.S. aviation security act. This is a government that likes to always deride and decry anything that comes from the U.S. but here it is bringing in an important bill which is really an imitation of a U.S. bill and not even a very good one.

The second and most important problem with the bill is that it really amounts to a huge power grab by the cabinet.

The third problem with the bill is that it is too little too late. The U. S., which the Liberals are imitating here, put a bill together in about six weeks after September 11 despite an anthrax scare it was dealing with where even members of government were receiving anthrax through the mail.

The government has now had eight months and all the bill would do is put in place timid half measures and make a power grab.

The problem with the bill with respect to the power grab is that it gives a number of ministers the authority to issue what is called interim orders. These interim orders would allow those ministers to act without consulting anybody. They would not have to consult cabinet, let alone parliament or anybody else.

The ministers who would have this power would be the environment minister, the health minister, the fisheries and oceans minister and the transport minister. However, the increase in authority that would be given to these ministers is not accompanied by any specifics. No framework has been put around the kinds of instances when ministers might exercise this kind of unfettered authority.

Canadians watching the debate might say to themselves that does not make sense. If there is a huge, immediate crisis they are probably saying that someone should be able to act immediately to deal with it.

On the face of it everyone might agree but I see three problems with it. The first problem is that we have not seen the kind of competence and trustworthiness on the part of government ministers that would allow us to be comfortable with that huge amount of power.

It does not give me any joy to say that, even as a member of the opposition. I as a Canadian want to see ministers with whom I might disagree from time to time or criticize from time to time but who I believe are fundamentally competent, honest and credible individuals.

As we have seen over the last few weeks, as Canadians we have to question whether that is in fact the case. Just yesterday a very important minister, the minister of defence, had to be toasted by the Prime Minister because he had lost all credibility and the ability to act on behalf of Canadians.

We had other ministers who had to be moved out of a place where they were clearly not performing up to snuff.

If the government wants to give this kind of power to ministers, then it has to be and can only be on the basis that these ministers have performed in a way that would allow Canadians to have that level of trust in the ministers.

● (1750)

I would argue, and unfortunately I think most Canadians would agree, that we have not seen that level of competence, trustworthiness, gravitas and ability on the part of our ministers that would allow us to give them that kind of authority.

The second problem with giving ministers that kind of authority is that it is too wide open. If we are going to give people unchecked power, then we should at the very least define the circumstances and the kind of framework around the exercise of that power. The bill does not even attempt to say under what kind of circumstances. Ministers would be able to do whatever they wanted to do without consulting even their cabinet colleagues.

One might argue that in an emergency someone might need to do that. That is all well and good but there should be some attempt to categorize, define or put forward a guideline whereby a minister could act unilaterally.

It is unbelievable that a bill would just say that a minister can do whatever he or she wants without even suggesting when this might be appropriate.

I would say that even ministers would want to see some kind of guideline to guide and assist them and their advisers as to when they should leap into the breach without talking to anyone and when they should take a few minutes to consult.

For parliament to just throw this authority on the back of a particular minister without giving him or her any kind of guideline, assistance or advice as to when this would be appropriate, is really an abdication of parliamentary duty.

The third problem I see with this kind of unchecked power is that there is no suggestion of the kind of resources that can be deployed by a particular minister. If the minister deploys certain resources, such as people, laws, rules or whatever else is available to the minister, he or she will need to communicate this to the people in his or her department and to other departments because no department ever acts alone. If the minister consults and communicates with all the players in his or her decision, why would he or she not take time, and why would other senior people who are elected and who have senior responsibility not be brought into the loop? No one has suggested why that could not be done.

If I or you, Mr. Speaker, were a minister I am sure that before we took a unilateral, strong, immediate action, we would at least obtain some input from the most senior, thoughtful, respected, and knowledgeable people that we could find.

It seems to me that the whole premise of the power that is being given in the bill simply does not make sense. It flies in the face of what a reasonable, thoughtful, competent person would want to do.

It seems to me that allowing ministers to do whatever they want is very open-ended. It does not make sense. It opens up the system to improper activities. It is another symptom of the federal government simply saying that it will do whatever it wants. We are not to question what it does because it is sure it has the best interests of the country at heart.

I do not think Canadians are buying that. I do not think it will give us good results. I do not think it would really serve to protects us effectively. I would say to members of the House that the matter needs to be dealt with before we put this law into place.

● (1755)

[*Translation*]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, it is a pleasure to speak today on Bill C-55. As some of my colleagues have already mentioned, this bill only shows this government 's need to control everything, arguing that it is acting for the benefit of the population. Nowadays, I get very concerned when I hear that the government wants to be in full control.

With what we have all learned recently on this government, it is hard to believe that it is in fact acting for the well-being of all Canadians. Let us say that it is rather doing things for the benefit of a small part of the population. How can the government prove that it is acting for the benefit of the population when only one person will be able to judge?

As far as I am concerned, I will summarize all this by saying that this will be a one-way ticket if the responsibility to judge what is safe for the Canadian population only rests on one person. With such an anti-democratic bill, the government will only circumvent what the country has tried to build in the last century, that is a real democratic process. The Canadian population needs to be reassured, but this bill is not the best tool to do that.

Thousands of people are dying every year, either at work or as the result of the acts of one person, of a family member or of an acquaintance. These lost lives deserve our attention, but this has to be considered within a democratic parliamentary process as this bill should be.

The NDP is not entirely against this bill and it even supports some specific aspects of it, such as the fight against the financing of terrorist groups, the new criminal offences relating to bomb scares, the creation of international conventions to fight the proliferation of biological or explosive weapons, and the fight against smuggling of people by organized crime.

However, the bill goes much further. For the rest, we consider that this bill greatly exceeds the power that we believe a minister should have.

Remember what happened at the APEC summit. We did not even have a bill such as this one that the government is proposing and the RCMP used pepper spray. We saw the images on television. A person was sitting quietly and the RCMP officer arrived with pepper spray and said "you have to leave". He got up to leave and got pepper sprayed. With the new bill, he would have no way of defending himself. It is unacceptable. It is unbelievable that in a democratic country like Canada, it has come to this.

Everywhere people say "You live in the nicest country in the world" and they want to take away our democracy like this. Our dear Prime Minister was asked questions on this incident—today people are doubting his government—and he gave the following response, "Personally, I put pepper on my steaks". It is as though what took place in British Columbia was a joke; it is as though it was a joke that he was not taking seriously.

The G-8 will take place in Kananaskis. The Prime Minister has said "We will be protected, there are bears in the woods that will keep the demonstrators from coming". There should be a bill that allows bears to go throughout Canada to protect the government. It is an embarrassment having a Prime Minister who makes that kind of statement.

We are putting our democracy on the line for a government that is no more serious than that. In recent weeks we have seen what has happened here. The government is making parliament lose its credibility with all of the scandals that are happening, yet there are honest parliamentarians. Today, according polls, Canadians gave parliamentarians 18%. This is unacceptable and unbelievable. And we are going to put our democracy on the line with this kind of bill, when Canadians have always had the right to protest under the charter of rights and freedoms, and under civil rights. Yet today, we are giving all of this up.

● (1800)

We have no choice but to oppose this bill, because it deprives us of fundamental rights.

Mr. Speaker, with all due respect, it is not in Canada that these aircraft hit buildings. Canadians live in a democracy and they want to continue to do so. Our country is respected throughout the world because of this.

I will refrain from reporting certain things I was told last week when I was abroad, but I will say that people abroad respect Canadians, the way our laws are drafted and the freedom that we enjoy.

Under this bill, the RCMP will be able to know everything on people who fly. Why does it need to know that? Why does it need to have the list of all those who will fly today when the important thing is to ensure that those who do fly are not dangerous people?

Security measures have been taken. I think that it is not easy to breach security in Canada. I have travelled to cities like London, Bucharest and Belgrade, and I can attest that security was not as strict there as it is here in Canada. Our country is not at war. It is not plagued by the problems that affect other countries. Today, we could lose our democracy because of what is going on elsewhere.

This is why we must be careful. Our democracy is in the hands of people whom only 18% of Canadians trust. This is quite a problem. We must take a serious look at it.

With regard to civil rights, the Liberal member for Mount Royal—for whom I have a great deal of respect—said:

> First, while the bill seeks to circumscribe the power initially conferred upon the Minister of National Defence in the predecessor Bill C-42 to designate any part of Canada a military security zone, the scope of both the exercise and application of this power remain problematic.

The Liberal member for Mount Royal himself admits it. Hopefully his colleagues on the other side of the House will also. At least one Liberal had the courage to rise in the House, oppose the Liberals and say that what they are doing is wrong. I congratulate the hon. member for Mount Royal. He went on to say:

> Admittedly, the bill improves upon its predecessor bill C-42 in that the application of the power is limited to the protection of Canadian and allied military equipment and persons, and the exercise of power is limited to that which is reasonably necessary for this purpose, rather than, as in Bill C-42, what the minister "is in his opinion" believed necessary for reasons of international relations, national defence or security.

However, from the moment the Minister of National Defence decides to send out military personnel during a demonstration, the whole area automatically becomes a military zone. This is what happened in Quebec City when people demonstrated during the summit. The forces used guns with rubber bullets, which hit innocent people who were exercising their rights.

It happened, and there was no legislation like Bill C-55 at the time. In Canada, the problem is that the government has sold the country to globalization. This is what happened. They are now bowing down to other countries and trying to protect them when they come here and try to get hold of our assets. They want to protect them with bills such as this. Canadians will not even be able to defend themselves and to face these groups, which want to destroy our country and Canadian democracy.

Let us hope that this government will change its mind, that the bill will not be passed the way it intends it to be and that positive amendments will be introduced to Bill C-55, to ensure the preservation of the civil rights of Canadians.

● (1805)

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, I believe it is very important to speak to this bill, which deals with terrorism. This bill, which was formerly introduced as Bill C-42, was modified to take into account some harsh criticisms made by the House, by the Bloc Quebecois in particular. Bill C-55 is totally unacceptable as it now stands. That is why we would prefer that it be considered in committee and that significant amendments be made to it.

I will take a different approach to criticize this bill. I am the Bloc Quebecois foreign affairs critic. Some time ago, I had to debate a bill, Bill C-35. All the clauses in that bill had the unanimous support of all parties in the House, except one clause consisting of three elements.

What did the bill say? I will refer to the fact that in these military zones that we have heard so much about, we are thinking about security at Kananaskis. Here is what Bill C-35, that we passed, says:

> 10.1(1) The Royal Canadian Mounted Police has the primary responsibility to ensure the security for the proper functioning of any intergovernmental conference in which two or more states participate, that is attended by persons granted privileges and immunities under this Act and to which an order made or continued under this Act applies.

It says "for the proper functioning of any intergovernmental conference".

In the following paragraphs, it says:

> (2) For the purpose of carrying out its responsibility under subsection (1), the Royal Canadian Mounted Police may take appropriate measures, including controlling, limiting or prohibiting access to any area to the extent and in a manner that is reasonable in the circumstances.
>
> (3) The powers referred to in subsection (2) are set out for greater certainty and shall not be read as affecting the powers that peace officers possess at common law or by virtue of any other federal or provincial Act or regulation.

I want to draw to the attention of the House that the military security zones in Bill C-42, which became controlled access military zones in Bill C-55, are being proposed, among other functions, to protect people or property that would be deployed here during international conferences or when public figures are present on our soil.

At the outset, I could ask the following question: which legislation will have precedence? How will the security measures that the RCMP and the armed forces will provide be negotiated, particularly since, in Bill C-55, clause 260.1(12) says:

> (12) The Canadian Forces may permit, control, restrict or prohibit access to a controlled access military zone.

As is also the case for a perimeter determined by the RCMP.

The arguments that are being used are the same. One may ask: who indeed will be responsible? What is even more worrisome is that the spirit is the same. The spirit is to prohibit access. However, on this issue, at the foreign affairs committee, we heard very direct and blunt evidence from some witnesses. We were told that the government cannot prohibit such access without violating the existing rights under Quebec's charter of freedoms and rights and under Canada's charter of human rights. It cannot do so without attacking these rights.

● (1810)

Yet, nothing in these bills, be it Bill C-35 or Bill C-55, can lead us to believe that the citizens would be in a position to defend themselves, to negotiate and discuss things. Even the provinces are in no position to do so.

When we debated Bill C-35, which creates security zones or perimeters, we said "Why change the present dynamics?". In this respect—let us take the Quebec summit of the Americas for example, where all was not perfect, but lessons were learned so as not to repeat the same mistakes—there were some positive aspects.

There were negotiations between Quebec, the RCMP and the Quebec City security forces. Finally they came to an agreement in a context of respect for the police force which normally enforces the law in Quebec City.

With Bill C-35, this obligation to take into account the local police force no longer stands. Bill C-35 gives full authority to the RCMP.

As far as the creation of controlled access military zones is concerned, the full authority is given to the defence minister. He is the one who can create those zones. Now they say that this authority is more limited than it was in Bill C-42, the previous bill.

However, it is still clear that this boundary can shift. It is always interesting to read legislation. I always enjoy reading it. Although it is sometimes a bit obscure, one can still see the intentions of the legislator.

Subsection 260.1(3) in Bill C-55 provides that:

> A controlled access military zone may consist of an area of land or water, a portion of airspace, or a structure or part of one, surrounding a thing referred to in subsection (1),—

This has to do with defence establishments, and so forth.

> —or including it, whether the zone designated is fixed or moves with that thing.

So the zone can shift.

> The zone automatically includes all corresponding airspace above, and water and land below, the earth's surface.

Subsection 260.1(2) in the same bill provides that:

> The Minister may designate a controlled access military zone only if it is reasonably necessary—

Bill C-35 also contained the word "reasonable". It would be helpful if a court could be asked to determine the meaning of "reasonably" or "reasonably necessary". But this cannot be done after the fact. And again, we know how long this can take.

This means that these words can be used at the total discretion of the Minister of Defence, in the case of Bill C-55, and of the RCMP, in the case of Bill C-35.

Clearly, a controlled access military zone can be designated. For instance, one could be designated in relation to:

> —a vessel, aircraft or other property under the control of a visiting force that is legally in Canada by virtue of the *Visiting Forces Act* or otherwise.

Clearly, President Bush's plane in flight may be sufficient grounds for the designation of a military zone.

The public must realize that it makes no sense for the minister of defence to be able to make decisions on these zones alone, to have full discretion and be required to go to parliament only within the next 15 days, and that is if we are sitting. If parliament is not in session, he can take the 15 days but can make the decision and, anyway, we know that any debate will be a theoretical one, thanks to the party over there.

● (1815)

This means that the minister of defence has the full and complete power to create controlled access military zones wherever he pleases, without Quebec's consent—and I speak for Quebec—or that of the province concerned. He can use force to extract from that zone people who should not be there, people who do not have a right to be there even if that is where they live. They are not entitled to any compensation. This is most regrettable.

[*English*]

Mr. Peter MacKay: Mr. Speaker, before I begin my remarks I want to commend the previous speaker. She is a member of parliament who always adds a great deal to the debate. She does significant preparation for her remarks which is obvious in her presentation.

This bill, like many others, is one that comes before the House as a result of events that shook the world and carries with it a certain amount of trepidation. The public safety act is a rehash—

The Deputy Speaker: Order. I regret to inform the hon. member that he has already spoken at the amendment stage of this same bill, so I must seek the floor for someone else to intervene. The hon. member for Prince Albert.

Mr. Brian Fitzpatrick (Prince Albert, Canadian Alliance): Mr. Speaker, we have passed Bill C-36 and now we are on Bill C-55. As my colleague was just getting into, these pieces of legislation are designed to deal with a new paradigm, a new phenomenon that we have the world today, the threat of international terrorism which became so evident last September 11.

The problem is we have this new paradigm but how does the civilized world deal with that problem? What are the facts with this phenomenon of international terrorism?

For the past decade or decade and a half throughout various locations in the Middle East thousands and thousands of people have been trained to become international terrorists. They are distributed throughout the world in the form of sleeper cells. It is a highly sophisticated network. It was designed to operate without a central command system. Perhaps we have destroyed or fragmented the central command and design behind the network but the sleeper cells exist.

What has the government's response been to this new paradigm? It seems to think if there is more government bureaucracy, more regulations, more laws, more infringement of the rights and privacy of Canadian citizens and more taxes that somehow the problem will go away, that it will have been dealt with.

The bill is deficient, as is Bill C-36. We are missing the boat. The way to deal with this matter is in the areas of security, our armed forces and immigration and refugee policy. Maybe I am missing something but I have not seen a whole lot of action by the government in regard to those three areas. The military and the security system are starved for resources. The immigration and refugee policies seem to be virtually the same as they were before.

Warren Buffet, the president of Berkshire Hathaway, has interest in some of the biggest insurance companies in the world. At the annual meeting not very long ago he made it abundantly clear there is an absolute certainty that these sleeper cells will strike again and will cause no end of harm and damage to the western world. About 10 days ago U.S. Vice-President Cheney reiterated that it is an absolute certainty that these people will strike again and that they will strike very hard.

A concern I have and one which the government certainly should have is that it has been sleepwalking through this. I think many government members believe that the crisis is over, that it has passed and we can get back to normal business. They seem to think that a $24 air security tax will solve the problem.

What will end up happening, but I hope it does not happen, is that we will wake up some day with a repeat of September 11. Something else will happen. I hope the people behind that action will not have come from Canada. If that were to happen, my prediction is that our trade with the United States would come to a slamming halt within 24 hours. This country would be in serious difficulty. People would look back at this period of time and say that the government had the opportunity to put policies in place to deal with this threat but ignored it. They would say that the government was too busy with cash for contract agreements and all sorts of other things to deal with the issues that were very apparent to Canadians.

● (1820)

I am talking about foresight. I know hindsight is 20:20 but the government has not addressed the real root of the international terrorist threat. It has ignored the core problem and is not dealing with what we should be concerned about. I cannot emphasize it enough.

If we had a repeat of September 11 and it could be pointed out that a leaky immigration or refugee system in Canada caused the problem I am almost absolutely certain the border with the United States would never be the same again. We would pay a heavy price in every sector of the economy. The problems we have experienced in the last year would be minor compared to what we would be facing at that stage.

I wish I could look through a bill like Bill C-55 and see real action by the government with regard to the three areas I have mentioned. However I do not. Creating military zones and giving ministers more power would not deal with the problem. We would be dealing with something after the fact rather than before. The government should be more concerned about taking the necessary steps to prevent something from happening in the first place rather than trying to react to it afterward. Reaction to this sort of problem would be too late. Our country would be in serious difficulty at that stage.

What is a bit perturbing about the legislation is that rather than dealing with the real problems we are facing as Canadians and taking steps to minimize the risk, it would concentrate more power in fewer hands with less accountability. That is not a good thing in a democracy.

Our society was built on being open. It was built on the rule of law and transparency. It was built on giving citizens freedom, liberty and the ability to make decisions. These things are the backbone of our western way of life. Any time governments get more power and are not accountable they can do things in secret, rise above the law and trample on privacy and other issues. That is not a healthy sign. In a democratic society a government moving in that direction like the Liberal government has been doing is in a lot of ways helping international terrorists.

International terrorists want to destroy our way of life. They do not value our individual freedom and liberty. They do not respect our economic or political freedom. They do not respect the rule of law or our open civil society. In their minds it is the enemy and they are out to destroy it.

The government is rushing to create more power for the cabinet and Prime Minister in a secretive, star chamber atmosphere without any transparency. In doing so it is not dealing with important issues like the need to increase our military resources and security forces. It is not taking a hard look at how to close the leaks in our immigration and refugee system. Under the guise of dealing with security the government is seeking to grant more power to the Prime Minister and his little group of people. That is not the answer to the problem. It will not deal with the issue.

● (1825)

The Deputy Speaker: There being only one minute remaining for government orders, is there unanimous consent to see the clock as 6.30 p.m.?

Some hon. members: Agreed.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

GOVERNMENT CONTRACTS

Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.): Mr. Speaker, Liberal ministers have been caught breaking sections of the government's conflict of interest guidelines by helping friends and supporters get government jobs and contracts. The auditor general has called in the RCMP to look at the awarding of contracts by Public Works and Government Services under the scandal plagued tenure of Alfonso Gagliano and his successor in the portfolio of public works who is the Liberal House leader once again.

With new revelations of scandal surrounding the disgraced former defence minister the situation would appear to be the tip of the iceberg. There has been a long Liberal history of such corruption starting with former Liberal minister Pierre Corbeil's conviction for influence peddling and culminating in the recent scandals at public works and defence.

The corruption problems further highlight the lack of ethical standards and integrity shown by the Liberal government. A full and complete investigation needs to be conducted. Canadians deserve the truth about the extent to which Liberal ministers have played fast and loose with taxpayer dollars by giving patronage contracts to their friends and supporters. It is clear that the Liberals should honour their 1993 election promise to have an ethics counsellor who reports to parliament. Mr. Wilson is nothing more than a figurehead with no real power.

Canadians need to know the extent of corruption surrounding the Liberals. This can only be realized through a full and independent inquiry into how the government has abused the contracting process. The extent to which the government's sponsorship program slush fund has been abused by the Liberals is now exposed. It is so riddled with corruption the auditor general has been called in to investigate. Government contracts should be subject to parliamentary scrutiny instead of backroom deals between Liberal bagmen and their supporters.

In question period I asked why it is that when the Liberals were in opposition and there was any hint of conflicts of interest, patronage payoffs or scandals of that nature they demanded full, independent investigations into the incidents but now that they are in government and all these conflict of interest situations are developing they refuse to conduct a full and independent public inquiry.

The minister's response was that my question was as clear as mud. I repeated the minister's own words in the House when he was in opposition. He had demanded that the House examine all aspects of government contracts including those relating to advertising. He had talked specifically about advertising contracts. He had tabled a motion in the House demanding a parliamentary investigation.

I finished my question by asking if the minister would guarantee that all sponsorship program slush fund contracts would be examined by a parliamentary committee and that the government would adopt the auditor general's recommendations regarding the scandal. His response was that my second question was only half as clear as the previous one.

The minister is completely avoiding the questions. They are clear, simple and straightforward. I want to know why there is a double standard. The Liberals called for independent inquiries into conflicts of interest, patronage and scandal when they were in opposition. Now that they are in government and being plagued by the same problems, why will they will not do it? It is a simple and straightforward question. I would like it answered.

● (1830)

Mr. Paul Szabo (Parliamentary Secretary to the Minister of Public Works and Government Services, Lib.): Mr. Speaker, the member has raised a number of questions which have been evolving over recent days and weeks.

As the member knows, when these allegations with regard to Groupaction came forward, immediately the former Minister of Public Works and Government Services co-operated in a very forthright manner with the House. He provided documents to all parties. In addition he immediately initiated steps to ensure that there was no exacerbation of the situation, including the moratorium on any further draw downs under standing offers with regard to sponsorship programs.

As that matter evolved there was a question in the minister's mind about whether or not the resources available to him and the information forthcoming was enough to answer all of the questions of all hon. members. As a consequence, the minister concluded no. It was that minister who referred the matter to the auditor general for a complete and thorough review.

As the hon. member knows the auditor general has done her report and has reported back. It is regretful that the auditor general specifically mentioned two senior civil servants who appeared to have broken the procedures of the department, and the whole matter is now subject to an RCMP investigation.

The government has been forthright in responding to these evolving circumstances.

● (1835)

Mr. Jim Pankiw: Mr. Speaker, with respect to the auditor general she did not say that these individuals appeared to have broken procedures. She said senior public servants broke just about every rule in the book. That is why she referred the matter to the RCMP.

My question has still not been answered. When the Liberals were in opposition, in response to allegations of corruption, political kickbacks, payoff schemes and conflict of interest, they demanded that full independent public inquiries be conducted. Today the Liberal government is ridden with scandals such as the breaking news over the weekend and the resulting resignation of the Minister of National Defence, who clearly broke guidelines by awarding an untendered contract to his ex-lover.

In light of all these scandals, the advertising schemes and all the apparent conflict of interest allegations, why do the Liberals not take their own advice from when they were in opposition and order a complete, thorough and transparent public independent inquiry?

Mr. Paul Szabo: Mr. Speaker, the auditor general is an independent officer of parliament and perfectly capable of dealing with this matter. The auditor general has committed to a thorough review of this area and will be reporting back in a prescribed timeframe. In addition, for the matter initially looked at with regard to the three Groupaction contracts, an RCMP investigation is underway to determine if there is any illegality, not that there is any knowledge of specific illegality.

I will close by suggesting that the language used by the member about corruption, kickbacks, payoffs et cetera all refer to illegal acts which I would assume someone would have to be not only accused of but convicted. That is not the case. The member should tone down the rhetoric and understand that in this place we have to be respectful.

LEADERSHIP CAMPAIGNS

Mr. James Rajotte (Edmonton Southwest, Canadian Alliance): Mr. Speaker, I rise today because I failed to get an answer to specific questions for three consecutive days from the industry minister. Therefore I feel I have to raise it in the late show. The issue arose at the end of April. It was in a Winnipeg *Free Press* article concerning the industry minister and his assistant, Mr. Satpreet Thiara. It stated:

> Industry Minister...has failed to provide travel records to explain the purchase of more than $5,200 in airline tickets for an aide at the centre of allegations that taxpayers' money is funding [the minister's] Liberal leadership campaign. A three-month Free Press investigation, which involved a request for travel records under the Access to Information Act, found that in the last two weeks of November [the minister's] previous ministry, Health Canada, booked six airline tickets worth more than $5,200 for special assistant Satpreet Thiara. Five of the tickets involved travel to Winnipeg. The date the tickets were used, or whether they were used at all, is not known. [The minister's] office has yet to provide a single expense report showing who authorized the airline tickets, or details of any expenses incurred by Thiara such as meals and lodging. [The minister's] office has refused numerous requests by the Free Press to explain the absence of expense claims and other travel records related to the airline tickets.

Further on the article stated:

> Thiara has been a central figure in federal Liberal leadership politics in Manitoba. In an interview last fall, Thiara admitted that [the minister's] leadership campaign spent more than $60,000 to buy party memberships and delegate fees to flood the Liberal party's executive elections in Manitoba on Dec. 1.
>
> Thiara confirmed in that interview he had been in Manitoba frequently during November on government business, which frequently allowed him to work on [the minister's] leadership campaign during his spare time on nights and weekends. Thiara said he had not asked for a leave of absence from his job because he was still primarily involved in government business.

For three days straight the opposition stood in the House and asked the industry minister some very simple questions, basically all coming down to what his special assistant does for him. What does Satpreet Thiara do? What is his job description? Canadians could then know that he is in fact working on government business and he is in fact not just working full time on the minister's Liberal leadership campaign.

I would like the government to give a response to that very specific question which we have asked over and over again. What does this assistant to the industry minister do on official Government of Canada business?

● (1840)

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I listened to the speech by the member opposite with care and I find it a bit baffling. While it is a complex issue, perhaps I could just distill the essential elements for him.

Earlier this spring treasury board clarified its guidelines with respect to the release of personal information requested under the Access to Information Act as it concerns ministers and their exempt staff. Names and expenses can be released. The Prime Minister has made it clear that his ministers and their exempt staff should consent to the release of their expenses when it relates to the expenditure of public funds.

The Minister of Industry has always stated that his office complied with both the spirit and the letter of whatever guidelines were in place.

Let me now turn to the specifics of the member's original question.

Given the short explanation I have just given, members can conclude for themselves that the disclosure made by the minister's office complied fully with treasury board guidelines as well as with the Prime Minister's directive with respect to the disclosure of expenses. In fact the Minister of Industry himself has confirmed this on numerous occasions as was mentioned by the hon. member.

I know that the minister takes his responsibility to account for public funds very seriously. He has explained many times that any expenses submitted for reimbursement at the public expense were incurred on government business and that any expenses not related to government business were not claimed.

All expenses incurred on public business were claimed and the information has been produced. Clearly, the minister and his office have been quite forthcoming.

Mr. James Rajotte: Mr. Speaker, the fact is that information has not been produced. That is what the issue is about.

Beyond that, let us get to the question I asked I believe three times in the House. Could the Minister of Industry tell Canadians today what specific work Mr. Thiara does for the Department of Industry? There has been no answer to that. Will the minister not explain to Canadians what his staffer, Mr. Thiara, does at public expense?

I ask the minister yet again and I do not want to hear whether documents were tabled or not. It is a simple question about his personal staff. What does Mr. Thiara do for Industry Canada? What does he do?

Obviously we in the House who are members of parliament or cabinet ministers know what the job descriptions of our staff are. I do not want to hear anything about documents because there is a disagreement about that. It is a very simple question. What does Mr. Thiara do for the Government of Canada to justify earning taxpayers' dollars?

Mr. Paul Harold Macklin: Mr. Speaker, I reviewed *Hansard*. As a matter of fact I was present in the House at least on one of the days on which the question was raised. It seemed to me the question indicated that maybe not enough expenses had actually been claimed. In fact there were questions raised, as has just been raised again, as to why there were not other expenses declared.

As I have already said, the minister takes his responsibility seriously. He has accounted for public funds in an open and positive way, the way which has been defined both by the treasury board rules and by the Prime Minister's directive. There has been a full and complete disclosure by the minister.

FIREARMS REGISTRATION

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, on April 23 the Minister of Justice must have misunderstood my question because he did not answer it. Consequently I ask it again.

The provinces have registered 18.1 million vehicles in Canada, each one with the owner's name on it. The justice department has spent $700 million to register only 3.3 million guns without the owners' names. How can the provinces get it so right and the justice department and the federal government get it so wrong?

The minister went on to brag and I would like to quote from his answer:

> The registration, licensing and mechanisms are working quite well.

That is not a joke. That is what he said. This will come as a big surprise to police on the street who continue to ridicule the gun registry and all the bonehead mistakes made by the justice minister and his bureaucrats.

Everybody knows what happens when a police officer checks their driver's licence and vehicle registration. It will be interesting to see what will happen when a police officer checks someone with a gun in their car.

After confirming the identity of the driver of the car and matching it up with the firearms licence, the officer will turn his or her attention to the firearm in the vehicle. The driver will say he is going out to hunt gophers on a nearby quarter section of land. The officer will examine the firearms licence to determine if the hunter is authorized to be in possession of the type of firearm in the car.

Then the police officer will ask for the registration certificate and the hunter will produce the certificate because the law requires it. But the police officer will see that the firearms registration certificate does not have the registered owner's name on it so the officer will ask the hunter if it is his gun. When the driver answers yes or no, the police officer will have to check the computer system to see if the driver is telling the truth.

In this case the driver who is in possession of the firearm will tell the officer that he borrowed the rifle from his neighbour, which is perfectly legal as long as the rifle and registration certificate are together. In order to confirm that the driver is telling the truth, the police officer will be forced to go back to verify this information on the police computer system.

There are two possible outcomes to checking a gun registration certificate on a police computer system. The officer finds the record of the gun or he does not.

In scenario number one, because of the hundreds of thousands of errors in the registry, the officer will not find a record of the rifle in the registration system. The officer will seize the firearm until the ownership can be confirmed.

In scenario number two, the officer's check of the gun registry computers will confirm that the rifle is indeed owned by the hunter's neighbour. To be sure that the hunter is telling the truth, the officer will call the neighbour, but the registered owner of the gun will not be at home and the gun owner's wife will have no knowledge of the firearm being lent to the neighbour. To be on the safe side, the officer will seize the firearm until he can confirm the legal ownership of the firearm with the registered owner.

A week or two later this routine stop by the police officer will be successfully concluded when, first of all, the officer is finally able to sort out the computer errors and confirm that the firearm is in fact registered to the driver's neighbour or when it is confirmed that the hunter did in fact borrow the rifle from his neighbour.

In those scenarios the embarrassed police officer, who has wasted scads of police time checking out the perfectly legal lending of a firearm between two individuals and who has completely irritated and frustrated two law-abiding firearms owners, will be forced to return the perfectly legal firearm to the hunter he took it from and apologize for the mix up.

All this extra work will have been caused by not putting the name of the registered owner on the firearms registration certificate, one colossal bureaucratic blunder caused by politicians trying to meet impossible arbitrary registration deadlines.

Does anyone really think a police officer will go through this complicated, time consuming, useless process a second time? I do not think so.

● (1845)

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I want to thank the hon. member for Yorkton—Melville for the opportunity to again remind parliament and indeed all Canadians about the public safety benefits of the Canadian firearms program.

I am pleased to report that our practical approach to gun safety is already helping to cut down on firearm related crime in the country. The program does this by keeping firearms from people who should not have them and by encouraging legitimate owners to handle their firearms safely and responsibly. These important goals are being achieved in part through the licensing of firearms owners and the registration of their firearms.

The first phase of the program was the licensing of the firearm owners. As members know, they had to apply for a firearms licence by January 1, 2001. We are currently wrapping up the second phase of the registration of firearms. An overwhelming majority of Canadian firearms owners will have a licence and will have their guns registered well before the December 31 deadline.

This is the result of the approach that the Canadian Firearms Centre has taken. We applied the lessons we learned in the licensing phase of the program to registration. We have focused on making registration as simple as possible.

For example, the Canadian Firearms Centre sent personalized registration forms to every licensed firearms owner in Canada. Every owner had an opportunity to register his or her firearms free of charge. We also made it possible for them to register online. More than 100,000 Canadian firearms owners have done just that.

Regarding the hon. member's question on the errors in the system, I want to emphasize that the errors reported to the Canadian Firearms Centre to date represent a tiny fraction of the firearms documents that have been issued. As recently as April 27, 2002, 99% of the firearms in the Canadian firearms registry system were correctly registered according to identification and classification, as required under the law. Also, 99% of the licences were correctly issued to the right person, living at the address stated, with the appropriate privilege and safety training.

There may also be a small number of entry errors for which we have no statistics, but when these are reported they are dealt with promptly in co-ordination with the client. Firearms owners should verify the information on the firearms documents and contact us immediately at 1-800-731-4000 to report any anomalies and have the situation rectified.

There are currently 2.1 million individuals in the firearms database and firearms owners have been sending in their registration applications in unprecedented numbers. As with any other high volume operation, it is only natural to expect a small degree of entry error. That is why we remain vigilant and have recently made some improvements to further minimize the potential for error.

Over the past few months, the Canadian firearms program has completely restructured the registration process and implemented rigorous measures to ensure the integrity of the information. When the personalized registration application is returned for processing, the form is scanned, including the bar code that identifies the licensee. Manual data entry is eliminated, which minimizes the potential for error.

At the request of the firearms community, and I want to emphasize that, the firearms registration certificate does not carry the licensee's name to ensure privacy and public safety. The number on the registration certificate provides, when required, an electronic link to the owner of the firearm. This avoids disclosing the location of firearms should anyone other than the legitimate owner come into possession of the registration certificate.

● (1850)

Mr. Garry Breitkreuz: Mr. Speaker, I think the member should go back and check the records in his own department. He talks about a tiny fraction of errors, but through access to information we have already found out that over 90% of the registration certificates and applications that come in have errors on them. That is not exactly a tiny fraction.

The member says that firearms owners are responsible for making sure that the information is accurate. He should try to use the system some time. The frustration that firearms owners have with trying to get and convey accurate information is unbelievable.

The RCMP has confirmed that 42% error rate in registration applications, for the description of the firearms alone. That means that there are 222,000 firearms that have the same make and serial number.

This answer that I have been given makes a mockery of what we do in this place. It is just not right to have these kinds of so-called facts brought out.

It is just not working.

Mr. Paul Harold Macklin: Mr. Speaker, as does occur at times in the House, obviously there is some discrepancy as to the way people view various statistics. Clearly the hon. member chooses not to accept the statistics I brought forward. That is his choice.

Quite frankly, the most recent statistics indicate that as of May 4 of this year we now have over 3,871,000 firearms registered. There is no question that there will be some degree of error within that registration process, but I think the hon. member does tend to exaggerate the ultimate errors within the system.

[*Translation*]

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24.

(The House adjourned at 6.55 p.m.)

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