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OFFICIAL REPORT
(HANSARD)

Thursday, October 29, 2009

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Thursday, October 29, 2009

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

•(1005)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

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

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COMMITTEES OF THE HOUSE

SCRUTINY OF REGULATIONS

Mr. Andrew Kania (Brampton West, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Joint Committee on Scrutiny of Regulations in relation to the Australia-New Zealand Scrutiny of Legislation conference, July 2009.

HUMAN RESOURCES, SKILLS AND SOCIAL DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Human Resources, Skill and Social Development and the Status of Persons with Disabilities in relation to Bill C-50, An Act to amend the Employment Insurance Act and to increase benefits.

The committee has studied the bill and has decided to report the bill back to the House without amendment.

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CANADIAN ENVIRONMENTAL BILL OF RIGHTS

Ms. Linda Duncan (Edmonton—Strathcona, NDP) moved for leave to introduce Bill C-469, An Act to establish a Canadian Environmental Bill of Rights.

She said: Mr. Speaker, I would like to thank the member for Halifax for seconding my bill. She is a tribute to the House, and I am

delighted that she is here in the House with us. She strives for justice every day in the House.

The bill, the environmental bill of rights, is being tabled for the purpose of safeguarding the rights of the present and future generations of Canadians to a healthy and ecologically balanced environment. It confirms the Government of Canada's public trust duty to protect the environment under its jurisdiction and ensures that all Canadians have access to adequate environmental information, justice and effective mechanisms for participating in environmental decision making.

It provides adequate legal protection against reprisals for employees who take action for the purpose of protecting the environment, and it enhances public confidence in the implementation of environmental law.

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

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TELECOMMUNICATIONS TRANSPARENCY AND FAIRNESS ACT

Mr. David McGuinty (Ottawa South, Lib.) moved for leave to introduce Bill C-555, An Act to provide transparency and fairness in the provision of telecommunication services in Canada.

He said: Mr. Speaker, I rise to present my private member's bill, the "get connected fairly act", which would direct the Minister of Industry to amend the conditions for PCS and cellular spectrum licences.

It would also require the government to direct the CRTC to gather information, seek input and make a major report on competition, consumer protection and consumer choice issues relating to telecommunications services in Canada.

I believe this goes some distance in addressing what many Canadians see as unfairness and a lack of transparency in monthly charges for services.

There have been discussions among the parties, and I would like to ask for unanimous consent to give this bill the same number it had in the 39th Parliament, which was Bill C-555.

The Speaker: We will try that in a minute. We had better get the bill read for the first time first.

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

The Speaker: Is there unanimous consent that the bill be numbered C-555?

Some hon. members: Agreed.

Routine Proceedings

The Speaker: Agreed and so ordered.

[*English*]

* * *

INCOME TAX ACT

Hon. Albina Guarnieri (Mississauga East—Cooksville, Lib.) moved for leave to introduce Bill C-470, An Act to amend the Income Tax Act (revocation of registration)

She said: Mr. Speaker, I would like to thank my colleague from Brampton West for graciously seconding the bill before us.

Seven thousand years is how long it would take for a typical \$30-a-month donor to the Sick Kids Foundation just to pay the salary and severance of its CEO.

This bill would limit the bounty of charities by putting a quarter million dollar cap on their taxpayer-supported salaries.

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

* * *

[*Translation*]

PAY EQUITY TASK FORCE RECOMMENDATIONS ACT

Mr. Michael Ignatieff (Leader of the Opposition, Lib.) moved for leave to introduce Bill C-471, An Act respecting the implementation of the recommendations of the Pay Equity Task Force and amending another Act in consequence.

He said: Mr. Speaker, I am pleased to introduce this bill that will recognize something that never should have been an issue: it is a human right to receive equal pay for work of equal value.

• (1010)

[*English*]

Earlier this year, the government hid an attack on the pay equity rights of women behind the stimulus measures in the budget. Doing so was wrong. It must be reversed, and this bill proposes to do just that. The bill repeals the measures in the budget that put pay equity on the bargaining table, because no human right should ever be on the bargaining table.

[*Translation*]

Women are not a left-wing fringe group. All Canadians, both men and women, deserve the full protection of their government. All Canadians deserve equality in their workplace.

Under this government, the gender gap is growing. We dropped from 4th place to 25th in the world. We should do better.

[*English*]

A Liberal government would implement in full the recommendations of the 2004 pay equity task force. We would set clear targets and we would meet them. Canadian women have waited too long for justice, and that is the purpose of this bill.

[*Translation*]

I truly hope that this bill will receive the support of the House, since we are working to fulfill our shared commitment to protect the human rights of all Canadians.

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

PETITIONS

LIBRARY BOOK RATES

Mr. Merv Tweed (Brandon—Souris, CPC): Mr. Speaker, Canadians continue to cherish their local libraries and continue to send petitions in support of my bill, Bill C-322. Today I am pleased to table petitions from Manitoba, Quebec, Ontario and Saskatchewan in support of extending the library book rate, which allows public libraries to share materials at reduced rates, to include audiovisual materials.

ROUGE WATERSHED

Hon. Michael Chong (Wellington—Halton Hills, CPC): Mr. Speaker, I am tabling a petition signed by Canadians calling on the Government of Canada to work with the province of Ontario to establish a national park in the Rouge Watershed in southern Ontario so as to protect a nationally significant portion of Canada's landscape known as the eastern deciduous forest and otherwise known as the Carolinian forest zone.

It is an area that contains numerous flora and fauna on the endangered species list. I note that the House adopted a motion moved by the hon. Pauline Browes in January 1990, calling for the same thing; namely, the establishment of a park by the Canadian government in the Rouge Watershed.

YOUNG OFFENDERS ACT

Hon. Gurbax Malhi (Bramalea—Gore—Malton, Lib.): Mr. Speaker, I rise today to present a petition on behalf of my constituents who have been victims of violent crimes committed by young offenders. In support of the family of 15-year-old Baden Willcocks, who was murdered on June 19, 2009, the petitioners call upon Parliament to implement these necessary changes to the Young Offenders Act for the benefit of victims' families, whose lives have been destroyed by violent crime committed by young offenders.

ANIMAL WELFARE

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I am rising today to present a petition to the Government of Canada to support the universal declaration on animal welfare. There is scientific consensus and public acknowledgement that animals feel pain and can suffer.

All efforts should be made to prevent animal cruelty to reduce animal suffering. Over one billion people around the world rely on animals for their livelihood or companionship. Animals are often significantly affected by natural disasters yet seldom considered in relief efforts, despite the recognized importance of animals.

The petitioners are from Alberta, Yukon and British Columbia.

EMPLOYMENT INSURANCE

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, my petition is a call for equal employment insurance benefits for adoptive parents. Adoption is an important and essential act in a compassionate, caring and just society.

Under the current EI program, adoptive parents are given 35 weeks of paid leave followed by a further 15 weeks of unpaid leave. Under the law, the biological mother is given both the first 35 weeks and a further 15 weeks as paid leave.

In Canada, adoptions are often expensive, lengthy and stressful to the parents. Studies have shown that an additional 15 weeks of paid leave would help parents to better support their adoptive children and handle many of the specific issues they must face.

The petitioners call on the Government of Canada to support Bill C-413, which would amend the Employment Insurance Act and the Canada Labour Code to ensure that an adoptive parent would be entitled to the same number of weeks of paid leave as the biological mother of a newborn child.

* * *

•(1015)

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

TECHNICAL ASSISTANCE FOR LAW ENFORCEMENT IN THE 21ST CENTURY ACT

The House resumed from October 27 consideration of the motion that Bill C-47, An Act regulating telecommunications facilities to support investigations, be read the second time and referred to a committee.

Mr. Guy André (Berthier—Maskinongé, BQ): Mr. Speaker, I rise in the House this morning to talk about Bill C-47, a bill that deals with very specific aspects of the rules governing lawful access. As some of my colleagues have already mentioned, the Bloc Québécois supports Bill C-47 in principle, but we do have reservations and would like to see an amendment to guarantee the protection of people's privacy.

Government Orders

Bill C-47 seeks to enable the police to adapt their investigative techniques to contemporary technological realities, such as the widespread use of cellphones and the Internet. Facilitating police work, where it does not unduly interfere with fundamental rights, is an avenue the Bloc Québécois has always advocated for fighting crime. Our party feels that increasing the likelihood of getting caught is a much greater deterrent than increasing punishments, which often seem remote and abstract.

However, this bill raises a number of concerns about respect for privacy because the reasons for invading privacy are not necessarily defined. The Bloc Québécois supports this bill in principle because it is important to strengthen police powers to deal with the most complex forms of organized crime. Nonetheless, it will work in committee to ensure that invasions of privacy occur as rarely as possible, only when necessary, and always according to strict guidelines.

I hope that the Conservative Party will welcome the Bloc Québécois' amendments to Bill C-47 to protect individual privacy rights and ensure that this bill is implemented as quickly as possible. It is important, critical even, to take action against crimes committed using the Internet. I hope that the Conservative Party will not use this bill merely to spread political and partisan propaganda about how tough it is on crime. As we all know, the Bloc Québécois usually supports initiatives to curb criminal activity, as long as they are sensible, which we do not always find to be the case.

Somewhat similar to Bill C-46, Bill C-47 would allow police forces to adapt their investigative techniques to modern technologies. Of course I am talking about the increasingly widespread use of the Internet and cellphones. Indeed, Bill C-47 and Bill C-46 complement each other. We believe that they could have been combined into one bill. They both have many of the same objectives. They could have very easily been presented in another way. However, based on how they have been presented, we would of course like to debate them.

Basically, these bills seek to give the appropriate authorities additional tools that are adapted to modern technologies in order to prevent crimes before they are committed, by gathering information on the Internet and through other means of communication. This bill is crucial, considering the new types of organized crime that are carried out over the Internet.

For instance, in my riding recently—just two weeks ago—a man of Moroccan origin was arrested and convicted. He was found guilty of a series of terrorism-related charges.

•(1020)

This bill also aims to address cyber-terrorism, to control it and prevent such crimes from being committed.

In the case I mentioned, the evidence was based primarily on the contents of the defendant's computer, in Maskinongé, and on the violent content he created and transmitted over the Internet.

Government Orders

The purpose of Bill C-47 is to improve investigative techniques. It responds to concerns expressed by law enforcement agencies regarding the fact that new technologies, particularly Internet communications, often represent obstacles that are very difficult to overcome.

Thus, Bill C-47 seeks to facilitate police investigations by compelling telecommunications service providers to acquire technology that would allow them to intercept electronic data and, more importantly, allows police forces to access that data. We are talking about data that could indicate, for example, the origin, destination, date, time, duration, type and volume of a telecommunication.

The Bloc Québécois is in favour of effective and smart ways to fight crime, but as we have said many times in this House, we do not always share the Conservative government's vision regarding certain bills, especially when it comes to incarceration measures. Incarceration and minimum sentences have been tried, most notably in the United States, with disastrous results. Yes, incarceration is valid for serious crimes, but it should not always be used automatically and especially not with the principle of minimum sentences.

The United States has the highest incarceration rate in the world, but that has not necessarily led to a reduction in crime. We have to be very careful about the sort of measures we introduce to fight crime. They must always be aimed at reducing the crime rate. I do not believe that we should be adopting the American model in this area. We still feel that the Conservative Party looks to the Americans for inspiration when it introduces bills that, often, do not reduce crime.

To come back to Bill C-47, no federal law currently requires or compels all telecommunications companies to use equipment that allows communications to be intercepted. The bill seeks to make up for the fact that there is no standard covering the interception capabilities of telecommunications companies.

As I said earlier, Bill C-47 seeks to clarify certain aspects of the lawful access regime. Currently, the police need a warrant in order to compel telecommunications companies to provide them with personal information about their clients. With this bill, certain designated people within law enforcement agencies could, without a warrant or court order, compel a company to provide them with basic information about one of their subscribers.

• (1025)

Obviously, protection measures governing this request for information have been provided in the legislation. Only a very limited type of information is covered by this new system. The bill clearly indicates that the information could be obtained without a warrant. Only designated persons could request information under this bill.

The police can obtain this information without a warrant, but the bill nonetheless puts in place certain extrajudicial protection measures such as the creation of records to trace every request for information.

It is also important to add that although the legislation will apply to businesses that operate a telecommunications facility in Canada, private networks, services for the sale or purchase of goods, and certain specified institutions are exempt from the legislation. I am

talking here about registered charities, hospitals and retirement homes. All the exceptions are in the bill.

What concerns me about Bill C-46 is the privacy and freedom of people who use the Internet or other forms of communication.

This bill must not lead to an intrusion into people's private lives or the exchanges between individuals. Honest people have to be able to surf the Internet in a safe and private manner. They must be able to have conversations and conduct financial transactions safely. Honest people must not be taken hostage by criminals in this society, and hence, we need to protect privacy. We have to approach this bill carefully.

In a democratic society, the government's actions have to be transparent and citizens need to know that their privacy is protected. Children need to be protected from pedophile rings and all the other sex offenders on the Internet. We have to protect our economic assets so that we can conduct our transactions and deal with the financial aspects of organized crime. We have to protect our societies from cyber-terrorism, as I mentioned in my speech. This is a situation that people in my riding experienced not so long ago.

Organizations that defend human rights, in this case the right to privacy and confidentiality of communications, have raised a number of points that must be examined when we study this bill in committee. They are definitely important witnesses and should be invited to appear before the committee. The work must be done and it will naturally take time.

The bill introduced today has many complex provisions. Moreover, the impact of certain provisions on other laws is also very difficult to gauge.

We want to take the time to study the bill thoroughly, but we must also act quickly, examine all aspects and especially hear from police organizations and human rights organizations as they have also undertaken the arduous task of studying this bill.

• (1030)

These people must be heard in committee. You can rest assured that the Bloc Québécois will recommend many witnesses.

They must be given, as must we, the time to reflect and to ensure that this legislation strikes a true balance between the need of police to investigate—which is important because we are all familiar with today's growing cybercrime and they have to be able to do their job—and protecting privacy rights. We cannot choose between the two. This bill must clearly respect both issues.

I would also like to touch on the aspect of prevention in an effective strategy to fight cybercrime. This strategy must, of necessity, be based on a multi-pronged approach, whether implemented by the public or the private sector.

It is important to give the public, and especially younger people, the tools and the means to protect themselves against this new type of cybercrime which, unfortunately, is becoming increasingly prevalent.

Therefore, we have to encourage individuals and business people to adopt safe computer practices. At present, Internet users are often careless. Many people start up their computers and store important information in them without giving any thought to the potential, unfortunate consequences.

We need to change how people think, and in order to do so, we need make them more aware. We need to educate and inform the public, and give them the tools they need to protect themselves against cybercrime. This is important. We must invest money into educating the public.

In order to continue our fight against cybercrime and to defend the right to digital privacy, our primary goal, as I mentioned, must be to protect individuals, organizations and governments while taking fundamental democratic principles into account. Obviously, the tools to fight computer crime could potentially violate human rights and compromise the confidentiality of personal information. Securing information requires surveillance, controls and filters. Safeguards must be put in place to avoid allowing people to abuse their power or to dominate, and to avoid Big Brother type situations. We must ensure that fundamental rights are respected—I cannot stress that enough in this speech. In particular, we must ensure that the digital privacy and the confidential personal information of people who use these telecommunications networks are protected.

National legislation regarding the protection of personal information has been around for a long time. We also know that security is the result of a compromise.

I see that I have only two minutes remaining. We must ensure that cyberspace does not become a virtual smorgasbord for cybercriminals, or a dangerous place, or a place with an excessive police presence, or a place controlled by an ultra-powerful entity. We must bring democratic values and the human aspect back into the debate on new technologies. We must find ways to become informed Internet users and not vulnerable and dependent consumers.

In conclusion, I would like to thank the House for allowing me to speak. I want to say that we will support this bill with some reservations. We will examine it in committee.

• (1035)

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, as the member knows there is a provision in Bill C-47 for a five year review, whereas there is no provision for a five year review in Bill C-46, which is a very similar and connected bill.

What form does the member think this five year review should take or if in fact the government should be looking at a sunset clause,

Government Orders

given that technology changes radically even over a year, let alone a five year period. Perhaps a sunset clause would be more appropriate.

I would ask the member to comment on those particular areas.

[*Translation*]

Mr. Guy André: Mr. Speaker, I have not delved into that issue. However, I think that if we bring in legislation like this, we will have to reassess the measures used in police investigations and determine whether they have infringed on individual privacy rights. Have the new powers helped fight cybercrime? Have law enforcement agencies actually reduced the number of pedophile and cyberbullying rings now targeting young people? Are the measures doing enough to facilitate police investigation while respecting the rights of individuals?

[*English*]

Mr. Jim Maloway: Mr. Speaker, I have a follow up question for the member.

The Privacy Commissioner suggested that there be a review of the regulations flowing from both of the bills. She suggested that given the important administrative procedural and technical details involved, Parliament should conduct a full committee review and hear from all interested stakeholders on both the legislation and the regulations, and that the review take place before either bill comes into force.

Does the member have any comments about that, including her observation about yearly statistics? She would like to see an annual reporting to the public on the statistics of the use, the results and effectiveness of these new powers. It seems to me that was very good advice on her part, so I would ask the member for his comments.

[*Translation*]

Mr. Guy André: Mr. Speaker, elsewhere in the world, these tools have certainly not curbed crime, online or otherwise, but they have ensured that law enforcement agencies are better equipped to track down offenders.

That should be our goal going forward with this bill, but we must also ensure that we are adequately protecting citizens' privacy while giving the police as many tools as possible so they can take action and crack down on cybercrime.

[*English*]

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, I am pleased to rise this morning in this House to speak to Bill C-47.

This is a bill that addresses an issue that is very important to the people in my riding of Leeds—Grenville and to the many policing agencies that operate inside of my riding. On their behalf, I am pleased to offer my support for this very much-needed legislation which will give enforcement agencies the tools they need to fight modern day sophisticated criminals and terrorists who can be operating anywhere in the world while at the same time reaching into areas like mine.

Government Orders

Let me first offer a little background on my riding. Leeds—Grenville is a very expansive riding that stretches from the outskirts of Kingston in the west to just past the south of Highway 416 in the east near Cardinal. Kingston and area, I would like to point out, as I have in the past, is home to a number of federal prisons and provincial jails.

My riding stretches north along Highway 15 from Kingston to Smiths Falls, and east again to North Grenville along the Rideau. North Grenville lies just 20 minutes outside of our capital city, Ottawa. I have two major highways in the riding, Highway 401 and Highway 416.

The riding includes two border crossings, something that is very important as we have the southern boundary of our riding running along the Canada-U.S. border. We are within minutes of a third at Kingston, and a half hour away from us, up in Cornwall, where there is another border crossing

We also have several small airports in our area and more nearby. As I said, the southern boundary of my riding runs along the Canada-U.S. border, with the United States right on our doorstep. In some cases, it is very easy to move across the narrow area that reaches from one country to another. Of course, one cannot do this legally but it has happened in the past.

The Thousand Islands area of the St. Lawrence River is really one of the busiest recreational waterways in the world, and one of the many complicated border crossing areas with tour boats that go around our area. There are many pleasure craft, commercial boats and others that are crossing from shore to shore and from island to island at all times of the year.

With this broad picture in mind, we can imagine that the law enforcement agencies that are engaged in protecting the good citizens of the riding do have many challenges. Border guards, RCMP, the Ontario Provincial Police and local police departments along with prison guards and private security personnel are all actively engaged in and around the riding.

It is with this background that I am pleased to add my voice to those who support the provisions in Bill C-47. It has been stated before that Canada's current intercept laws are many decades out of date. Technology-savvy criminals can go about their business, often reaching across borders and around the world, without being detected, apprehended or even prosecuted. This poses a very real threat to Canadians.

I am pleased, and I know the residents of Leeds—Grenville are very pleased, that our government intends to put a stop to this. Bill C-47 will take away the advantages that criminals currently have under our laws. They will no longer be able to exploit new communications technologies to remain undetected.

This bill will give those who protect us the ability to intercept unlawful activity. Police and national security officials will be able to shut down so-called safe havens and bring criminals to account for their acts.

In our lifetime we have seen a revolution in communication technology and we can only guess at its pace in the future. From typewriters and dial telephones hooked up with wires, we have

reached a point where ordinary citizens use satellites and complex devices to communicate.

• (1040)

Legislation that was written to combat crime on the typewriter and dial telephone days just does not measure up any more. This new bill would help bring our crime-fighting capabilities up to at least today's communication standards. We would be able to protect our modern society with modern methods.

As we move forward with modern, up to date legislation, we are also telling those who would harm others that we will not allow them to work smarter than us. The bill would remove the communications shields that gang members, child predators, identity thieves and terrorists can currently hide behind.

The bill approaches the complex problem of communication in a number of ways. First, it would require communication providers to install interception capability. Second, it would permit enforcement agencies under certain circumstances to acquire intercepted communications.

I am aware that some people are concerned that individual privacy rights could be violated. It is important to understand that since 1995 the government has engaged in consultation on this issue. Written into the bill are extensive oversight regulations and a recording regime to ensure the new law is not abused.

I want to speak a bit about the intercept component.

The interception of communications really is essential for investigation and prosecuting of serious crime and combatting terrorism. Back in the 39th Parliament, I happened to chair a committee that reviewed the Anti-terrorism Act. We spent a great deal of time talking about terrorists and would-be terrorists who were preparing to commit terrorism acts in Canada and around the world and the impact that had on our citizens, especially after the horrible acts of September 11, 2001, and the further bombings in Madrid and London. We even saw the arrest of would-be terrorists here in Canada just a few short years ago.

These tools could be used by our law enforcement to help combat such things. They could also be used in investigations into child sexual abuse, organized crime, drug trafficking and, as I said, terrorism.

The technical assistance for law enforcement in the 21st century act, Bill C-47, would not provide law enforcement or CSIS with any new interception powers, nor would it change or expand existing interception authorities in any way. Rather, it addresses the challenges posed by modern technologies that did not exist when the legal framework for interception was designed nearly 40 years ago.

Police forces and CSIS will continue to require warrants for interception. This legislation would simply ensure that when warrants are issued, a technical solution is available so that police forces and CSIS can actually intercept the communications that they do want to get at.

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Canada currently has no legal requirement for companies to build interception capability into telecommunication networks and, as a result, we now have some situations where judicial authorization is granted where a warrant is issued but cannot be effective because the service providers network is not intercept capable.

Criminals and terrorists are aware of interception safe havens and exploit them to continue their criminal activities undetected.

As new telecommunication services and products are being rolled out, basically on a daily basis, police forces and CSIS continue to fall behind increasing sophisticated criminal and terrorist groups. There are far too many instances where police forces and CSIS cannot execute judicially authorized interception to protect Canadians' safety simply because of a lack of intercept capability on telecommunication networks. A technical solution would now be available for police forces and CSIS to execute judicially authorized warrants.

• (1045)

The proposal would require companies to pay for intercept capability and certain new equipment and software, while the government would provide reasonable compensation when retrofits to existing networks are needed. This is a shared response to a problem that directly affects the safety of Canadians.

We are looking to get intercept capability with the bill, which would go a long way toward supporting our law enforcement agencies. As I said, that is very important in a riding like mine. It is a very diverse riding with many different components, from the border crossings to our prisons located just outside of the riding.

The bill does contain a number of exemptions. Telecommunications service providers who act as intermediaries, meaning those that transmit communications on behalf of other telecommunications service providers without modifying the communications or authenticating the users, would not be subject to the obligations regarding interception capability when they upgrade their systems or to the obligations in respect of subscriber information. However, they may be made subject to those that are made by order of the minister.

Apart from the obligations to provide information to law enforcement agencies regarding their telecommunications facilities and services, the bill would not apply to telecommunications service providers whose principal operation is a post-secondary education institution, a library, a community centre, a restaurant, a hotel or an apartment building.

There are some temporary exemptions, such as when the minister may, by order made on the application of a telecommunications service provider, suspend, for up to three years, in whole or in part, any obligation relating to interception capability when the systems are upgraded. The minister may, of course, include any conditions that he or she considers appropriate.

We must provide law enforcement agencies with the tools they need to keep our communities safe. High tech criminals will be met by high tech police. What the people of Canada are looking for us to ensure is that law enforcement agencies have those tools.

It is a great day for victims and their families who have been, for a very long time, calling for these legislative changes so that those who work tirelessly every day to ensure that when there is a threat to safety, they can intervene quickly. The proposed legislation strikes an appropriate balance between the investigative powers used to protect public safety and the necessity to safeguard privacy and the rights and freedoms of Canadians.

Bill C-47 would ensure that law enforcement can keep up with these new telecommunications techniques. As I said before, the legislation would provide no new powers to intercept communications. There must continue to be warrants for these intercepts.

Under the bill, accessing subscriber information, such as an IP address, would not require a warrant. The problem is that while some service providers give subscriber information to law enforcement upon request, others fail to provide it in a timely fashion or decline to provide it voluntarily and insist on a warrant. However, in many situations, obtaining a warrant for this basic information is neither practical nor possible. The proposed legislation would help to ensure there are no more dead-end investigations.

I encourage all members of the House to support the legislation and get it off to committee for review so it can come back to the House and we can move it forward. I was happy to speak on this bill as I know it is very important to the people of my riding of Leeds—Grenville. I encourage all members to get behind it.

• (1050)

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I want to acknowledge the work of the previous speaker in his chairmanship of the public safety and national security committee. I will not overly extoll his virtues because I do not want it show up in a political leaflet sometime in the future, but all parties worked very well in that committee, and part of that was because of his good chairmanship.

However, during that period of time, and I am sure he was paying close attention to this because of his responsibilities in the area of public safety and national security, the current Minister of International Trade, the then minister in that period of time for public safety and national security, who would have been responsible for this bill had he remained in that position, came out very publicly, as had, to a lesser degree, the former minister in the Liberal government, when this type of legislation was being debated and discussed in more general terms rather than a specific bill.

However, in the course of that debate in the country and in, I will say, the high tech community in this country, there was great concern expressed about privacy rights and about the role the state should play in getting access to private communication and private data. I think there was a general consensus in the country, and in those communities that were particularly interested in this area, that that should never be done without a warrant.

The then minister for public safety and national security, the now Minister of International Trade, came out and very clearly and unequivocally made the statement, and repeated it on more than one occasion, that his government would never allow access to that type of data without a judicial warrant, without judicial oversight. I think the actual terminology he used was, “without judicial oversight”.

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I am now asking my colleague why the government would, in this bill, allow for the state to demand this information, compel this information, without judicial oversight.

• (1055)

Mr. Gordon Brown: Mr. Speaker, I, too, congratulate the member for Windsor—Tecumseh for his work on the public safety committee and on the committee that reviewed the Anti-terrorism Act.

As he knows, we wrestled with the whole issue of human rights and security. There is a fine balance that we need to find. I believe the bill finds that balance and still would require a warrant to get at those telecommunications companies, but it would allow access to some IP addresses. I believe the bill finds that balance, which is so important to Canadians.

Mr. Joe Comartin: Mr. Speaker, I thank my colleague for his kind comments. I promise not to use them in any political leaflet and I expect the same back from him.

However, he did not answer the question and perhaps I will put it this way. Has the member spoken with the current Minister of International Trade and asked him why he took that position back then and why his government has reversed positions on this issue now?

He obviously felt at that time, although I suppose the other possibility is that he did not know what he was talking about, so I do not want to attribute that to him, but I think he did, and recognized that, in terms of that balance between state interference and public safety, we were clearly better to stay on the side of judicial oversight in terms of protecting privacy rights and still allowing for the use of this legislation but only with judicial oversight.

Has the member spoken with that particular minister and asked him why he took the position at that time?

Mr. Gordon Brown: Mr. Speaker, I have not.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I want to follow my colleague's line of questioning. Is the member aware that Canada's Privacy Commissioner has sent a six page letter? On page two she says, "I have concluded that elements of the proposed legislation raise significant privacy concerns". She goes on to say that she has consulted with a number of authorities, including Justice Canada, Public Safety Canada, provincial privacy commissioners, the telecommunications industry, manufacturers, service providers and associations, law enforcement, the RCMP, the Canadian Association of Chiefs of Police, civil society groups, academic specialists, and other experts in different fields and they certainly do have many concerns of this type.

Has the member received a copy of the letter from the Privacy Commissioner and does he agree with it?

• (1100)

Mr. Gordon Brown: Mr. Speaker, once again I go back to the fact that we need to find that balance between human rights and security. What I would recommend to the hon. member is that we send this bill to committee. That would be an opportunity to get this issue in front of the Standing Committee on Public Safety and National Security where we could hear from these witnesses. I believe the bill does find that balance and will give those in law enforcement the

tools they need to help protect us while at the same time not trampling on human rights and still ensuring privacy where it should be.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I rise to speak to Bill C-47 with a bit of trepidation because my colleague from Vancouver Kingsway did such an excellent job in his analysis of the bill on Tuesday. My colleague from Elmwood—Transcona said that he will probably use that in his political leaflet. I give him permission to do that, because he did an excellent job.

I have watched and listened to the speeches from the various parties. The need for this bill is very clear in terms of providing some tools for our police officers, in particular, and our prosecutors and our judiciary to bring them into the 21st century to combat a number of different areas of direct cybercrime. It would assist them in a number of areas by giving them the ability to get at other information and evidence which they cannot access now because of the gaps in the Criminal Code, our evidence act and other pieces of legislation.

All parties agree that this legislation is necessary. Being completely honest, I think that all parties would also say that it is way overdue. I have been our party's justice critic for going on five years. This has been discussed throughout that entire period of time. We have seen some other drafts of this legislation. There has been a lot of discussion in the public arena. In fact, that discussion probably started back in the late 1990s.

We identified a number of the problem areas in the Criminal Code, the evidence act and other legislation that were, in effect, acting as barriers to effective policing of a number of crime areas, including organized crime. The more sophisticated organized crime groups are way ahead of our police forces and criminal justice system in their use of new technology. We are very much playing catch-up. That has been identified for at least a decade. Unfortunately, neither the current government administration nor the prior one moved rapidly on it.

There is strong support for the bill, with one glaring exception. As I said earlier in my comment and question to my colleague from the Conservatives, Anne McLellan, who was the minister at one point and introduced the first bill regarding these types of amendments, as a typical Liberal, flip-flopped on this. Ultimately, she came out on the side that the state would not invade people's privacy and privacy rights without judicial oversight. The state would not intervene without judicial oversight. I think she ultimately took that position after initially being on the other side. In fact, she introduced a bill that was very similar in this regard to the bill that is now Bill C-47.

Before any bill was introduced in the House, the then minister of public safety and national security took the position publicly that there would be no state intervention in those privacy areas. We are talking here about basic information contained in computers, in current technology and in other technology that we think may be coming. The minister took the position that we would not intervene in that as we have not in any other area of law, technology or private property. Historically, we have just not done that without judicial oversight. We can argue whether that is appropriate, but I believe that argument is long behind us.

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●(1105)

We can go back hundreds of years and the intervention of the state in people's private lives has generally been seen as a negative without judicial oversight. We need that independence and knowledge our judiciary brings to the issues of the day, to the issues of civil liberties, human rights, et cetera, to balance that against the need for the state to intervene in certain cases. That decision needs to be made by the judiciary, not by an individual police officer, the argument being that the judiciary is in a much more independent and qualified position to make that decision of where that balance occurs.

That is the situation we are in at the present time. That is the society we have built. That is the criminal law and criminal evidence structure we have built and which has generally worked well. Nobody argues with the needs in our society which this bill reflects, but we do argue with the government because we believe that in this bill, it has clearly crossed the line.

I want to draw to the House's attention the specific section regarding what a designated person can demand from service providers. It is quite lengthy:

Every telecommunications service provider shall provide a person designated under subsection (3), on his or her written request, with any information in the service provider's possession or control respecting the name, address, telephone number and electronic mail address of any subscriber to any of the service provider's telecommunications services and the Internet protocol address, mobile identification number, electronic serial number, local service provider identifier, international mobile equipment identity number, international mobile subscriber identity number and subscriber identity module card number that are associated with the subscriber's service and equipment.

That is a lot of information that has to be turned over on a simple demand. There are no provisions in the bill for any refusal for that information to be turned over. The subscriber has absolutely no rights but to turn that information over.

There is a secondary problem where, because of the amount of information that could be asked for, as we see from that list, if it is one particular provider that is being targeted, it could bankrupt the person because of the amount of time it would take to provide that information. It is open to that kind of abuse.

It is not open to that kind of abuse if the police force is required to appear in front of a judge and explain why this information is needed, what the nature is of the investigation, the need for that information to assist in that investigation, and we could go down the list. That approach by the police force is no different from any number of other areas where the police now have to go before a judge. There is nothing special about the need for this information.

It is clear that the information in a lot of cases will be needed, but it is also clear that it is the kind of information we get now but is always subject to first getting a warrant. Whether it is getting a warrant to wiretap a conventional land line, whether it is a warrant to install listening devices in a private residence or a commercial establishment, all of those are subject to judicial warrant and judicial oversight. That should be the same here.

It is so fundamental that I do not understand why we are doing this. It is one of the reasons I have raised the point repeatedly as to why we are doing this. Why is the government doing this? I have never had a satisfactory answer.

●(1110)

My colleague from Vancouver Kingsway was very clear in his address to the House on Tuesday. He has canvassed a number of the experts in this area. What came out of the work he did in that regard was that the experts, academics and people who work in the field, investigators, et cetera, have not been able to identify one case in which police have been able to come forward and say that they need to be able to do this.

We will hear the argument from some police agencies or forces that they need this because of timing. That is not a credible argument. It is the same kind of argument we can hear being made with regard to setting up wiretaps, planting listening devices, or getting a search warrant to search residences and commercial establishments.

We have provisions within our law such that if a crime is about to be committed or the police have reasonable probable grounds to believe that a crime is about to be committed, they can do that on their own. We have exemptions within the code that allow them to do that, and those exemptions would apply to these circumstances. I repeat that they have not been able to come up with one instance in which they needed access to that information on demand, where they could not have taken the time to get the warrant.

This may be a point I have to make. I do not want to assume ignorance on the part of government, but I do not have any other explanation as to why it would move in this regard. Our judges who grant these warrants are available in every community in this country on a 24-hour basis. It is a matter of a phone call. Judges in regions are designated for periods of time as having this responsibility, and they make themselves available. I have been involved in cases in which I know the police went to the judge's home and got the warrant, because there was a timing issue. So the judges are available. The need for the protection of privacy is there. It is guaranteed in that regard, and it does not, in any significant way and maybe not at all, hinder the role the police have to play in doing timely investigations.

Neither the timeliness argument nor the argument of the need to prevent a crime from happening stands up to any type of vigorous analysis. There is just no evidence that is the case. Gathering this information, described in section 16 of Bill C-47, which I just read out, is really no different from gathering it in the other areas, for which we regularly attend before judges or judicial authorities to get the warrants before we proceed.

If I had heard any valid explanation from the government, we would not be opposing Bill C-47, and that would be true of my colleague from Vancouver Kingsway. He is responsible for this legislation, because it is going to Public Safety, not Justice. However, both of us would have been in a position to say yes, there is no question this bill is absolutely needed and has been needed for the better part of a decade in this country.

Government Orders

I should say in that regard, we are not only behind the criminal element in this country and organized crime in particular, we are well behind a number of other countries that have moved much more prudently in this regard and have legislation similar to this on their books and have had it for the better part of a decade. We are that far behind other countries as well.

We would have been quite happy, in fact enthusiastic, to support the bill, get it through committee as quickly as we could and back to the House and on to the other chamber for quick passage, but we cannot do that when this fundamental right is being abrogated in the legislation.

If we had heard any kind of decent explanation from the government, we would not have taken that position, but we had no choice. This is so fundamental.

•(1115)

Again, we can go back into English law and into English common law during the hundreds and hundreds of years over which we have evolved these principles of the proper role for the state to play and the proper role within the state for the judiciary and police forces to play. This is undermining that in quite a significant fashion without any justification whatsoever.

We will be opposing the bill on second reading. I expect it is going to go to committee. In any event, hopefully at the committee one of two things will happen. We will convince the government that it has to put judicial oversight back into these sections so that it is covered or—I will say quite frankly that my colleague from Vancouver Kingsway and I are open-minded on this—if we can hear justification, valid argument as to why we should support this, we will in fact change our position for third reading.

However, we have had that opportunity, as far as I can see, from the government. We have not received that justification or any valid arguments to support it with regard to the judicial oversight issue. We are going to stay open-minded. Perhaps other witnesses will come forward who are more astute in their arguments in this regard, and we remain open-minded to see if there are reasons for it within the conditions that our police forces are facing now. I have to say I am skeptical, but I remain open-minded on it.

Having said that, I will conclude. The bill absolutely needs to get through. It needs only this one significant change. If we can get that, then hopefully we can get it through fairly quickly.

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I want to thank the member for his reasoned and reasonable arguments, as usual, regarding the bill.

I would like to ask him if he could provide us with some examples of the type of abuses that could possibly occur under the bill as it is currently written and how he sees a way around them and how he would improve it to make certain these abuses could not happen.

Mr. Joe Comartin: Mr. Speaker, let me answer the second question first.

The amendments to this bill are really quite simple. We simply bring into line the responsibility that the demand for this information would have to be presented to a judicial authority. How that is done varies across the country. In some cases it is brought before a justice

of the peace but it is usually a judge of the provincial superior courts in the respective provinces and territories. There are three basic points that a crown attorney or sometimes the police themselves place before a judge: the subject of the investigation; the stage it is at and what they have done up to that point, identifying the individuals or even a corporation against which they want the warrant; and the specific information they need, as described on an affidavit explaining why they need that information to deal with the investigation.

It is fairly straightforward. We have been doing these warrants for probably 100 years or more in Canada, which have evolved over time to be more sophisticated. There are standard forms that have to be filled out. All we need to do is plug this section into the same format.

In terms of the potential for abuse, I do not want this to sound as though we have police forces in this country that are running amok. I in fact believe just the opposite. I think our judiciary is one of the best in the world, and I think we can make the same argument for our police forces, whether we are talking about the RCMP, some of our major provincial police forces, or those forces at the municipal level.

Our police forces are quite sophisticated by international standards, generally well trained and generally knowledgeable of the law and the requirements of their role. However, like the judiciary and like politicians in this chamber, they are human. From time to time they make judgment errors. The judiciary is in a much better position to provide that protection than are individual police officers who can have—I do not want to call it a conflict of interest because that would be unfair to them—a real desire to catch criminals. At times they can be overenthusiastic, and that then leaves it wide open for these kinds of demands to be made in circumstances that cannot be justified and would not be permitted by a judge.

•(1120)

Mr. Jim Maloway: Mr. Speaker, I think that was a well-answered question.

However, I do want to go a little further here, because the Privacy Commissioner of Canada did write a six-page letter dealing with both Bill C-47 and Bill C-46. She had even more wide-ranging concerns about the bill. Having done a lot of consulting with eminent people and organizations regarding the bill, she has come up with many suggestions as to things that should be changed here. Perhaps they can be changed at committee.

One of them involves the five-year review. While there is a five-year review for this bill, there is not one for Bill C-46. As we know, they are intertwined.

Also, I would like to ask the member what sort of form he thinks the review should take, and how we would mandate that to make certain it did not fall through the cracks. Perhaps a sunset clause should be looked at for this particular bill given that technology changes quite radically over even a year let alone a five-year period.

I would ask the member what he thinks of some of the Privacy Commissioner's observations about how this bill is deficient and how it needs to be improved.

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Mr. Joe Comartin: Mr. Speaker, I again thank my colleague for the question. I had heard him ask a similar one to our friends from the Bloc, and I was hoping he would do that.

On the five-year review versus the sunset clause, I guess the difficulty I have is that on both sides there are problems. I do not know how many bills have been passed in this House in the last 15 years or so, because for about that long it has been relatively common for this House to provide mandatory reviews.

I know from my work on the justice committee and before that on the natural resources and environment committees, as well as the public safety and national security committees—I have spent a lot of time on all of those committees—that a lot of the bills that have gone through those committees and through this House have had mandatory reviews of a variety of natures in terms of their timing.

According to the way the process is supposed to work, those reviews are done in a timely fashion, and in fact are done before the mandated time is over. That is the way it is supposed to work. We could go back and look at the debate that went on around the time we first provided those reviews. The understanding was that a review would be done by the standing committee that was responsible for that area, and in fact it would do the review before the time was up.

When the time limit was up, the standing committee would be able to present to the House recommendations as to whether the bill was okay or the law was okay as it was or if it needed amendments, and if it needed amendments they would recommend the type.

The reality is that rarely happens. I once had a reporter come to me, and this was two or three years ago, and say she had been doing an analysis of a number of bills, crime bills or justice bills, and had found a huge number of them for which the review had never been done. I believe the same was true in the environment field, that the reviews were never done.

I have conducted some reviews in both those areas, justice and the environment, but I would have to say those were the exception. We were doing fewer than 50% of the reviews that had been legislated and mandated. There is no reproof, no penalty to this House for not doing the reviews, so we continue on this way.

The obvious alternative is, then, to put in a sunset clause. The difficulty I have with a sunset clause in this area is that I know how badly these tools we are providing in both Bill C-46 and Bill C-47 are needed.

I recognize that technology will develop and will probably overcome some of the provisions we have made here, and we will need to pass further laws down the road so that we can again be up to date with the criminal element in the use of technology.

I am really fearful that if we put in a sunset clause and the government of day does not pay attention, this will collapse and it will not be available to our police forces. I think that is too much of a risk. I know it is tempting to do so, because that would impose greater pressure on the government of the day to make sure it got done.

We saw it happen with the government. We had this situation with the anti-terrorism legislation. There were several clauses in there, the use of which I have to say I opposed, and in fact they collapsed

because the government did not move quickly enough to deal with them.

This experience shows us that we cannot depend on them even in a sunset clause situation to respond appropriately with regard to time.

● (1125)

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to speak to Bill C-47, An Act regulating telecommunications facilities to support investigations, or the Technical Assistance for Law Enforcement in the 21st Century Act. This bill was introduced on June 18, 2009. It deals with very specific aspects of the rules governing lawful access. Lawful access is an investigative technique used by law enforcement agencies and national security agencies that involves intercepting communications and seizing information where authorized by law.

Rules relating to lawful access are set out in a number of federal statutes, in particular the Criminal Code, the Canadian Security Intelligence Service Act and the National Defence Act. This bill therefore complements the current lawful access regime. In fact, it addresses the same two issues as the former Bill C-71: technical interception capabilities of telecommunications service providers and requests for subscriber information.

Other aspects of the lawful access regime are addressed in Bill C-46, which was introduced on the same day as Bill C-47.

Bill C-47 addresses a concern expressed by law enforcement agencies, which contend that new technologies, particularly Internet communications, often present obstacles to lawful communications interception. The bill compels telecommunications service providers to have the capability to intercept communications made using their networks, regardless of the transmission technology used. It also provides law enforcement agencies with access, under an accelerated administrative process without a warrant or court order, to basic information about telecommunications service subscribers. At the same time, the bill provides for certain protection measures in clauses 16 to 23.

The Bloc Québécois will support this bill in principle, because it is designed to enable the police to adapt their investigative techniques to modern technological realities, such as the widespread use of cellphones and the Internet. Facilitating police work, where it does not unduly interfere with fundamental rights, is an avenue the Bloc Québécois has always advocated for fighting crime. Our party feels that increasing the likelihood of getting caught is a much greater deterrent than increasing punishments, which often seem remote and abstract.

Government Orders

This campaign that the Conservative Party has been running for the past three years is merely an attempt to show the public that it is tough on crime. It is always amusing to see the Conservative members acting like sheep, repeating over and over again that they are tough on crime, when the Bloc Québécois was the first party in this House to really tackle organized crime groups. The House will recall the whole debate raised by the Bloc Québécois to bring in real legislation to fight organized crime. This has produced solid results in Quebec with the operations conducted by the Government of Quebec and the Sûreté du Québec against organized crime groups.

Of course all this legislation is needed. Just trying to manipulate public opinion, as the Conservatives are doing, is not enough. We must really achieve our objectives. That is what the Bloc Québécois has always set out to do. One way of doing so is by helping police forces when they ask us to make certain changes, and this bill is the result of one such request.

The same was true for the fight against organized crime groups. The Bloc Québécois proposed reversing the burden of proof. Before that amendment to the Criminal Code, it was up to the Crown to prove that the money used or the goods acquired by criminal groups really were the proceeds of criminal activity, which was more difficult. Now, the burden of proof is reversed, so when an individual is part of a criminal organization and is charged, all of the goods acquired are automatically assumed to have been acquired through criminal activity.

• (1130)

Accused persons now have to prove that they acquired certain goods through legal means. This has helped break up major organized crime networks. That is how to go about things. We have to try to get to the heart of the problem.

The Bloc Québécois has always been critical of the Conservative Party for wanting to stir up the public's imagination when a crime has been committed and the media blow it out of proportion. The Conservative Party members immediately try to show that the judges are not doing their jobs and that we need minimum sentences. In reality, the judges are doing their jobs. Every case is unique.

In the case of white collar criminals, what the Bloc introduced in this House was simple. We asked the House to unanimously pass a bill that would prevent white collar criminals from getting parole after serving one-sixth of their sentence. Two white collar criminals, Vincent Lacroix and Earl Jones, were getting ready to plead guilty. They were both planning to plead guilty so that they could be released on parole after serving one-sixth of their sentences. The Conservatives want to be the only ones who are truly tough on crime. Like good little sheep, they have chosen that for their slogan.

In all of this, there are two criminals experts do not agree on. Vincent Lacroix pleaded guilty. Experts say that even if the Conservatives introduce their bill and it is passed by this House, those people, given that they have already pleaded guilty, would be eligible for parole after one-sixth of their sentences. The Conservatives just want to score political points. That is the Conservative way of doing things, an approach inspired by the Republicans in the United States.

In Quebec, people are not fooled. We have been through this and we want to address the real problem. That is what the Bloc Québécois has always defended in the House. The Bloc feels that it is important to study Bill C-47, which the police have called for. The Bloc is in favour of passing this bill.

Earlier, I heard my NDP colleagues say that they will be opposing this bill and that is probably because it is not in keeping with their political ideology. Personally, I believe that this bill should be studied in committee in order to make improvements. That is the objective. That is the advantage we have when considering bills. We can send them to committee and call witnesses. Police representatives will tell us what they need. In this way, those opposed to certain aspects of this bill can be heard. The Bloc Québécois realizes that the bill raises a number of concerns about privacy issues and the justifications for breaches of privacy.

This bill will make it possible to obtain information from cellphones and Internet networks. In short, the police want cellphone or Internet service providers to capture messages and deliver them to the police when needed for investigations. That directly affects privacy. The Bloc Québécois is aware of this. We want to strengthen police powers so they can deal with organized criminals and their complex networks. At the same time, we must prevent serious intrusions into the private lives of citizens. One way to do this is to vote for Bill C-47 at this stage and send it to committee. We will then be able to call various witnesses to shed light on the issues. That is simple logic.

I am a notary by training. In Quebec, notaries deal primarily with real estate law and personal law in connection with wills and the lives of individuals. But the law is often a matter of simple logic. All too often, for partisan purposes, attempts are made to force the logic. That is not a good thing in the long term.

• (1135)

The Americans have filled their prisons with criminals. They have invented new sentences. In a statement made a few months ago, President Obama said there were 25,000 too many prisoners in the prisons and the country had no money to supervise them. Inevitably, those are the facts. The Conservatives have been introducing bills dealing with the justice system virtually every other day lately, for purely partisan purposes. Those are the facts. They are trying to box their Liberal opponents in. They say the Liberals are soft on crime and they are tough on crime.

That is a lot of work to manipulate public opinion, because that is all they want to do. The Conservatives are experts at that. To justify their tough on crime reputation, they have to create new crimes. They have to be able to constantly attack the justice system, to keep saying it is not enough. Inevitably, the result is the one the Americans have achieved. Crime has not declined, because they have simply created new crimes. The number of criminals is going up.

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That means more criminals at large or behind bars. It means more criminals at large because the ones who are non-violent inevitably have to be released. When they are sent to prison, there is not enough staff to be able to give them adequate support, to try to prepare them for reintegration into society. But when they return to society, they are returning from spending time in the crime industry. They went to prison and met criminals, who recruited them. They get out of prison and commit more crimes.

That is the circle the Republicans created in the United States. It is easy to understand. There are no analyses to prove that the tougher you are on crime, the fewer criminals there are. The opposite is true: the tougher you are on crime, the more criminals there are getting out because we are simply not able to provide support for them. We would have to invest too much to try to staff the prisons adequately, to be able to provide psychological and other support for all these criminals. Inevitably, that is the result we achieve. The criminals are left to their own devices when they get out of these crime factories, the prisons. They commit more crimes. Every country that has adopted policies like that has more criminals at large and more crimes are committed. Those are the facts.

It is paying off politically for the Conservatives in the short term. They are determined to win their election. But we can see that it has the opposite effect. The tougher they are on crime, the more they try to manipulate public opinion, the fewer people want to give them a majority. Once again, after the next election campaign, we will probably have another minority government.

The bills that have been introduced this week all related to the justice system. There was nothing introduced in this House that dealt with any subject other than the justice system. The Conservatives have seen that the next political opening for an election will probably be in the spring. They want to try to score points with their base, with voters who are very disappointed with how they are managing the economy.

We have reached a deficit of nearly \$50 billion. Looking at the quality of the hon. members and government ministers opposite, I do not think that this figure will come down. There are no experts there to counter this astronomical shortfall. History shows that every time the Conservatives have been in power, they have run a deficit. That is the reality and it will not change. They managed to turn an annual surplus of about \$15 billion into a \$50 billion deficit. They try to tell us it was because of the international economic crisis. They are the ones, though, who decided to reduce the GST, which deprived us of \$14 billion. That was a choice. They chose to take a surplus and turn it into a deficit. I do not see how they will be able to return to a surplus position. Under their regime, it is impossible. We will need a change of government to do that.

In the meantime, we will have to be very vigilant. Bill C-47 is a good example.

● (1140)

The police forces are asking us to take action. They want to employ new investigative techniques and use electronic surveillance to monitor cellphone conversations and discussions on the Internet.

I think this is a reasonable thing for the police to do, provided there is a framework to protect privacy. Quebeckers and all citizens

are entitled to think that their government will respect their private lives. A balance has to be found.

I am sure that in this matter Quebeckers can have confidence in the members of the Bloc Québécois, who have always stood up in the House to find a balance. I often say that the Bloc Québécois and Quebeckers are the conscience of America because we have seen all kinds of abuses and Quebec society has managed through its history to counter abuses.

One fine example is the investment that Quebec and Quebeckers made in their hydroelectric system, without any help from the federal government. I like to remind people of this because colleagues from all parties in the House forget all too often that Quebec's hydroelectric system was paid for entirely with the money of Quebeckers. There was no assistance from the federal government, which never gave a red cent. Nothing. Zero.

We have learned recently that an agreement is being discussed and will probably be signed today between the Government of Quebec and the Government of New Brunswick giving Hydro-Québec control over the New Brunswick hydroelectric grid. Once again, there is not one cent of federal money involved. It all came from Quebeckers, who have been real visionaries in this regard.

As a well-balanced society, Quebeckers did not want, even 25 years ago, to focus on polluting energies like oil, coal or nuclear power. That is the reality. It was a choice that Quebeckers made because their social conscience was more advanced than that of the rest of America. Quebeckers decided to invest. We have to give them that. Insofar as fighting poverty is concerned, Quebec is probably the best society and nation in the Americas for distributing wealth between rich and poor. That is a societal choice.

In North America, Quebeckers would be the ones most prepared to fight climate change. They would have been prepared to sign the Kyoto protocol and to reduce their greenhouse gas emissions by 6%, using 1992 as the reference year.

Quebec was prepared to do that. It could now be negotiating directly with the states of the European Union and participating in an international carbon exchange. Its companies could now be selling credits for huge amounts of money. But Quebec is once again trapped by the Canadian solution. Perhaps one day there will be a carbon exchange in Canada, but once again, Quebec will not be able to sell at reasonable prices because the European Union is a much larger society than Canada.

I had the chance to meet the mayor of Rivière-du-Loup last fall. He told us that if Quebec and Canada had participated in an international carbon exchange, he could have sold his emission credits because he was able to cut \$1 million worth of emissions. As a result, the city of Rivière-du-Loup lost \$1 million.

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Once again, the Bloc Québécois believes we should be balanced, as Quebec always is, when it comes to Bill C-47. I repeat that we must allow police forces to adapt their investigative techniques. The police must have the ability to force cellphone and Internet providers to allow them to listen to conversations or read Internet communications, while still respecting privacy.

•(1145)

As I explained earlier, the Bloc Québécois is in favour of Bill C-47. But obviously, what we want and will demand is to hear from witnesses both from police forces and from people who are worried about the invasion of their privacy. That will happen in committee.

[*English*]

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Mr. Speaker, it is certainly encouraging to hear that the Bloc is going to be supporting Bill C-47. It is also encouraging to hear that, because of that, it must be getting serious on cutting down on crime. It is a move forward.

Is the member opposite aware of the international practices for accessing basic subscriber information, such as is proposed in Bill C-47? For example, in many countries including the United States, Australia, England, Ireland, Germany, the Netherlands, Sweden, Finland and Norway, police can access subscriber information without a warrant.

I would ask my colleague to comment on why Canada should not have practices similar to these other countries. Why should Canada be any different than they are? Why should our police forces not have the same options available to them that other countries do?

[*Translation*]

Mr. Mario Laframboise: Mr. Speaker, first of all, this gives me the opportunity to point out once again that the Bloc Québécois was the first party to propose reversing the burden of proof for criminal organizations regarding goods acquired through the proceeds of crime. So, yes, we have plenty of experience in the fight against crime.

Of course, it is important that we have the opportunity in committee to analyze and study the points raised by my hon. colleague. That will give us a chance to hear some explanations and allow the department to give some examples of what is happening in the world. It will also allow groups, especially the Privacy Commissioner and privacy advocates, to come and give their point of view. We need to be able to strike a balance in that regard. We will see the results in Bill C-47 in the end.

That is how the process goes. We must be able to hear witnesses and find the best solution. Perhaps we will end up with what the hon. member is proposing. However, once again, the Conservative way is to impose regulations and avoid all debate. It is important to listen to people in society, both those who are in favour and those who have concerns, in order to be able to make an informed decision later. After listening to all those interested in this matter, we will be able to tell them our decision. The Bloc Québécois plans to wait until the committee stage is complete before making a decision.

•(1150)

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I want to thank the member for a well researched and well thought-out presentation as usual. He takes a very well thought-out approach to all of his speeches, in fact.

The Privacy Commissioner has written a six-page letter detailing a number of concerns that she has. One of the questions that I have deals with the whole issue of the five year review. As the member knows, there is a five year review process in this particular bill, while not in Bill C-46, which is basically a companion bill.

I would like to ask him how he sees the five year review being developed. Second, I would like to know what his thoughts are on perhaps having a sunset clause to this bill. Given that technology can change a lot over a year, let alone a five year period, a sunset clause might be the answer here.

When the time comes, the government would have to take another look at the whole bill as opposed to doing the five year review, which could possibly just be forgotten by the government in power at the time.

[*Translation*]

Mr. Mario Laframboise: Mr. Speaker, the hon. member has raised an interesting question that merits thorough study in committee.

In theory, we will have to assess the direct impact on the status of investigations that are under way at the end of the review period or whenever the review period is called for, whether that is five years from now or some other time. We will have to see.

That is the kind of great work we can do in committee. We can talk about it with representatives of law enforcement agencies and Justice Canada, who will help us figure out how to conduct a review without jeopardizing investigations already under way. If we can find a solution, this might be a useful and intelligent way to approach things, given technological change, as my colleague said. That would be good, but we must not jeopardize the investigations going on in five years' time just because we have to conduct an automatic review.

Earlier, I gave an example of what the Bloc Québécois proposed in the House. When we recommended abolishing parole after serving one-sixth of a sentence, we knew that two white collar criminals—Vincent Lacroix and Earl Jones—were about to plead guilty just so they would not be subject to a new law that would prevent them from being eligible for parole after serving one-sixth of their sentences. I would not want the House to pass a bill like that, and then five years from now, if there is a review, jeopardize investigations under way or give people an excuse to delay or speed up legal investigations just so they can benefit from some kind of leniency. We have to be careful about that. But if we can find a way around that problem, I think that a review would be appropriate as long as we have buy-in from the police community and other stakeholders when it comes to rights and freedoms.

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Mr. Speaker, I would like my colleague to elaborate on the Conservatives' methodology when it comes to these bills.

We are realizing more and more that this is all for show. However, this show is very flawed because it disregards the rules and procedures of the House of Commons. The Conservatives have taken to presenting bills to the media but not answering any questions on those bills because they have not yet been introduced in the House. In the meantime, the Conservatives manage to get their message out. It is a way of manipulating House of Commons procedure and it is also a way of manipulating public opinion with the help of the media. The media end up asking questions and not getting answers. It is as simple as that.

I would like the hon. member to say a few words about that.

• (1155)

Mr. Mario Laframboise: Mr. Speaker, I thank my colleague from Gaspésie—Îles-de-la-Madeleine for his question.

It was so bad that the Minister of Justice and the Minister of Public Works and Government Services had to apologize after the excellent Bloc Québécois House leader raised a point of order. They had to apologize for what they had done and the way they had used the media. But it shows what they were trying to accomplish, and that is what is so telling. They did not invent this tactic; they just copied what the Republicans were doing in the United States. They tried to manipulate public opinion, manipulate people who do not keep up with current events, and in their desire to score political points, they went too far.

In the end, this will come back to haunt them. Naturally, the public is very disappointed about what is happening. There have been many crimes committed by fraud artists and white collar criminals. The government is trying to manipulate the voters, without thinking about the consequences.

A balanced approach is what is needed. That is why we always say that the Bloc has a balanced position. The government should not just put all criminals or as many as possible in prison to show that it is tough on crime. It has to be able to ensure that these people, who will get out of prison one day because Canada abolished the death penalty, will be reintegrated into society and can become good citizens again. Otherwise, the situation here will be the same as in the United States: offenders will go to crime school in prison and come out worse than they were to begin with. Imagine what that would be like.

Once again, it is a good thing the Bloc Québécois is still the conscience of this House. That is why the Bloc Québécois House leader appealed to the Chair, who listened to him, and the two ministers apologized. The Conservatives need to realize that manipulating public opinion just to score political points is not good in the long run, especially for the social climate.

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am very pleased to speak today to Bill C-47. Once again, I compliment the previous speaker for his excellent presentation.

Bill C-47 is an act regulating telecommunications facilities to support investigations. The short title is “The Technical Assistance for Law Enforcement in the 21st Century Act”. The bill was introduced in the House of Commons on June 18 by the Minister of

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Public Safety. It deals with very specific aspects of the rules governing lawful access.

Lawful access is an investigative technique used by law enforcement agencies and national security agencies that involves intercepting communications and seizing information where authorized by law. Rules related to lawful access are set out in a number of federal statutes, in particular the Criminal Code, the Canadian Security Intelligence Service Act and the National Defence Act. For greater certainty, the bill provides that law enforcement agencies retain the powers conferred by those acts.

The bill complements the current lawful access regime. It addresses the same two issues as the former Bill C-74, the technical interception capabilities of telecommunications service providers and requests for subscriber information. Other aspects of the lawful access regime are addressed in Bill C-46, investigative powers for the 21st century act, which was introduced on the same day as Bill C-47.

Bill C-47 addresses a concern expressed by law enforcement agencies, which contend that new technologies, particularly Internet communications, often present obstacles to lawful communications interception.

The proposed bill permits the following.

It will compel telecommunications service providers to have the capability to intercept communications made by their networks, regardless of the transmission technology used. We heard comments earlier from one of the government members about how we had to get the bill passed as soon as possible to get up to speed with our allies and other countries around the world that had legislation like this in place for some time.

It will also provide law enforcement agencies with access under an accelerated administrative process without a warrant or court order. That is a big issue with the NDP and it concerns us a lot. On that basis, we want to make certain that in committee we can make some changes to the bill that will further protect the privacy of citizens in this country.

It is somehow acceptable to the government that other countries do not have this provision in their legislation. Other countries' law enforcement officers can get the information without a warrant. This seems to be fully acceptable to the members of the Conservative government.

However, the NDP and I think other members in the opposition want to see the provision of warrants to continue to protect the privacy of the public. Furthermore, I think there is support for that argument from the Privacy Commissioner, who has written a six-page letter on the subject, which I will deal with at a later point in the presentation.

The proposed bill provides law enforcement agencies with access under an accelerated administrative process, as I said, without a warrant or court order to basic information about telecommunications subscribers. I have a list which I will read later. Members will draw their own conclusions that the list might be a little broad. At the same time, the bill provides for certain protection measures.

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●(1200)

In terms of consultations, since 1995 the Canadian Association of Chiefs of Police have called for legislation requiring that all telecommunication service providers have the technical means in place to enable police services to carry out lawful interceptions on their networks. Following the development of a strategic framework in 2000, representatives at Justice Canada, Industry Canada and the Solicitor General of Canada held public consultations in 2002. After having received more than 300 submissions from police services, industry, civil rights groups and individuals, Justice Canada released a summary of the results of the consultations in 2003.

Throughout the consultations, protection of privacy was one of the central issues in the debate on lawful access. Other significant elements included technical interception standards, costs related to interception capability and the need for new lawful access rules. The consultations led to the introduction in November 2005 of Bill C-74, which would have created the modernization of investigative techniques act, but the bill died on the order paper before second reading in the House when the general election was called.

Since then, provincial governments, including British Columbia and various Canadian law enforcement agencies, have made submissions urging the federal government to adopt lawful access measures. After consulting a broad range of stakeholders, including those from the telecommunications industry, civil liberty groups and victims rights groups, the federal Minister of Public Safety introduced Bill C-47, which duplicates the fundamental provisions of the former Bill C-74.

Our almost two-year election cycle has caused bills to progress through a certain path. Because they not only have to go through the House, committees and the Senate, it is very difficult to get bills through this process, particularly in a minority Parliament, within a two-year range. The government, after setting a fixed election date, carving it in stone, turned around, abrogated its own law and called an election one year earlier than it should have. The election was actually supposed to be right now. Because of that, all the bills in place at that time had to be started from scratch.

Then we have the spectacle of the Liberal opposition demanding, almost on a weekly basis, that we get involved in another \$300 million boondoggle election, which would produce, I submit, the very same results we have right now and we would all be back to square one again, starting this process over. In our speeches we will be talking about bills that were introduced so long ago that decades will go by at the rate we are going. I have to smile when I see we are going back three or four successive governments and basically dealing essentially with the very same bill, just with a different number.

In terms of the international context, which I spoke about before, Bill C-47 is a key step in the harmonization of legislation at the international level, particularly concerning requirements regarding the interception capabilities of telecommunications service providers. This type of requirement is already found in the legislation of a number of other countries, including the United States, United Kingdom and Australia. Canada signed the Council of Europe's convention on cybercrime in November 2001, as well as an additional protocol on hate crime in July 2005.

The convention makes it an offence to commit certain crimes using computer systems and creates legal tools adapted to new technology, such as orders to produce subscriber information, which are similar to the request for subscriber information set out in Bill C-47. The injunction in the convention does not specify whether subscriber information can be obtained without a warrant. This is a big difference because it is allowed in the legislation of the other countries. However, we feel we should not go that far. There should be some judicial oversight and police forces should go before a judge or justice of the peace to present the information to obtain a warrant to get the information they want.

●(1205)

That is the way the system has operated now for many years. It is a fair process. It is a process that the public demands in terms of privacy issues and it is just the right thing to do. In fact, the other countries mentioned actually have gone a little too far at the expense of the privacy of their citizens. I believe there is some evidence to show that there have been examples of misuse and abuse.

I know our justice critic mentioned earlier that he did not anticipate this would be a problem, even if we did not have the warrant system, but we want to be sure about this. The one way of having certainty about this is to require a warrant to be taken. It works well. It has worked for many years. I would prefer to err on the side of caution. If we find evidence over time that it does not work, we have provisions under this bill for a five year review.

I have suggested that perhaps the government may want to look at a sunset clause on the bill. Given the way technology changes in a very rapid manner, who knows what sort of technology picture we will see in five years. Perhaps we want to sunset the bill and then after the five years we start over with a new bill with a new context and new environment at that time.

Complementary legislation in Bill C-46 includes other provisions such as those concerning preservation and production orders and the modernization of offences related to computer viruses and hate propaganda, which will enable Canada to ratify the convention on cybercrime and the additional protocol.

I also want to point out that while Bill C-47 has provisions for the five year review, Bill C-46, a very integral part of these two bills, connected in fact, does not require a review. I wonder why this happened that way and whether at committee the parties could get together and deal with this.

Our critic has indicated that we would vote against the bill at second reading, but he left the door open very wide for improvements at committee that will satisfy him in terms of judicial oversight and the whole issue of the warrants. If the government wants to make some overtures and some moves, we will not hold the process up. We can be convinced if the government is prepared to make some movement in this regard.

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I know members were speaking just yesterday about another committee of the House and were relating how happy they were that the committee was co-operating like it had never co-operated before. I am not certain which committee that was. I know, for example, the transport committee of the House has in fact operated on a very consensual basis for a number of years now, in spite of the fact that other committees of the House were basically in virtual meltdown in the last couple of years. The transport committee was the one committee with the reputation of the parties working together and getting this done.

I heard members saying yesterday that they had never seen the level of co-operation in that committee. They thought something was wrong with the committee because it did not even function properly in past years. Now, not only is it functioning properly but we are getting concessions and getting things done, which we never saw possible before.

This is a positive sign, that a minority government can work. I have worked in minority governments before and they have worked well. There is no guarantee that we have to plunge ourselves into a needless \$300 million expense of an election in February or spring, or fall of the coming year, or even the next year.

• (1210)

If the minority government is doing what it should do, cooperating and getting things done, there is no particular reason why it cannot survive its entire term, provided it is reasonable and shows concern for people, shows consideration for the opposition parties and does a total about-face to what it did last year, and provided that it has learned something from its fundamental mistakes of the first few months of last year.

I did want to talk about the interception capabilities of the bill. When we speak about bills, sometimes we plan our speeches to last the 10 minutes, 20 minutes or time that we have. I just find, on a consistent basis over the last 23, 24 years now, that I am rarely ever able to fit all that I want to say within my timeframe. Fortunately, in this environment, I really like this environment a lot, there is a question and answer period provided, which allows us to present some of our missing points.

In terms of the interception capabilities in the current situation, at present no Canadian legislation compels all telecommunications service providers to use apparatus capable of intercepting communications. Only licensees that use radio frequencies for wireless-voice-telephony services have been required since 1996 to have equipment that permits such interceptions. There is no similar requirement for other telecommunications service providers.

This particular bill is designed to remedy the absence of standards for the interception capability of telecommunications service providers. It will require all service providers, including, for example, ISPs, which are Internet service providers, to possess apparatus enabling law enforcement agencies, once they have obtained a judicial authorization, to intercept communications sent by the service provider. Within six months of the date on which the bill comes into force, telecommunications service providers will have to submit a report to the minister, stating their capability to respond to the interception requirements set out in the bill. We deal with that in clauses 30 and 69.

In terms of the obligations of the telecommunications service providers in the capacity to intercept telecommunications, the requirement for interception capabilities relates both to the telecommunications data and the actual content of the communication. The telecommunications service providers must use apparatus that enable law enforcement agencies to intercept, for example: subscriber emails; IP addresses, and that is a very controversial point; the date and time of the communications; the types of files transmitted; and the substance of the messages.

In terms of the provision of requested information, once a law enforcement agency has obtained a judicial authorization, the telecommunications service provider must provide all communications that have been intercepted. If possible, the telecommunications service provider must provide the intercepted communications in the form specified by the law enforcement agency and the service provider must also be required to give law enforcement agencies, on request, information relating to its facilities and the telecommunications services offered.

In addition, in terms of confidentiality, all intercepted processes must be kept confidential. Telecommunications service providers are thus required to comply with the regulations and to guarantee the security of the contents of the intercepted communication, the telecommunications data, and the identity of the individuals and organizations involved.

Clearly, I will not be able to finish the full content of my speech because I have many more pages. I want to deal with the whole issue of the penalties in the bill, but I will skip ahead to the list of information that I promised to talk about, the information covered by the special rules and strictly limited.

The bill lists information associated with subscribers services and equipment that can be obtained without warrant, and here is what they want: name, address, telephone number, email address, Internet protocol address, mobile identification number, electronic serial number, local service provider identifier, international mobile equipment identification number, international mobile subscriber identity number and, last but not least, subscriber identity module and card number. We can see there are many pieces of information being required.

• (1215)

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, let me preface my comments by saying that the safety and security of Canadians is always of concern to this side of the House. I heard from a former coalition partner that he had disavowed the coalition and now wanted to work in this minority Parliament. We certainly welcome that.

This is a good bill that is before the House.

I do have perhaps a bit of a statement and a question at the same time. There is confusion in the House today about current practices of accessing basic subscriber information. It has been said by many members here that it is different from the facts.

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Today, police are not required to obtain judicial authorization to access this information. Police regularly request and obtain subscriber information set out in Bill C-47 without a warrant, and this practice has been upheld by the courts as acceptable under the Canadian Charter of Rights and Freedoms.

I wonder if my colleague across the floor would confirm that this is in fact his knowledge of the bill. Would he then consent to look at what is in the bill and the current practices and maybe change his mind, and support this bill at second reading so it can go to committee?

• (1220)

Mr. Jim Maloway: Mr. Speaker, clearly, the bill will be going to committee and, clearly, that is the place where we should be dealing with the bill on a clause-by-clause basis.

I wish to draw the member's attention to the Privacy Commissioner's six-page letter of yesterday, in fact, in which she outlined her concerns on this whole area of the bill and copied a number of people on it. I am sure the member could get a copy of it. I certainly would be happy to let him know about that.

However, she clearly has some other questions, too, concerning the whole question of a five year review. I have thrown out the idea that, perhaps, a sunset clause would be more appropriate. Once again, I am sure this is something we should be looking at in committee. Given this new-found glasnost on the part of the government to co-operate with the opposition, I see only good things in the future. If we continue to co-operate and get through some of the misunderstandings and misinformation, we could do that at committee. I am sure this would be a better bill because of it.

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, I want to thank my colleague for his interventions. He has a history as a legislator and many years of experience, so I appreciate his words very much. I did find it interesting that he had a rather long list of things of which the government needed to take heed and perhaps mend the error of its ways. Perhaps he is right and miracles could happen.

I did, however, want to ask him about the penalties. He made mention of the need to talk about penalties in the bill and I would like to give him that opportunity.

Mr. Jim Maloway: Mr. Speaker, in terms of penalties, there are a number of penalties that we could deal with, and I do not think we could fit them all into the time given for questions and comments.

However, for example, a breach of the obligations relating to the capability to intercept or a contravention of a ministerial order would be liable to maximum fine of \$100,000, in the case of an individual, and \$500,000, in the case of a corporation.

In addition, if a telecommunications service provider does not have the required interception capability when its system is updated, a court may issue an injunction to prevent the use of transmission apparatus or software.

We are dealing here with a large expense that the ISPs, Internet service providers, would be faced with. The bill does give flexibility to allow the ISPs a bit of lead time in order to update their systems. They do not have to immediately go out, upon the bill passing in the

Senate, if that should happen, and spend a huge amount of money updating their systems. They are given a phase-in period to do that and I think that is very reasonable.

The Acting Speaker (Mr. Barry Devolin): Resuming debate. Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

An hon. member: On division.

The Acting Speaker (Mr. Barry Devolin): I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Public Safety and National Security.

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

* * *

• (1225)

STRENGTHENING CANADA'S CORRECTIONS SYSTEM ACT

Hon. Josée Verner (for the Minister of Public Safety) moved that Bill C-43, An Act to amend the Corrections and Conditional Release Act and the Criminal Code, be read the second time and referred to a committee.

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, this is an important bill. It is important for all Canadians and, certainly, it is important for my riding of Oxford in southwestern Ontario.

I do rise to speak in support of Bill C-43, An Act to amend the Corrections and Conditional Release Act and the Criminal Code. With this bill, the government is proposing several fundamental reforms to corrections and conditional release to ensure our streets and communities remain safe for everyone. That should be the goal for all of us in this House.

The proposed reforms would make the protection of society the paramount principle of corrections and conditional release. They would modernize disciplinary sanctions and increase the responsibility and accountability of offenders for their own actions. At the same time, the reforms would provide victims with access to the kind of information they demand and deserve.

These amendments did not appear out of thin air. Indeed, they build on and reinforce work already underway to strengthen corrections and conditional release. It, therefore, might be useful to understand the context for these amendments and how they are intended to continue the transformation of corrections.

Since coming to office, the government has been committed to ensuring the corrections system achieves two interrelated goals: enabling offenders to get the help they need to rejoin society as law-abiding citizens, and that is an important goal, and ensuring that Canadians feel safe in their own homes and communities.

In 2007, as part of our commitment to protecting Canadian families and communities, the government established an independent panel to review the business plans, priorities and strategies of Correctional Service Canada.

The panel made 109 recommendations under five themes: offender accountability, eliminating drugs from prison, physical infrastructure, employability and employment, as well as eliminating statutory release and moving to earned parole. Its recommendations specifically address the concerns of victims as well as the needs of offenders with mental health problems.

In budget 2008, the government committed \$478 million over five years to implement many of the panel's recommendations. We have made tremendous progress in key areas. I will highlight two in particular, drugs and mental health illnesses.

The panel stressed the need to work harder to eliminate drugs from prisons. Our government responded by announcing a new anti-drug strategy last August to help eliminate drugs in federal prisons. This strategy is allowing Correctional Service Canada to significantly expand the drug detector dog program at all federal prisons, increase security intelligence capacity in institutions and their surrounding communities, and purchase security equipment for maximum and medium security federal prisons while also enhancing perimeter security around institutions.

As well, the government is taking action to tackle a problem that significantly contributes to the use of drugs: the presence of gangs in our prisons.

The panel also pointed out the need to address mental health illnesses, which have increased by 71% since 1997 among the offender population. Indeed, nearly 26% of female offenders and 12% of male offenders are suffering from a serious mental illness when they enter the correctional system. That is when they enter the correctional system, and that is an important part of this whole issue that we need to understand. Clearly, sound mental health is a vital issue for the successful transition of offenders to the community.

Through the community mental health initiative, the government has already been working hard to ensure offenders under community supervision can get the help they need. For example, more than 900 community staff have been trained in mental health issues, and Correctional Service Canada has embarked on a pilot project to provide specialized mental health treatment for women offenders in the community.

However, there is more work to be done to combat the use of drugs in our prisons and to address mental health illnesses. That is why the government plans to continue improving tools and techniques to detect drugs. The bill specifically addresses the need to expand mental health programs and services in institutions and communities to help ensure a successful transition for offenders and to keep our communities safe.

• (1230)

The independent panel also stressed that rehabilitation is a shared responsibility between the corrections system and the offender.

To heighten offender accountability, the bill would ensure a correctional plan is completed for each offender that sets out

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objectives for behaviour, participation and the meeting of court ordered obligations. It would introduce new incentives to help promote offenders' participation in their correctional plans.

The bill before us today would also modernize the system of discipline in federal penitentiaries by, for example, addressing disrespectful, intimidating and assaultive behaviour by inmates, including the throwing of bodily substances. It would also require offenders to respect both other people and property.

What is more, the bill would reinforce the requirement for offenders to obey all penitentiary rules and conditions governing their release. If offenders do not follow rules upon their release, the bill would allow police officers to take action. For example, the police could arrest without warrant any offender who appears to be in violation of parole. These are the kinds of changes that both police and victims groups have been demanding, and we are proud to respond.

I want to dwell on the rights of victims because they are the group that has been too often overlooked.

The bill would enable victims to get information on the reasons for an offender's temporary absence or transfer. Victims would also be able to learn about the participation of an offender in program activities and about any convictions for serious disciplinary offences. In addition, the bill would enable a victim to make statements at National Parole Board hearings.

In the same vein, I want to point out that the government is creating a national victims of crime advisory committee. This committee would bring a victim's perspective to corrections issues. For example, it would keep the government abreast of emerging issues related to victims and it would ensure that victims' concerns are considered in research, laws and policy related to crime.

The government is committed to transforming our corrections system. We have already taken major steps to address the recommendations of the independent panel, and the bill before this House continues that vital work.

I urge all members of the House to give their unconditional support for this bill for the sake of offenders who must take more responsibility for a successful transition to the community, for the sake of crime victims who deserve a greater voice in the corrections system, for the sake of corrections officers who have a right to work in a safe environment and for the sake of all Canadians who deserve to feel safe in their homes and communities.

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Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, my mind goes back to the 1990s when, under the guise of budget cuts and so on, a program of de-institutionalization took place where community based organizations, in fact institutes that had long service records with respect to working with those who were involved with the criminal justice and had mental issues, were put out on the street. The kind of community support that was needed was not there.

I think the House would probably agree that we are taking the right steps to ensure that backup is there for inmates inside institutions and for parolees who are part of the community.

I am particularly interested in the statement made by the minister with respect to offenders who do not follow the rules and the whole question of accountability with respect to the actions that are taken to rehabilitate. It is good that victims would be kept abreast of how the person is being rehabilitated, but how can the accountability loop be closed such that society can be sure that the rehabilitation is real and will result in that person becoming a productive member of society?

• (1235)

Mr. Dave MacKenzie: Mr. Speaker, I do believe my colleague has grasped the essence of where we are and where we need to go. I was actively involved in that whole area back in the 1990s and 1980s and in those days we had systems in place that were provincially operated.

People who suffered from mental illnesses and a variety of things, including addictions, which some would deem a mental illness, received the treatment in the communities and were not part of the criminal justice system. Somehow, the system has failed for many of these people and it has failed society in that the final catch-all seems to be the federal corrections service. These folks need the help long before it gets to the federal corrections service. I think we would concur with that.

What we need to do now is to find out how to fix that system. There have been a lot of experiments over the years, and I suppose experimentation takes place continually, but we on this side have deemed it necessary to put more money into mental health issues. I believe there was a budget item of \$110 million to the Canadian Mental Health Association in 2007.

We need to move forward with that and we need to find those solutions so that these people do not end up in our prisons.

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, it gives me pleasure to rise in the House to speak on this topic.

Perhaps one of the more seminal moments in the last couple of years that really brought public attention to the problems in our prisons, particularly with those who are facing mental health issues, is the story of Ashley Smith. At the time, Ashley was a 17-year-old girl whose crime was to have thrown an apple at a postman and to have stolen a CD.

Ashley entered our penitentiary system where she was kept in solitary confinement for 11 months. She was never properly diagnosed as having mental health issues and yet she was constantly on a suicide watch in solitary confinement in various prisons. She was transferred from facility to facility.

When I was at the Grand Valley Institution in Kingston, I had the opportunity to be in the cell in which Ashley passed away. It is incredibly tragic to think that she died there as prison guards watched, with orders not to enter her cell. She asphyxiated herself, after 11 months of complete failure by our prison system to address Ashley's root problems and after her having gone to jail for a very minor crime in the first place.

This tremendous tragedy on its own is deeply sad not only for the family of Ashley but for all Canadians that it could happen in Canada. What is far more sad is that the Correctional Investigator tells us that this is symptomatic of something that is happening every day in prisons across the country.

The reality is that those faced with mental health concerns are dealing with a system that is utterly failing them. More often than not, they are placed in solitary confinement because the system does not have the ability to provide them the services they need to get them better.

As an example, when I was in St. John's I had the opportunity to visit Her Majesty's Penitentiary and the solitary confinement cells there. In a tiny cell, barely larger than a closet, were two people, one of whom I was told faced a serious mental health issue and was self-flagellating, hitting himself. In that cell was somebody else laying on the ground with a blanket over his head, trying to drown out the noise.

My overwhelming feeling after watching that was to wonder how anybody could possibly get better. How could that person, who clearly had such a serious mental health concern, get better in an environment of being stuck in such a tiny cell, isolated from anyone else? In fact, today in committee, just a little less than half an hour ago, mental health professionals said that the worst thing for somebody facing a mental health issue was to be confined, to be removed from interaction with other individuals.

The reality is that, unfortunately, our prisons are being treated as hospitals without doctors or nurses who know how to treat those patients. In fact, prison guards are given little to no training on how to deal with those who have mental health issues, meaning that they are poorly equipped to help inmates.

This tragedy is obviously terrible when we think of all the suffering that is going on unnecessarily, but we also have to keep in mind that as these individuals are being released directly from solitary confinement into the population at large, the likelihood they are going to reoffend is almost certain. This not only is a terrible tragedy because of what it does to those who have mental illness, but it is a terrible tragedy for the community as a whole. The reality is that this is driving up rates of recidivism and making our communities less safe and more dangerous.

When I left Her Majesty's Penitentiary, one of the corrections officials told me that the reaction of the former Conservative public safety minister, after having toured the facility, said to the media when asked about the conditions in the facility, "Good, it will act as a deterrent. People won't want to go in there".

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The idea that somebody who is facing a mental health issue will stop and think about the abysmal, horrid conditions in a prison before committing a crime, is to so fundamentally misunderstand the nature of the problem as to ensure that person will enter that environment and offend and offend and offend and offend.

● (1240)

We look at other jurisdictions like California where the recidivism rate now is over 70%. We should think about that for a second. More than seven out of ten individuals who enter prisons in California will reoffend. The rate here in Canada is 36%. Why is that the case in California? It is because those who are facing mental health issues or addictions, which I will come to later in my speech, are given no programs and no services and are entering into environments that are overcrowded and exacerbate existing problems. It means that they enter as minor criminals but they come out as hardened criminals ready to offend and offend again.

We often forget that prisoners get out of prison, even if we increase their sentences. In fact, over 90% of prisoners will come back into society. The question is, how do we want them to come out?

In a recent report by Mr. Stewart and Mr. Jackson they talked about a broken compass and that the government's direction with respect to corrections is leading us on a catastrophic path that has been done before. What we have learned from them is that we are walking the very same road that the Americans walked in the early 1980s when the Republicans in the United States thought the only way to solve crime was to put more and more people into prisons. What resulted in the United States is what will result here in Canada: an ever increasing permanent prison population that churns out more and more criminals, costs billions more dollars and at the end of the day makes our communities far less safe.

Already in Canada we know that somewhere between 12% to 20% of the male population in our prisons are facing serious mental health issues. For women the statistics are even more grave and more severe. A full one-quarter or more of female inmates face serious mental health issues.

This brings me to the question of addictions. We do not often think about what the root cause of crime is, but more often than not, what begins that path down a dark road toward crime and toward problems is addictions. Don Head, who is the head of our corrections facilities, has said that some 80% or more of criminals in our prisons right now are facing addiction issues. Problems with addictions are at the root of most of our prison population, yet the reality for those inmates is that we are not providing the services they need to break the deadly cycle of addiction, crime and violence.

For people who are addicted to drugs, more often than not they have to feed that habit, so they commit at first smaller crimes, crimes that have major detrimental impacts on communities but are really the start of a more dark path that they are beginning in their life. They do break and enter to pay for whatever drugs they have. We see particularly in Vancouver where the rates of drug use are much higher, the problem of property crimes continually on the rise.

We do not ask what happens to that person who commits a break and enter. Perhaps it is a young person 18 or 19 years old who breaks

into a house and steals some things so that he or she might be able to pay for that next hit of drugs. The person goes into remand more often than not. The sentence is served in overcrowded, deplorable conditions where no program and no services are offered whatsoever.

I agreed when the House passed measures to end the two for one and sometimes even three for one credits of remand. However, let us not kid ourselves that if we are getting rid of that, we also need to get rid of the conditions in remand, period. When there is someone who goes into those conditions who is facing addiction problems and his or her only environment is an overcrowded place with other addicts and other criminals, what happens is that person comes out even worse than the person was before. We are turning our prisons into crime factories.

Dr. Jones, the executive director of the John Howard Society, quoted somebody the other day who said that our prisons are like gladiator schools where young men—more often than not it is young men—go in and learn how to be hard criminals, learn how to commit ever more serious crimes. In fact when commenting on the direction the government was heading, Dr. Jones stated that the government's agenda on crime, particularly as it relates to prisons but its agenda more generally “contradicts evidence, logic, effectiveness, history, justice and humanity”.

● (1245)

Those are very strong comments from someone who has to deal with inmates day in and day out. He is saying that the government's agenda flies in the face of all logic, all evidence and all history. It makes the point that this has all been tried before and it has failed miserably.

What is the answer? What is the right approach to dealing with these issues? The first thing we must do is to invest in local communities. No one understands better how to stop crime in the community than the community itself. I was in Summerside, P.E.I. where its crime prevention committee has pulled together the whole community ranging from police to not-for-profits, such groups as the Boys and Girls Club, Salvation Army, the local chamber of commerce. All of them have been brought together to ask how they can defeat the problems they are facing with crime in their community. They developed a plan.

The problem is that their funding is being cut. Imagine, at a time when we have a government which says it has an agenda on crime and that is its priority, the crime prevention budget in this country has been slashed by more than half since the Conservative government came into power. Groups like the Boys and Girls Club tell me they have less money for programs, not more, that the agenda they have developed locally is not only not receiving any money, but more troubling, what money is left they are being prescribed national directives that do not work for the local communities.

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I heard the same thing from members of the crime prevention council in Kitchener when I was there and had the opportunity to talk to them about their incredibly well considered, intelligent plan to combat crime in their community. Their greatest frustration is that for the very things that are the cheapest way of dealing with crime, which is prevention, they are seeing their funding being slashed. Where there is still money in Kitchener as in other crime prevention efforts across the country, they are being prescribed edicts from Ottawa that do not work for their communities. They are being told that if they are a round peg, they have to fit into a square hole. It does not make sense. Communities have to be allowed to develop their own solutions.

If anyone is wondering how serious the slashing of funding is to local crime prevention efforts, in the last full year of the Liberal government, the National Crime Prevention Council supported more than 509 projects in 261 communities for a total of nearly \$60 million. Today that funding has been slashed by more than half. There have been cuts every single year the Conservative government has been in power to the point where there are 285 fewer projects now being funded and actual spending has now been reduced to just \$19 million. We can talk about having a prison strategy, but imagine at the same time that Conservatives are following a failed Republican model on prisons, that they are slashing the very things that stop people from going into prisons in the first place. It is a policy that is backward in the extreme.

It is worthwhile to consider what did happen in specific statistical terms in the United States in the late 1970s and particularly in the very early 1980s. In 1981, the incarceration rates in Canada and the U.S. were very similar. Canada incarcerated 91 individuals for every 100,000 people. In the United States that figure was 243. It was higher, but it was relatively similar. By 2001, in Canada that rate had only grown slightly, to 101 individuals incarcerated for every 100,000. In the United States it had soared to nearly 700 people for every 100,000, a rate 700% higher than that for Canada. In that same period of time, between 1981 and 2001, the United States had grown its incarceration rate relative to Canada's by 500%.

What did the United States get for that? What happened to the violent crime rates or overall crime rates during that same period? Remarkably, or perhaps not so remarkably, if we understand the full story of crime, the reduction in crime rates in Canada and the U.S. were almost identical. All of that additional incarceration, a rate 700% higher than Canada's, meant that the U.S. had no safer communities.

● (1250)

In fact the argument has been made that because of the conditions and stresses of prison, having a large, permanent prison population actually increases recidivism and increases the rate of crime. To me, perhaps the least logical thing we could do is spend billions and billions of dollars on something that has been proven to make the situation worse, not better.

What we should be doing in our prisons seems self-evident. When I visited with the chiefs of police in all different parts of the country, in Calgary, Edmonton, Vancouver, Toronto and Cape Breton, what they said again and again was that we have to have a way to break the cycle of addictions. One of the things that were recommended

specifically in Calgary was that we need prison facilities where people go and serve their time but where they can actually get treatment.

I have had parents of children who have committed crimes who have said that they would turn their own children in, that they would go and grab their children and take them to the door of the prison and ask that they be incarcerated if they knew that those kids would actually get the help they needed to get better. Instead what they know is that when they are sent to these facilities, they get much worse.

We also know that we need to train those who are on the front lines, such as the prison guards, to identify and deal with mental health issues. We have to make sure that those who are brought into our prison facilities are identified on entrance as having the mental health conditions they have and make sure that they get proper treatment, so that when they are released, they can actually get better.

In all of this, I point out that we have consistently supported tough sentences for serious crimes. Of course if people commit serious crimes, they should face serious sentences. The problem with the Conservative approach to this is that they wait for victims. They wait for the serious crime before they do anything. It is only once the victimization has occurred that they talk about the solutions.

We are saying that of course once that has happened, once the situation has gotten to that horrible stage, then yes, tough sentences must be implemented, and we have supported them. However, in the lead-up to that, whether in prisons or through prevention or other actions that are taken, there are far better ways of addressing crime.

The last point I will make deals directly with our police, the men and women whom we count on to keep our communities safe. We know that particularly when policing is proactive and community-based, it plays a huge role in reducing crime. What is so disturbing about the actions of the government is that they have really betrayed police. Those are the words of police themselves. In fact the Canadian Police Association called the broken promise to put 2,500 new officers on the streets a betrayal.

In his speech in Vancouver, the Prime Minister promised to give the RCMP wage parity with other police. The Prime Minister even signed a contract with the RCMP, which he then ripped up and threw out. The government was not even able to give the RCMP wage parity with other police forces, something which is going to have a huge, detrimental impact on their recruitment.

The other thing the government did to the RCMP, which I thought was extremely offensive, was to challenge their right to collective bargaining. They are actually going to court on that while it is a right enjoyed by every single other police force in every other part of the country.

Four years ago, the Liberal government introduced a bill to modernize policing techniques, to give them the tools they need to go after criminals in cyberfraud and child pornography. We introduced that in 2005. This government sat on it for four long years and when it finally did introduce it, it was at the end of a session at the 11th hour, so we could not even debate it until the fall. So four years later, it failed the police.

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In conclusion, the government's approach to corrections and crime is wrong. It is wrong on crime and tough on cops, and it is time for us to have an approach that is intelligent and balanced and that actually addresses the root causes of crime to ensure the safety of our communities.

• (1255)

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, the bill is entitled the Strengthening Canada's Corrections System Act. In his comments, the minister has addressed the necessity and requirement for rehabilitation within the prison system.

He has also spoken with respect to the rights of victims on parole and with respect to treatment that is designed under specific, almost contractual circumstances. The bill presupposes that the resources are going to be available in the community to make that person less vulnerable to addiction and make them more likely to become successful citizens in a very important and civil way.

The member has spoken with respect to the shortcomings of the criminal justice system. However, on the evidence of what occurred with respect to deinstitutionalization, is he satisfied that the government has put the resources back into the community to deal with the kind of recidivism that he has spoken about at great length? I think that is what everybody wants to hear. Will what the government is suggesting work? If it will not, what do we need to do?

Mr. Mark Holland: Mr. Speaker, we just heard this from the provinces yesterday. The provinces issued statements jointly that the government's agenda on crime is not being adequately financed when it comes to the types of tools and programs that are needed to reduce rates of recidivism.

A lot of this does fall on the provinces. On the one hand, the government is putting more and more people into these facilities, yet it is not giving the corresponding resources to the communities or provinces to be able to deal with these problems. In fact, the reality is that it has been slashing money to not-for-profits through crime prevention programs and support services for those who are coming out of facilities. It is actually removing resources.

That brings me to a point I did not get to in my speech. The cost of this is staggering. What we know from the Correctional Investigator and from others who have been reporting independently on the state of the corrections system is that it is already at the breaking point. It is really at the point of overflowing as it is. People are not getting the programs and services that they need.

The cost of building these new super prisons and facilities that the government is considering building is going to be enormous. The infrastructure costs are huge, but the government has put nothing at all on paper to demonstrate that it is willing to invest in the programs and services that actually reduce recidivism, ensure that crime rates go down and ensure that communities keep safe.

I think that if it were to put the cumulative cost of all of this on the table, and this is what I have asked of the Parliamentary Budget Officer, we would see that the costs are staggering.

• (1300)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I would like to thank the member for Ajax—Pickering for yet

another very good speech. I know that he was up the other day and made a very good presentation on the previous bill.

I was really impressed with some of his information regarding recidivism rates in the United States. Clearly, this bill adopts a U.S.-style approach to prisons that is very expensive and ineffective. We have proven that. Over and over again, we see that the government is 20 years behind the times as it is using a system that was developed in the 1980s under Ronald Reagan in the United States, which involved building big private prisons and warehousing people.

In the United States, I believe that 700 people per 100,000 are in prison. In Canada, the number is only a fraction of that. In Sweden, it is only maybe about 70 or 80 per 100,000. Clearly, we should be looking at what Sweden is doing versus what is happening in the United States where the system does not work at all.

Mr. Mark Holland: Mr. Speaker, the member raises a very important point in his very good question, in asking what our objective is. If our endgame is to hope to have safer communities with less crime, to reduce the rate recidivism and to reduce victimization, then clearly the answer is not a larger, permanent prison population.

We have been shown, not only in the United States, but also in England and other places, terrible failures. They are running from these disasters at 100 miles an hour. Even Texas, which was known for having the longest, toughest sentences anywhere, is now acknowledging that this experiment was a total disaster, and it is running the opposite way.

We know that having a large, permanent prison population is enormously expensive, creates more crime and creates more problems. Our objectives should be, wherever possible, to use the best techniques that we can see have been succeeding, not only here in Canada, but in other parts of the world; to stop victimization before it occurs; to make sure that when a young person begins to turn down that dark path we intervene and make sure they do not continue on it.

I mentioned something the other day, and it bears mentioning again because it was something that was most telling to me. I went through some of the worst neighbourhoods in this country in Regina with the former Chief of Police, Cal Johnston. Cal pointed out the different points at which there were young people who were beginning to head down dark paths. We could see the shambles they were living in: homes without heat, homes without sewage systems, and homes in which, in the wintertime, they would have to put tarps around an oven in order to stay warm as they slept. The children would then go to school with no food, from a single parent-home in which the parent did not have the tools to give a child the education they needed. We see that and yet we are surprised when those children begin to turn toward a life of crime.

There is a way to stop crime. It requires balance and intelligence. We have to look at what really works and what really does not.

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[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, the bill that has been submitted for the consideration of the House is a very important one. In it, I will start by saying, we find proposals that I completely agree with, but others on which we have some doubts. One thing is certain, it has to be examined in committee. If this bill had not been introduced, I think that would have been a serious failing on the part of the government.

Overall, Bill C-43 gives victims a voice, seeks to hold inmates more accountable and makes the parole system less automatic. These three points have been part of Bloc Québécois policy for a long time. We even developed and released an action plan in this regard over two years ago.

The Bloc Québécois believes that involving victims in the parole process will assist in their “healing” process and at the same time strengthen their confidence in the justice system as a whole. If it can restore the relationship between repentant offenders and victims of crime, I think we will have made very definite progress toward rehabilitation.

As well, promoting accountability, or instilling it in an offender, seems to us to be an important way of facilitating the offender’s reintegration into civil society. Without a feeling of accountability, how will they be able to hold a job or meet their obligations to their family, or honour their financial commitments, for instance to their landlord or public utilities companies?

While the Bloc is opposed to automatic prison sentences, minimum sentences or the elimination of alternative sentences, it is equally opposed to the principle of automatic release. In fact we have been calling for release to be based on merit for a long time.

I know, however, that criticism has been voiced, in particular in a report from the University of British Columbia. So we will make sure that the bill will in fact solve the problems it is intended to solve and not create new ones.

In a nutshell, that is why the Bloc Québécois supports Bill C-43 in principle. However, we have serious objections to make regarding some of the measures it contains.

On June 16, 2009, the Minister of Public Safety introduced Bill C-43, An Act to amend the Corrections and Conditional Release Act and the Criminal Code, in the House of Commons. The short title is the Strengthening Canada’s Corrections System Act.

Bill C-43 amends the Corrections and Conditional Release Act to achieve a number of objectives: first, to clarify that the protection of society is the paramount consideration for the Correctional Service of Canada in the corrections process and for the National Parole board and the provincial parole boards in the determination of all cases.

I would note that the paramount objective of all of the reforms made in the past was the protection of society. We are all in agreement on that. However, we have to agree on what method to use. We believe that when rehabilitation of offenders is possible it must in fact be pursued, and that this is the best way to protect society.

The bill also establishes the right of a victim to make a statement at parole hearings, a principle with which we also agree, and permits the Correctional Service and the National Parole Board to disclose to a victim the name and location of the institution to which the offender is transferred, the reason for a transfer, information about the offender’s participation in programs and convictions for serious disciplinary offences, and the reason for a temporary absence or hearing waiver.

Personally, I believe that this is also a good measure for several reasons. If a certain empathy for the victims can be elicited from the offender and if the offender knows that his victims will be informed of his progress or failures while incarcerated, I think it can have an impact on the offender.

● (1305)

Quite often, offenders committed crimes because they did not see the victims. Of course, there are exceptional cases where the offender has absolutely no empathy for others. They are considered psychopaths. However, experience has shown that the majority of those incarcerated are social misfits. The fact that they come to realize that they victimized someone, that they have to do something in an attempt to make restitution for their actions, when possible, and that the victims on occasion see them or are informed of their progress, could have an impact on the rehabilitation of those so inclined.

The bill states:

(b) provide that a correctional plan is to include the level of intervention by the Service in respect of the offender’s needs and the objectives for the offender’s behaviour, their participation in programs and the meeting of their court-ordered obligations;

(c) expand the range of disciplinary offences to include intimidation, false claims and throwing a bodily substance;

At one time, this would consist of spitting. But now inmates who know they have HIV or AIDS have even tried to throw blood on guards. Of course, this is unacceptable and requires swift action. It does not, however, preclude the resumption of the rehabilitation process.

Other objectives include:

(f) provide consistency as to which offenders are excluded from accelerated parole review [I will come back to this];

(g) provide for the automatic suspension of the parole or statutory release of offenders who receive a new custodial sentence and require the National Parole Board to review their case within a prescribed period; and

(h) authorize a peace officer to arrest without warrant an offender for a breach of a condition of their conditional release.

We will discuss this further when we study the bill in detail. Thus far, it has been up to parole officers monitoring offenders in the community to issue warrants, which sometimes enables them, in the case of minor offences, to issue a severe warning rather than immediately interrupt parole.

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Consider the fact that these things can happen in communities where there is a lot of crime. In many cases, offenders resent the police for monitoring them too closely. We heard that a lot in Saint-Michel over the past year. We are more aware of it. This also sounds like what we were hearing in the United States in high-crime areas where there are serious street gang problems and where communities have taken action against their activity. Excessive police intervention for minor infractions may not be the best way to foster an environment that preserves the public peace and conditions that deter the spread of crime.

The Corrections and Conditional Release Act provides the legal framework for the correctional system. It was enacted in 1992, replacing a previous act. In December 2007, the Correctional Service Canada Independent Review Panel released its final report containing recommendations for the government, but a University of British Columbia study questioned the committee's objectivity. The committee was asked to review the CSC's operational priorities, strategies and business plans. It produced 109 recommendations in five key areas that basically correspond to the objectives I discussed earlier.

The government officially followed up on the recommendations in the 2008 budget, by investing \$478.8 million over five years to implement the new vision for the federal corrections system and some key recommendations made in the report.

● (1310)

I think that was money well spent. It is much better than increasing reliance upon incarceration, which is extremely expensive. That \$478 million is worth five times as much—\$2.5 billion—if it is put towards reducing crime.

The government committed to taking a new approach to the corrections system, making protecting society the main priority when it comes to the corrections system and conditional release.

Everyone is in favour of what is right, but we must understand that rehabilitating criminals is one of the best ways to protect society. If incarceration teaches criminals how to commit more crimes without being caught, or teaches them that the community is unfair, there will be no way to achieve those objectives. Members on both sides of this House must do more than give the benefit of the doubt; they must make it clear that, even if we have different opinions, we all want to reduce crime and protect society.

This bill includes reforms in four main areas: enhancing sharing of information with victims—we completely agree with this; enhancing offender responsibility and accountability—we agree with this as well, because taking responsibility is an important part of rehabilitation; strengthening the management of offenders and their reintegration—we must think about this, but we must see if this aspect is properly addressed by the bill before us; and, modernizing disciplinary actions—I believe these must be updated.

With respect to enhancing sharing of information with victims, the bill would clearly recognize the interests of victims of crime and the role they play in the correctional and conditional release process. Victims and victims' advocates have voiced dissatisfaction with the current provisions and have called for enhancements.

Therefore, a victim's right to attend National Parole Board hearings will be enshrined in law. I agree completely with this, and for reasons that the Conservatives did not even think of. It would be good for the person applying for parole to know that the victims will be present. It is good for that individual to know that he or she hurt someone. Unless that person is a psychopath who has absolutely no empathy for others, this recognition plays an important role in the rehabilitation process.

So the legislation will be amended to expand the information that may be disclosed to victims by CSC and the National Parole Board. This will include: providing information on the reasons for offender transfers with, whenever possible, advance notice of transfers to minimum security institutions; disclosing information on offender program participation and any convictions for serious disciplinary offences; sharing the reasons for a temporary absence from a correctional facility; and, providing guardians and caregivers of dependents of victims who are deceased, ill or otherwise incapacitated with the same information that victims themselves can receive.

When offenders withdraw their participation 14 days or less before a hearing date, the Board may proceed with a review and decisions of their case. Victims will also be able to request information on the reasons for a waiver of a parole hearing.

I think it is good that offenders will be notified that victims will know all of this. If offenders think this might have an influence on their NPB hearing, perhaps it will help them take a step in the right direction, to demonstrate that they have changed their behaviour and that they understand how their crimes affected their victims.

● (1315)

We must not think just about repression, but also about offender accountability. Our main objective in the correctional system, knowing that these people are going to be released, is to make reasonable efforts to get them to change their behaviour. The best way to protect public safety is to ensure that when offenders leave prison, they are rehabilitated and less likely to reoffend.

The other important measure is designed to increase offender accountability. This is the start of rehabilitation. The offender and the correctional services share responsibility for rehabilitating the offender and reintegrating him into society as a law-abiding citizen. The Corrections and Conditional Release Act will be amended to include the responsibilities of offenders, who will have more incentive to behave in a way that shows respect for people and property.

I will perhaps talk a bit later about section 38, which I myself wrote when I reformed the correctional system in Quebec. It is a very difficult thing to do if one is not a legislative drafter and cannot spend all one's time drafting laws. I found that out pretty quickly when I was a minister, and here as well. But I was determined to write section 38 of the Act respecting the Québec correctional system.

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I would like to talk about Quebec's crime reduction model, whereby an offender can earn remission time by showing respect. I wanted section 38 to be posted in every cell. I can still remember the circumstances under which I wrote it. I was with my driver, who was a former prison guard, and I wanted that section to be written so that inmates would understand. What it said essentially was that inmates could be released before the end of their sentence by showing respect to prison staff and other inmates. The section also said that inmates could earn remission by participating in the rehabilitation program proposed for them and complying with prison rules.

The idea of respect is fundamental, and I am very glad that the government included it in this bill.

We could go on at length about this bill. In general, we agree with the objectives set out. We agree with the methods chosen in many areas. However, there are some we could talk about more when we examine the bill in committee. I hope that the government will understand that our proposals will be for the purpose of improving the bill and finding the best way to achieve what we all want and that is to protect society by rehabilitating offenders.

• (1320)

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I want to thank the member for his input. He is a long-serving member of Parliament and brings a lot of expertise in justice matters and legal matters to this place. I appreciate his input and his comments.

It appears that every time the temperature of the water gets a little hot in Ottawa on other issues, we revert to a week of justice bills. They seem to be coming back in some regular fashion.

However, I note that this one would make amendments not only to the Corrections and Conditional Release Act but also to the Criminal Code. We have also dealt with a couple of other bills that deal directly with the Criminal Code, and some are hybrid and some are not.

I note that some of the provisions of this bill seem to be items which I would have thought, being a longstanding member of the scrutiny and regulations committee, would be probably better served and better amended by dealing with them through regulations rather than through legislation itself.

It is a very long bill, but the substantive points are not very long.

I want to ask the member whether or not he is seeing, also, a change in the terms of the manner in which justice legislation is being drafted and the reluctance to use regulations, so that we can get even quicker changes to the processes in our correctional system.

[*Translation*]

Mr. Serge Ménard: Mr. Speaker, I admit that I have not given that much thought. To me it is important that the changes be made. It is one thing to draft legislation but quite another to enforce it.

We are currently examining correctional services in the Standing Committee on Public Safety and National Security. I asked the board members who appeared before the committee to ensure that early releases were earned. I asked them if they were able to verify whether such releases are earned. I think they acknowledged that they in fact could not.

By including these objectives in the legislation, I believe that we are making them clear. The hon. member is absolutely right, however, we do need proper regulations.

• (1325)

[*English*]

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, as a former minister of justice and someone who has extensive experience in this area, I want to focus on the people whom we incarcerate.

The figures vary somewhat, but essentially some of the statistics say that as many as 30% of those incarcerated in our federal and provincial jails are suffering from mental illness. There is a disproportionate number of first nations youth, men and women who have experienced high levels of poverty, abuse, and the lack of educational opportunity. Some 80% of the women in federal and provincial jails have been the victims of sexual abuse.

In that light, in looking at this bill it is clear that there is very little that would help to rehabilitate these people. In fact, Bill C-43 creates a paper obligation for prisoners to participate in nonexistent rehabilitation programs.

I would like the member to comment on that.

[*Translation*]

Mr. Serge Ménard: Mr. Speaker, the hon. member is absolutely right.

That is a fine objective. We could judge the government on how it plans to carry this through. It is true that we often rely too heavily on incarceration. It is difficult to prove that it is used too much or too little. Nonetheless, one thing is clear and that is that we are using it more. I believe we rank 85th on a list of 155 countries with respect to the incarceration rate worldwide. Our rate is quite similar to that of comparable societies such as Australia. However, we are far from being like the United States, which is the country with the highest incarceration rate in the world. Nonetheless, we incarcerate more than practically all the western European countries. We fill our prisons and make it more difficult to work with the offenders who need it the most.

A striking example of a major mistake the government wants us to make is the abolition of conditional sentences. In the sequence of sentences that judges can impose, simple release is the first. Then there are suspended sentences. Suspended sentences are difficult to enforce because when people are re-arrested, the judge is somewhere else. He cannot sentence the offender. When judges want offenders to go back to school, hold down a job, or go through addiction treatment as part of their rehabilitation, and still be afraid of being sent to prison, conditional sentences are perfect. That is what judges do, but they will not be able to any more.

There are other problems as well. Not only are there aboriginals but also people with mental illnesses. There are a lot of them. I know this is not the time to talk about it.

Government Orders

[English]

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, I must admit I do not agree with the member on his stands on sovereignty for Quebec or breaking up our country. However, on the issue of justice I have grown to appreciate his comments and the fact that he has served as justice minister.

I want to comment in regard to what my NDP colleague just asked about mental illness. I chair the foreign affairs committee but replaced someone on the public safety committee, which was dealing with mental illness within the prison system. The testimony of one of the witnesses was that incarceration would actually, in many cases, give individuals the help they would not normally get.

My colleague basically disagreed with conditional sentences because he said they would allow individuals the opportunity to receive help. Many who are diagnosed with mental illness and released into society do not receive help, even if it is a condition of release. Being incarcerated, whether it be a federal penitentiary or some other type of facility, allows inmates to obtain diagnosis, assistance, a sense of being able to work through it with a little more security.

Would he elaborate a little more on what he said about conditional sentences not allowing inmates to obtain the help they need?

• (1330)

[Translation]

Mr. Serge Ménard: Mr. Speaker, I disagree entirely.

Frankly, we do not put people with mental health problems in prison. Whom will they meet there? They are going to meet criminals. Is that the influence we want to see on people who are especially vulnerable? Prison is not the place to treat mental illness.

Some people have to be sentenced, though, for other reasons, when they commit serious crimes and are not sufficiently mentally ill to be acquitted. People with mental illnesses have to be punished, but we should never think that prison is an appropriate place to treat them. They should certainly be treated, but they will not be rehabilitated by sending them to prison.

There are two different provisions in the Criminal Code providing for suspended sentences and conditional sentences. In the case of suspended sentences, the judge decides to suspend the sentence under certain conditions, and if the accused abides by them, the judge is not entitled to pass sentence. In the case of conditional sentences, the judge says he is giving the offender 18 months but will release him into the community if he abides by the conditions, if he keeps his job, if he takes the addiction treatment he signed up for, and so forth. In these cases, the sentence is not served in prison.

In my view, the more we can avoid imprisoning people while ensuring public safety, the better. Some people are dangerous. Sometimes there are people with mental illnesses who are dangerous, although they are in the minority by the way. That is what we were told just this morning. I agree entirely that prison is not a hospital for the mentally ill. That is not the case and it never will be.

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am very pleased today to speak to Bill C-43, An Act to amend the Corrections and Conditional Release Act and the Criminal Code.

For a long time, New Democrats have supported getting smart on crime. On a daily basis, the Conservatives talk about tough on crime, but we find that their tough on crime approach at the end of the day does not get the results that even they would want to get out of it.

When we talk about smart on crime, we can look at situations, for example, in the ways we want to keep our communities safe. We only have to look at my home province of Manitoba to see that we had an increasing problem with car theft in our jurisdiction and ended up getting smart on crime, rather than tough on crime, by bringing in an immobilizer program for automobiles, which reduced the rate of car thefts by a substantial amount over the last couple years. We set up a group within the police department to target car thieves, monitor them, chase them and get them off streets and into custody at every possible opportunity. Working together, we have ended up with very good results to the point where on a one day basis this spring we managed to have zero car thefts in Manitoba. To my way of thinking, this is being smart on crime.

We have to take the ideology out of the system. If the Conservatives were being smart on crime, they would look to Manitoba for the auto theft results. They would look to Sweden and western Europe for other types of results.

I encourage the Conservatives to scan the globe and find jurisdictions where certain programs work and try to adopt those, as opposed to looking at, from an ideological basis, the United States and basically adopting its system from the 1980s, from the Ronald Reagan days. Ronald Reagan built private prisons, making many private individuals rich and warehousing prisoners.

That would all be fine if there was some proof that it worked. However, at the end of the day, the incarceration rate in the United States exploded, which I believe is perhaps 700 plus people per 100,000 population. In Canada I think it is 170. I have not seen the statistics for a couple of days now, but I know I am reasonably close. In Sweden the stats are only 80 per 100,000. Those are stark differences between the three jurisdictions. Clearly, if the Conservatives believe, and I think they should, in best practices, they should seek out exactly those best practices.

On that basis, how can the Conservatives possibly conclude that following an American style system is the way to go when the results are exactly the opposite of what they are looking for? In fact, there is a situation in California in which the governor has been releasing people because the state cannot afford to house them. The prisons are overflowing. The crime rate is going up.

Government Orders

The country is not any safer because of it. In fact, the cost to house the prisoners, based on the stats I had the other day, range from anywhere between \$50,000 per prisoner per year to \$70,000. What do we get for that money? We get a criminal who becomes a better criminal in prison because it is a crime school as opposed to the conditional sentences, which we determine cost only \$1,000 versus \$50,000 to \$70,000. The recurrence rate for reoffenders was almost half. Therefore, people who were on conditional sentences were reoffending at a rate of 11% I believe. People who actually went to prison were reoffending at a rate of 30%.

● (1335)

It does not take a genius to figure it out. If prisoners are supervised for \$1,200 or \$1,300, per prisoner, and they have only half the chance of reoffending versus spending \$50,000 to \$70,000 on them and having them reoffend at twice the rate, is really not that hard to figure out.

Clearly the Conservatives have to take another look at this rather than embark on a system that is designed to bump up their polling numbers for a future election. They poll all this information on crime and know what the public likes to hear. When their polling numbers go up 10 points in a certain area, they incorporate that into a bill and fire it before the House. That is why we see all these crime bills coming before the House.

We want to take a smart and a cost-effective approach to crime. If we are to incarcerate people, we want to make certain that there are programs in the prisons to rehabilitate the offenders. What did the government do? It cut the amount of money that it used to put into these programs.

I enjoyed listening to the member for Ajax—Pickering, both today and the other day. He was a little off course on the bill, but he made an excellent presentation as to where we were right now, where we should go and how we should get there. We should not be adopting these ideological George Bush, Ronald Reagan-type approaches similar to the ones that were being looked at in Ontario. They will simply follow the program from an ideological point of view. They will develop private prisons and simply warehouse people with no regard to rehabilitation, basically turning out more dangerous criminals into society to reoffend.

The NDP supports establishing the rights of victims to make statements at parole hearings. Having been in the insurance business for the past 30 years, I have numerous examples of dealing with people who have been victimized, who have had their houses broken into. Then when the thieves are caught, they make an attempt to find out the resolution of their case.

Twenty years ago they would not get very far. They would be rebuffed by police forces and told that it was none of their business, that they should collect their money from the insurance company and not worry about it. They did not recognize that the people were deeply affected the criminals who broke into their property and violated them.

Therefore, over time we have developed more programs and rights for victims. We now have counselling for victims. Increasingly, over successive governments, from the Howard Pawley government in Manitoba in the 1980s through to the Conservative government of

Gary Filmon to the government of Gary Doer for the NDP, we have seen a gradual progression of more initiatives to support the rights of victims. We applaud that. We have worked hard for that. We continue to support the rights of victims. What we have do is make certain the victims are not damaged by the events that have occurred to them.

● (1340)

The NDP stands up for marginalized, vulnerable people and certainly for victims in our society. In fact, crime rates are the highest in a lot of the constituencies that the NDP represents. We as MPs, more than any other MPs in the House perhaps, in many cases deal on a first-hand basis with crime in our communities. We have to deal with our constituents who phone us, who come and see us, people whom we know in our community, who are afraid and who are victimized by crime in the community.

The offenders themselves need to hear from the victims. They need to know the impact of their crimes. That is all part of the restorative justice initiatives, which we support in a big way. Victims need to have their voices heard. Otherwise they become victimized for the second time.

The other day one of our members from Halifax related a situation that he had dealt with in his constituency. One of his constituents was victimized by a crime and it was a traumatic experience. It has been a long time coming but we are happy to see that society is getting to the point where victims are getting justice.

We also support the right of victims to access information about the offenders. As I had indicated before, 20 years ago, when people tried to find out the status of a break and entry to their homes, they were left in the dark. They were told to mind their own business, that the justice system would take care of the problem. The victims would be left wondering what happened to the thief who broke in to their homes, while all the time thinking that perhaps the person was out on the street, and maybe he or she was by that point. Maybe the individual was looking to reoffend. The victims must not be left in the dark. They should be able to get every piece of information they can.

Today people are telling me they are getting information relayed to them by the police forces and being kept up to date as to the disposition of their cases. They know the person who had done the break and enter was caught, went to trial on a certain date and the sentence he or she was given.

Whether it is jail time or community service, we know victims are interested in seeing the offender improve. The victim has no interest in seeing the offender go to jail and come out a better criminal. Victims want to know the offenders are being rehabilitated. That is why they would be very disappointed if they knew the government was not properly funding the programs to rehabilitate the prisoners.

We also know that if an offender is rehabilitated, it is a very important step on the victim's road to healing and recovery. As long as the victim feels comfortable that at least honest efforts have been made to rehabilitate the person, he or she will feel better and have a healthy attitude toward the system.

Government Orders

•(1345)

What this boils down to is confidence in the system. We need to have a system that not only works and that not only is smart on crime, we also need to have a system in which the public has confidence.

What will happen if the Conservatives bring in their brave new world of private prisons, of locking up people and not providing rehabilitation services to the people? At the end of the day, these criminals will keep coming out of prison and committing more crimes and then the Conservatives will need to build more prisons. At the end of 20 years, we basically have déjà vu as it relates to California. We will have people in prison, the crime rate will be soaring, we will not be any safer, we will not be any better off and we will be doing what California is doing. The state is bankrupt and it is doing wholesale releasing. It is releasing people from prison because it cannot afford the cost of keeping prisons running.

The bill flows from the road map for corrections, which was released in 2007. The road map flowed from the work of Canada review panel of Correctional Services. The chair of the panel was Robert Sampson who, by the way, was the minister of privatization under Mike Harris, and, as minister of corrections, he advocated for the privatization of Ontario's prison system. That really is like putting a fox in charge of a henhouse.

We would feel a little more relieved and happy over here if we could get those images of Mike Harris out of our minds once and for all. I hate to say that the process is tainted when the spectre of Mike Harris is brought into the equation but, unfortunately, that would be the case.

The road map does not engage in a careful evidence based review of Canada's correctional system. In fact, it cherry-picks statistics to give a distorted view of crime trends, it ignores the history of our prison system, it ignores the lessons that have been learned and it is designed to tell the government exactly what it wants to hear. That is a sad reflection and commentary on our system, and it is not peculiar to a Conservative government. It can happen in any government, whether it is a Liberal government or an NDP government. We see that happen so often with the civil service telling us what we want to hear. The private consultants we hire simply tailor their message back to us. After they find out what we want to hear, they come and tell us, for a big inflated price, what we want to here.

I want to point out that Correctional Service experts have challenged this road map. We do not really think this is a way to go.

I have one final point to make before we go to questions and answers. This is great politics from the Conservative point of view but I would point out some of the privileges the Conservatives are removing from the prisoners. They are removing mental health treatment, which we all say is vital for prisoners. They are removing literacy program and work programs. How does that in any way point to a positive development in our system?

•(1350)

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, I thank the member for Elmwood—Transcona for his interesting speech regarding a bill that would limit the use of conditional release.

If I heard him correctly, he cited a statistic stating that recidivism would double if we were to restrict access to conditional release. I was wondering, first, if he could source that statistic or that study or if he just made it up on the spot, and he used the word “detering”.

Second, he represents a part of Winnipeg, a city that has had some serious crime issues as of late. I am wondering what his constituents are telling him about the Conservatives' tough on crime safe street and safe community agenda.

Mr. Jim Maloway: Mr. Speaker, the statistics I used were used in a speech that is part of *Hansard*, which he can check to get the actual statistics, but I certainly did quote a reliable source. As a matter of fact, the source may have been Statistics Canada.

I am sure I will stand on another speech very soon and I will source that information for the member. However, he can simply check *Hansard* for those statistics. They are part of the Library of Parliament information regarding the bill. There is nothing improper with the statistics and he knows very well that is the case.

As far as the crime rate in Winnipeg is concerned, I have already explained for him how we are dealing with the auto theft problem in Winnipeg with the provision of immobilizers on cars and working with the police to develop a squad that chases the most serious car theft offenders. These are things that work and things that we have made work in Manitoba. He should start looking at having similar programs that work rather than chasing American style programs that do not work.

•(1355)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, in the summary of the bill it states that one of the objectives is to clarify that protection of society is the paramount consideration, et cetera, and the bill itself shows at clause 3.1 that, “The protection of society is the paramount consideration for the Service in the corrections process”.

It then goes on, under the title, “Purpose and Principles” for the Correctional Services, to lay out the various considerations that might be taken into account with regard to how the Correctional Services will deal with a certain principle. What is not here is the whole aspect of mental health of the offender, because there was a recent report that 39% of the people incarcerated in the province of Ontario suffer from mental health issues.

If the bill, as it exists and will be amended, starts to make a list of things that will be considered, something must be left out, otherwise it would say that it “takes into account all relevant considerations in dealing with offenders”.

Does the member believe the mental health state of an offender is appropriately taken into consideration in discharging the responsibilities at Correctional Service Canada?

Statements by Members

Mr. Jim Maloway: Mr. Speaker, the member's question is extremely important. I suppose at committee we will need to ask questions to determine what the government's commitment is to mental health treatment. I am not surprised at the statistics the member cites, that 39% of inmates suffer from mental health conditions. Warehousing mental health patients in prisons and expecting they will come out and not reoffend after not giving them the type of treatment they need, is a terrible way to operate a prison sentence.

One of the top considerations of the government should be dealing with the whole area of mental health treatment for people who are incarcerated in the prison system.

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, although we are on opposing sides of the House, I absolutely agree with what the member said.

Bill C-43 takes the absolute wrong approach and does not promote public safety. At first glance, the changes proposed by Bill C-43 do not seem too harsh but the bill removes the least restrictive language and changes to the standard in the CCRA to measures that are limited to what is necessary and proportionate to the objective for which they are imposed.

This change opens the door to more severe treatment of offenders in the absence of any evidence that the least restrictive language is hindering the ability of the CSC to fulfill its mandate. I would like to hear the member's opinion on that and talk about how that will change the prison systems for the worse.

Mr. Jim Maloway: Mr. Speaker, I think that has more to do with the Conservatives' tough on crime advertising program than anything else. It shows that they have signaled that they will follow the American system. They are fixated on the American system, a system that all statistics show does not work.

I challenge any of the government members to come up with statistics from California or Texas that prove that what they are doing actually works. I know they cannot do that because the people in Texas and in California are saying that their system does not work, that it is broken. Do they need to tell the Canadian Parliament not to follow their system, or can we not just figure that out for ourselves?

STATEMENTS BY MEMBERS

● (1400)

[English]

ABBOTSFORD

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, I never grow tired of extolling the virtues of the city of Abbotsford. The farming capital of B.C., Abbotsford and its airport are home to a vibrant aerospace industry.

Our city has been named the best place in western Canada to do business and has one of Canada's fastest growing economies.

Despite a modest population of 135,000, Abbotsford has produced no less than four *Canadian Idol* finalists, a tribute to our city's flourishing arts environment. Indeed, Abbotsford has even produced

Glen Fast, who now serves as the conductor of the symphony orchestra of Kingston, the hometown of our Speaker.

But what really distinguishes my city from many others is that Abbotsford is ranked by Statistics Canada as Canada's most generous community.

As a city of volunteers and home to many charities and places of worship, my community truly cares about the welfare of others and the residents regularly open their hearts and wallets to those less fortunate.

I am privileged to represent the residents of Abbotsford, and look forward to continuing to serve them as their Conservative member of Parliament.

* * *

GENETIC DISCRIMINATION

Mrs. Michelle Simson (Scarborough Southwest, Lib.): Mr. Speaker, earlier this month I participated in the launch of the Canadian Coalition for Genetic Fairness whose mandate is to secure legislation to ban genetic discrimination in Canada.

Genetic discrimination is when people are treated unfairly because of an actual or perceived difference in their genetic information that may cause or increase the risk to develop a disorder or disease. It is unfair to use genetic information to determine which individuals will be employed or insured. It is not only unjust but it is devastating to those affected.

Many other countries, including the United States and the United Kingdom, have already taken steps to protect their citizens from genetic discrimination. In Canada there is no such protection. Without it Canadians will continue to be subjected to discriminatory treatment.

I urge all members to support legislation that would protect all Canadians from this unethical and immoral practice.

* * *

[Translation]

FLORENCE LACHAPELLE

Mr. Roger Gaudet (Montcalm, BQ): Mr. Speaker, I would like to pay tribute to my mother, Mrs. Florence Lachapelle, who will be turning 100 years old on October 30.

My mother was born into a farming family in Saint-Liguori and she married a farmer. She gave birth to and raised 12 children. Her courage and determination are an inspiration to all of us. I am very proud of my mother, who remains strong, independent and in relatively good health notwithstanding her age.

To be 100 years old also means to be acquainted with 100 years of history. It means having witnessed the arrival of electricity and computer technology. It means being familiar with World War I as well as the conflict in Afghanistan. It means having lived through the Great Depression as well as the current recession. My mother was both an actor and participant in all the major events of the past century.

Statements by Members

On behalf of your sons, daughters, grandchildren and great grandchildren, I would like to thank you mother for all the love and attention you have given us over the years.

Happy 100th birthday.

* * *

[English]

VETERANS AFFAIRS

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, I rise to draw attention to a very serious issue.

Under the elections act, we as politicians have the right to campaign in any publicly accessible space, such as malls, stores and banks. Meanwhile, Canadian veterans, proud men and women who have risked their lives and have watched brothers, sisters and friends die for the democratic rights some take for granted, do not have the same access.

Recently, veterans and their poppy boxes have been turned away from community businesses. Sadly, veterans in my riding of Sudbury have received similar treatment.

Derald Balson, the poppy chairman for the last nine years for Branch 76 of the Royal Canadian Legion, was asked to leave a storefront since the manager did not want beggars in the area.

Veterans and their families deserve our deepest gratitude and respect for their contributions to our country and for protecting the freedoms we hold so dear. The least we can do is make sure they receive the support they have earned.

I urge all parliamentarians, all Canadians, to support the poppy campaign so we may honour the living and remember the fallen.

* * *

HONOURING VETERANS

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, as Remembrance Day approaches, we all start thinking about our veterans and their service to our country.

I had the pleasure recently to attend the ninth annual Honouring Our Local Veterans event at the Royal Canadian Legion Branch 6 in Owen Sound.

This year nine veterans representing the army and air force were honoured. Today I want to again pay tribute to: Bob Alexander; Trooper Frank Ball from Chesley; Corporal Isavela Baskerville; Eldred Crawford; Bombardier Clarence Furness; Pilot Officer Andrew Haggins; Murray Slumskie; Flight Lieutenant Alec McMillan; and Murray Jolley.

The event was organized and sponsored by the Billy Bishop Home and Museum in Owen Sound.

I want to thank them and indeed all of our veterans who have served our country. They all deserve our utmost respect and admiration.

This Remembrance Day I want to encourage all Canadians to take the time to attend a service and to reflect, respect and remember the efforts of our veterans past and present.

●(1405)

ST. FIDELIS GOLDEN AGE CLUB

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, I rise today to extend congratulations to the St. Fidelis Golden Age Club, which celebrated its 25th anniversary on October 18, 2009.

As part of the celebrations, a standard reflecting the principles of the club was designed and prepared. The standard was blessed at St. Fidelis Church at a mass on October 18 and on that day all the original members of the club who are still active were presented with their 25-year pin.

In 1984 the St. Fidelis Golden Age Club began with the help of a new horizons grant. This program for seniors provides funding to non-profit and other organizations and helps to ensure that seniors can benefit from and contribute to the quality of life in their communities through active living and participation in social activities.

As members can see, a grant distributed 25 years ago is still bearing fruit. From humble beginnings, it now boasts over 270 members. I invite the House to join me in congratulating the St. Fidelis Golden Age Club for 25 wonderful years.

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HOUSE OF COMMONS SECURITY SERVICES

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, this afternoon I stand in the House to pay tribute to some of the often overlooked heroes in this place.

Every day we as members of Parliament come to work knowing that we are safe because here on Parliament Hill, we are protected by a well-trained security team that takes pride in the work that it does.

This past Monday, however, three members of this team were injured while securing the public gallery which had been overwhelmed by a group of protesters. Roger Maisonneuve, Paul Arcand and Justin Young are the names of the three guys that were injured while doing their job. We wish them all a speedy recovery.

This event reminds each one of us what we should do more often. First, we should denounce those who would resort to violence in this place. Second, we should thank the men and women who willingly serve to protect each one of us in this place.

Today I would encourage all members when they are outside to thank the members who serve in our security detail. I would ask that all members stand with me and show our appreciation.

Statements by Members

[Translation]

SALUT, BONJOUR! TELEVISION SHOW

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, this morning, TVA viewers caught the 5,000th episode of *Salut, Bonjour!*, now in its 21st year. To celebrate, executive producer Daniel Picard invited some famous past hosts to the set.

Of course, Guy Mongrain, who hosted the show for 13 years, will be there tomorrow, as will Paul Rivard and Annick Dumontet.

Salut, Bonjour!, a daily show, is a fixture on Quebec television. On average, nearly 418,700 people watch *Salut, Bonjour!* for their entertainment and news every morning.

The show took to the airwaves in 1988 with co-hosts Mathias Rioux and Anne Poliquin. Gino Chouinard now hosts during the week, and Pénélope McQuade takes over on the weekend.

My Bloc Québécois colleagues and I would like to congratulate the hosts, of course, and the entire crew—producers, directors, researchers and cameramen—of *Salut, Bonjour!*

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JUSTICE

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, in April 2009, our government introduced Bill C-26 to tackle the crime of auto theft, which causes losses of over \$1 billion a year.

For the past four months, Liberal senators have been delaying this bill.

Yet this bill will facilitate investigations and prosecution in cases of auto theft, and will also increase sentences for serious crimes.

Canadians want action. This bill comes in addition to the measures already put in place by our government to fight organized crime.

We urge the Liberals to listen to Canadians, as we did, and to stop playing partisan politics on the backs of victims.

When will the Liberal leader tell his colleagues in the Senate to pass this important bill?

Our government is the only party that can protect victims.

* * *

● (1410)

[English]

AMYOTROPHIC LATERAL SCLEROSIS

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, the ALS Society of Canada is a leading not-for-profit health organization working nationwide to fund ALS research and to improve the quality of life for Canadians affected by the disease.

Can anyone imagine not being able to walk, write, smile, talk, eat and sometimes even breathe on one's own? Yet the mind remains usually intact and the senses unaffected. This is what it is like for 3,000 ALS victims across the country.

Along with ALS, neurodegenerative diseases include Alzheimer's, Huntington's and Parkinson's disease. According to the World Health Organization, neurodegenerative diseases are predicted to surpass cancer as the leading cause of death in Canada by 2040.

There is no effective treatment for ALS and no known cure. Eighty per cent of people diagnosed with ALS die within two to five years. It is a disease that bankrupts families emotionally, physically and financially. It is high time the government and the public committed sustainable funding for research.

* * *

FREEDOM OF THE PRESS

Mr. Tim Uppal (Edmonton—Sherwood Park, CPC): Mr. Speaker, freedom of the press was under siege last Friday evening as a prominent Canadian journalist was physically attacked outside his newspaper's offices.

Jagdish Grewal, editor of the *Punjabi Post*, has been a powerful champion of non-violence and respect for the rule of law. Our government absolutely condemns the attack that took place on Friday evening. We stand shoulder to shoulder with Jagdish in his defence of basic Canadian values like the freedom of the press. This attack was not only a serious attack on an individual, but an attack on our Canadian values and rights.

Jagdish has been cited as an excellent reporter, who has earned the trust of his readers and listeners.

I know the Minister of Citizenship and Immigration regularly sees Jagdish at important events and round tables for the Indo-Canadian community and recently, along with myself, called Jagdish to wish him a speedy recovery.

Our entire Conservative caucus condemns this attack and wishes Jagdish Grewal a full and timely recovery.

* * *

ROSEMARY THOMPSON

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, how will all of us remember Rosemary Thompson, CTV's deputy bureau chief? For her big smile, her huge laugh and for reaching out to politicians of every political party.

She has covered some of the biggest stories of our generation. She was on the referendum bus in 1995. She was outside the White House on the morning of September 11. However, the stories that Rosemary really liked covering were stories about humanity, about the human heart.

An idealist, she always believed that by shining a light on human suffering, the public and by extension Parliament might act.

She did this for the surviving Dionne quintuplets and for children with autism. Most recently, she reached past the microphones and engaged politicians of all parties to help orphaned children in Asia and Africa. She did it by organizing the Parliament Hill Goat Challenge for the Children's Bridge Foundation.

Statements by Members

She will not be going very far, though, as she takes over as one of the workers over at the National Arts Centre, but she will miss this place because she has travelled the world and knows how great Canada is and that Parliament, at its best, is magic.

We thank her husband, Pierre, and her children, Louis and Jasmine, for sharing Rosemary with us. On behalf of all parliamentarians, I thank her and say God bless.

* * *

AUTO THEFT

Mr. Andrew Saxton (North Vancouver, CPC): Mr. Speaker, the best way to fight gangs and organized crime is to disrupt the criminal enterprises they depend on.

Auto theft significantly impacts individual Canadians and businesses, with an estimated cost of more than \$1 billion each year.

While my constituents in North Vancouver, and all Canadians, suffer the financial and emotional impacts of this crime, organized crime profits. This is why our government is committed to cracking down on auto theft.

We have legislation which has been held up in the Senate for months to add new penalties in the area of property theft and, more specifically, the serious crime of auto theft. My message to the Liberal leader is simple: Pass this legislation.

Canadians can count on this government and the Prime Minister to stand up for the rights of victims and law-abiding Canadians.

* * *

•(1415)

[*Translation*]

QUEBEC BRIDGE

Mr. Pascal-Pierre Paillé (Louis-Hébert, BQ): Mr. Speaker, 15 years ago, at its annual general meeting, the Société Saint-Jean-Baptiste de Québec passed a resolution to:

[Ask] the governments of Canada and Quebec, which own and use the Quebec Bridge, to come to an agreement and take necessary measures to fully restore the bridge as soon as possible before it is too late.

Exactly 15 years ago today, in the *Le Soleil* newspaper, the president of the Quebec bridge coalition called on the authorities to do the right thing and urged politicians to manage our heritage structures responsibly.

It is high time the government remedied this injustice. In the coming weeks, it will have an opportunity to support the Bloc Québécois motion on the Quebec Bridge. I hope that parliamentarians will unanimously decide to put an end to this saga that has unfortunately gone on too long already.

* * *

[*English*]

BRITISH COLUMBIA RESOURCE SECTORS

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, the resource sectors in British Columbia continue to be hit hard by the recession.

In forestry, mills are closing and workers are losing their jobs. Places like MacKenzie and Gold River are now ghost towns. The recession is the latest blow to the forestry sector, on top of the mountain pine beetle, forest fires and the softwood lumber dispute. This industry, which employs one in five British Columbians, is in trouble.

In 2006 the Conservative government promised \$400 million for pine beetle related issues. Where is the money? We are still waiting.

At-risk communities have been asking for funds for a fire prevention strategy for years. There is no response.

Conservatives consistently neglect these vital issues to British Columbians.

Nine million sockeye salmon left the lakes this year and disappeared before they reached Georgia Strait.

British Columbian resource sectors continue to suffer, while Conservatives say nothing and do nothing.

* * *

INFRASTRUCTURE

Mrs. Tilly O'Neill-Gordon (Miramichi, CPC): Mr. Speaker, our government is focused on the economy, creating jobs, and providing economic stimulus, which is exactly what Canadians want and expect.

In co-operation with the provinces, territories and municipalities, we are making unparalleled infrastructure investments from coast to coast. We are repairing highways, roads and bridges. We are upgrading community infrastructure, such as sewer and water treatment facilities. We are enhancing the quality of life in communities by investing in recreational facilities in the smallest towns and biggest cities.

In fact, with our funding partners, we have committed to more than 5,000 infrastructure projects nationwide. In the infrastructure stimulus fund alone 70% of all projects slated to begin in 2009 are already underway as of September 1.

Canadians can count on this government to get the job done and to ensure that Canada emerges—

The Speaker: Oral questions, the hon. member for Toronto Centre.

*Oral Questions***ORAL QUESTIONS***[English]***HEALTH**

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, my question is for the minister responsible for public health and for H1N1.

It is very clear that there was a delay in the decision of the federal government to order the vaccine. It is very clear that there has been a delay in the distribution of the vaccine.

I would like to ask the minister, in light of these two clear facts that are delineated by the evidence, does she not understand that these delays have cost and will cost lives?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, our Minister of Health has been working with the Chief Public Health Officer and has been working assiduously with the provinces and territories across this land to deliver the vaccine.

There are approximately six million doses that will have been delivered by the end of day tomorrow. By the end of next week there will be an additional three million doses, for a total of nine million doses for Canadians.

We are acting to ensure that the health and safety of Canadians is our number one priority.

[Translation]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the facts are clear. The government's decision to order the vaccine was delayed considerably. It is also clear that the distribution and availability of the vaccine were also seriously delayed.

I have a simple question for the minister. Does he not understand that those delays have cost and will continue to cost people's lives?

• (1420)

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, there has been no delay. Every week, the provinces are receiving approximately 2 million doses. The total is now 6 million doses. Next week, another 3 million doses will be made available for Canadians and their health.

[English]

We are working with the provinces and the territories. Let me say that our health care workers, our nurses, our doctors, and our public health officials are working 24/7, and they deserve all of our support.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, there was a delay of several months in the decision to order the vaccine. Those facts are very clear. There was an entire gap of time in which things were not done which needed to be done. There was a race against time and we are now late in dealing with the outbreak of the virus.

I would like to ask the minister this question. Yesterday in the Saskatchewan legislature the health minister announced that there will be 40,000 fewer vaccines distributed next week than there were this week because of the decisions of the federal government. Those cuts are being faced by provinces across the board.

How does the minister justify the fact that we are late in the day in dealing with this crisis?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, I have a simple proposition to the hon. member and to the rest of his caucus: work with us, work with public health officials who give their best advice to us day in and day out, work with the doctors, work with the nurses, work with the medical profession.

We are all in this together. Work with us.

* * *

*[Translation]***GOVERNMENT ADVERTISING**

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, there is confusion, uncertainty and delay across the country when it comes to H1N1. And yet, the Prime Minister has created a slush fund to allow his ministers to continue their propaganda campaign. They have spent 12 times more on empty slogans than on providing useful information on the virus. More has been spent by each minister on self-promotion than on informing the public across the country about the virus.

Why is the Prime Minister putting his political interests ahead of the health of Canadian families?

[English]

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, our government has demonstrated real leadership when it comes to communicating with Canadians on H1N1.

Thousands and thousands of Canadians, as I stand here speaking, are receiving the vaccine. We will continue to work with the provinces and territories in the rollout of the vaccine. We will continue to communicate to Canadians the importance of getting the vaccine, and so should the opposition members.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, yesterday I asked the Prime Minister to open the books on his blue waste campaign. Now we know why he will not.

Here is how he is dishing it out: to the Minister of Finance, \$12 million for propaganda, including \$2 million for the Prime Minister's vanity website; to the Minister of National Revenue, \$7 million; human resources, \$7 million; to the Minister of Transport, \$8 million.

Why is the Prime Minister putting his political interests ahead of the needs of families who are coping with the most serious public health issue in decades?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, if the Liberals had their way, they would continue to spread the kind of misinformation and scaremongering that they have been doing in recent days. Their health critic had to, of course, apologize earlier for making some rather regrettable comments and trying to make light of a public health emergency.

We have an important responsibility. The Minister of National Revenue makes important pronouncements with respect to tax credits available to Canadians. The Minister of Finance reports back to Canadians, as mandated by this House, on our economic stimulus plan.

We are working hard to create jobs and opportunities. We are working hard to get that job done.

* * *

[Translation]

THE ENVIRONMENT

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the David Suzuki Foundation and the Pembina Institute have published a study showing beyond a doubt that Canada can adopt the international community's greenhouse gas reduction targets while maintaining strong economic growth. This study contradicts the catastrophic evaluations of the Conservatives.

Will the Prime Minister admit that his approach of pitting the economy against the environment does not hold water and is only intended to help oil companies continue to pollute with impunity?

• (1425)

Hon. Christian Paradis (Minister of Public Works and Government Services, CPC): Mr. Speaker, that is totally false. This report is nothing more than a draft carbon tax.

We have always said we will adopt a balanced, pragmatic approach, taking both the economic recovery and the environment into account. Those are the kinds of practical solutions we will propose, and not just fine words.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the truth is that the Conservative approach is catastrophic and particularly damaging to Quebec, which has the best record when it comes to fighting greenhouse gases.

If 1990 were taken as the base year with absolute reduction targets, Quebec companies would be able to sell carbon credits and see their efforts rewarded.

Why favour polluters like the oil companies to the detriment of Quebec and economic prosperity?

Hon. Christian Paradis (Minister of Public Works and Government Services, CPC): Mr. Speaker, quite to the contrary, my colleagues in the opposition should soon see the practical actions that are being taken.

We are currently working with the United States on a continental harmonization of our targets. We are also working with countries on other continents to make progress in this regard. The Bloc can hardly ask us to implement a report that is just a draft carbon tax. We need a balanced, pragmatic approach that takes all the factors into account, and that is what we will do.

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, the government's refusal to adopt a credible plan to reduce greenhouse gas emissions penalizes Quebec. Quebec paper mills have reduced their greenhouse gas emissions by 41% since 1990, but the lack of absolute targets is preventing them from benefiting from this effort through carbon credits.

Does the environment minister realize that as a result of his inaction, Quebec companies are losing a lot of money that they could access if Canada adopted the international community's targets and such mechanisms as a carbon exchange?

Oral Questions

[English]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, as has already been said, we do not support a carbon tax. Effective action on the environment requires a balanced approach to taking action, providing a cleaner environment, and economic prosperity for Canadians. That is what our plan does, with an absolute reduction of 20% by 2020.

[Translation]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, the biomethanation project in Rivière-du-Loup is an informative example in this regard. The lack of absolute targets and the absence of a real carbon exchange in Montreal are penalizing Rivière-du-Loup.

What does the Minister of the Environment say to the mayor of Rivière-du-Loup, who claims that the lack of a carbon exchange will result in his city losing more than \$1 million? We are far from the Conservative Party slogan, "Actions, not elections". There is no action on climate change.

[English]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, the member is advocating a carbon tax on Canada. Canadians and Quebecers were really clear in the last election. They said no to a carbon tax.

Our plan is clear. We will reduce greenhouse gas emissions by 20% by 2020. Our government has entered into an integrated North American approach to climate change. It is getting the job done. The member needs to get serious about climate change.

* * *

TAX HARMONIZATION

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, yesterday Ontario's premier said that he could not have imposed the HST without the active help and involvement of the federal government.

Today the Prime Minister is with Premier Campbell in British Columbia. He will no doubt be trying to collect credit out there for having helped put a tax on just about everything from haircuts to housing. There is no question that the government has earned this credit for having helped the HST to come into being.

However, the question is this: Why would the government have wanted to put a tax on hard-working families in British Columbia and then go out and try to get a little credit for it? It makes no sense. Would the government please explain what it is up to?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, speaking of British Columbia, this Conservative government has delivered for British Columbia. This Conservative government has lowered taxes across the board for British Columbians.

Oral Questions

When we lowered the GST from 7% to 6%, members of the NDP voted against it. When we lowered it from 6% to 5%, they voted against it. When we introduced pension income splitting for seniors, they voted against it. Every single time we have lowered taxes for British Columbians, members of the NDP have said no.

It is no wonder. Their track record as a government in British Columbia shows that all they did was raise taxes on British Columbia and drive our economy into the ground. We have shown leadership by cutting taxes and standing up for B.C.

• (1430)

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, I can see why the Conservative government does not want to attach itself to the HST. Even the Ontario Progressive Conservatives, including the wife of the Minister of Finance, know to whom to write so a stop can be put to it. She writes her husband asking him to please put a stop to this unfair tax.

I think she would know whether or not he has the power to do that. Of course, these Conservatives used to be against the HST. When it hit Atlantic Canada, here is exactly what they said in the House. They called it “a regressive tax” that would “hurt the poorest of Canadians”. Why are the Conservatives trying to hurt the poorest of Canadians now?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, speaking of the power to do things, the Minister of Finance and this Conservative government, through four budgets and two minority Parliaments, have passed tax relief measure after tax relief measure to stand up and protect Canadian families.

That is \$190 billion in tax relief over four budgets in order to protect Canadian families. That is what we have done. Every single step of the way, all the NDP has done is condemn this Conservative government for cutting taxes.

Some hon. members: Hear, hear!

Hon. James Moore: Mr. Speaker, they have condemned us for cutting taxes and now they applaud it again. That goes to show how faulty and how false the front is that they are putting before British Columbians. British Columbians know that lower taxes mean voting Conservative.

* * *

INFRASTRUCTURE

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the town of Truro in Cumberland-Colchester has been waiting for funding for a new recreation centre since last year. New Democrats have been pushing hard for this to happen.

After months of delay, the government now says that it will make new funding announcements only after the byelection. However, Truro's deputy mayor said recently, in print, that the member for Central Nova had promised funding for this centre already.

Will the Minister of National Defence confirm that he said this and that the funding will in fact flow for the Truro centre, regardless of who wins the byelection?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the Minister of National Defence has always fought hard for the province of Nova Scotia.

For 13 years, the people of Nova Scotia were let down. They finally have a fighter, someone who works hard to create jobs, hope and opportunity and someone who works hard to ensure that Nova Scotia gets its fair share. The people of Nova Scotia are lucky to have such an advocate for the first time in decades.

* * *

GOVERNMENT SPENDING

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): Mr. Speaker, next year, Canadians will host the G20 summit, yet Canadians are concerned when they hear that the Minister of Industry is using the opportunity to siphon millions of dollars to projects that have nothing to do with the summit itself.

Could the minister explain why the G8 legacy fund is being used to replace a sidewalk 84 kilometres away from the summit? This sidewalk has nothing to do with the summit. How can the minister justify such blatant, personal misuse of taxpayer dollars?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, this government is very excited about hosting the G8 summit. We are even more excited to host the G20 summit. We are particularly excited about the opportunity to promote one of the most beautiful places on earth, Muskoka and Georgian Bay. When the world comes together, there will be literally thousands of journalists and they will be taking over literally every single inch of hotel space and rental accommodation within 150 miles. We are going to take one of the most beautiful parts of this country and spruce it up and make it even more welcoming to the world.

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): Mr. Speaker, he cannot account for the spending because the sidewalk leads to a minister out of control. So much for accountability. It is just another misuse of taxpayers' dollars. The problem is the minister is using funds solely for his pet projects and not for what they were intended. When will he stop using taxpayers' dollars as if they were his own?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, is that a member of the Liberal Party talking about Conservatives using taxpayers' dollars as their own? We remember the days when the Liberal Party was forced to write cheques back to the taxpayer after the money was stolen from the taxpayer. Those days are over. We did get a \$1 million cheque from the Liberal Party to compensate for some of the money they stole. With \$1 million down, we just need an extra \$39 billion from the Grits to get the job done.

Oral Questions

● (1435)

INFRASTRUCTURE

Mr. Gerard Kennedy (Parkdale—High Park, Lib.): Mr. Speaker, that is rich. Every single promise the government has made about infrastructure spending has been broken. When the Minister of Industry is treating the G8 summit as a political slush fund opportunity, he is now also harming Canadian students. The minister is shortchanging the majority of students who live in opposition ridings by over \$400 per student, a total of \$250 million less for better buildings and resources.

Can the minister explain to Canadian students and their parents why they are being so mistreated by the government?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, does he forget the Minister of Industry would have to plead guilty he is disproportionately spending funds for colleges and universities in ridings where there are colleges and universities?

Let us look at what one university president said. “The University of Ottawa applauds the governments of Canada and Ontario for this most important and significant capital funding contribution”, said Allan Rock, president of the University of Ottawa. “The federal and provincial governments have demonstrated real foresight and prudence”.

Thank goodness we have hard-working university presidents like Alan Rock working with the Minister of Industry.

Mr. Gerard Kennedy (Parkdale—High Park, Lib.): Mr. Speaker, Canadians are beginning to recognize and expect this smugness. The Minister of Industry assigned 74% more dollars to Conservative areas in British Columbia and 102% more dollars to Conservative areas in Ontario. Nine out of the top ten institutions getting up to \$40,000 a student are in ridings held by the Conservative Party. At the same time, students in Canada's research universities are getting less than their share just because they happen to be in opposition areas.

Is there any point at which the government is going to stop putting the Conservative Party first and the country second?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I almost wonder whether the member for Parkdale—High Park is not writing some sort of enemies list. Who are the people against him, Dalton McGuinty, George Smitherman, Alan Rock? In the province of Manitoba, I am told, even Lloyd Axworthy received a grant for the University of Winnipeg.

I ask the member opposite, does the Minister of Industry ever stop doing the right thing?

* * *

[Translation]

FEDERAL BRIDGE CORPORATION

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, in the case of the contract awarded to a corporation that employs Senator Housakos, the government claims that all the rules were followed. What the government forgot to say is that things were set in motion to stack the deck before the contract was awarded. By

controlling appointments to the Bridge Corporation, the government controls the contract process.

How can the Conservative minister condone the fact that Conservative members awarded contracts to the Conservative senator's company at Conservative cocktail parties?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, if the Bloc Québécois member has specific allegations to make I encourage her to put all the facts before this House and then repeat them outside. I have never heard opposition members repeat their allegations outside the House. There is surely a reason for that.

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Mr. Speaker, if we have to repeat them somewhere else, we will.

Conservative Senator Leo Housakos is a key player in this matter. He was the one who organized the fundraising cocktail party that brought together ministers, engineering firms, and those responsible for awarding contracts.

If the contract was awarded according to the highest ethical standards, as the government claims, can the minister tell us if Senator Housakos received a commission?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, it was this government and this Prime Minister who reformed the system for financing election campaigns. It was this Prime Minister and this government who eliminated all corporate donations and all union donations and lowered the amount that individuals can donate to political parties from \$5,000 to \$1,000.

[English]

I say to the member opposite that if she has any specific facts, she should put them before the House. The fact that she does not suggests that there are none.

* * *

● (1440)

[Translation]

EQUALIZATION

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, first we lose \$1 billion because of the cap on equalization, and now we learn that the economic downturn in Ontario will cost the Government of Quebec another \$225 million. And the 10 Conservative members from Quebec just subserviently go along with it all.

Will the Minister of Finance admit that the cap he unilaterally put on the equalization formula was designed to benefit Ontario at the expense of Quebec?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, I thank the member for his question.

As usual, equalization payments for 2010-11 will be determined in December using the formula provided for in the legislation. The total equalization payments should increase in 2010-11.

*Oral Questions***POST-SECONDARY EDUCATION**

Mr. Nicolas Dufour (Repentigny, BQ): Mr. Speaker, like Jean Chrétien's government, the Conservative government is once again encroaching in the post-secondary education sector by insisting on imposing a grants program that does not take students' needs into account.

This government claims that it respects the jurisdiction of Quebec and the provinces, so why is it so bent on imposing its grants program on Quebec students when Quebec maintains its right to opt out unconditionally with full compensation?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, of course there are differences. In Quebec, it was about agreements between the federal government and the Government of Quebec. There are always exceptions and that is how it works. This government implemented a new grants program.

[*English*]

This is a grant for Canadian students that is going to help low and middle income students to an unprecedented degree so that they can get the post-secondary education that they need, want and deserve.

* * *

[*Translation*]

GOVERNMENT CONTRACTS

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, Senator Housakos' employer has a very productive vice-president of business development.

What role did he play in the awarding of a contract by the Department of Fisheries and Oceans to his employer? What about the contract his employer received from Indian and Northern Affairs Canada?

We know that Senator Housakos and the Prime Minister's advisor, Dimitri Soudas, are very interested in the defence industry.

Did they have something to do with DND's awarding of a contract to Senator Housakos' employer?

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, I have seen fishing. That was a fishing trawler, a bottom trawler others would say.

Here are the facts. The member opposite is not prepared to make any specific allegations against the individual in question outside the House. He is not prepared to put any facts of disrepute before the House.

What he is doing is providing innuendo and speculation. The Liberal Party members once had great ideas for this country. They offered bold visions and now all they do is throw mud. That is a big disappointment to most Canadians.

[*Translation*]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, I just named three government departments that recently awarded contracts to Senator Housakos' employer. I forgot one: the Canadian

International Development Agency. It appears that Senator Housakos is quite versatile.

We knew that Senator Housakos' employer was awarded a contract for the work on the Champlain Bridge. What role did Senator Housakos play in the awarding of a contract recently by the Federal Bridge Corporation for the work on the Mercier Bridge?

[*English*]

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): Again, another question that if there was a label on it, Mr. Speaker, it would say "fact free".

The reality is the member opposite has no specific allegations he is prepared to make against the member outside of this place. It is fear. It is innuendo. It is politics of the worst kind.

Canadians want a government to fight the H1N1 crisis. They want a government to create jobs. They want a government that will focus on their needs. That is exactly what the government and the Prime Minister are doing.

* * *

CROWN CORPORATIONS

Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.): Mr. Speaker, recently I requested a meeting with officials from a crown corporation, namely Canada Post. To my surprise, a staff member from the office of the Minister of State for Transport tried to crash my private meeting. Consequently, the minister would not allow the crown corporation, Canada Post, to meet with me without his micro-management.

Is it the practice for the Conservative political staffers to attend private meetings of crown corporations?

• (1445)

Hon. Rob Merrifield (Minister of State (Transport), CPC): Mr. Speaker, I recall that I actually chatted with the member with regard to any information she would like about any crown corporation, not just Canada Post, and she is welcome to that. She is absolutely welcome to come to my office or to have it at any room in this place. Not only for that individual but for any of the opposition members, we would be more than obliged.

Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.): Mr. Speaker, crown corporations are supposed to operate at arm's-length from the government, but the Conservatives will not let crown corporations like Canada Post meet with an MP without overriding political control. However, we are supposed to believe that they have allowed the Federal Bridges Corporation, another crown corporation, to operate at arm's-length. The Conservatives cannot have it both ways.

When will the government admit there is nothing arm's-length about Senator Housakos, those Conservatives and the Federal Bridges Corporation?

Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC): What is very clear, Mr. Speaker, is the member opposite wanted a meeting with a crown corporation. The meeting was offered to her. We offered to put everything on the table so she could get a briefing for her new role as critic for crown corporations, and I want to congratulate her on that promotion.

With respect to her comments and Senator Housakos, is it not interesting that she is once again asking a question that is fact free?

* * *

JUSTICE

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, the government is committed to tackling gangs and organized crime. Auto theft significantly impacts Canadians, both individuals and businesses, with an estimated cost of more than \$1 billion per year. While Canadians suffer the financial and emotional impact from this criminal activity, organized crime profits.

Could the President of the Treasury Board tell the House why the government's legislation to combat auto theft and property crime is so important?

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, I thank the hon. member for his hard work.

The best way to fight gangs and organized crime is to disrupt the criminal enterprises on which they depend. Our government legislation, Bill C-26, which has been held up in the Senate for four months, would do just that.

Our legislation would add new penalties in the area of property theft and, more specifically, the serious crime of auto theft. This would have a positive impact on my home province of Manitoba and right across Canada. Why are the Liberal senators holding it up?

* * *

CANADA PENSION PLAN

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, provincial governments are considering establishing parallel programs for the Canada pension plan because of its current inadequacies. The CPP is the least expensive and safest retirement savings plan available to Canadians. Unfortunately, it limits the contributions that individuals can make and offers a maximum \$11,000 a year in retirement benefits. It is simply not meeting the needs of hard-working Canadians who are concerned about surviving their retirement.

Will the government take the lead and work with its provincial counterparts to make it the reliable and affordable savings plan that the CPP ought to be?

Hon. Jim Flaherty (Minister of Finance, CPC): We have been doing just that, Mr. Speaker. We have been working with the provinces and territories since last December on the pension issues.

I thank the member opposite, her party and the finance critic for the NDP who said, "We're all agreed that on pensions we're on the right track and we're getting an important report in December". That is true. We are getting an important report, in co-operation with the provinces and the territories, unlike the Liberal opposition, which has the position that it actually does not have a policy on pension reform, according to the member for Markham—Unionville.

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, the problem is that rhetoric will not secure retirements.

The inadequacy of the CPP is forcing Canadians to use private and more expensive retirement savings plans. By failing to fix the CPP, the government is allowing the financial industry to fleece

Oral Questions

Canadians to the tune of \$30 billion a year in fees on retirement savings. Canadians are paying a much higher rate to invest privately when they could be covered by an improved CPP.

Why will the government not give Canadians that piece of mind? Why will it not protect the hard-earned retirement savings of Canadians? Show some leadership—

● (1450)

The Speaker: The hon. Minister of Finance.

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, again, I thank the NDP member opposite for the idea she has put forward. A number of ideas are being put forward by the provinces, the territories and the federal government.

We did our comprehensive package earlier this week on pension reform, but there is more to be done. That is why we have the intensive research being done. This is a complex issue.

I thank the member for her thoughts. I wish the Liberal Party had even one thought on this subject.

* * *

[Translation]

SUPPLY MANAGEMENT

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, agricultural producers operating under supply management are very concerned. They do not understand why this government would jeopardize supply management by putting it up for negotiation with the European Union. Considering that we are in the midst of an economic crisis, one wonders why this government would jeopardize over 73,000 jobs in Quebec.

When will this government recognize that supply management is a sound economic policy and that it should not be up for negotiation? This means that if we do not want to put it up for negotiation, then we should not put it on the table.

Hon. Stockwell Day (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, I am very pleased to respond, because we have had an unprecedented process in Canada, a process that will include the provinces and territories in the negotiations with the European Union. Thanks to such agreements, we are going to have employment growth, investment growth et economic growth.

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, in addition to putting supply management up for negotiation with the European Union, this government is constantly targeting collective marketing mechanisms and is joining forces with the other members of the Cairns group—who are the strongest opponents of supply management—to ask that negotiations at the WTO be accelerated.

Oral Questions

Does this government realize that it has no credibility when it claims to stand up for supply management?

Hon. Stockwell Day (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, again, I am going to be very clear. Our government is very clear. We will continue to stand up for supply management and to cooperate with the industries, the provinces and the territories. This cooperation is unprecedented, because we are respecting provincial jurisdictions. If we can have such an agreement, they will enjoy economic growth, and so will Canada.

* * *

[English]

ECONOMIC DEVELOPMENT

Mr. Francis Valeriote (Guelph, Lib.): Mr. Speaker, ailing southern Ontario businesses have waited nine long months to see applications for FedDev Ontario funds, yet not all the funds from the agency's core program have been made available, already spread thinly from Ottawa all the way to Windsor. There is silence from the government on its remaining \$60 million commitment to southern Ontario, despite the looming March spending deadline.

When will the minister tell suffering southern Ontario exactly when it can access the rest of the money, instead of getting ready to just rush it out late, with the usual misguided, self-serving fanfare?

Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC): Mr. Speaker, it is interesting that not very long ago the member was telling us we were spending the money too fast. Now he is telling us we are spending it too slowly.

We have an application process in for \$40 million. We are in negotiations for the balance of \$60 million. We are taking our time. We are doing our due diligence. We are respecting taxpayers. These are going to be good projects.

The member can wait a little while longer. We will make the announcements.

Mr. Francis Valeriote (Guelph, Lib.): Mr. Speaker, it has also been over two months since the Prime Minister announced the so-called headquarters for the FedDev Ontario agency in Kitchener. Yet its staff offers no guidance to applicants other than directing them to a call centre in Toronto, which only offers information from the website, no advice, and we are told in briefings that it is costing a staggering \$28 million for staff and office space.

FedDev applications are crucial to the livelihood of southern Ontario businesses. Should \$28 million not provide more help to businesses than just directing them to a website?

• (1455)

Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC): Mr. Speaker, our staff are up and running, working 24/7. The member continues to phone them and actually bother them during the good work they are doing.

We have now almost 100 applications in, almost \$200 million in asks. We have over 100 employees staffed up and trained. We have

offices in Kitchener, Peterborough, Stratford, Toronto and Ottawa. The member has no idea what he is talking about.

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ROYAL CANADIAN MOUNTED POLICE

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, RCMP figures show that the number of officers on disability for stress has skyrocketed over the last decade, from 10 in 1999 to 162 last year. Officers say that this is a direct result of staff shortages, heavy workloads and lack of support in the field.

It is not surprising. The government has broken its agreement to officers on pay increases, fighting their request to unionize and failed to deliver the 2,500 new officers it promised.

The minister likes to talk tough on crime, but why will he not support police on the front lines?

Hon. Vic Toews (President of the Treasury Board, CPC): Mr. Speaker, our government supports hard-working men and women in law enforcement. That member and others have consistently voted against measures that would assist the RCMP and other police forces in the country to get the job done.

We in fact are working very hard to ensure that law enforcement not only has the legal support and legislative support, but that it has the appropriate resources in place.

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STATUS OF WOMEN

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, the Auditor General has raised concerns about the fact that the Privy Council Office, the Department of Finance and Treasury Board will not commit to using gender-based policy analysis. This goes beyond unacceptable. It contravenes our international commitments.

These three central government agencies advise the cabinet daily. They are compelled to play a significant role in enforcing gender equality. The refusal to commit to gender-based analysis is a sleight to all Canadian women and results in policy that is brutally unrepresentative.

Will the Prime Minister commit to implementing the use of gender-based analysis in the government's central agencies?

Hon. Helena Guergis (Minister of State (Status of Women), CPC): Mr. Speaker, when we became the government, there was absolutely no directive in place whatsoever for gender-based analysis to be done within the challenge agencies.

When we came in, immediately in 2006 in the budget tax measures we started gender-based analysis and continue to do so. Treasury Board submissions in 2007, also now under the leadership of this government, required evidence of gender-based analysis. In 2008 we put a requirement in place that all memoranda of the cabinet would require evidence of gender-based analysis.

We have acted. That is leadership. The member is wrong.

IRAN

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, the human rights situation in Iran has worsened over the past year, particularly following the violent crackdowns against innocent citizens to stifle dissent following the farcical presidential election in Iran in the summer.

Could the Minister of Foreign Affairs inform the House of the actions the government has taken to address the Iranian threat and its persistent violation of human rights?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC): Mr. Speaker, today, at the United Nations General Assembly, Canada will table the toughest resolution on the human rights situation in Iran. This year we are calling on the investigators to focus on Iran's appalling human rights record.

Through our leadership on the world stage, the government is addressing the egregious and systematic violations of human rights the Iranian regime carries out against its own citizens. We take this responsibility very seriously at this time and—

The Speaker: The hon. member for Random—Burin—St. George's.

* * *

INFRASTRUCTURE

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, my question is for the chair of the Standing Committee on Government Operations and Estimates.

For months the committee has been asking the government for the exact amount of dollars spent on infrastructure. The Parliamentary Budget Officer was not able to provide the committee with specific dollars because the government had not given him the information. Now we understand the government is muzzling public servants.

I ask the committee chair, will today's agenda finally allow us to get this information or will the government stonewall and continue to obstruct the committee from doing its work on behalf of Canadians?

• (1500)

Ms. Yasmin Ratansi (Don Valley East, Lib.): Mr. Speaker, the committee agenda is focused on the impact of infrastructure spending on the economy.

Numerous witnesses have stated that the minister is not providing concrete information. It is very hard for the committee to do its work. The Parliamentary Budget Officer has also been denied the information he needs to do his job.

On the agenda today in committee, we will be hearing from the minister responsible and we trust the minister will provide the exact and complete amount of dollars that have flowed to projects so that the committee can conclude its study.

* * *

[Translation]

INDUSTRY

Mr. Luc Malo (Verchères—Les Patriotes, BQ): Mr. Speaker, Quebec has a high-tech industrial policy that covers the innovative

Oral Questions

pharmaceutical industry. The Prime Minister has met with investors. During those meetings, he was informed that innovative pharmaceutical companies in Canada do not have the right to appeal to protect their patents, as companies in Europe and the United States do. This situation affects a number of companies in Quebec and Ontario.

When will Canada create a right to appeal, allowing innovative companies to stand up to their competition and make the most of their assets, so that they can continue to invest in research and development and preserve these high-tech jobs?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, I can say to the House that there was a meeting in May with representatives from that sector. We have an action plan to improve this situation. There is a lot of cooperation with this sector right now to address this and other issues.

We support this sector. It is a very important sector for Canada. Thanks to this government and to the policies of the Department of Finance and the Prime Minister, things are going well in this sector and other industrial sectors in Canada.

* * *

[English]

AGRICULTURE AND AGRI-FOOD

Mr. Alex Atamanenko (British Columbia Southern Interior, NDP): Mr. Speaker, 15,000 Canadian flax farmers are facing a crisis of potentially staggering proportions.

The entire European market has been closed to their crop because it had been widely contaminated by genetically modified flax that has been illegal to sell as seed in Canada.

We need a full investigation into this disaster. The source of this contamination must be found. Before approving field testing and environmental release of new GM crops, such as alfalfa and wheat, we need regulations that consider their economic impact.

Will the minister commit to supporting our farmers and protecting our food?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, this gives me the opportunity to say that Canada does not produce GM flax.

The Liberals took a walk on the wild side a number of years ago but that was deregistered almost immediately.

Canadian flax is safe and a healthy product. We are having some scientific discussions with the European Union at this point, but I can assure the member opposite that the Canadian Grain Commission and the Canadian Food Inspection Agency have those discussions well in hand. We are getting to the bottom of this scientifically and we will continue that work.

Speaker's Ruling

What farmers really want to know is what that member and his rural NDP caucus will do about the gun registry. Will they be supporting that private member's bill or not?

* * *

JUSTICE

Ms. Dona Cadman (Surrey North, CPC): Mr. Speaker, this government has made victims of crime a priority and we have committed to making our streets and communities safer.

For Surrey North, this is great news, as our streets have been plagued with crime and violence for many years. During the reign of the previous Liberal government, it sat back and watched organized crime prosper while it did nothing to protect Canadians.

Could the Parliamentary Secretary to the Minister of Justice update the House on what the government is doing for victims of crime and law-abiding citizens?

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I thank the hon. member for Surrey North for her tireless work on behalf of victims of crime.

After 13 years of Liberal inaction, Canadians have a government that is standing up for victims and law-abiding Canadians. We are tackling organized crime, cracking down on identity theft, auto theft and white collar crime. We are ending house arrest for serious crimes. We are ending sentencing discounts for multiple murderers.

When it comes to standing up for the rights of victims and law-abiding citizens, Canadians can count on this government.

* * *

BUSINESS OF THE HOUSE

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, I wonder if the government House leader could inform the House of his work program for the balance of this week and next, until the House adjournment for veterans' week.

Could he also indicate to the House when he would expect the House to acknowledge the importance of veterans' week, on which day or which occasion that will happen prior to veterans' week itself.

There also will need to be the designation of one more opposition day before veteran's week, and I wonder if the minister could do that today as well.

As well, I am sure he would want to confirm that, with respect to Bill C-26, which was referred to during the course of question period, having to do with auto theft, that the bill sat on the order paper of the Senate since the June 22. It was called once, was given second reading and is now in committee in the Senate.

• (1505)

Hon. Jay Hill (Leader of the Government in the House of Commons, CPC): Mr. Speaker, in relation to what day the House will be doing its annual tributes to the sacrifices of our veterans and those in the Canadian Forces currently serving, that will be under negotiation. I suspect that is something that will be discussed among all House leaders in the days ahead. We will decide, obviously, collectively and co-operatively on the appropriate time to make that important tribute.

In regard to our ongoing justice program, obviously we are going to continue along, as we have last week and this week, for the remainder of the week with our justice legislation. I would note that since my last statement, we introduced Bill C-53, Protecting Canadians by Ending Early Release for Criminals Act, and Bill C-54, Protecting Canadians by Ending Sentence Discounts for Multiple Murders Act. Both of those additional bills are a key part of our ongoing efforts to reform the justice system in our country.

We sent to committee this week Bill C-42, Ending Conditional Sentences for Property and other Serious Crimes Act; Bill C-52, Retribution on Behalf of Victims of White Collar Crime Act; Bill C-46, Investigative Powers for the 21st Century Act; and Bill C-47, Technical Assistance for Law Enforcement in the 21st Century Act.

By the day's end, we hope to conclude debate on Bill C-43, Strengthening Canada's Corrections System Act. If we do that, I intend to call Bill C-31, the modernizing criminal procedure bill, and Bill C-19, the anti-terrorism bill.

Tomorrow we will continue with yet another justice bill, Bill C-35, Justice for Victims of Terrorism Act, followed by the remainder of the justice bills that I noted if they have not been completed.

Next week I intend to call Bill C-50, the employment insurance for long tenured workers' bill, which is at report stage, having had it returned from committee.

Following Bill C-50, we will call for debate the report and third reading stage of Bill C-27, Electronic Commerce Protection Act, and second reading of Bill C-44, An Act to amend the Canada Post Corporation Act,

Finally, Wednesday, November 4, will be an allotted day.

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POINTS OF ORDER

OFFICIAL REPORT—SPEAKER'S RULING

The Speaker: Yesterday, the hon. member for Mount Royal called the attention of the House to what he considered to be inaccuracies in the *Debates* of Tuesday, October 27.

As all members know, the *Debates* are not a verbatim ad litteratum transcription of what is said in this House. When producing the *Debates*, House of Commons editors routinely edit interventions for clarity and clean up our grammatical and syntactical lapses. They also of course consider corrections and minor alterations to the blues submitted by the member to which words are attributed.

Upon verification, I want to first indicate to the House that in the situation before me all editorial changes were initiated solely by the editors. I should add that both the question of the member for Mount Royal and the answer of the Minister of Foreign Affairs were edited in this case.

Speaker's Ruling

For greater certainty, I have also reviewed the audio of the proceedings in question and I agree with the member for Mount Royal that the omission of the word “finally” from the edited version of the answer of the Minister of Foreign Affairs is significant. Accordingly, I have instructed our editorial staff to restore that word to the final transcript so that it may be a more faithful rendering of what was said last Tuesday.

I thank the hon. member for Mount Royal for bringing this matter to the attention of the House.

[Translation]

CLIMATE CHANGE ACCOUNTABILITY ACT—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the point of order raised by the hon. Parliamentary Secretary to the Government House Leader on October 8, 2009, regarding the admissibility of the motion of instruction moved on the same day by the hon. member for Vancouver East.

• (1510)

[English]

I thank the hon. parliamentary secretary, the hon. member for Vancouver East, and the hon. member for Skeena—Bulkley Valley for their interventions on this matter.

The parliamentary secretary argued that the motion of instruction listed on the order paper as Government Business No. 6 is out of order because, in his view, it attempts to time allocate a bill and, as such, is no longer permissive.

He added that the inclusion of a deadline in the motion of instruction had the effect of overriding existing reporting requirements for private members' bills already contained in the Standing Orders.

He also asserted that the motion contains two separate proposals and should, therefore, require two separate motions.

In speaking to the parliamentary secretary's point of order, the hon. member for Vancouver East pointed out that the committee may decide whether or not to exercise the powers given to it by the House, thus, rendering the motion permissive.

For his part, the hon. member for Skeena—Bulkley Valley pointed out that there was a precedent for such a motion of instruction, referring to a motion that was debated on May 30, 2005.

[Translation]

As stated on page 641 of *House of Commons Procedure and Practice*, and I quote:

Motions of instruction respecting bills are permissive rather than mandatory. It is left to the committee to decide whether or not to exercise the powers given to it by the House...

Once a bill has been referred to a committee, the House may give the committee an instruction by way of a motion which authorizes it to do what it otherwise could not do, such as, for example, examining a portion of a bill and reporting it separately, examining certain items in particular, dividing a bill into more than one bill, consolidating two or more bills into one bill, or expanding or narrowing the scope or application of a bill.

[English]

In the matter raised by the parliamentary secretary, the Chair must determine whether the wording of the motion of instruction is permissive or mandatory.

The first and main part of the motion is to give the committee the power to divide the bill. This is recognized as permissive by past practice and procedural authorities. I can see nothing in the motion of instruction that orders the committee to do anything specific with Bill C-311. The deadline and other procedural actions contained in the motion apply only if the committee takes the step to create Bill C-311A, in the full knowledge of the consequences that would ensue.

As I read the motion, the committee can still choose to report Bill C-311 in the same way as it would any other private member's bill.

[Translation]

Members are aware that the Standing Orders stipulate that a private member's bill must be reported back to the House before the end of 60 sitting days, or, with the approval of the House, following an extension of 30 sitting days. Otherwise, the bill is deemed reported back without amendment.

[English]

It has been argued, in this case, that the inclusion of a deadline in the motion of instruction comes into conflict with the provisions of Standing Order 97.1(1), thus rendering the motion out of order.

However, in the view of the Chair, it is not unreasonable to envisage a scenario where the House, for whatever reason, would want a committee to report a bill back prior to the reporting deadline set out in Standing Order 97.1(1).

So, there is nothing, in my understanding of that Standing Order, or in the procedural authorities, that would preclude the House from adopting a motion of instruction that included a reporting deadline.

[Translation]

The example referred to by the hon. member for Skeena—Bulkley Valley is particularly instructive on this point. That motion of instruction, debated in the House on May 30, 2005 (*Journals*, p. 800) stated in part: “that Bill C-43A be reported back to the House no later than two sitting days after the adoption of this motion”. It provided a deadline remarkably similar to that contained in the motion of instruction moved by the member for Vancouver East.

[English]

In the view of the Chair, just as in the 2005 example, the inclusion of a deadline in the motion of instruction for Bill C-311 does not infringe on the committee's discretion to exercise the power to divide the bill, nor with its discretion to amend the bill.

Finally, the Chair is not persuaded by the parliamentary secretary's argument that the motion contains more than one proposal and that it should be divided into two separate motions. A close reading of the motion shows that the portion regarding the reporting deadline is contingent on the main proposition; namely, the permissive instruction to divide the bill.

Government Orders

Accordingly, for all the reasons outlined, the Chair must conclude that the motion is in order.

• (1515)

[*Translation*]

I thank hon. members for their interventions on this matter.

GOVERNMENT ORDERS

[*English*]

STRENGTHENING CANADA'S CORRECTIONS SYSTEM ACT

The House resumed consideration of the motion that Bill C-43, An Act to amend the Corrections and Conditional Release Act and the Criminal Code, be read the second time and referred to a committee.

The Speaker: When this matter was last before the House, the hon. member for Elmwood—Transcona had the floor. There are two minutes remaining in the time allotted for questions and comments consequent upon his remarks. I therefore call for questions and comments.

Resuming debate, the hon. Parliamentary Secretary to the Minister of Agriculture.

[*Translation*]

Mr. Pierre Lemieux (Parliamentary Secretary to the Minister of Agriculture, CPC): Mr. Speaker, I am pleased to rise today to sponsor Bill C-43, An Act to amend the Corrections and Conditional Release Act and the Criminal Code.

As the father of five children, public safety is a matter of great importance to me, and that is why I am proud to rise today to show that the government is honouring its promises to improve safety on our streets and in our communities, for all Canadians, and to ensure that victims have a voice in the justice system.

When the people of Glengarry—Prescott—Russell elected me for the first time, I told my constituents that our Conservative Party would do things differently in government, and that the appalling complacency of the former Liberal government would be coming to an end.

We said we were going to be tough on crime; we have kept our promise. We said we were going to make sure that people convicted of using firearms to commit serious crimes would get a sentence that reflected the heinousness of their actions; we have kept our promise. Unlike the opposition parties, which would like to keep claiming to protect Canadians with a useless and expensive firearms registry, we have taken concrete action against criminals who use firearms. We said we were going to give police the tools they need to do their jobs; once again, we have kept our promise.

Over the last three years, the government has honoured the commitments it made to protecting the safety of Canadians in their homes and their communities. We have fulfilled our commitment to help victims.

That is why I am very happy to have the opportunity to support this bill today. In addition to demonstrating our commitment, this initiative is supported by law enforcement representatives, victims' rights groups and honourable members.

[*English*]

Bill C-43 proposes several fundamental reforms to corrections and conditional release to help ensure they continue to work the way they should in light of the changing nature of the offender population and the needs of victims.

Today, we know that many offenders entering Canada's corrections system arrive with histories of committing violent offences. Many offenders have gang or organized crime affiliations. An increasing number of offenders have serious mental health illnesses and nearly four out of five now arrive at a federal institution with a serious substance abuse problem. Many as well need to learn how to live as law-abiding citizens and might face the need to address their behaviours for the first time ever.

All of this requires a new approach to corrections and conditional release, one that will ensure that offenders get the help they need to rejoin society as law-abiding citizens, so that both our streets and our federal corrections facilities are safer places for everyone.

The amendments proposed in Bill C-43 will achieve this by enhancing offender responsibility and accountability, and by strengthening the management of offenders during their incarceration and parole. It will also achieve this by giving victims access to more information and by modernizing disciplinary actions.

All in all they reinforce and build on the work already underway to strengthen corrections and conditional release while also laying the foundation for a move toward a system of earned parole. They are also long overdue.

• (1520)

[*Translation*]

Some members of this House may know that as far back as 1998, the Standing Committee on Justice and Human Rights created a subcommittee to review the Corrections and Conditional Release Act and recommend ways of improving it.

In its report, the subcommittee made 53 recommendations; one of the things it suggested was that the protection of society be the fundamental principle in all decision-making processes relating to the corrections and conditional release system, and that all efforts be made to ensure that offenders participate actively in their rehabilitation and reintegration. These were wise recommendations, that called for immediate action to be taken, and that is what our government is doing.

Government Orders

In 2007, our Conservative government established an independent committee to review the operational priorities, strategies and business plans of the Correctional Service of Canada, as part of our commitment to protecting Canadian families and communities.

The committee made 109 recommendations. Many of them are now being implemented, thanks to the \$478 million that the government allocated in its 2008 budget. But we can do more, and that is what we are doing. The government is determined to achieve its objective, and that is why we are moving forward today.

Bill C-43 will allow us to implement a key recommendation in the 1998 report of the Standing Committee on Justice and Human Rights, and in the 2007 report of the independent review panel. This recommendation proposes to amend the Corrections and Conditional Release Act to clarify that the protection of Canadians is the paramount consideration in the corrections and conditional release process.

Pursuant to the recommendations made in the two reports, Bill C-43 also proposes to ensure that the rehabilitation of offenders is a shared responsibility.

[*English*]

The amendments before us will require offenders to conduct themselves in a way that demonstrates respect for other people and property. As well, they will require all offenders to obey all penitentiary rules and conditions governing their release, while also actively participating in the setting and achieving of objectives in their correctional plans.

Since rehabilitation is a two-way commitment, Bill C-43 proposes amendments to ensure that a correctional plan is completed for each offender that sets out objectives for behaviour, program participation, and the meeting of their court-ordered obligations such as restitution to victims.

Amendments will also introduce new incentive measures to help promote offender participation in their correctional plan. As the 2007 independent panel report notes: “—if rehabilitation is to occur and truly be sustained, it must be shared between CSC and the offender”. That is what the amendments before us today will do.

As well, Bill C-43 will modernize the system of discipline in federal penitentiaries by, for example, addressing disrespectful, intimidating and assaultive behaviour by inmates, including the throwing of bodily substances. Anyone who has been a prison guard will say that the job is not easy. Prison guards will be pleased to learn that our Conservative government is standing up for them.

Bill C-43 also proposes to strengthen the management of offenders and their reintegration into society by allowing police officers to arrest offenders who appears to be in violation of their parole without a warrant and by excluding from accelerated parole offenders who are convicted of crimes such as street racing or luring a child over the Internet.

Police and other criminal justice partners have asked for these changes and our Conservative government is delivering on them. As a husband and father, I cannot emphasize enough how important this is to me and to families all across Canada.

• (1525)

[*Translation*]

Of course, the victims have been asking for a long time to have better access to information about offenders, and to play a more active role in the Canadian justice system.

Bill C-43 meets the victims' requests in a number of ways. For example, it allows them to obtain information on the reasons for a temporary absence or transfer, and on the offender's participation in programs and convictions for serious disciplinary offences. Families want to feel safe at home. It is unacceptable that they should live in constant fear that their victimizer could come back.

The right of victims to participate in National Parole Board hearings and to make statements will be put into law.

Moreover, in most cases, offenders will not be allowed to withdraw their parole application in the 14 days preceding the hearing date. The government is also setting up a national advisory committee to better inform victims of the policies and procedures that affect them, so that they can have better access to information and services that are of interest to them.

[*English*]

The amendments proposed by Bill C-43 are balanced and fair. They respond to the needs of victims as well as those of offenders who want to rejoin society as law-abiding citizens to lead useful and productive lives. They respond to the needs of staff in correctional facilities, all of whom have a right to expect a safe and secure work environment. They also respond to the needs of all Canadians who have a fundamental right to expect that the corrections system will work the way that it should work and that their safety and security is paramount.

I therefore urge all hon. members to give speedy passage to the bill before us today, so that all of us can continue to transform the corrections system into one that truly meets the needs of the 21st century.

[*Translation*]

Mr. Gérard Asselin (Manicouagan, BQ): Mr. Speaker, I listened carefully to the hon. member for Glengarry—Prescott—Russell and I found his remarks somewhat contradictory.

He said that he has five children and wants to protect them. He said that the Minister of Justice has introduced legislation in keeping with the commitments made by the Conservative Party. Something is also in the works to give police the tools they need to do their job and maintain law and order on our streets to keep people safe.

He used very often and repeatedly the word safety in his speech. Is it not somewhat contradictory for the Conservatives to be introducing this kind of bill, which not only does not abolish parole after one-sixth of sentence, but also takes away from police a trump card that allowed them to act? On top of that, they want to abolish the gun registry. Will it not just thrill criminals to bits to be able to carry and use as they please hunting guns or handguns without having to register them?

Government Orders

I would like the member to tell me this: Can we protect people while at the same time allowing criminals to carry unregistered firearms?

• (1530)

Mr. Pierre Lemieux: Mr. Speaker, the member who just asked the question is confused about firearm registration. It is important to understand that the current registry is completely useless. There are far too many errors in the gun registry; the police does not trust the information it contains.

Also, it cost \$2 billion. The fact of the matter is that firearm registration applies to law-abiding Canadian citizens, such as farmers, hunters and the likes. I hope that the member who asked the question does not represent a rural riding. Personally, speaking as the member of Parliament for a rural riding, I can say that most people in my riding are dead against firearm registration.

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, mine is more of a comment than a question and deals with the heckler during my speech on Bill C-43. The member for Edmonton—St. Albert was asking me about some statistics I used in the speech on Bill C-43 that we are dealing with right now. By the way, I saw him last night on a show on CPAC, and he did a great job.

My information came from Statistics Canada, as I said to him and his heckling partners.

The Statistics Canada study found that adult offenders who spend their sentence under supervision in the community are far less likely to become reinvolved with correctional authorities within 12 months of their release than those who are in a correctional institution.

The study found that in four provinces, 11% of the people who were under community supervision became reinvolved with correctional authorities within 12 months of their release in 2003-04. Among the study where people were in the community only 30% were involved in crime.

The fact of the matter is that people who were in the correctional institutions and came out were twice as likely to reoffend as people who were under community supervision.

I can certainly provide the member with a copy of this study if he would like.

Mr. Pierre Lemieux: Mr. Speaker, I would ask the member to table his documentation. It is hard to follow numbers and statistics when they are presented verbally.

One thing I do want to say is that the changes we are proposing in Bill C-43 are the types of changes that Canadians have asked for. Canadians feel unsafe. They feel victimized by criminals. The measures we are proposing in Bill C-43 address some of the very fundamental concerns they have expressed.

One of the measures is the presence of the victims at parole hearings. Victims have asked to be present at parole hearings and to have a say. They want to be able to tell their story and express their concerns about a decision that is about to be made regarding parole. Bill C-43 would put that into law so that victims would have the right to participate in the parole hearings. This is fundamental.

There are many other excellent changes that we are bringing about. I encourage members from the opposition parties to support Bill C-43.

[*Translation*]

Mr. Gérard Asselin (Manicouagan, BQ): Mr. Speaker, hunters on the north shore are well aware that in order to hunt, they have to register their ATV, their boat, their trailer, their truck and also their hunting camp. At the time, they decided to take part in the system, which was not necessarily comprehensive. But in order to use a hunting rifle, a hunter had to register it.

The Conservatives are living in the past. This has been resolved. This is the system in place now. Anyone who wants to use equipment has to register it. The police in Quebec and in Canada support the firearms registry, which has led to a decrease in the crime rate.

• (1535)

[*English*]

Mr. Pierre Lemieux: Mr. Speaker, clearly, the member does not understand the firearms registry or what its implications are on Canadians. He is speaking from a position of ignorance.

When a Canadian buys a firearm, of course he registers it. The problem with the firearms registry is that the firearm must be registered year after year, and if it is not registered in time, then the law-abiding gun owner is treated as a criminal. He has just broken a criminal law and he is treated as such.

The member should also know that criminals do not register their weapons. They say that the whole intent of the firearms registry is to better enforce weapons and their use within society, particularly to fight crime. We know that criminals do not line up to register their weapons and they do not maintain the registry.

As I mentioned before, the registry is riddled with errors and there are all sorts of privacy issues. We learned of one where the RCMP released private information concerning gun owners to a consulting firm. That was wrong, and the gun registry facilitates that.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Mr. Speaker, I rise today in favour of Bill C-43 and in honour of victims of violent crime across Canada. My riding has felt the full force of such crimes over the past year. Much of what I will share in my remarks today comes from the input I have received from the families of these victims.

I have spoken several times in this House about the terrible events that occurred on October 19, 2007 in the city of Surrey. That fateful evening was marked by the most brutal gangland slaying in British Columbia's history.

Sometime that day, between 3 and 4:30 p.m., members of a criminal gang executed six people with gunshots to their heads. Four were young men with established links to the drug trade, but two of them, 55-year-old Ed Schellenberg, and 22-year-old Chris Mohan, were uninvolved victims. They were innocent bystanders who were at the wrong place at the wrong time.

Although the perpetrators of this terrible crime have been apprehended and are now in the justice system, for the families of the victims, there is little consolation to be had. That is why I believe that any measure that would provide family members with some measure of peace of mind is entirely appropriate.

Bill C-43 makes improvements to the healing process and strengthens the rights of victims and of society in our parole process.

As recognized by a Correctional Services of Canada independent review panel, the Corrections and Conditional Release Act leaves a substantial amount of room to better include victims and their families in the process.

Under the revised act, a victim's right to attend and make statements at National Parole Board hearings will be enshrined in law. This is a sensible idea.

There must be no discretion residing with board members to prevent victims' statements. The only determining factor should be the will of the victims and their families to be heard either in person or by statement.

The movement of convicted criminals by transfers is something which, in the past, has happened in virtual isolation, with little or no notice of such decisions passed on to victims or their families in advance. This isolation is unacceptable as the residual effects of crime never fully disappear.

Therefore, correctional services has an obligation to mitigate the stress caused by such prisoner transfers by providing as much information as possible to prepare those impacted by the crime.

The name and location of the institution to which the offender is transferred, the reason for the transfer, information about the offender's participation in programs, and convictions for serious disciplinary offences should be freely shared.

While I keep referring to victims and their families, everyone in these types of situations are victims. The pain caused to individuals who have had a family member pass away as a result of violent crime is immeasurable. Thus I am very pleased to see that guardians, caregivers or victims who are deceased, ill or otherwise incapacitated are being given an equal level of rights with regard to receiving information.

• (1540)

Perhaps the most significant part of Bill C-43, however, will be the creation of a national advisory committee on victims issues co-chaired by the Department of Justice and the Department of Public Safety. With the intention of giving victims the opportunity to provide input into policies and procedures that impact victims and victims' services, this is a revolution in the way victims' rights are considered.

For many years groups such as Canadian Crime Victims Foundation have advocated from outside the system. They have fought to educate service providers like police officers, justice system personnel, victim service providers and front-line staff on victims' needs, both immediate and long term.

They have tried to provide a clear understanding of protections needed and services required at public and private hearings by those

victimized by violent crime. They have created broad public awareness in support of proactive, positive changes for victims of violent crime.

They have conducted research to provide reliable competent data on the status of crime victims, their needs, and the long-term viability of government programs.

While the contributions of such groups will continue to be vital with the creation of the national advisory committee, this newly established body must be considered a huge success and a grand endorsement of their efforts over many years.

Consideration for victims hopefully never again will take the form of tokenism. The changes that I have just described within Bill C-43 represent a new paradigm for our justice system.

Never again do I want to have to face victims or their families and hear about how they have been systematically and institutionally cut out of the process of justice, and as a result have had their healing replaced by anger, frustration, and complete and utter hopelessness.

Every member in this House has constituents and neighbours who have been impacted by violent crime. Regardless of party affiliation or personal viewpoints, this is a bill that we should support in unified confidence in honour of victims.

I encourage all members of the House to step forward, do the right thing and support this important and long-overdue piece of legislation.

• (1545)

Mr. Dave MacKenzie (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I would like to publicly recognize the member for Newton—North Delta for his passionate plea for victims.

It is fair to say that his passionate personal plea is certainly genuine. We certainly welcome his support. We hope that he will work with some of the colleagues on the other side who are perhaps not as interested as he is in passing this legislation.

I know from what he had to say that he has given a great deal of thought to the legislation and research on it. One of the important parts, I think, for all of us is the automatic one-sixth reduction in sentences. I am wondering if he has ever found anyone, a victim or a citizen in his community, who thought that a six-year sentence for a first-time offender meant one year.

Mr. Sukh Dhaliwal: Mr. Speaker, I would like to thank the Parliamentary Secretary to the Minister of Public Safety for his kind remarks toward me. It is not about me. It is all about the victims, Canadians and society. We want to create a safe society for all.

When I look at members on this side, I know they carry the hurt. The situations they are going through are similar to those that the parliamentary secretary or I or any other member in the House is going through. This is why we, collectively, have a duty to society to make sure we are living in and our kids are growing up in a safe society.

Government Orders

I am certain members on this side, particularly the Liberal members, are committed to ensuring that we work along with the government to pass legislation that gives victims and Canadians peace of mind.

When it comes to the question that the parliamentary secretary asked, certainly every day we talk to people, and that is their feeling. The only way we can deal with it is by bringing in tougher and minimum mandatory sentences that will address the question that he posed.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, we have spent the better part of the last four years in the House listening to the Conservatives shout and holler about getting tough on crime. It seems to me most of it is dumbing down the issue of crime and trying to oversimplify it.

We talk about a balance in making our streets safe. One of the ways to deal with recidivism is to ensure that people do not go back to prison. To do that, they need to have supports within the community.

It is all fine and well for the government to legislate what it is going to do to people in prisons. There seems to be no plan for these people for when they come out of prison.

There are issues, such as a national housing strategy. I have dealt with men coming out of prison. If they have no secure lodging or safe environments to start to rehabilitate, they reoffend. There is the same issue with drug addictions. We know how many people are in jail for crimes because of their addictions. Unless we have measures in place, they will reoffend. We see it again and again.

People can talk to police who will say that. People can talk to social workers. Yet we see that the government has no plan or vision in terms of, as we would say, draining the swamps of criminal behaviour by ensuring that the people who are most likely to be a threat are dealt with when they are released so that they can actually begin to become constructive members of society.

I would ask the hon. member what his views are in terms of having a long-term, larger vision with regard to getting smart on crime.

• (1550)

Mr. Sukh Dhaliwal: Mr. Speaker, I could not agree more with him. In fact, if the hon. member goes back to speeches I have made on crime, he will see that I have always supported every piece of tough on crime legislation that has come before the House, whether it has come from the NDP, the Conservatives, the Bloc or the Liberals.

I have always stood for being tough on crime, but at the same time we have to ensure the factors the member mentioned, which are education, prevention and rehabilitation, are part and parcel of society, to make sure that criminals who come out of prison do not come out as bigger criminals.

We can make them productive members of society only by making sure they are given the proper rehabilitation and tools when they are released from prison so that they come out as productive citizens of this great nation.

Mr. Pierre Lemieux (Parliamentary Secretary to the Minister of Agriculture, CPC): Mr. Speaker, I listened carefully to my colleague as he was speaking and while I appreciate his support for Bill C-43, I hope of course that he is speaking also for his Liberal colleagues.

I am wondering what assurance my colleague can give me that when this passes through the House, it will not be delayed, obstructed or gutted by Liberal senators in the other place. This is a very real concern I have because of what we saw, for example, on Bill C-25, which passed through the House, but which, when it reached the Liberal senators in the other place, was gutted. Actually, they defied their leader in doing so, and they did so without any repercussions.

Fortunately, Bill C-25, due to public pressure, passed uncut, let us say, in its original form and Canadians were well served, but when the President of the Treasury Board today brought up Bill C-26 on auto theft, we saw it too being obstructed and delayed by the Liberal senators in the other place.

I hear my colleague speaking, but I would like to know what assurance he can give, not just to me and my colleagues in the House, but to all Canadians that this will make it through the Liberal senator blockade in the other place.

Mr. Sukh Dhaliwal: Mr. Speaker, before I talk about the Senate, I would like to talk about this House. It is the Conservative members, the Conservative House leader and the Conservative Prime Minister who have delayed the tough on crime legislation.

I would ask the hon. member to go back in history. The Liberal House leader stood in the House and clearly said to the House leader of the Conservative Party that we were willing to support the tough on crime legislation, and who denied it? The Conservatives did.

When legislation dealing with crime was on the agenda, who prorogued this Parliament? It was the Conservative Prime Minister who delayed the legislation for those victims, and those people who were waiting for the crime agenda to pass three years ago and who are still waiting.

It is not about the Senate; it is about the Conservative Party.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am always fascinated that Conservatives are always going on about Liberal senators. I could go on about Liberal senators all day, but I am wondering if this is an attempt by the Conservatives to divert the attention of the Canadian public from the fact that instead of providing accountability, they have basically started to fill up the Senate with bagmen and friends of the party, so that anybody who flips pancakes and raises money for the Tories will now be our source of sober second thought in the upper chamber.

I ask my hon. colleague, given the rat pack that they put in the Senate, does this not show that despite everything they told the Canadian public about being accountable and bringing in better people to the Senate, they have basically filled it with bagmen, friends and cronies?

• (1555)

The Acting Speaker (Mr. Barry Devolin): The hon. member for Newton—North Delta for a short answer, please.

Government Orders

Mr. Sukh Dhaliwal: I will give a very short answer, Mr. Speaker.

I would even like to table this document which states that it is not the Liberal senators but the Conservative Senate that has to table the legislation.

First reading was given on June 16, 2009. Second reading was June 22, 2009, and since then they have not even put it up for debate to push it through. I would like to pass this on.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, law-abiding Canadians expect their government to do something to keep their streets safe. For this reason I am proud to rise today and speak on behalf of Bill C-43, An Act to amend the Corrections and Conditional Release Act and the Criminal Code. The bill proposes much-needed reforms to existing legislation that will indeed keep our communities safer.

However, before I address specifics, let me put the bill into a larger context. Since coming into office in 2006, this government has pledged to make the safety and security of Canadians one of its top priorities.

That is why we created an independent panel to review all aspects of Correctional Service of Canada. When the panel released its report in December 2007, which contained 109 recommendations, the government was quick to respond.

Budget 2008 invested over \$478 million over the next five years to implement a new vision of federal corrections, which included addressing some of the panel's key recommendations.

This laid the foundation for the amendments to strengthen the federal corrections system that we are proposing today through Bill C-43. The bill proposes reforms in four key areas. It will provide better support for victims of crime, enhance accountability and responsibility of offenders, strengthen the management of offender reintegration, and modernize disciplinary action.

Let me begin with victims of crime, because when it comes to our corrections system they are so often last on everyone's list. The current act clearly recognizes that victims of crime have an interest in the correctional and conditional release process. Yet victims and their advocates have expressed dissatisfaction with the current law. They have called for improvements that would assure them of a stronger voice in the process. This government has heard their concerns. We have listened and we are acting.

As it stands now, victims sometimes travel long distances to attend a parole hearing, but if offenders withdraw their participation, the hearing can be cancelled at the last minute. This creates both a financial and an emotional burden for victims.

The bill proposes that when offenders ask to withdraw 14 days or less before the date of the hearing, the board may still proceed as scheduled unless there are particular circumstances, and victims would have the right to ask why the offender has waived a parole hearing. These measures would go a long way to preserving the peace of mind of victims.

Bill C-43 would also enshrine in law a victim's right to attend and make statements at National Parole Board hearings. In addition, it would enable victims to access relevant information about an

offender including reasons for transfer or temporary absence and participation in program activities.

Finally, to ensure that the voice of victims continues to be heard, the government proposes to create a national victims of crime advisory committee. This body would enable victims to share their views and perspectives on corrections issues. In this way the government would keep better informed about the needs of victims.

The second major area of reform relates to the responsibility and accountability of offenders. A successful transition into the community does not happen by accident or through wishful thinking. It takes good planning, targeted interventions and appropriate correctional programs followed by supervision in a supportive community. It demands that offenders play an active role in their rehabilitation.

That is why the bill before the House stresses that rehabilitation is a shared responsibility between offenders and Correctional Service of Canada. Offenders would be expected to respect others, obey the rules and actively participate in fulfilling the goals of their correctional plan. To that end, each correctional plan would set out expectations for behaviour, participation in any programs and the fulfilment of any court-ordered financial obligations.

• (1600)

The third area of reform relates to the management of offenders and their reintegration into the community. We need to do better, so that we better protect law-abiding Canadians in all conditional release decisions. For example, the legislation proposes to give police the power to arrest, without warrant, any offender who appears to be in breach of parole.

In the final area of reform, Bill C-43 would modernize the system of discipline in federal penitentiaries. Specifically, it would impart stronger penalties for breaking rules such as disrespectful, intimidating or assaultive behaviour, including throwing bodily substances.

The four reforms I have outlined are overdue. They are in keeping with recommendations made by an independent review panel and they would go a long way toward keeping Canadians safe.

The protection of society is our first priority. For too long, the rights of offenders have taken priority over law-abiding citizens and even over victims of crime. It is time to swing the pendulum back to where it belongs. Canadians deserve to feel safe in their homes. Victims deserve to be treated with more respect, as do staff and correctional officers in our institutions. Offenders must be prepared to take more responsibility for their conduct and pay the price if they break the rules.

These are the objectives of Bill C-43. It would provide the government with the authority to make changes to the act that would better promote greater safety and security for all Canadians.

I so urge all members of this House to give their unconditional support to this bill.

Government Orders

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, I would like to thank the hon. member for his very thoughtful speech and for all the hard work that he does, both on the public safety committee and on the justice committee.

I know that prior to entering his career as a parliamentarian, he had a long career as a member of the Ontario Province Police force. I wonder if he might be able to rely on some of that experience to tell this House how this bill would help in the government's overall agenda to provide safe streets and safe communities.

Mr. Rick Norlock: Mr. Speaker, that brings to mind something that occurred about a year ago. I received a communication from some of my former brothers in uniform which related to a specific offence where an officer had been brutally murdered by a criminal. This murder was the subject of great community upheaval. By its very nature, the Ontario Provincial Police force polices smaller more rural communities, in most circumstances. In ordering the accused incarcerated, there was a recommendation by the court and a request by the Crown through the victims, and as a result of the community involvement because this particular officer had been well respected in the community, that the offender in question not be placed in a prison close to the community, as is the custom for Correctional Service Canada. That was complied with.

However, what has occurred, without the knowledge of the victims, and at the last moment, was a decision by Correctional Service Canada as a result of a court decision to move the prisoner back into the community. This has created a great upheaval. For my learned friend's edification, this particular case did not just impact the victims. The whole community was victimized.

I believe Bill C-43 would allow that input by the victims into decisions that Correctional Service Canada and others may make, including the courts. It would assist with their voice being heard as to why and where prisoners should be housed.

• (1605)

[*Translation*]

Mr. Gérard Asselin (Manicouagan, BQ): Mr. Speaker, I listened with interest to the hon. member who sits on both the Standing Committee on Justice and Human Rights and the Standing Committee on Public Safety and National Security.

These past few weeks, several bills have been put forward in this House in an effort to strengthen justice and provide tools for that purpose. Besides wanting to build prisons and throwing people in jail, the government is also talking about providing the necessary tools.

The member who just spoke, to whom I am putting my question, was a police officer in Ontario before becoming a member of Parliament. I would like him to tell me whether the gun registry is an essential tool that police use from time to time in Ontario. Did he use the gun registry when he was a police officer? Given that the association supported the government's decision to maintain the gun registry, did he use the registry when he was a police officer?

[*English*]

The Acting Speaker (Mr. Barry Devolin): I would like to remind all hon. members that we are debating Bill C-43.

The hon. member for Northumberland—Quinte West.

Mr. Rick Norlock: Mr. Speaker, I retired in the year 2000. I believe that was slightly before the registry was brought in. However, I personally believe that there are better ways to protect the people of Canada from the misuse of firearms.

Some of those ways involve proper education and ensuring that people who are licensed or permitted to possess firearms are properly trained in their use and in the knowledge of the tremendous power they possess. I believe that we should ensure that only the right kind of people are permitted to have firearms. I do believe in the problem, but I do not believe that a long gun registry is the right way to go.

I think that the over \$1 billion that has been used so far for that particular enterprise has been woefully wasted. However, I can say this to my hon. friend. We as a government have increased the number of police officers in Canada, increased the number of police officers in the RCMP, and increased the capacity for Depot to train additional police officers.

We have provided the provinces with extra money to hire more police officers in both the municipal and provincial jurisdictions. I worked alongside and was very proud to stand beside my brothers from the Sûreté du Québec, who do a wonderful job in policing that fair province.

This government has done much, but in my view the long gun registry does nothing to protect the average citizen from the misuse of firearms.

The Acting Speaker (Mr. Barry Devolin): Questions and comments. The hon. member for Edmonton—Strathcona, with a question on Bill C-43.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I have a question that I would like to put to the member across the way who spoke on Bill C-43. We are hearing the same repeated comment over and over again that the government cares about the rights of victims.

Could he please comment on the fact that, first and foremost, we should have a criminal law policy that prevents crime? The best thing we could probably do for victims of crime is to avoid victims of crime. A lot of that could be done through more community policing and the many programs that we have raised in the House previously.

There is a second aspect. We are told by criminologists and experts who study this, and they have provided in-depth reports and analysed this CSC road map, that by yanking back all of the programs such as the prison farms, spirit circles and so forth, we are allowing for greater recidivism. The very purpose of having the educational programs in the prisons is to not have repeat crimes and yet more victims of crime.

Could the member speak to this bill and whether or not the government intends to, as a follow-up to the passage of this bill, move forward with its road map?

Government Orders

• (1610)

Mr. Rick Norlock: Mr. Speaker, this government has put quite a few millions of dollars toward crime prevention and in particular the use of drugs or, in other words, dissuading our youth from using drugs.

She mentioned community policing. As far as I know, all police forces in at least Ontario and I believe Canada provide policing services. I can tell her for her edification that, in my last role as programs manager in the detachment I worked at, I brought in or assisted in bringing in programs with the board of education, such programs as D.A.R.E. and others. The government is not only actively doing that, but so are many police forces across Canada.

The justice committee was recently in Halifax. We talked to the chief of the Halifax police. Again, about 50% of the funding for many of their programs is federal funding. They work with at-risk youth in their communities, so a lot of good is going on.

The member said that criminologists study it. Members such as myself have lived it. Members such as the Parliamentary Secretary to the Minister of Public Safety lived it for over 30 years as a chief of police in one of the communities in Ontario. We do listen to victims of crime. We do listen to and care about the needs of those who are in our correctional services.

I am the member of Parliament for Northumberland—Quinte West, which has one of Canada's largest medium prisons. We just recently constructed a separate place there for first nations people to go about their rehabilitation in a cultural way with the healing circles, while teaching them some of the traditional methods by which they can earn a living when they leave that institution. We also teach them many other things, such as sandblasting. When I have talked to the instructors there, most of the people in that institution who get their sandblasting papers never return to prison because they have a job, in many cases before they even leave prison.

There are many good stories there. We should not just use blanket statements. Do not forget that some of us in the House have lived it and studied it.

[*Translation*]

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, I am very pleased today to address Bill C-43, An Act to amend the Corrections and Conditional Release Act and the Criminal Code.

The Bloc Québécois will support this bill, so that it can be reviewed in committee. We support its principle, but we have some reservations about this legislation.

I should point out that, throughout my presentation I will use the logo CSC, instead of the Correctional Service of Canada. First, one objective of this bill is to target, perhaps indirectly, the mandate of the Correctional Service of Canada by making the protection of society the paramount consideration. Currently, CSC's mandate is to protect society by assessing the risk posed by inmates, and to encourage inmates to participate in programs, precisely to help protect society.

However, when the Conservatives talk about protecting society, they mean keeping as many people as possible in jail, for as long as

possible. Indeed, under the CSC's mandate, "the protection of society" means keeping people in jail.

However, the protection of society really means to keep the most dangerous offenders in jail, to encourage them to participate in programs, and to rehabilitate themselves because, inevitably, the day will come when they will be set free. That is going to be the case for a large majority of them, whether it is at the end of their full sentence, or after serving two thirds of it. Rehabilitation helps protect society, but the government does not seem to understand that.

In the bill's summary, it is mentioned, as I pointed out earlier, that the protection of society is the paramount consideration for the Correctional Service of Canada in the corrections process. However, that is clearly spelled out in section 4(a) of the existing act. This consideration already exists.

So then what is the government's goal? Is this just a smokescreen? Just for show? Let us see about that. Is it a change of philosophy? I cannot tell, because this provision already exists in the act.

However, section 4(a) of the current act is found under the heading "Principles that Guide the Service". The government is taking this section and transferring it under the heading "Purpose and Principles" in the proposed legislation. I think there is a reason behind this change.

Currently, the purpose of the corrections system reads as follows:

The purpose of the federal correctional system is to contribute to the maintenance of a just, peaceful and safe society by carrying out sentences imposed by courts through the safe and humane custody and supervision of offenders; and assisting the rehabilitation of offenders and their reintegration into the community as law-abiding citizens through the provision of programs in penitentiaries and in the community.

As it is currently stated, the purpose of the correctional system seems to me to be well balanced. I therefore invite all the members who will be serving on the committee when this bill is studied to consider the impact of this change, given the emphasis placed on protection. We need to ask ourselves why this section is being moved. If the change is of no consequence, why make such a big deal about it? But if the change is significant, then we need to know what the government is trying to do by moving this section to the part of the bill on the purpose of the system.

I believe—and I may be wrong—that under the pretext of protecting society, something everyone in this House supports, this government wants to contribute to making some inmates more serious criminals and, inevitably, to weakening public safety. The longer people remain needlessly incarcerated, they more hardened they become.

Penitentiaries are not holiday camps; they are universities of crime. We must not forget that, like it or not, the vast majority of offenders get out of prison eventually.

• (1615)

To my way of thinking, the way to make communities safer is to see that these people are rehabilitated and take part in programs. Offenders not only have to be rehabilitated, they also have to be less dangerous. We have to be honest enough to tell ourselves that there are some offenders who perhaps cannot be rehabilitated, but unfortunately, their sentence will end eventually.

Government Orders

The purpose of the correctional system, in encouraging them to participate in these programs, is to help them pose the least possible danger to society.

Let us look at other provisions in this bill. The bill would give victims the right to make a statement at parole hearings. It would also allow the Correctional Service of Canada and the National Parole Board to disclose information to victims. I feel that this is crucial.

When I was a parole officer, victims told me about finding themselves face to face with their attacker at the corner store. This is unacceptable. In my opinion, victims must be notified when an inmate is released from jail or penitentiary. They must be informed of the person's address. This is essential if there is a chance the offender is living in the same area as the victim. It is also essential that victims be allowed to make a statement at parole hearings.

By putting more emphasis on the victims, the bill also tries to make the offender take responsibility for what he did. I think it is important for victims to be able to participate because that too can help them heal from the attack on them. We have already discussed all that in the Bloc Québécois. There is nothing new here, it is all warmed over. We even developed a plan to fight crime and tabled it two years ago. There is a lot in this bill, therefore, that is old hat, whether street gangs, bikers, or the role of victims in the correctional system or the justice system in general.

We think that the involvement of the victims in the release procedure is likely to further the healing process and bolster their confidence in the justice system. This is essential because people sometimes tell us loud and clear that they have lost confidence in the justice system. Involving the victims is therefore a key point.

Although the current Corrections and Conditional Release Act clearly recognizes the interests of the victims of criminal acts and the role they can play in the correctional and conditional release process, victims and advocates of victims' rights have told us that the system does not make much sense and they are dissatisfied with the way it works. In a way, these improvements will do a lot to enhance victim access to this kind of process.

The bill also expands the range of information that the Correctional Service of Canada and the National Parole Board can provide. It includes a whole list of measures, for example: to disclose the transfer of offenders; to inform in advance that the offender is in the region; to inform when the offender is in a minimum security institution; and to inform the victim about the offender's participation in correctional programs and what has been done in regard to disciplinary offences. There are a number of issues to be examined therefore.

This is interesting, but I think we will have to study it in committee to determine which relevant information should be disclosed to victims from the point of view of both their healing and their safety.

I wonder about this, but I do not know the answer. I think we will have to expand on it in committee. Does knowing that an offender is participating in an addiction program or a program for sexual offenders contribute anything to the life of the victim? I do not really know.

● (1620)

We will have to meet these people to discuss the bill and see how relevant this information is. Personally, though, I do not think it is really very relevant. I think it is much more relevant to know that there will be a hearing and the victim can come and testify or simply that the offender was released on such and such a date and is in the area. But we will have to study these issues.

Holding the offender accountable is another interesting point. The offender and the Correctional Service share responsibility for the rehabilitation of the offender and his reintegration into society as a law-abiding citizen. This has been the case for a long time. There is nothing new here and we do not need to re-invent the wheel. An offender's correctional plan is developed by a multidisciplinary team, the parole officer and the offender himself to help ensure that the offender participates in the programs. When I look at this, I wonder what is new about it because that is what we already have.

Now, it is important to note a point regarding holding offenders accountable. It is fine to talk about programs and accountability, but there have to be programs. Only 2% of the Correctional Service's budget goes to programs; the rest is used for the security, maintenance and management of penitentiaries. We might wonder what is going on. Inmates wait for months and months before they can participate in a program, when they have agreed to participate in it. There is enormous work to be done in terms of access to programs. It is fine to talk about programs, but there have to be some. This is an important point that I wanted to make.

As well, in terms of accountability, which is a very good idea, there is talk of introducing incentives. I think that is important. We have to encourage inmates to participate in programs with incentives, not with the threat of penalties. That is a point that might be important and a good idea. That is why the Bloc Québécois has proposed that statutory release at two-thirds be granted on merit and not automatically, as is currently the case. Whether or not an offender has participated in programs, he is going to be released at two-thirds of sentence, unless there is a very high risk of dangerousness and the parole officer can do what is called a detention review. If two-thirds were on merit, that could also be a good idea. Certainly, as the Bloc has proposed, release after one-sixth of sentence would also have to be eliminated.

Another point that I think is also a good idea is modernization of the disciplinary system. I will raise several points. We talk about more punishment for disrespectful, intimidating and assaultive behaviour by inmates toward staff and other persons. That is already done. Inmates who engage in this kind of behaviour are penalized. Now, what does penalizing them more mean? Are we going to hang them, too? What are we going to do? I do not understand. There will be records kept that report infractions. That will have an impact on their correctional plan and their parole. Some will be placed in administrative segregation because they are extremely aggressive. What is being added? I really do not understand. I wonder what more is going to be done.

Government Orders

As well, what does “disrespectful” mean? If an 18-year-old flops down on his parole officer’s chair and says he couldn’t care less about his programs, is that disrespectful? Someone else shouts insults at another guard. What is an insult? How is insult defined? Based on what are we going to punish someone? Based on rudeness, or something else? These things have to be clarified because this could lead to considerable abuse.

In addition, there are to be disciplinary sanctions imposed on inmates who throw bodily substances. In my opinion, from what I have seen in my practice, spitting on someone, ejaculating on someone, cutting one’s self and bleeding on someone, an inmate, an officer or someone else, that is already happening.

● (1625)

CSC does not tolerate that kind of behaviour. Those people are already being punished.

Another point I find most intriguing: restricting visits for inmates in segregation. Most inmates in preventive segregation are there for their own protection. Sometimes, they even request it themselves. Are we going to prevent these people from seeing their family members and other visitors?

We have to take a closer look at this. We have to understand one thing. The prison system is already punishment in and of itself. People commit a crime and end up in prison. They are already being punished. We do not need to punish them further. That is already part of the correctional system. I do not understand what the government is trying to add.

As to disciplinary measures, I would like to raise one point. I would like to talk about people with mental illness. Right now, as part of the committee’s study, members are asking a lot of questions about people with mental health issues and those diagnosed with autism or severe disabilities. I have seen people like this in my practice. Should the correctional system be handling them? That is not the answer.

When it comes to discipline, a person with one of these illnesses will not react like a person who does not have mental illness. How are we going to define unruly behaviour when it comes to these people? We cannot focus solely on discipline when dealing with inmates who have serious behavioural disorders, serious or mild intellectual disorders or mental illness. We have to take a closer look at this. It is fine to talk about discipline, but we have to recognize that not everyone is equal when it comes to behaviour. I think we have to take these differences into account.

This government claims that it is working to protect society. It says this is one of its priorities. We hear that a lot.

I would like to highlight some things I find a bit strange. When we talk about protecting society, we are not just talking about building prisons, investing more money in police forces and arresting people, but we are also talking about prevention and rehabilitation. I find it amazing that the Minister of Public Safety refused to finance a program aimed at reducing recidivism among individuals convicted of sexual offences. In fact, those who run that program, called Circles of Support and Accountability, were given no explanation for the rejection of their request. Moreover, it met all criteria and even the National Crime Prevention Centre was in favour of granting

them money. The program has been in existence for 15 years and has proved its worth in Britain and in the United States. That is one example of something I find strange.

I have another example. In my riding, there are a few halfway houses. One of them is special because it takes in people with mental illnesses who have committed sexual offences, such as pedophiles. I have repeatedly asked this government to make sure that Correctional Service Canada does not transfer pedophiles close to schools. The Commission scolaire de Montréal even adopted a resolution to support that request. Not only is there a school close to that halfway house, but there is also a daycare centre with more than 50 children nearby. It is a case of putting the fox among the chickens.

When we talk about safety and protection, we are not talking only about prisons. Plugging the holes is not enough. We must take concrete action. We do not need new legislation. The commissioner needs to be called, given a directive and told that that is enough and that no pedophiles should be put in halfway houses close to schools. That is not a complicated thing to do.

● (1630)

Mr. Gérard Asselin: Mr. Speaker, my colleagues here today will have noted that my colleague from Ahuntsic gave an excellent speech. With her professionalism, research and excellent speech, my colleague from Ahuntsic could provide further insights to the House, Parliament and the government about the bill before us.

Mr. Speaker, I humbly request the unanimous consent of the House to allow the member for Ahuntsic to continue her excellent speech.

[*English*]

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, there must have been some fog down at the end of the hall. I am trying to see what was just going on there.

We have been here day after day, month after month, now year after year and we see the same howling crew on the backbenches of the Conservatives stand up every day and shout that we are not helping them to get tough on crime. They equate a judicious review as support for pedophiles. They use dumbed down tactics. They shout, intimidate people and use attack mailings. They misrepresent what we do and, in fact, they use our tax dollars to misrepresent the work we do in the House of Commons, which is to ensure that legislation that is brought forward is in the public interest and that it is good policy.

However, this is not some dumbed down gang fight. This is about ensuring we have a vision for our country.

My hon. colleague has seen how the Conservatives act. Could she explain to the House what she sees in terms of the lack of vision for a grand strategy for crime, for safety and for building a proper and safe nation?

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•(1635)

[*Translation*]

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, I thank my colleague for his question.

I believe there is a glaring and complete lack of vision in all the bills brought before us. One philosophy permeates all these bills and the more I see of them the more I realize that it is based on coercion, imprisonment, arrest, and punishment. Unfortunately, that is not the way to fight crime. We have to understand that crime stems from poverty, not being able to find a job, discrimination, dropping out of school. Rehabilitation and prevention are needed. As long as we do not reach some sort of balance, we will never achieve long-term security.

The best example is that of the United States. It has the highest rate of incarceration of any country. It is our next door neighbour. The prisons are overflowing and street gangs are everywhere. They have serious problems with street gangs, child kidnapping and production of child pornography. The United States, along with Russia, puts out the greatest amount of child pornography.

This government has no vision; it only believes in punishment.

Mr. Roger Pomerleau (Drummond, BQ): Mr. Speaker, I listened with great interest to the speech by my colleague from Ahuntsic, who explained to the House the many qualifications we would like to see added to this bill. As she explained, we will support the bill so that it can be studied in depth in committee in order to add the qualifications she talked about.

Many members spoke to the bill today, including my colleague from Manicouagan, and I know you were not particularly happy with his contribution, Mr. Speaker. He explained that the government claims to be tough on crime and wants to put people in jail and fight crime while, at the same time, reducing firearms control. The two go hand in hand.

My question for my colleague is as follows. As she made abundantly clear, we are gradually heading towards an American-style justice system that emphasizes repression instead of rehabilitation. Does the member not agree that this American-style justice system is simply based on a right-wing, cowboy ideology?

Mrs. Maria Mourani: Mr. Speaker, I thank my colleague for his question.

My answer is yes, but I would also like to bring to his attention the whole question of the firearms registry.

I was listening to my colleague from the Standing Committee on Public Safety and National Security saying that the long gun registry should be abolished. Well, well. But, I would like to bring to your attention the fact that, in Canada, criminal groups use mostly long guns obtained illegally. In some regions, gang members do not use handguns, but long guns, such as in Yukon, Nunavut and the Northwest Territories, where street gangs have been identified. Let me give another example. In Quebec, handguns are used more often, but not in some regions, where long guns are used. The situation is the same in Ontario. It is true that criminal groups use handguns, but they also use long guns. They use handguns in cities, but in less

populated areas, they use long guns. Long guns are not used only by ordinary people, but also by criminal groups.

So, it is not true that, by abolishing the firearms registry for long guns, the problem of violence in cities will be solved. It is not true.

•(1640)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I listened with great interest to the speech given by the member for Ahuntsic.

To me, the most important part of her speech was when she alluded to the disconnect between what the Conservatives say and what they do. We now know that they did not keep the promise they made to put 2,500 more police officers on the main roads of Canada. We also saw their cuts to crime prevention programs that existed for the sole purpose of reducing the number of victims.

Would the member say that those cuts clearly show that the Conservative Party's agenda results in more crime and not less? In fact, that kind of program makes a big difference in the results we get in our communities.

Mrs. Maria Mourani: Mr. Speaker, I would like to thank my colleague.

In fact, there are two parts to his question. First, we have the prevention aspect, where we see the government cutting, or at least not increasing funding. For example, for the NPB, whose job includes dealing with crimes by young people, there is only \$8 million for Quebec. I have met people at the NPB and what they have told me is that they can make no requests between now and 2011-2012. That means that in terms of prevention, this government is lagging behind.

In addition, and this is rather bizarre, there is the fact that this government is taking the easy road. It is much easier to reassure the public by telling them that you are making laws against white collar criminals, you are creating minimum sentences for this and minimum sentences for that. You tell the public that you are making laws to protect them, and then you do not allocate the resources to protect them. It is pointless to make laws if there is no money and there are no resources to support the laws. What we will be doing, at present, with this government, is we will be filling our prisons, but we will not be putting one cent into the prisons. I want to see how much they will invest in penitentiaries or the correctional service to cover the costs of the number of people who will be incarcerated for so long. I want to see that.

So when you make laws, you have to allocate money. But what they are doing is making laws, making people believe they are going to protect them with bogus laws. After that, what will they do? Not one cent is being invested in the real business.

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As my colleague put it so well, prevention is important. What is being done in that regard? Drops in the bucket. When we have shootings in Vancouver or Toronto, the government says it is going to put so many million dollars into it. Has the government gone back to Vancouver to see whether the shootings have stopped? No. Has it gone back to Toronto to see whether things have calmed down? In Regent Park, has it gone to see the children who go to school and get bullied? Has it seen the violence, the people living in fear? Has it seen that? No.

Certainly it is much easier to make bogus laws and say you are adding minimum sentences, you are going to lock people up, but not one cent makes it into the real things. That is unacceptable. We are mortgaging the youth of Canada and Quebec. We will be paying for this for years, I can tell you that.

The Acting Speaker (Mr. Barry Devolin): It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Willowdale, Government Assets; the hon. member for Cape Breton—Canso, Employment Insurance.

[English]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I rise to speak to the issue of crime and the Conservative approach to crime that is embodied in Bill C-43. I feel a little bit like *Groundhog Day* because when the Conservatives came to power they were hoping to use crime issues and the legitimate concerns that Canadians have from coast to coast to coast around the criminal justice system and the fact that it is not functioning to try to get a majority government.

The House will recall at the time that the justice minister was throwing out bills like candy. Bills were being written up on the back of napkins. The justice minister at the time lost his job because, tragically, rather than doing their due diligence and homework, rather than working with opposition parties and putting in place a systematic approach that would actually drive down crime rates, something that would have support from all four corners of the House, the Conservatives chose to throw out a series of sometimes well drafted, but often not well drafted at all, criminal justice legislation, much of which they simply were not able to get through.

In light of a potential election coming in the spring, we are now seeing the same phenomenon. We are seeing bills coming out sometimes after doing the due diligence that only the NDP seems to do so very effectively after reading through the bills. We have the member of Parliament for Windsor—Tecumseh and the member of Parliament for Vancouver Kingsway very diligently going through the bills clause by clause. Sometimes we are able to support the bills. Sometimes they are drafted well enough so that they serve the intent they purport to deliver, but often they do not.

In the case of Bill C-43, we have a similar problem. It does purport a principle that we support, which is to be focused on victims. The NDP supports legislation that is brought forward that is focused on victims. However, we will not support legislation that is brought forward in the House that is focused on producing more victims, and that is often the perverse impact of badly crafted legislation that the Conservatives bring forward.

On victims' rights, my bill on victims' restitution was tabled in the House a year ago. The government could choose to move that bill forward but it has not chosen to do that, victims' restitution being a principle that the NDP has brought forward. Despite the fact that it has been before the House for a year, the Conservatives have chosen not to bring it forward.

What we see is a bill that has a couple of components that we could support. We certainly supporting establishing the right of victims to make a statement at parole hearings. We support the right of victims to access information about offenders. We support those principles, which is why we brought forward bills on victims' restitution. We believe the justice system must serve victims, there is no doubt about that.

However, if we see the direction the government has taken around offenders and some of the key programs that reduce the crime rate after release, some of the aspects of the bill could serve to produce more victims in the long term. That is why, after doing our due diligence, we must say to members of the Conservative government, can they not get it right? Can they not take due diligence, rather than constantly using this as a political tool when they know that Canadians are concerned and want to have a revamped justice system that serves their needs and the needs of victims and that reduces the crime rate? Why can they not get it right on key bills like this?

We need to look at the overall context of what the Conservatives have done. As many previous speakers have pointed out, including my colleague from Elmwood—Transcona, the Conservatives, after taking power, reduced funding for crime prevention. This is absolutely absurd. We know that every dollar invested in crime prevention saves \$6 in policing costs, in court costs and in prison costs later on. It also means there is no victim, which means we have actually stopped having a victim in the first place.

What have the Conservatives done? They have gutted crime prevention programs. Many of the crime prevention organizations across the country that are very good, effective, respected organizations have found their funding either delayed or cut.

● (1645)

This is absolutely unacceptable. It begs this question. Is the Conservative agenda the same as the Republican agenda in the United States? The Republicans tried to increase crime rates because they thought they could profit politically from it. When we see Conservatives cutting crime prevention programs, we have to wonder what their agenda is.

What else? The Conservatives made a promise to hire 2,500 police officers. Where are those police officers? That funding, by and large, simply did not come or was handed over without any strings attached. We essentially do not see that key commitment the Conservatives made back in 2006 yet.

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Our public safety critic met with the Canadian Association of Police Boards and raised this issue. In fact, representatives of the association came to Ottawa three times to talk about this issue. Did the Conservatives do anything? No. This is another key commitment broken on criminal justice issues. It is absolutely appalling. When we have Canadians who are concerned about these issues, they choose to not keep what they put forward as one of their fundamental promises. It begs also this question. Are they really sincere about taking action to reduce the crime rate? That is the principle.

When we see this series of legislation brought forward, often very poorly crafted, we have to wonder whether the Conservatives are, in any way, committed to taking that kind of smart actions in criminal justice matters that would actually reduce the crime rate.

One way to do that would be to increase the number of police officers and keep their commitment, on which the NDP members have been pressing them. They did not do that. Another would be to expand funding on crime prevention programs. The Conservatives did not do that. In fact, they cut crime prevention.

What else did the Conservatives do? A pay increase was announced by Conservatives for RCMP officers. We know RCMP officers play a key role across the country. In my community of Burnaby, the Burnaby RCMP, the second largest attachments in the country, does key work, working with the local administration of the city of Burnaby and the Burnaby Citizens' Association to put in place innovative crime prevention programs to reduce the crime rate.

The Conservatives told the RCMP officers, who have been undercut in their salaries for years and find it harder and harder to make ends meet, particularly in areas of a high cost of living like the Lower Mainland of British Columbia, on December 12, by email, that the pay increases they had announced in June would be slashed for 2009 and 2010. Shame on them.

They are hard-working RCMP officers dealing with a high cost of living, with all the sacrifices they have to make for their families to serve the community, and the Conservatives again broke their commitment to the RCMP. Shame on them for having, in such a clear way, disrespected the RCMP officers of this country.

What else did the Conservatives do? A little over three years ago a public safety officer compensation fund, which was a bill pushed forward by the NDP, was adopted by the House, with the support of Conservatives who were then in opposition. It was just before the election that brought the Conservatives to power. Years later there is still no public safety officer compensation fund, despite the fact they voted to establish it.

This means if there is no insurance put in place by the local policing organization or the municipality, which impacts on our hard-working firefighters who also work in very dangerous situations, when police officers and firefighters die in the line of duty, their families receive no compensation. They get nothing. We hear every day tragic stories of what has happened to the surviving families of those police officers and firefighters. In many cases they lose their homes or they take a second job. The Conservatives have broken that commitment, as well. This is just another case of the

difference between the rhetoric that they bring forward in the House and the reality of their government.

• (1650)

I could talk about the Conservatives broken promise around unionization that has come through the courts, as well.

We see a systematic pattern on criminal justice systems. Rather than standing up for those who advocate for public safety, rather than do the real work to enhance support for victims, rather than put into place crime prevention programs that means there are fewer victims, the Conservatives do exactly the opposite. Which brings us back to Bill C-43.

Canadians I do not think will be surprised to learn this and I know a number of other speakers have addressed this issue as well. Over the past few years, we have seen some of the key programs to ensure offenders do not reoffend have gradually over time, in a very real way, been slashed by the Conservative government. Less funding has been provided each and every year.

What are the programs the Conservatives have been slashing quietly over the past four years since they came to power? I know members would be interested in knowing that they include mental health diagnosis and treatment, work programs, literacy and education programs and drug and alcohol treatment. What the Conservative government has been doing is quietly slashing over time. Each year they have provided less funding, in real terms, for those key programs.

What does that mean? In the bill the Conservatives are proposing to remove what they call privileges, which essentially are the programs we are talking about. These programs are very important for the community to ensure that when offenders get out of prison, they have actually been rehabilitated. We do not want them to offend again. We do not want to see other victims. Yet the legislation serves to cut that important lifeline and increases the likelihood, as we have certainly seen in the United States with similar Republican legislation, of reoffending.

My colleague from Elmwood—Transcona spoke about the difference between reoffending rates when someone comes out of prison as to opposed to the community rehabilitation programs. That is not simply an inconsequential statistic. It means the difference between somebody coming back into the community and somebody offending again.

If we are here to reduce the number of victims, if we are here to reduce the crime rate, if we are here to ensure there are fewer victims next week than there were this week, we have to wonder about the Conservative agenda to cut these vital programs. There is no doubt that it certainly did not work in the United States. It would not work in Canada if we cut these important programs. Bill C-43 purports to do that.

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Fundamentally, when we see that, we have to question the legitimacy of the government's move. Essentially, it has said that it wants to provide more support for victims to make statements in parole hearings, which we support, the right of victims to access information about offenders, which we support. Then it puts a bunch of poison pills around that, which makes it difficult for anybody who honestly looks at the criminal justice system and what is needed to provide the kinds of supports to ensure we do not have offenders reoffend.

Those programs, drug and alcohol treatment, literacy and education, mental health diagnosis and treatment and work programs are the kinds of programs that ensure that rehabilitation and reintegration into the community. We simply cannot take an offender and lock him or her up for life.

• (1655)

If we are talking about serious crimes, we would never want to see somebody as reprehensible as a Clifford Robert Olson on the streets ever again. However, when we talk about robberies or crimes that do not dictate a life sentence, at some point we will see offenders back on the streets.

We have to ensure an offender can go into a workplace because he or she has had established training through work programs. If the person is suffering from a mental health issue, we have to ensure that individual has been treated for that mental health issue. If person is an addict, drug and alcohol programs will help get the offender over the addiction so he or she can then reintegrate into the community.

If people do not know how to read, how can they possibly cope in society? Yet, tragically, even today many Canadian adults are not literate. This is a fundamental skill. We have to ensure every adult in Canada has access to it. Yet the Conservatives have cut the funding on those kinds of vital programs. It has been slowly, quietly and over time but, nonetheless, they have cut those programs.

The net impact of this is twofold. Either an offender is not rehabilitated, costing the Canadian taxpayer \$80,000 to \$90,000 for each and every one and extending the time of imprisonment until the courts say that on legal grounds the person cannot be incarcerated any more, or we spend less money than that to ensure programs are in place so when the offender is released safely into the community, the individual can move on with a life that is productive and does not create any more victims. That is a sensible, smart approach on criminal justice issues.

• (1700)

[*Translation*]

Unfortunately, that is not what we are getting from the Conservatives. With the Conservatives, we have seen cuts to crime prevention programs. We have seen that the Conservatives decided from the very beginning that they would set up a system to cut those types of programs. It is disgusting.

It goes on. They have also broken the promises they made to all Canadians about increasing the number of police officers across the country. They promised an additional 2,500 police officers. We know this because police organizations are telling us that very little funding has come through to create these new positions. In some cases that money did not arrive at all. Sometimes the money was

given, but with no obligation to create new positions within the police forces.

We have also seen cuts to RCMP officers' salaries. We think it is inexcusable that in June 2008, the Conservatives promised to finally give an increase to all RCMP officers across the country only to turn around and break that promise. The police work very hard and often live in situations where they just do not have enough to make ends meet. In regions such as the Lower Mainland of British Columbia, the cost of housing is very high and police officers do not earn enough money to take care of their families. On December 12, 2008, the Conservatives broke their promises. It is disgusting.

That is not the approach we want to see. We want to reduce the crime rate. We want to reduce the number of victims. Unfortunately, the Conservatives' approach is not reducing the crime rate. That is what they should be aiming for. Unfortunately, when they introduce bills one after the other, they are often poorly drafted and it takes the work of committees to try to fix everything that is wrong with these bills. That is why we have problems with this bill.

[*English*]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I want to point out there are components of Bill C-43 that we in the NDP support.

We support establishing the right of victims to make a statement at parole hearings. The NDP stands up for marginalized and vulnerable victims in our society. Offenders need to hear from victims. They need to know the impact of their crimes as restorative justice. Victims need to have their voices heard, otherwise they are victimized a second time.

We also support the right of victims to access to information about offenders. For example, the system must not leave victims in the dark, fighting for every scrap of information. Certainly knowing that an offender is being rehabilitated is important as a step on a victim's road to healing and recovery.

I know the member supports this, but has he any further comment or explanation regarding the role of victims in terms of the bill?

• (1705)

Mr. Peter Julian: Mr. Speaker, the member for Elmwood—Transcona knows we brought forward Bill C-372 on victims' restitution because of the principle of having a justice system that serves the victims in this country. That is something on which we have not yet seen any movement from the Conservatives. They have had the bill for a year. They have not acted on it. They have not moved forward on it. I find that regrettable.

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There are components of the bill, as the member points out, that we do support: the right of victims to make those statements at parole hearings, for example. Their comments need to be incorporated. There is absolutely no doubt we certainly support that, and we support the right of victims to access information about offenders. That is a fundamental principle as well that we support.

In this corner of the House, we are very clear that our justice system has to serve victims. We are also very clear that there have to be fewer victims. That is why we have been advocating a smart approach to crime, actually advocating a substantial increase in crime prevention programs, asking the Conservatives to keep their promise on police officers, and advocating a smarter court system and prison system so we will have fewer victims. That actually should be the focus of the Conservative government too.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I would like to thank my hon. colleague for his very cogent comments. Indeed, our party is the first to stand up in the House on behalf of victims, particularly on behalf of preventing further victims of crime.

As he very ably and thoroughly points out, the umbrella of preventing crime is a big one, and simply locking up every offender and throwing away the key is not necessarily the solution to preventing crime.

I would look, for example, to what I saw on CBC television last night, the very sad story of an RCMP officer on the highway between Edmonton and Fort McMurray who is suffering from post-traumatic stress syndrome because the RCMP do not have enough resources so that they can relieve him, and he is seeing gruesome accident after gruesome accident.

There are many types of crime. There are the crimes on the highway. What about domestic abuse? We do not have enough housing so that women who do not have an extra source of income can leave a scene instead of becoming victims of crime.

Could the hon. member please speak to the bigger umbrella, the tools that we need in our arsenal to address a reduction of crime?

Mr. Peter Julian: Mr. Speaker, the member for Edmonton—Strathcona is by far the best MP from Alberta in the House of Commons and has been very effective at putting forward a very articulate view. I know she defends her constituency and Alberta very effectively in the House of Commons, so I always appreciate getting comments from her.

She is absolutely right. There is a much bigger picture that we have been pushing the government to be focused on, and that is reducing the crime rate.

We have seen the Republican approach in the United States. They like to profit from crime. They love to push an agenda. They built a lot of private prisons and a lot of Republican cronies made a whole lot of money, but the crime rate kept going up, because what they were doing was eliminating the kinds of safeguards that our communities need. Those safeguards are ensuring that when offenders get out, they will not reoffend.

We have been making the case very ably in this corner of the House that the kinds of programs that actually reduce the number of

victims and reduce the possibility that offenders will reoffend are the kinds of programs that are needed. We need supports, not just for literacy.

The hon. member is absolutely right, those are the kinds of supports and social safety nets that ensure that we bring our crime rate down. She is right, and I agree with her once again.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, I would like to thank my colleague for his intervention and for his incredible representation, both of his constituents and of Canadians, in the House.

He brought up programs that deal with crime prevention. He brought up some really simple programs like literacy programs.

Earlier today I was telling someone about something that happened to me in my riding of Halifax. I was visiting a centre, Leave Out Violence, LOVE. I was visiting with youth who are in conflict with the law. A young man said, "My dad sold rock on the street. My uncle sold rock on the street. Everybody I know does that. How am I supposed to understand what it is to have a job?" He actually said, "We need more programs like this so that I do not have to sell crack to keep my family fed". What he was talking about was the smallest little program, the tiniest little program about how to show up to work on time, and how to do up a resumé, which are very simple, basic things, but he had never learned them.

My question to the member is, would he agree with me that crime prevention programs do not have to be complicated? They can be quite simple. They can be quite grassroots and still have a profound effect on Canadians.

● (1710)

Mr. Peter Julian: Mr. Speaker, the member for Halifax is always able and very effective at getting to the heart of the issue.

The issue of literacy is a fundamental one—

Mr. Brent Rathgeber: Is she the best MP from Nova Scotia? Who is the best MP from Nova Scotia?

Mr. Peter Julian: Mr. Speaker, I am sorry. One of the Albertans is still taking exception to my praise of the member for Edmonton—Strathcona. I am just saying what all members of the House already know. She is the best member of Parliament from Alberta. The member for Halifax is one of the best members in the House from anywhere.

Literacy issues are fundamental. Life skills issues are fundamental. When it costs \$80,000 to \$90,000 a year to keep offenders in a prison for another year when that money could be put into the kinds of programs that ensure that offenders have the life skills to live a productive, honest life, it is a no-brainer. One has to be smart about these approaches.

Yet, the youth at risk programs within the crime prevention strategy were some of the first programs cut by the Conservative government. The youth at risk programs were slashed first when the Conservatives took power. Whether we are talking about life skills, literacy or work experience, in a crime prevention sense, these are exactly the kinds of programs, which the member refers to, that reduce crime in our communities.

This brings us back to the fundamental points. The Conservatives just do not seem to want to get it right. They seem to want to follow the failed Republican model on pushing up the crime rate and locking people away for a long time. If they have a soft drug or robbery offence, they are locked away for a long time at huge cost to the taxpayers. Then they are let out on the street with absolutely no rehabilitation at all.

That makes no sense. Most Canadians understand that makes no sense. Most Canadians would agree that what we actually need is a strategy on crime that includes crime prevention and reducing the crime rate. Those are the kinds of programs that the member for Halifax was mentioning, and she is right.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, I am pleased to rise today to speak to Bill C-43. I am sorry I have a slightly hoarse voice. I have cold, but my colleagues can rest assured that I do not have the seasonal flu or H1N1. I might have caught this cold from my daughter Chloé or my son Loïc. I take this opportunity to mention my children because, when we talk about a bill on justice, we also talk about our children and the kind of society we want to leave to them.

Do we want to leave them a progressive and modern society whose strategies on crime focus on prevention, or an American type of society, a society like the Republicans and George Bush wanted, with its focus on repression and wanting to put as many people as possible in prison for as long as it can, not caring about the potential outcome?

Ironically, this government which came to power almost four years ago always prides itself on being a law and order government, a government that is tough on crime, and it loves to please the crowds by accusing other parties, one after the other, of opposing this agenda. The NDP, the Bloc Québécois and the Liberal Party have been the targets of these attacks and they have been accused of not caring about crime. Incidentally, it is a bit funny that each time we voice our concerns about security and the fight on crime, the Minister of Justice always answers that he is happy to hear the new-found interest of the Bloc Québécois for justice.

First, it is not possible to keep giving the same answer for four years. A new concern cannot be new for four years. The minister should quit making believe that the Bloc Québécois is just starting to get interested in the fight on crime. He will not be able to keep using the same answer for the next 10 years.

I would like to remind him that Parliament finally passed antigang legislation after the Bloc Québécois fought long and hard to get that done. That fight was led by former member Richard Marceau, who had put forward the principle that was later introduced by the government. More recently, on June 15, 2007, the Bloc Québécois proposed a series of measures—and I am hoping I will have time to

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come back to that later—to fight crime and, more importantly, to prevent crime.

Again, this government was already at the helm in 2007. When we tabled this plan, the Conservatives said that crime was a new-found concern of the Bloc Québécois. It has been two years and they are still saying the same thing. It just goes to show how phoney and absurd this argument is.

With regard to public safety issues, the Bloc Québécois caucus includes one of the best experts in this field, one of those who are in the best position to talk about these issues. Of course I am talking about the member for Marc-Aurèle-Fortin. Not only was he public safety minister in Quebec, but it is under his watch that organized crime was dealt a serious blow, that large sections of these criminal organizations were dismantled and that the authorities managed to put an end to the gang war that was raging in Quebec at the time and that even caused the death of an innocent young victim.

I believe that when the member for Marc-Aurèle-Fortin rises in this House to explain how we should tackle crime, he knows what he is talking about. We are very proud to have him in our caucus.

Recently, at the beginning of the fall session, we tabled our bill that is based on one of our 2007 proposals with regard to the elimination of parole after one-sixth of the sentence has been served for white collar criminals, those who commit economic crimes. We have been proposing that for a long time. The government refused to pass the bill quickly at all stages.

• (1715)

It dragged things out. It included it recently in its proposals, but the tax haven issue is still missing. Back in their day, the Liberals refused to tackle tax havens and now the Conservatives are refusing to take them on.

Tax havens are a key part of the fight against economic crime. Apart from a few cranks with mental problems, the people who commit these crimes do not do so for the pleasure of seeing people suffer but because of the lure of personal gain. When it comes to economic crimes, I think we can agree that people commit them to get rich.

These people can put the money in tax havens and escape justice. If they are caught, they spend a few months or years in prison, get out, and spend the rest of their days in Barbados or Bermuda. This is not being especially tough on crime. It is even being rather lenient toward criminals. Rather than mere gestures, the government should deal seriously with the tax haven issue.

When it comes to Bill C-43, we generally agree with much that is in it. We will at least support it at second reading so that it can go to committee for study. We are pleased that it gives victims a voice, seeks to hold inmates more accountable and makes the parole system less automatic. These steps were already in the action plan I mentioned earlier in my speech.

Government Orders

That being said, we are still very concerned about the government's basic strategy for fighting crime. Take the firearms issue. Yesterday we were still debating the possibility of backtracking—this is unbelievable—on the issue of firearms and the gun registry. The Conservative government's arguments are totally absurd. They say that billions of dollars have been spent on the firearms registry, it is too expensive, and they want to get rid of it. But these billions have already been spent. It is as if someone said that since the Laval metro cost more than expected, we are going to demolish it. That does not make sense.

The costs are currently under control. Registering firearms has become normal. There is nothing unusual about it.

I do not know, Mr. Speaker, whether you like to hunt or fish. I see that you do. If someone wants to go hunting in the woods, he sets out in his car. His car is registered. He might take along a boat. That too is registered, probably along with its motor. He will need a hunting permit. That will be registered too. But in order to protect privacy, the Conservatives do not want to register firearms. It is very strange. A lot more people die from firearms than from being struck by a boat. It seems obvious to me that if it is normal to register motor vehicles in a free and democratic society, it is just as normal to register firearms.

In addition, this registry is useful. I have had the opportunity to speak with police chiefs in my riding. They told me that when they would go out on a call, for a hostage taking, for example, they would consult the firearms registry to see whether there were any guns at the location. In terms of prevention, they also want to know, if someone has domestic violence problems, for example, whether they need to confiscate any firearms at the home. It is important to know if there are firearms in the home.

The same goes for minimum sentences, which I could go on about at length. This government always presents minimum sentences as magical solutions that will fix everything. Come on.

• (1720)

No criminal picks up the Criminal Code before committing a crime, flips through it, looks at the offences, and says, "This one has a minimum sentence. I will not do that. That one either. That is too much. Oh, that one is not bad; there is no minimum sentence. I guess I will do that." Come on. In fact, most honest people do not even know the sentences, and criminals are even less likely to.

That is not how it works. The only thing that truly deters criminals is the fear of being caught. It is better to put money towards capturing criminals and making sure they know that if they commit a crime, they will be caught, than to tell them they will be sentenced to hundreds of years in prison, as we see in the United States. That simply does not work.

I will stop there, because I have covered the whole bill. We do not want to prevent it from being thoroughly examined in committee. I hope that, despite everything, the government will listen to reason and will change its approach to justice.

[English]

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, some of the things that the Conservatives view as privileges are going to be removed from prisoners, such as mental health treatment,

literacy programs and work programs. I would like to ask the member, how does the removal of these programs help rehabilitate criminals and further reduce any crime?

• (1725)

[Translation]

Mr. Thierry St-Cyr: Mr. Speaker, indeed, I share my colleague's concerns. These are things that the committee will have to pay close attention to and, eventually, remove from the bill.

[English]

Mr. Jim Maloway: Mr. Speaker, it seems to me that this bill adopts a U.S. style approach to prisons that is very expensive and ineffective. We saw what happened in California in the 1980s with the big expansion there of private prisons. I would like to ask the member, does he see in any way, shape or form shades of that American system reflected in this bill? Perhaps he could reflect on the government's intentions.

[Translation]

Mr. Thierry St-Cyr: Mr. Speaker, in my speech, I explained that the government's desire to borrow from the United States' approach was quite clear. There is a reality, a model, even if we know it is not one anyone should follow. We will pay close attention to this bill. There are some things we agree with and others we have a problem with. We will examine that in committee.

[English]

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

An hon. member: On division.

The Deputy Speaker I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Public Safety and National Security.

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

Mr. Kevin Sorenson: Mr. Speaker, I think you will find agreement to see the clock at 5:30 p.m.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

The Deputy Speaker: It being 5:30 p.m. the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

EMPLOYMENT INSURANCE ACT

The House resumed from September 14 consideration of the motion that Bill C-308, An Act to amend the Employment Insurance Act (improvement of the employment insurance system), be read the second time and referred to a committee.

[English]

SPEAKER'S RULING

The Deputy Speaker: Before resuming debate on this bill, I am prepared to rule on the point of order raised by the Parliamentary Secretary to the Leader of the Government in the House of Commons on September 14 concerning the requirement for a royal recommendation for Bill C-308, An Act to amend the Employment Insurance Act (improvement of the employment insurance system), standing in the name of the hon. member for Chambly—Borduas.

[Translation]

I would like to thank the parliamentary secretary for having raised this important matter, as well as the hon. member for Chambly—Borduas for his remarks concerning the bill.

[English]

In presenting his concerns with respect to the bill, the parliamentary secretary noted a number of its provisions which, in his view, infringed upon the financial prerogative of the Crown. Specifically, the bill reduces the qualifying period for benefits, permanently increases the benefit period, increases the benefit replacement rate to 60%, alters the benefit calculation formula, and increases the level of maximum yearly insurable earnings as well as introducing an indexing formula that would further increase benefits.

Furthermore, he pointed out that the bill would expand the employment insurance system to provide benefits for the self-employed.

In support of his contention that the bill requires a royal recommendation, the parliamentary secretary made reference to a Speaker's ruling concerning Bill C-269, An Act to amend the Employment Insurance Act (improvement of the employment insurance system), presented during the 39th Parliament, found at page 4719 of the Debates of November 6, 2006. That bill was found to require a royal recommendation.

[Translation]

In his intervention, the hon. member for Chambly—Borduas put forth arguments very similar to those put forth in the debate regarding Bill C-269, mainly that the funds in the employment insurance account are paid by workers and employers and therefore do not constitute government funds.

The Chair has carefully examined Bill C-308, and compared it with Bill C-269 from the 39th Parliament and has also reviewed the reasoning in the earlier Speaker's ruling. The Chair notes that Bill C-269 contained a number of provisions either identical to or substantially the same as those in the bill in the present case.

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• (1730)

[English]

In my view, it is clear that Bill C-308 alters the terms and conditions of the existing program under the Employment Insurance Act. As for whether the funds in question are government funds, I refer hon. members to the ruling of June 13, 2005 at page 6990 of the debates which stated that:

Sections 71 to 77 of the Employment Insurance Act establish the operation of the employment insurance account as part of the consolidated revenue fund. Amounts are paid out of the consolidated revenue fund and charged to the account—

[Translation]

It is evident that the bill seeks to increase employment insurance benefits, thus increasing the expenditures under that Act. As the House is aware, such provisions can only be put to the House for a final decision if they are accompanied by a royal recommendation as set out in Standing Order 79(1).

[English]

Consequently, the Chair will decline to put the question on third reading of the bill in its present form unless a royal recommendation is received.

Today's debate, however, is on the motion for second reading and this motion shall be put to a vote at the close of the current debate.

[Translation]

SECOND READING

Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, I would like first of all to thank the member for starting this debate.

[English]

I appreciate the opportunity to speak to his bill, Bill C-308, and I thank the member for putting it forward.

As the House has heard, this bill seeks to make far-reaching amendments to the employment insurance program including reducing the entrance requirements to a minimum of 360 hours of work for regular benefits. Let us put this into clear language. What the member and his party propose is a 45-day work year. Our government believes that the amendments proposed by the bill would be nothing short of a policy catastrophe.

Jeane J. Kirkpatrick once said that history is a better guide than good intentions. While I have no doubt about the good intentions of the hon. member, history shows us the components of the bill are nothing more than a return to the Liberal policies of the 1970s. These policies would have the same catastrophic effects on our economy today as they did then. These are not just my words. In using the term "catastrophic effects" I am quoting David Gray, an economist with the University of Ottawa, who clearly articulated these points in early August. This is when the Liberals were still espousing the 45-day work year as a panacea for the entire EI system. This was before the Liberals walked out on the EI working group, abandoning Canada's unemployed.

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One of the primary objectives of the EI program is to provide temporary income support to Canadians who are between jobs. In other words, the program is designed to help unemployed Canadians facing transition find employment and reintegrate into the workforce. Shortening the qualification period for EI would be tantamount to encouraging higher employment turnover of workers. The result of that kind of misguided policy would be a permanent rise in the unemployment rate.

Allow me to quote the Canadian Chamber of Commerce from its July 23 press release:

—moving to a national standard of 360 hours or 420 hours of work as the basis for qualifying for EI...would have substantial adverse impact on Canada's labour market — it would discourage work, increase structural unemployment, exacerbate skills and labour shortages, and stifle productivity.

On August 1, the president of the Canadian Federation of Independent Business said that the 360-hour proposal was “just ludicrous”.

On the same day, Colin Busby, a policy analyst with the C.D. Howe Institute, said that lowering the entrance requirement “could create seasonal unemployment where maybe it didn't exist before. The consequence of lowering [the minimum threshold]...in places like Alberta from 700 hours in most places to all of a sudden 360... it's likely that you'll create more forms of seasonal unemployment over time”.

On June 3, in the *National Post*, Jack Mintz said that the flat 360-hour proposal, this 45-day work year proposal, is one of the worst ideas getting serious attention”.

The government is focused on taking prudent action to help Canadians and help them get back to work as soon as possible. Our economic action plan is working on three fronts by protecting jobs, providing income support and helping families and Canadians get the training they need so that they can get back to work as quickly as possible and on to a new career path.

The proposal put forward in Bill C-308 would truly hurt our ultimate goal of encouraging and supporting unemployed Canadians in their efforts to get back to work. The issue is not access but rather duration, duration of benefits and ensuring that people can transition effectively into the workforce.

• (1735)

Let us look at how this government has addressed the issue of access.

According to the results of a Statistics Canada employment insurance coverage survey, among the unemployed who have paid premiums and then been laid off or quit with cause, 82% were eligible to receive EI benefits in 2008. In fact, fewer than 10% of those who paid premiums and lost their jobs lacked the required hours to qualify. Furthermore, since last October, more than 82% of Canadian workers who qualify and are in need of accessing EI do qualify and are receiving the benefits.

As a result of the variable entrance requirement, from October 2008 to September 2009 access to EI became more responsive for workers in 38 of 58 regions across Canada. These include 15 in Ontario, all 6 in British Columbia and all 4 in Alberta. In light of

these statistics, I trust the hon. member opposite will appreciate that the variable entrance requirement mechanism far better meets the needs of unemployed Canadians across the country than do changes proposed in his bill to accommodate a 45-day work year.

It is also very important to note that during this period where work has become more difficult to find during this global recession, the duration of benefits has increased. Our economic action plan is now temporarily providing an additional five weeks of EI right across the country.

In regions of high unemployment, we are also increasing the maximum number of weeks of benefits available under the EI program from 45 to 50 weeks. This means that claimants who previously had their benefits capped at 45 weeks can now receive an additional 5 weeks.

Our Conservative government has introduced more measures in Bill C-50 to ensure that Canadians who worked hard and paid into the EI system for years are now provided the help they need while they search for employment.

This bill will provide between 5 and 20 weeks of additional benefits to long-tenured workers should they need the extra help. This is an important step for Canadian workers who have worked hard and paid into the system all their lives, but because of the global recession and through no fault of their own have found it difficult to get back into the workforce. In these challenging economic times, these measures are giving hard-working Canadians who would otherwise have had to use up all of their benefits more time to find a job.

We have also said that we will be introducing further legislation to help the self-employed. All of these things are good for Canadians.

While the current economic environment is very challenging, under the prudent management of this Conservative government we are seeing progress. The economy will recover. This is why we have proposed that regular EI and long-tenured workers measures that enhance the system will be temporary. One of the reasons for these temporary proposals is that we were facing a labour shortage before this economic downturn and we will be facing the same challenges as the economy begins to recover.

That is why we acted early to help the hardest hit. That is why we expanded work sharing, which is now protecting over 164,000 jobs, making sure that shops do not lose their workers and workers do not lose their skills. This action by our government will help Canadian businesses gear back up when times are better.

To ensure that Canadian workers have the skills that our economy needs, we have increased training programs. We have helped people to transition back into the workforce with the best skills so that they can compete not just with their neighbours but with the whole world.

While I thank the member for putting forward this matter for debate, I respectfully suggest that it is a bad proposal and I will be voting against it. However, I will continue to support our economic action plan which helps people who are going through hard times get back on their feet.

When this global recession is over, Canada will emerge stronger than ever.

• (1740)

[*Translation*]

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, I am happy this afternoon to speak to Bill C-308, introduced by my colleague for Chambly—Borduas. This bill contains a host of measures for employment insurance. I will have the opportunity to talk about some of them.

First, I would like to talk about the provisions which would reduce the qualifying period to a minimum of 360 hours of work. I must say that it is completely absurd and distressing to hear the comments from the Conservative members, in particular the comments from the Parliamentary Secretary to the Prime Minister. When we hear their comments, whether they are quoting other people or not, we can see clearly that, in their minds, people who work 360 hours are people who do not deserve employment insurance benefits or people who do not want to work. Some Conservative members should visit rural areas where work is seasonal. Perhaps they would see that the situation is different from elsewhere in the country.

I hope I will not hear, in this House, any more such comments from Conservative members. I invite them to visit a riding such as mine and many other rural ridings, where seasonal work exists and where people have recourse to employment insurance, not because they voluntarily leave their job, but because there is no more work.

The Parliamentary Secretary to the Prime Minister said that this could increase the number of seasonal workers, but one must understand that, under the Employment Insurance Act, people who voluntarily leave their jobs are not eligible to receive employment insurance benefits. How is it possible that more people would receive benefits under a 360-hour rule? It is impossible. People who voluntarily leave their jobs are not eligible to receive employment insurance benefits. How could this measure worsen the employment insurance program as it is today?

We must also look a little further. A threshold of 360 hours was chosen because we want to make sure that workers will be eligible. At present, people from all over the country are not eligible for employment insurance because they do not have enough hours, specifically because of the economic crisis.

I would like to come back to the comments made by the Parliamentary Secretary to the Prime Minister, who was talking about the action plan. The action also serves to ensure that people who lose their jobs will have an income. But let us be clear: that income would be negligible. These people will not get rich with employment insurance.

We have seen some alarming statistics this week. People are losing their jobs, are no longer entitled to employment insurance or have never received it, even though they paid into it. They have to turn to income support. They are forced to do so, because the program is not what is needed in the current crisis.

Our position is very clear: the eligibility threshold should be 360 hours, as my colleague from Chambly—Borduas indicated in Bill C-308. The eligibility threshold should be 360 hours in order to deal with the economic crisis, to ensure that those workers who need it,

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the most vulnerable workers, can continue putting food on the table for their families. I do not think this is particularly difficult to understand. If we took away some members' salaries for a few weeks or a few months, perhaps they might realize that putting food on the table is a real challenge for some people. I would guess that this is not the case for the members of this House.

It appears that the members on the other side of the House believe that people just want to receive employment insurance and not work for the rest of the year. It is not their fault if they need employment insurance; they lost their jobs. They did not leave their jobs voluntarily. If that were the case, they would not be entitled to employment insurance. When I hear such nonsense in the House, I can only hope that one day, this will be clearer in the minds of many members.

Other factors are aggravating the situation.

• (1745)

The Conservative government seems to be saying that it is there to help. That is what it seems to be saying, but where is it helping? When it introduced Bill C-50 it talked about long-tenured workers. According to the Conservatives, seasonal workers are not long-tenured workers. But they are. They worked for 10, 15, 20, 30 or 35 years not only in the same industry, but in the same company. However, at some point during the year, they must cease working. It is not because they want to. It is not voluntary. They do not want to stop, but that is the reality. However, according to the Conservative plan, all seasonal workers, people who work in forestry, fishing, agriculture, road building, construction or tourism are not eligible for a single cent. There is absolutely nothing for them. That is why we wonder who will qualify for a single cent under this bill.

There is worse. A student who has completed his or her university degree and has worked for one or two years and who unfortunately loses his or her job will not be eligible for those additional weeks of benefits. A mother who decides to stay at home for a few years to take care of her children and who loses her job after having been back at work for a few years will not be eligible for any additional weeks of benefits, contrary to what the Conservatives would have us believe.

In the end, on EI issues, the Conservative program is certainly not a good one. We get the impression from them that people just do not want to work. But there is worse than that, a lot worse. They are proposing a new tax in the form of additional contributions. The Conservatives want to raise annual EI contributions by \$600 for each and every worker. That is not money the workers will receive but extra contributions they will have to pay to be eligible to benefits. For businesses, it would be \$840 per year.

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The government talks about employment insurance, but it tries to take as much money as possible out of workers' pockets. That is what I call a tax on workers, or a tax on work. On the other hand, the government is making sure that workers cannot qualify for benefits after working 360 hours. I am convinced that the hon. member for Chambly—Borduas does not stop at this 360 hour threshold. I am sure he agrees with people working 450 hours, and if they have the opportunity to work 700 hours, he will be happy for them, just as I would be happy if people in my riding could work 700 hours. However, that is not always the case, and the situation is not the same everywhere in Canada. So, why not ensure that, in a time of economic crisis, people can qualify for financial assistance?

We also have to be realistic, whether or not we are going through an economic crisis. When someone has money in his pockets, he is going to spend it. He is going to pay for his basic needs, such as shelter, heat, transportation, gas and groceries. That is the reality. If a person does not have money, he cannot spend. And if that person does not qualify for EI benefits, he is not getting any money at all, and he simply cannot spend.

In the context of economic recovery, if someone has money, he will make sure that he can pay for his basic needs. So, making people eligible for EI benefits allows them to have some money. They are not going to invest that money. They are not going to follow the Prime Minister's advice, who once said that when the stock market is experiencing some turbulence and people are losing their pensions, that is the time to buy stocks. That is not the point. If people have money in their pockets, they will be able to buy groceries. If they have more money, they will be able to buy other things.

These are all basic needs, but the government must show compassion. The system must be a compassionate one, but members of this House must also show compassion. All MPs must realize the importance of maintaining the EI program, and of looking at eligibility, so that nobody is left out. In doing our job here, we are supposed to behave like good fathers. Therefore, let us make sure that we do not forget anyone. Let us make sure that we look forward and that we provide the necessary tools and incentives to workers and their families, so that they will feel their government is a good government. Right now, they cannot feel that way.

• (1750)

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, I too am pleased to speak to Bill C-308, An Act to amend the Employment Insurance Act (improvement of the employment insurance system).

I listened carefully to my hon. colleague from Madawaska—Restigouche who just spoke. I think that he has superbly summarized the very real difference for a seasonal worker who, because of where he lives or his line of work, has to make use of this employment insurance system.

I also listened carefully to what the member for Nepean—Carleton said, despite the fact that he had a very hard time with the word "exacerbate". In fact, I would suggest that he listen to the recording; he will understand why some members in the back were chuckling. He was trying to entertain us with notes prepared by the Prime Minister's Office. This is quite natural, given that he is the Parliamentary Secretary to the Prime Minister.

In real life, people who are deprived of employment insurance visit our constituency offices. I find particularly contemptuous the way the member for Nepean—Carleton attacked the unemployed and the idea of providing them with more assistance. As the member for Madawaska—Restigouche just pointed out so aptly, this is money that is going straight back into the economy. Instead of playing favourites, the best way to jump-start the economy is to put money into people's pockets so that they can spend it in their local communities. The issue having been covered from other angles, I will give a concrete example, then provide an analysis of how this disastrous situation with the EI account came about.

This is the type of real life situation we encounter in our riding offices. A young teacher came to see us last summer. He was to teach a summer course but it was cancelled because not enough students enrolled where he was teaching. He had been a supply teacher during the year and accumulated 896 hours of employment. I remember the figure. The number of hours would normally have been enough; however, he actually needed 910 hours. That is the reality. It is difficult to accumulate 910 hours as a supply teacher. That is real life. During the summer he had to support himself and was struggling.

Let us now examine what the Conservatives have done with the employment insurance fund since coming to power and what the Liberals had started doing before them. This fund had accumulated \$57 billion in premiums paid by each and every employee of all companies. It did not matter whether the company made money, broke even or lost money because every company and every employee had to contribute to the employment insurance fund. This money was set aside to help workers cope with the predictable cyclical nature of employment in Canada.

To create tax room and give the richest companies a gift, they plundered \$57 billion from the employment insurance fund. Then they created \$57 billion in tax room. In fact they gave \$60 billion in gifts to companies. How did they do that? They transferred the moneys from the employment insurance fund to the government's general revenues. Some may say that it is not a big deal because it was always the government's money. However, it is a big deal because these moneys, as I just explained, were paid by all companies, even those not turning a profit or losing money.

Who got the \$60 billion? By definition, if a company does not make a profit, it cannot benefit from tax breaks because it does not pay taxes.

So who got the money? Oil companies like EnCana in Alberta in the Prime Minister's backyard. EnCana received hundreds of millions of dollars in taxpayers' money. That money was paid directly to EnCana. The Conservatives raided the employment insurance fund and put the money into the government's general revenue fund. Then that cash was given to the richest companies, oil companies and banks. That is the Conservatives' fiscal policy. Never mind other issues, their jokes about a 45-day work year and so on, that is the sad truth about what the Conservatives did.

Then, because all that cash was given only to the companies that had made the most money, economic sectors that were already struggling, such as the forestry sector in Quebec, Ontario, British Columbia and New Brunswick and the manufacturing sector, got nothing.

• (1755)

Since the second world war, Canada has managed to build a balanced, stable economy. We are the second-largest country in the world, and we have barely 30 million people. It took a lot of doing to occupy all that land and make it productive. But it also took some planning and an understanding of resource sectors, such as forestry and mining. The same goes for the processing sector, as well as the service sector, which is providing more and more value to our economy.

Their policies have completely destabilized the balanced economy that Canada has enjoyed since the second world war because they have given all of the money to western Canada, specifically to the oil and banking industries. Well before the current crisis that hit Canada 13 or 14 months ago, during the first two and a half years of their minority government, the Conservatives caused the loss of over 350,000 jobs. Those job losses occurred mainly in Quebec and Ontario in the forestry and manufacturing sectors.

That is the Conservatives' sorry track record. Their economic approach is so ideological that it is practically dogmatic. Everything is fine as long as it is in their interest. The rest of the time, they say that people who want the government to play a role in the economy are out of line because they are trying to decide who wins and who loses.

In reality, they were the ones who determined the winners and losers in advance. They were the ones who decided that the big oil companies and the banks would be the winners. They took money from workers and businesses and transferred it to the winners they had already chosen. That is how their dogma. The hypocrisy here is that they lecture us about the free market, as though a true, clean, free market were the decider of all things. That is absolutely not the case.

They also intervene as much as anyone who came before them, except that they systematically intervene in favour of the rich. That is the difference between this side of the House and the Conservatives. When they have a choice to make, instead of deciding to help the least fortunate, to help those who need it most, their first instinct is to talk down to them, as the Prime Minister's parliamentary assistant just did, to make fun of the unemployed, not to help them, and to say everything is just fine. Everything is fine because they stole money that should have gone to the unemployed, and they gave it to their buddies, the oil companies and the banks.

That is the Conservative approach. By not taking into account the real environmental impact and environmental costs of the oil sands, they are making things worse. The Canadian dollar is on the rise, making it increasingly difficult to export our manufactured goods. The main reason for our high dollar—obviously we have become an oil powerhouse—is the arrival of petrodollars from the United States.

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We export crude oil from the oil sands, and we also export jobs: 18,000 jobs were directly exported to the United States. We do not even do the pre-processing here. What is even worse is that with this year's \$60 billion deficit, we are racking up debt for future generations instead of leaving them clean, renewable energies.

The Conservatives are passing down the opposite of sustainable development to future generations, and they will be very harshly judged. They love to get their pictures taken with future generations. It is time for them to start taking action for these future generations.

• (1800)

Mrs. Ève-Mary Thériault (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, I first want to thank my colleague from Chambly—Borduas for introducing Bill C-308, which seeks to make badly needed reforms and improvements to the employment insurance program.

It is imperative to restore the true purpose of the employment insurance program, which is to give workers the assurance that they will have supplementary income if they lose their job.

Here is some background for those who have forgotten the real mission of this program. When employment insurance was created in 1940, eligibility was based on the number of weeks an unemployed worker had worked in a previous job. Since 1996, eligibility has been based on hours worked during a given period, regardless of the number of jobs a person has held. This change meant that more workers could contribute to the plan, including part-time, temporary and seasonal workers and students. But these workers, in addition to being vulnerable, had a hard time qualifying for benefits because the minimum number of hours of work needed to qualify was increased.

Coverage started with the first hour worked, and the eligibility threshold was based on hours, not weeks of insurable employment. The eligibility threshold for new entrants and re-entrants to the labour force was raised from the equivalent of 700 hours to the equivalent of 910 hours.

New contributors became the first victims of this new rip-off by the Chrétien government, because the vast majority of them were now excluded.

The government brought in a new measure: the intensity rule. Under this provision, benefits rates varied from 50% to 55%. The rate went down as the number of weeks of benefits received during a five-year period went up. This reform gradually reduced the maximum benefit period from 50 to 45 weeks. The government initially provided that, after five years, those who were subject to this rule would no longer be eligible for benefits. To justify their action, the Liberals claimed it was an incentive to work longer.

I should also mention that the government has not paid a single cent into the EI fund since 1990. Only workers and employers pay into the fund. But that has not prevented the government from raiding the EI fund and stealing money from the unemployed.

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We can see the sort of consideration these members had for workers in regions where employment is often seasonal in sectors such as tourism, fishing and agri-food.

It is worth reminding the government that an insurance premium is not a tax. The government seems to forget that. Using the employment insurance fund to reduce the deficit and finance other general expenses is a departure from the principle and the purpose of this insurance plan. The unemployed have been the real victims of the war against the deficit waged by governments, who have reduced their debt at the expense of those who needed that money. By abusing this fund, the government has turned employment insurance premiums into a new tax. Employers are subject to a supplementary tax to provide employment and workers are taxed for going to work. This strategy is an abusive use of that money, and I would go so far as to say that it is the theft of the century.

Even during this economic recession, the government was not justified in attacking the unemployed instead of unemployment. Now, this \$54 billion surplus must be used for its original purpose: to provide financial support for the unemployed. We have to restore a law that fully plays its role of protecting all workers. Anything else is embezzlement.

The Bloc Québécois believes it is important to clear up any misunderstandings and reinstate the original intention of the plan as an insurance program for workers who lose their employment and not a tax on employment.

●(1805)

By making this draconian change to eligibility for employment insurance, the Liberal government, and the Conservatives today, have contributed to making workers poorer and are the architects behind the increased level of unemployment and the slow recovery of the economy. What is more, by helping themselves to the surpluses generated by this fund, the governments have behaved like true white collar criminals. In the private sector, if entrepreneurs or administrators acted that way with the insurance fund, they would have all been thrown in jail.

The changes to employment insurance changed the ratio of claimants to unemployed from 84.5% in 1989 to 46.1% in 2006. Under the Liberals, when the surplus in the employment insurance fund reached its peak, insurance coverage under the plan had never been more restrictive.

Access to employment insurance dropped from 57% in 1993 to 43% in 2006. Today, with Bill C-308, presented by the hon. member for Chambly—Borduas, we want to correct past wrongs and give this social plan its original purpose back.

Here is what the Bloc Québécois is proposing: lower the eligibility threshold to 360 hours, and not only in times of crisis, which is what the Liberals are proposing; increase the duration of benefits; increase the weekly coverage rate to 60%; eliminate the presumption that persons related to each other do not deal with each other at arm's length; increase the maximum yearly insurable earnings to \$41,500; and introduce an indexing formula. Finally, the bill would also allow self-employed workers to access employment insurance.

The Conservative government now has a golden opportunity to help the victims of the economic crisis and make a significant

contribution to economic recovery. For the Liberal Party, this is an olive branch, an opportunity for them to clean up the mess they made with their previous reforms.

If the Conservative members vote once again against these employment insurance reforms, they will be demonstrating once again that their political party is antisocial and anti-Quebec, and that they prefer to maintain their actions and their reforms for the benefit of wealthy people and for Ontario. In sum, they will be demonstrating that their party caters to big business, especially big oil.

Who will pay for this? Once again, the Quebec nation. When the government refuses to help workers who have just lost their jobs, those people have no choice but to dip into their savings, and finally, to turn to social assistance as a last resort. Once again, Quebec is left to take care of these people who need help, although that money should come from the federal government. It is important to say so. Once again, the government is transferring one of its responsibilities. It is transferring this financial burden to the Quebec nation. We will continue to denounce this.

I will close by saying that the money that belongs to workers should be given back to the workers. Furthermore, the fact that this government refuses to help workers is undermining our economic recovery, because they are not injecting any money into the businesses that need it.

The Conservatives are giving everything to Ontario and nothing to Quebec. Most of the workers in the Quebec forestry industry have lost their jobs. This government has another opportunity to help businesses become viable and reduce the number of people who will lose their jobs. Once again, the government prefers to help wealthy people and to help Alberta by giving oil companies tax breaks, instead of helping unemployed workers who have paid their premiums and whose money is being stolen from them.

●(1810)

The Deputy Speaker: As no other member wishes to speak, the hon. member for Chambly—Borduas has five minutes to close the debate.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, I am pleased to have this opportunity to speak to the bill I introduced. I would like to thank the members who expressed their support, and I hope that their parties will vote in favour of this bill.

First of all, I would also like to thank my colleague from Saint-Hyacinthe—Bagot for her judicious comments on the analysis that we have to do of the situation facing unemployed workers and the scope of this bill. The goal is to restore the employment insurance system to its former glory, to restore its original purpose, which was to help unemployed workers who have had the misfortune of losing their jobs.

Earlier, Mr. Speaker, you ruled on the need for royal recommendation for this bill. With all due respect, we disagree. Your decision was based on the understanding that there is a direct link between the employment insurance fund and the general revenue fund, whereas for the past two years, the two have been separate. The only link between them is the fact that the government can transfer money from one to the other when there is a surplus in one and a deficit in the other. That is why I am saying that the money in the employment insurance fund belongs exclusively to workers and employers, and that it is there to support wage earners who lose their jobs.

Some 54% of those who lose their jobs are not eligible for employment insurance, resulting in the phenomenon my colleague talked about earlier. By excluding people who should have received benefits over the years, whether it was under the Liberals or the Conservatives, the Canadian government freed up \$57 billion that it used for other purposes. Now is the time to fix that.

It is very frustrating for those who lose their jobs to see how readily the government doles out money for such things as military equipment without any debate in the House of Commons. Two years ago, in the space of one week, it spent \$17.5 billion on military and other equipment. We acknowledge that such things are needed, but we should realize how easy it is to spend money on war and how difficult it is to obtain money to counter poverty. The people we are talking about are living in poverty.

Some hon. members: Oh, oh!

Mr. Yves Lessard: I did not make that noise, it was our Conservative colleague. It bothers him to hear that and for good reason. If I were in his shoes, I would be ashamed to have to maintain that position. That is enough to make him do what he just did.

Bill C-308 contains measures that do not have the budgetary impact or require the financial commitment indicated by the Conservative government. The Conservatives have a tendency of inflating figures. For example, at some point they stated that the bill would cost \$4 billion and later it was \$7 billion. They are like someone who wants to put down his dog and, when he does, blames it on rabies. When they want to kill a bill they say that it will cost \$7 billion or \$8 billion.

The costs are very limited because there are two measures that are may require spending. On the one hand, we have the 360 hours; on the other, lengthening the benefit period. The benefit period has already been increased to 50 weeks. We just have to keep it the same.

We are at a point, especially during this economic crisis, where we have to recognize the damage we have done to the system and the impact it has on the unemployed.

• (1815)

I invite all my colleagues in the House of Commons to vote for this bill, which will restore some dignity to those who lose their jobs.

[*English*]

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

Some hon. members: Agreed.

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Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And five or more members having risen.

The Deputy Speaker: Pursuant to Standing Order 93 the recorded division stands deferred until Wednesday, November 4 immediately before the time provided for private members' business.

Mr. Ted Menzies: Mr. Speaker, I rise on a point of order. I would suggest that if you seek unanimous approval, we would see the clock at 6:30 p.m.

The Deputy Speaker: Is there unanimous consent to see the clock at 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*]

EMPLOYMENT INSURANCE

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, I rise today to speak in these adjournment proceedings. What we have tried to do and what we will continue to do as the official opposition is to hold the government's feet to the fire and certainly make Canadians aware of promises made and promises not kept.

We refer to income trusts, where the government promised not to tax income trusts but then, months down the road, broke that promise and went ahead, costing retirees billions of dollars. We will continue to remind Canadians of that because there is a short-term memory problem on the government benches.

This adjournment proceeding gives me an opportunity to look back to a question that was posed to the Minister of Human Resources on May 27 when I had asked for support initiatives for fishermen and helpers on boats in the Atlantic lobster fishery who were facing very hard times and who are looking down the barrel of a very difficult winter because of the inaction on the part of the government.

Specifically, the response by the parliamentary secretary to my question on that day was that the government could do nothing because what the Liberal Party was proposing would increase payroll taxes by putting in a premium hike. His comment was, "We will not do that."

Adjournment Proceedings

Not only did the government do that, but it hit one out of the park with a \$13 billion grand slam increase in payroll taxes to small and medium-sized businesses in this country. This will cripple businesses. In speaking with operators in my community, the impact that this will have will be felt by every community and small business operator in this country.

EI premiums are on the rise. It is estimated at \$900 per employee, for a total increase of \$13 billion.

Small businesses that are operating in my community, like Mike's Lunch, that will be about a \$40,000 hit. Mike's Lunch is a small mom and pop operation restaurant that will feel the impact. For Pembroke Construction will see a \$50,000 to \$60,000 increase in those premiums rates because the government has increased taxes so much.

It is a hidden tax, and the government continues to deny it, but every independent operator across this country will feel the wrath of that.

I will keep my question very simple. Does the parliamentary secretary to the minister recall making that promise last May in this chamber?

• (1820)

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I would ask the member to look at the big picture. I do not know where he has been and whether he has listened to what has been happening in the House or not.

On the one hand he wants to stand up for the unemployed workers, but his party voted against extending EI benefits 5 to 20 weeks to approximately 190,000 people. I am wondering how he feels that standing up in the House and voting against it might be helpful to those who are unemployed.

I am not sure why the Liberals would vote against it except for the fact that they were looking at self-interest and, I gather, wanting an election that no Canadians wanted to have. The unemployed certainly did not want to have one. How he can stand up in the House and speak about that is certainly a wonder.

There is another part that concerns me. He talked about the \$13 billion that might be spent on EI. The Liberals wanted to spend more than that with their 45-day work year, where one could work two months a year and get EI. It would cost some \$4 billion. I wonder how he is going to pay for that. His leader already intimated that by raising taxes. He said that he is going to have to do that, but he has come out with even more promises of spending. I wonder how he is going to do that.

That is not what the biggest issue is. The biggest issue is the fact that, while the Liberals were in office, they reduced benefits to the unemployed and increased premiums, and collected approximately \$50 billion from the workers, the employers and employees. Did they give that to the employers and employees? No, they did not. That should still be in the account if they had not spent it.

What did they do? They spent the money. They spent it on pet political projects that the Liberal Party wanted. The \$50 billion is gone. If we tried to find it, the money is spent. It was spent by the

Liberal Party and he has the fortitude to get up today to ask if we need to increase taxes. They are the party that taxes and spends. If they had the power, they would tax more and spend more.

We have reduced taxes into the billions of dollars to help the employed, the employers, and average Canadians get by. We have done that and we have ensured that they have more money in their pockets. We froze EI premiums, so that they do not have to be paid at this time by employers and employees. We have done a number of things that are very targeted. We extended benefits by five weeks across the country, helping approximately 350,000 Canadians.

We have extended the work-sharing program, helping about 165,000 Canadians maintain their jobs. That is something that has been very well received. There is a sharing where we pay EI and they work for part of the week. We put in a program to help long-tenured workers, those who have worked hard, paid into the system, and paid their premiums now finding themselves unfortunately without work. They are not able to find a job and have exhausted their EI benefits. We have extended to them 5 to 20 additional weeks.

What did this member and his party do? They voted against it. When it was in committee, we tried to persuade them to support this measure. If they allow other measures, they should support this measure. What did they do? They voted against each and every clause that was proposed in that bill and said no. They said no to 190,000 Canadians and were not unabashed about it. What was their logic? Did they have any reason? They did not. They were seeking an election. They were hoping that their leader would cause an election.

I hope now that those aspirations are dampened and that they will see their way to support Bill C-50 when it comes to the House next week and actually help Canadians. However, most importantly, we do not want to see the tax and spend days that we saw in the past. We do not want to see billions of dollars used for pet political projects.

• (1825)

Mr. Rodger Cuzner: Mr. Speaker, the Minister of Transport would refer to that answer as fact free. We know that the premium rate was \$3.12 per \$100 in 1993. Kim Campbell was bringing it to \$3.36 before the Liberal government took over in 1993. In each subsequent year, those rates came down to where it was \$1.80 per \$100. That is a fact.

There was a bit of a nest egg in the unemployment fund because when we took over, the unemployment rate was at 12.5%. We brought it down year after year and when we left, it was at 6.8% in this country. That was more people paying in and fewer people drawing out. I hope that these guys do not stay in too long because there is going to be a mess to clean up.

Mr. Ed Komarnicki: Mr. Speaker, it is good to hear the hon. member thinks the \$50 billion are a bit of a nest egg that can be used for political projects. It is not, and one would have to be careful to put him back in government.

The fact was the Liberals reduced benefits to the unemployed when the unemployment rate was 8.7%, the highest unemployment rate, and they tried to balance their books on the backs of the unemployed by using the \$50 billion. Worse than that, they cut transfer payments by \$25 billion to provinces, municipalities and towns, to those who needed those funds to build infrastructure.

We have not done that. We have not balanced our books on the backs of those people. We have put money into infrastructure to ensure Canadians will do well, not only today but tomorrow and into the future.

People can expect we will carry through on that. We propose further legislation to deal with those who are self-employed. The member can look forward to that legislation, and we would ask him to support it.

GOVERNMENT ASSETS

Ms. Martha Hall Findlay (Willowdale, Lib.): Mr. Speaker, in May of this year I had asked the government member to answer certain questions about the sale of government assets.

It may set the stage if I just repeat quickly the question. I asked the Minister of Finance to comment on his promise to add \$10 billion to the government books, \$2 billion in the 2009-10 year alone, through the sale of assets. We had expressed at the time a particular concern that in a recession this would be a rather bad time to sell assets and it would be something akin to a fire sale.

The answer I received from the Parliamentary Secretary to the Minister of Public Works and Government Services and to the Minister of National Revenue was that at present the government had no plans in that regard and had no other answer.

My question then followed on to the issue the budget, and we had supported it to get stimulus spending out, in which the government had proposed that over the course of five years it was expected there would be \$10.1 billion in revenue from the sale of government assets. In the year 2009-10 alone there would be \$2.3 billion in fact seen. I will stress that this is not just revenue. It has to be money that is over and above the value of assets. It is actually the book value of those assets.

I would like to ask the hon. member a several point question.

Could the member confirm that those numbers are still in fact what the government expects? Could the member confirm that in 2009-10 fiscal year the government expects to still show \$2.3 billion in revenue from asset sales? Does he still believe that over the course of the next five years the number will be a total of \$10.1 billion? If not, what does the government now project?

Whichever numbers the government is looking at now, what assets are the government considering to sell? I would really appreciate some detail in the list of those assets, not just a broad several departments. What is the book value of those assets, so we can have some understanding of what the government believes it may be able to see in terms of a profit earned on the sale of those assets?

• (1830)

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I am thankful for the opportunity to

respond to my good friend, the member for Willowdale, who I have the greatest respect for.

I am not sure I could answer her question in half an hour, let alone the short few minutes I have. I will, however, respond to her concern about evaluating capital assets that are owned by the federal government. It is only prudent use of taxpayers' money to assess what the federal government owns. We are continuing with a rigorous expenditure review, so it only makes sense that we continue with a review of capital assets owned by this government.

To answer that question, yes, the review continues, because, as I say, it is only prudent that we take a look at what the government owns, simply because it has been more than a decade since we have analyzed that. The asset review is continuing and will continue following a clear process.

We need to look at assets and at whether they still perform a useful function for Canadians, whether the original purpose for each is still relevant, and whether taxpayers' dollars are being spent wisely in keeping these assets within the government. We remain committed to completing that analysis and also to taking into account the market conditions, as we have said we would do all along, to ensure that the best value could be realized for taxpayers and to ensure that the transactions generate new economic activity. However, we have said all along that assets will not be sold if these tests are not met.

In fact, in light of the recent weakness in the economy and in line with our stated commitment to ensure that fair value can be realized by taxpayers and that the transaction will generate additional economic activity, gains resulting from the sale of corporate assets have not been included in the most recent fiscal projection by the government, as publicly announced in September in our update of economic and fiscal projections.

The clear answer to that is that the review continues but the sale of assets is not on the horizon until we can realize good value for taxpayers' dollars. We will continue along with what we think is a very prudent endeavour, ensuring that all spending is efficient and effective. As I say, not only are we reviewing expenditures within the government to make sure they are the best use of taxpayers' dollars but we will continue to review what the assets held by the government are.

I would like to quote the hon. member, if I could, and remind her that she must see the wisdom in this because in the government operations committee on March 24 of this year, she said, "I...support efforts by the government to achieve efficiencies and to focus on what it does best". That is very much in line with the hon. member's outlook on what is right for government to do. She and I have had many serious conversations about this.

We can also look to other countries that have dealt with the same situation. Many countries have done the same thing we are doing, and have analyzed and assessed what they actually own.

• (1835)

Ms. Martha Hall Findlay: Mr. Speaker, I thank my colleague for his kind words. He knows well the high esteem that I have for him and I appreciate his answer.

Adjournment Proceedings

I will concur with my earlier statement that I do support efficiencies in government, very much so, although as for the comment about wanting the government to do what it does best, I am increasingly concerned with trying to determine what in fact it is that the government does best. It is a question I constantly ask.

I am afraid I really did not get an answer to my questions. I asked very specifically whether the \$2.3 billion number that was expected for fiscal year 2009-10 was still expected and whether the \$10.1 billion over five years was still expected and if not, what the number was, and within that, what assets were being looked at and what the book values are of the assets in question.

Very specific numbers were put in the budget. The only answer I received was that an asset review is continuing. I will repeat my question and I would like—

The Deputy Speaker: Order, please. The hon. parliamentary secretary.

Mr. Ted Menzies: Mr. Speaker, I certainly wish that I could give a real dollar figure to all of what this government owns, all of the

capital assets of this government, but our review is not complete. When our review is complete, we will be able to perhaps share those numbers and deal with what it is that is not necessary for this government to function, something that could perhaps be more prudently used in the private sector. If government is competing with private industry, then we had better take a very serious look at selling this asset.

However, we would hope that as we see signs of recovery in this economy, the value of those assets that we are appraising would actually rise, but I do repeat that in our fall economic fiscal update, we said we would not be selling assets if they were below market value.

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:38 p.m.)

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