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OFFICIAL REPORT
(HANSARD)

Tuesday, September 27, 2011

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Tuesday, September 27, 2011

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)
[English]

NATIONAL FLAG OF CANADA ACT

Mr. John Carmichael (Don Valley West, CPC) moved for leave to introduce Bill C-288, An Act respecting the National Flag of Canada.

He said: Mr. Speaker, I rise today to proudly introduce my bill entitled, “National Flag of Canada Act”. The purpose of this enactment is to ensure that all Canadians from coast to coast to coast have the right to fly the national flag of Canada.

It is in the national and public interest that all Canadians have the right and privilege to display the national flag of Canada and that no Canadian shall be restricted from displaying our flag. The Canadian flag represents all Canadian citizens. It represents pride in our great nation and support for those who have sacrificed their lives for the principles that it embodies: freedom, democracy, courage, and justice, upon which our great nation was built.

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

* * *

PETITIONS

ASBESTOS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I have the honour today to introduce to the House a petition signed by literally thousands of Canadians from right across the country who call upon Parliament to take note that asbestos is the greatest industrial killer that the world has ever known. They point out that more Canadians now die from asbestos than all other industrial and occupational causes combined and yet Canada remains one of the largest producers and exporters of asbestos in the world, spending millions of dollars subsidizing the asbestos industry and blocking international efforts to curb its use.

Therefore, the petitioners call upon Parliament to ban asbestos in all of its forms and institute a just transition program for any asbestos workers who may be affected and economic development opportu-

nities for the communities in which they live. They also call upon the government to end all subsidies of asbestos, both in Canada and abroad. They also plea that Parliament stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam Convention.

AGRICULTURE

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I have a group of citizens in my riding who have presented a petition to me calling upon Parliament to impose a moratorium on the release of genetically engineered alfalfa and to do a proper review of the impact on farmers in Canada.

THE ENVIRONMENT

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I have a petition signed by people from all over Ontario objecting to a mega-quarry in Melancthon Township in Dufferin County in Ontario. There are a number of provisos that I will not read, but there is one that I will.

It says that the proposed mega-quarry would threaten the headwaters of the Nottawasaga, Grand and Saugeen watershed systems and the Mad, Noisy, Pine and Boyne Rivers sub-watersheds, consequently detrimentally and permanently affecting the aquifers in the area of the proposed mega-quarry. All of these rivers, of course, will end up in the Great Lakes.

The petitioners are asking the Government of Canada to conduct an environmental assessment under the Canadian Environmental Assessment Act.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

*Government Orders***GOVERNMENT ORDERS***[English]***SAFE STREETS AND COMMUNITIES ACT**

BILL C-10—TIME ALLOCATION MOTION

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC) moved:

That, in relation to Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, not more than two further sitting days shall be allotted to the consideration of the second reading stage of the bill; and

That, 15 minutes before the expiry of the time provided for government orders on the second day allotted to the consideration of the second reading stage of the said bill, any proceedings before the House shall be interrupted, if required for the purpose of this order, and, in turn, every question necessary for the disposal of the said stage of the bill shall be put forthwith and successively, without further debate or amendment.

● (1010)

The Speaker: Pursuant to Standing Order 67.1 there will now be a 30 minute question period. I invite hon. members who wish to ask questions to rise in their places so the Chair has some idea of the number of members who wish to participate in this question period.

Given the amount of interest, I will ask members to keep their questions or comments to about a minute. I will ask the minister to keep his replies to about a minute.

Also, as this is an opportunity for members to question the government, preference will be given to members of the opposition parties, but we will ensure that, if interested, some government members will have the opportunity as well.

I recognize the hon. member for Outremont.

[Translation]

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, since the start of this first full session of the 41st Parliament, the government has not stopped harping about how its real priorities are the economy and employment. It is now the second week, and we have seen none of that. Instead, we have yet another example of its contempt for our parliamentary institutions, since it is prepared to use the guillotine to stop debate at second reading.

My first question for the government is the following: will it use other techniques to restrict debate when the parliamentary committee is examining the bill? Will we finally be able to take time to hear from experts and witnesses on the cost, particularly transfers to the provinces?

[English]

This is an exceptional situation where, at the beginning of a Parliament, in only the second week, the government is already using the guillotine to stop parliamentary debate.

At other stages of the bill, will the government be using closure, time allocation or other methods to restrain debate, notably in committee?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I was somewhat confused

by one of the statements by the hon. member. He said that we will finally get a chance to hear witnesses.

All components of the bill have been tabled before Parliament and, as of right now, we have heard 295 witnesses, 58 committee days have taken up by this and 123 hours of the justice committee. I hope that is one of the things we can all agree on. We always look for things to agree on but the bill has been thoroughly looked at, debated and has been before the public.

I hope the hon. member will rise and say that it certainly has been and that we want to get this. He says that he wants to get back to talking about the economy, which is great. However, let us get this justice bill moving and then we can get back to talking about the economy. I agree with that as well.

Mr. Thomas Mulcair: Mr. Speaker, that is exactly what we were expecting to hear. We knew that the government's intention was to restrict proper analysis in parliamentary committee, and the minister has just confirmed that for us.

Not only is the government using the guillotine in second reading, we will be getting the same treatment in committee and then the same treatment at report stage. It will try to ram this through.

We do not know how much this would cost the provinces. This would be a massive transfer of expenses to the provinces. The Conservatives have used very restrictive rules for employment insurance, and as people's employment insurance has run out, they go on the welfare rolls, which is the responsibility of the provinces.

Here is another massive transfer. Kevin Page, the Parliamentary Budget Officer, told us today about another decrease in transfers to the provinces, something the Conservatives swore they would never do so they would not be like the Liberals. Not only are they worse than the Liberals in terms of transfers to the provinces, they do not respect the basic parliamentary right to debate bills and to know the real costs.

Hon. Rob Nicholson: Mr. Speaker, I am not the one who should have to bring the hon. member up to date on this, but the transfers to the provinces have increased. I checked it out with the Minister of Finance. It is over \$2.4 billion more than the last fiscal analysis the year before. I know that should make him happy. Maybe he did not know that before but I want him to know that is the case.

The bill has been thoroughly analyzed. It has been before the committee. We responded to those questions. There have been hundreds of witnesses.

Everybody needs to get to work. We are trying to crack down on violent crime in this country. We should all join together. We should all be against crime. We need to take steps and this is a step in the right direction.

Government Orders

•(1015)

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, that is absurd. Of course we are all against violent crime. I have not met anybody in the House who is in favour of violent crime. That is not what the debate is all about and the minister knows that. He is an intelligent person and knows perfectly well that is not what the discussion is about.

The debate is about whether these measures will actually have the effect that the government says they will have. Does he not appreciate and understand the impact that these measures put all together would have on the administration of justice?

The bill would not only have a dramatic effect on the size of our prisons and the prison population but it would also have a significant impact with respect to the administration of the courts. It would have a huge impact on how crown attorneys do their job. It would have an enormous effect on whether plea bargaining could ever take place. It would jam up the courts and cost the provinces and the country billions of dollars. It would not add to the security of Canadians with respect to criminal activity. That has to do with a crime prevention agenda to deal with the root causes of crime.

The minister is simply carrying us down a road that has been tried in the American states and has been abandoned by most of the American states that have tried it. It has been criticized by people from all sides of the political spectrum, from the right, left and centre, and from anybody looking at this in a rational way.

Why is the government persisting in taking this country down a path in which wherever it has been tried has been eventually rejected by the people and governments of those places because they have found that it simply does not work?

The government is dumb on crime and it would have a terrible effect—

The Deputy Speaker: Order, please. Since quite a few people stood, I would ask that interventions be kept to one minute.

The hon. Minister of Justice.

Hon. Rob Nicholson: Madam Speaker, only the Liberals would take that position. Actually, I should not say that as they would be cheered on by the NDP in most of these cases. What they are saying is that by leaving these violent criminals out on the street that somehow we are all better off.

The bill is very specific. The hon. member was not correct when he talked to the press outside after the bill was introduced by saying that we would be going after people who are possessing marijuana plants or something like that. The bill is not about that. It would go after the people who are in the business of trafficking, the people who sell drugs around schools, the organized crime that brings drugs into the country. We are saying that those individuals should be taken off the street.

There are a lot of ordinary law-abiding Canadians and victims right across this country who are applauding this. The hon. member and his party, and all those who are cheering him on, are completely offside with Canadian interests on this issue.

Ms. Libby Davies (Vancouver East, NDP): Madam Speaker, I remember in committee when the minister could not answer whether

he had any evidence that mandatory minimums on drug crimes worked. He could not offer any evidence. Not only that, the Conservatives cannot even offer a true accounting of the cost of the bill and yet they are prepared to ram it through and stifle debate in the House of Commons.

Now that the minister has had an election and some time to think, does he actually have any evidence about the true cost of these bills that are contained in the omnibus bill? Does he have any evidence that the bill would actually act as a deterrent in terms of drug crimes? He could not offer any before and I suspect that he has none now.

Hon. Rob Nicholson: Madam Speaker, I appreciate this new concern from the opposition members about cost. In one sense, it is refreshing. However, they have it wrong if this is the area in which they want to save money.

With respect to the cost of these, I would refer the member to the hundreds of pages that the Minister of Public Safety and I tabled before the committee. I can tell her that it will provide her and her colleagues with many happy hours of reading looking at the costs of crime.

As I have said before, the vast majority of the cost of crime is borne by the victims. That would have been missed because I do not think we have ever heard that coming from the opposition. It is the victims who pay the cost. They are the ones we side with. They are the ones we stand up for.

I wish that after all the analysis, all the time that these bills have been before Parliament, they would stand up to say, yes, they stand with victims and law-abiding Canadians as well.

•(1020)

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Madam Speaker, it is interesting to listen to the minister talk about all the debate and discussion that has taken place on this bill. Obviously, what has not taken place is the Conservatives have not listened to Canadians when they have talked about the impact Bill C-10 would have on Canadians from coast to coast to coast.

The Canadian Bar Association has said there is a real problem with Bill C-10. It has concerns about the mandatory minimum sentences and overreliance on incarceration, constraints on judges' discretion to ensure a fair result in each case, and the bill's impact on specific, already disadvantaged groups.

Yet the minister stands and says that we have had enough debate and enough discussion.

The government is closing debate on the bill at a time when Canadians know full well what is needed. They know what the risks to their safety are. They know that more is needed in terms of prevention.

The minister should start listening to the experts, like those at the Canadian Bar Association.

Hon. Rob Nicholson: Madam Speaker, I have listened to a lot of experts in this area, and oftentimes they are the victims of crimes. We do listen to them.

Government Orders

The hon. member mentioned that we are not listening. I will tell her to whom we are listening. In the last election we made it very clear that this will continue to be a priority for us, that we will reintroduce these bills, and that we will take a stand against violent criminals and those who would sexually exploit children. We were very clear on that.

I have to tell the House how pleased, proud and grateful, quite frankly, I am to the people of this country. They have come forward and given us a stronger mandate in each of the last four elections.

The hon. member might want to start listening to that, because every time the Liberals keep championing their soft on crime approach, they keep going down. They might want to listen to ordinary law-abiding Canadians and victims in this country. It might help them.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Madam Speaker, I want to remind the minister that it is 39% of the population. If that is the government's idea of a strong mandate to shove things down our throats, then I think that is a little rich.

I am against the fact that I am being denied my democratic right to express myself with all the time that is normally allotted. This is not the 40th Parliament; it is the 41st Parliament. The 295 witnesses and 88 committee days show how important this bill is. It is not an individual bill; we are talking about an omnibus bill. When a criminal court—and the Minister of Justice claims to be well versed in criminal law—declares or orders a new trial, it is back to square one. A new Parliament is not unlike a new trial. All the information from the previous trial does not carry over; the process starts all over again. Democracy has spoken, as it has the right to do.

[*English*]

Hon. Rob Nicholson: Madam Speaker, we have had each of these bills before Parliament. As I pointed out, there have been 223 speeches, many hours of debate, and there will be a couple more days of debate. There will be investigation and discussion and witnesses before committee. There is third reading stage as well.

If the hon. member and her colleagues did not get an opportunity to express their thoughts a dozen or so times when these bills were before Parliament, I would suggest they participate in the debate in the next couple of days.

We have been listening to the NDP. The NDP suggested that we bring these bills together to better debate them, and that is exactly what we have done. They were separate in the previous Parliament. I remember when we put them together, members objected to their being together, so we separated them. Now we have separated them, and they want them back together. That is what we have done. We have responded to what that individual's party wanted in December of last year. We have put the bills all together. Here is an opportunity for the member to make her opinion known, and that is all I would suggest to her.

The member should look at who the bill targets. It targets violent criminals, those who would sexually molest children, people who are in the child pornography business. There are other good parts of it.

When the member has a chance to go over those hundreds of pages of transcript, the testimony of those hundreds of witnesses, she will agree that these are important steps in the right direction.

● (1025)

Hon. Judy Sgro (York West, Lib.): Madam Speaker, just to correct the hon. minister, only 39% of Canadians voted for the Conservatives, which means that 61% of Canadians did not vote for the Conservative government.

This chamber is supposed to be the place where democracy plays itself out. This is where we have the chance to fully debate these issues.

There are major issues with the omnibus bill. If the minister has confidence in his legislation, why is he closing down the debate in Parliament, which is where debate is supposed to happen, and denying many of us the opportunity to voice our concerns and our constituents' concerns?

Hon. Rob Nicholson: Madam Speaker, again, I am very aware and very appreciative of the mandate Canadians have given us.

I remember there were not too many observers in the media or pollsters who predicted we would get a majority government, but we could feel it. When I was talking with people and visiting ridings outside of my wonderful riding of Niagara Falls, I was getting such positive feedback from people that I was confident all the way along that Canadians would give us that mandate.

I have to say to the hon. member that in going across this country and talking about the justice agenda of the Conservative government, it has been well received. I can only say how pleased and grateful I am that in each of the last four elections where we have made this a priority, our number of seats has been going up. I am very grateful to the people of this country for that.

The hon. member knows that the bill has been extensively debated and perused. We have taken one of the suggestions from the NDP of putting the bills together in a comprehensive bill. We are responding in that sense.

The hon. member should have a look at who this bill targets. Ultimately the opposition members should support us. If they still do not agree, they should talk to their constituents about how they feel about the components of this bill. I think the member will find that they support us as well.

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Madam Speaker, in 2008 there was a Department of Justice study which said that the cost of crime in Canada in that one year alone was near \$100 billion, most of which was borne by victims.

I would ask the Minister of Justice to share his views on the cost of crime in Canada and how this comprehensive legislation is going to deal with that.

Hon. Rob Nicholson: Madam Speaker, I want to thank my parliamentary secretary for all her work and the support she gives us in this area.

Government Orders

The Department of Justice pointed out that the cost of crime in this country was about \$99 billion. What is particularly arresting is the fact that 83% of that is borne by victims in this country. They are the ones who ultimately pay the price.

I do not get too many questions about victims in the House of Commons. It is not just the financial cost; it is the emotional cost. I remember when we introduced the bill to get rid of the faint hope clause, a reporter asked me if it was going to stop people from committing first degree murder. I said that what it would do is reduce victimization in this country, because those individuals who worried about the criminal getting out on the faint hope clause would not have to worry about that anymore.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Madam Speaker, I have one point on the position the NDP has taken, particularly through my office, on omnibus crime bills.

This is not the kind of omnibus crime bill we have talked about at all. If the government is going to do an omnibus crime bill, if it is going to have meaningful reform to our Criminal Code, it has to be done on a thematic basis. The government has to look at one whole area of the code and decide on the amendments that need to be made. Then they need to be compiled.

What the government has done is brought together a mish-mash of various legislation. There are sections of the immigration act that are being amended. There are amendments to the corrections act, the Criminal Code and the drug enforcement legislation. That is not the way to draft omnibus legislation if the government is really serious about good public policy.

I want to go back to the point the minister keeps raising about victims and about the fact that he has all this great support in the country. The reality is that not once during the election campaign did the Conservatives talk about the cost. Not once did they say to the victims or the taxpayers that it is going to cost x billions of dollars.

In fact, the government hid those figures from us. It was only as a result of a contempt motion that part of that was released. According to the Parliamentary Budget Officer, he only received about 40% of the material he needed to be able to do an accurate assessment so that the Canadian people and the House would know how much this was going to cost.

When will the minister be coming before the House to give us realistic figures as opposed to shutting down debate?

• (1030)

Hon. Rob Nicholson: Madam Speaker, as I pointed out in response to a previous question, we tabled hundreds of pages with respect to the costs of crime. However, if we are all very frank and honest, for those who oppose cracking down on violent criminals, spending a dollar on it is too much for those who are opposed to what we are trying to do.

We are on track. I completely disagree that we did not raise this. I know I personally raised this matter. I see the hon. member from Brantford, who will confirm that during the election I talked about the cost to victims all the time. I said that they bear most of the costs. Financially and emotionally the costs are borne by the victims in this country.

My parliamentary secretary just asked a question with respect to the costs. I would point out that 83% of the costs, according to the Department of Justice in 2008, was borne by the victims. I have never hidden that statistic. I am glad to repeat it over and over because we know who pays the cost of crime in this country.

Hon. Irwin Cotler (Mount Royal, Lib.): Madam Speaker, the minister has said that the government has a mandate with regard to the Safe Streets and Communities Act. All governments have a mandate for safe streets and communities. All governments are given a mandate to protect the security of their citizens. We had a mandate for that as well. The question is how one implements that mandate and the nature of the legislation that is put forward.

This legislation that has been put forward comes at a time when, even before the legislation was tabled, there is overcrowding in Canadian prisons, to the point that in British Columbia as an example, there is some 200% overcrowding in the prisons. In the United States overcrowding led to a constitutional challenge with respect to cruel and unusual punishment. The courts ordered the release of inmates.

The legislation has not been costed so it will cost mega-billions for the building of megaprison. Regrettably, at the end of the day we will get more crime and less justice with spiralling costs.

Hon. Rob Nicholson: Madam Speaker, with respect to the mandate, yes we did receive a majority government but we were very clear during the election that we would reintroduce the bills that we found, in some cases, impossible to get past the opposition. This will be the fourth attempt to pass the drug component of this bill. The Liberals actually let us pass it in the House of Commons because they knew their colleagues in the Senate would hold it up forever. Then when we had a majority in the Senate, the Liberals changed their minds and opposed it in the House of Commons.

We were very clear with Canadians when we said that if we were re-elected we would reintroduce these bills. We put them together in a comprehensive package. They all deal with the subject of better protecting victims in this country. These are steps in the right direction. I am very appreciative and pleased that the Canadian public has given us this mandate.

[*Translation*]

Mr. André Bellavance (Richmond—Arthabaska, BQ): Madam Speaker, it is business as usual for the Minister of Justice, the master of demagoguery. The Conservative government and the Minister of Justice seem to feel that if we are not on their side, endorsing their measures—which are deeply controversial, especially in Quebec—we are siding with criminals. It is always the same story. We always hear the same thing from the minister, who knows full well that he does not have consensus within the justice system, again, particularly in Quebec.

This omnibus bill is deeply controversial. We are not saying that this bill does not contain some good measures. We know, as does the minister, that certain measures, particularly those concerning sexual offences against children and parole reform, are useful.

Government Orders

I think that everyone in the House agrees, and the minister knows that he could have tabled these measures separately from his omnibus bill and it would not have been an issue. They likely would have passed unanimously in the House of Commons.

As usual—and we see this with their budgets as well—the Conservatives are tabling bad measures alongside the good ones in this bill, which means that we have to come to a decision without debate. And they know that that does not work.

Did the minister consider splitting the bill so that certain measures would be passed more easily?

• (1035)

[*English*]

Hon. Rob Nicholson: Madam Speaker, over the years I have found that when we put a number of bills together we get complaints from the opposition that it is an “omnibus” bill. If we split them up I have had suggestions from them that we should have put them all together. Now we have them all together and opposition members are suggesting we should split them again.

Let us be honest about this. If members are opposed to getting tough on drug dealers they should say so. The bill is clear. We are going after people who bring drugs into the country. We are saying to the people who would bring drugs into Canada, which law enforcement agencies tell me is part of organized crime, that they would go to jail. If members are against that and think that is a terrible thing, that is fine. That is their opinion. However, they should not dress it up by saying that the bill should be tough on this and combined with something else or that it should be divided. Let us cut out the nonsense here.

We have put these bills together. They all make sense. They are not all of the bills that had not passed in the previous Parliament. We put nine of them together. They all stand alone in the sense that they have been looked at thoroughly by Parliament. They have been thoroughly debated and discussed in this country. I am absolutely convinced that Canadians support us on this and so should the hon. member.

[*Translation*]

Mr. Thomas Mulcair (Outremont, NDP): Madam Speaker, based on the terminology used by the minister, we can clearly see that this is not an attempt to improve safety on our streets, but a purely partisan and political act. That is what this is.

[*English*]

If the minister's goal is to protect victims, why has he not moved forward in areas where there is unanimous consent of all parties in the House such as random roadside testing? Simply bringing forward what has already been approved by all the parties would save hundreds of lives a year. There is no way to put a cost on that.

There is also unanimous consent for moving forward on DNA testing. That would allow us to solve thousands of crimes per year. Yet the words chosen by the minister as he gesticulates toward his Reform Party base and says that this is about safer streets and these guys must be in favour of protecting dangerous criminals, we realize that we are faced not with an effort to improve laws in this country but an effort by the government to position itself politically.

Hon. Rob Nicholson: Madam Speaker, I have experienced this spin with all the bills that we have introduced right across the board. The opposition members either immediately oppose it or they say it needs a lot of study. Most times the term “needs a lot of study” means that we will never get to vote on the issues and never get them implemented. I always hear opposition members say that we are cracking down on drug dealers and violent criminals, that if we would only get to some other area then the NDP would be right behind us and the Liberals would be cheering us on.

We all know that is a bunch of nonsense. No matter what the government introduces to crack down on crime in this country and go after those who exploit and take advantage of other people, in the end the opposition members will do one of two things, either oppose it or say that it needs a lot of study.

Ms. Joyce Murray (Vancouver Quadra, Lib.): Madam Speaker, I would like the minister to be honest and admit that this bill will create more victims. The evidence is clear from the provisions in the bill that by putting more people in prison for longer periods means there will be more crime inside prisons and more crime outside prisons which would create more victims. As well, this will target the most vulnerable in our society, those with mental health challenges, youth at risk, low income families and aboriginals. The bill shifts funds to prison cells and away from the supports required for the members of those groups to live successful lives.

What research has the minister done to determine what the increase in AIDS rates would be due to this increase in prison population? The leading AIDS researcher in Canada and internationally says that the bill would undo most of the good work that has been done to prevent AIDS.

• (1040)

Hon. Rob Nicholson: Madam Speaker, the hon. member is from British Columbia. I have heard loud and clear from law enforcement agencies, municipal politicians and others in that part of the country how terrible and difficult some of the challenges are regarding drug crimes.

I have been told that the people who bring drugs into British Columbia are part of organized crime. If the bill is somehow creating victims out of people who bring drugs into this country, or creating victims out of these poor vulnerable gangsters who are selling drugs around schools, I want those people to know that they are vulnerable, because they are the ones we are going after. We are going after the people who bring drugs into this country and I make no apology for that.

The Deputy Speaker: It is my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House.

Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

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: Call in the members.

• (1120)

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

(Division No. 32)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Aspin	Baird
Bateman	Benoit
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Chisu	Chong
Clarke	Clement
Daniel	Davidson
Dechert	Del Mastro
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Fantino	Fast
Findlay (Delta—Richmond East)	Flaherty
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Goodyear	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Hoepfner
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leef
Leitch	Lemieux
Leung	Lizon
Lobb	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Obhrai
Oliver	Opitz
Paradis	Payne
Penashue	Poillievre
Preston	Raith
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Ritz
Saxton	Schellenberger

Seeback	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
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Boivin	Borg
Boulerice	Boutin-Sweet
Brahmi	Brison
Brosseau	Byrne
Caron	Casey
Cash	Chicoine
Chisholm	Choquette
Chow	Christopherson
Cleary	Coderre
Comartin	Côté
Cotler	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Etobicoke North)
Duncan (Edmonton—Strathcona)	Dussault
Easter	Eyking
Foote	Fortin
Freeman	Fry
Garneau	Garrison
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
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Hsu	Hughes
Hyer	Jacob
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Lapointe	Latendresse
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Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mourani	Mulcair
Murray	Nantel
Nash	Nicholls
Nunez-Melo	Paçetti
Patry	Péclét
Perreault	Pilon
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PAIRED

Nil

The Speaker: I declare the motion carried.

[*Translation*]

I wish to inform the House that because of the debate on the time allocation motion, Government Orders will be extended by 30 minutes.

• (1125)

[*English*]

The Deputy Speaker: The hon. member for Selkirk—Interlake is rising on a point of order.

* * *

POINTS OF ORDER

COMMENTS BY MEMBER FOR TIMMINS—JAMES BAY

Mr. James Bezan (Selkirk—Interlake, CPC): Madam Speaker, I rise on a point of order regarding comments made yesterday in the debate on Libya. The member for Timmins—James Bay made a comment about me. He said:

I heard my colleague for Selkirk—Interlake use the old tired Conservative slogan: “We don’t cut and run”. Now my colleague is from farm country and probably does not know what “cut and run” means.

Standing Order 18 is quite clear that we are not supposed to be talking disrespectfully of other members in this House. Not only did he insult me, but he also insulted all farmers and anyone who lives out in farm country as being less intelligent than himself. I find that completely disrespectful and demand that he apologize or that appropriate action be taken by you, Madam Speaker.

The Deputy Speaker: I thank the hon. member for his comment. We will look at the blues and come back if necessary.

* * *

[*Translation*]

SAFE STREETS AND COMMUNITIES ACT

The House resumed consideration of the motion that Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, be read the second time and referred to a committee, and of the amendment.

Ms. Françoise Boivin (Gatineau, NDP): Madam Speaker, I rise here today with a bit of a heavy heart, for the vote that was just held suggests that the work ahead of me as a new member of this 41st Parliament is perhaps less important than that of other members in past parliaments.

Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the

Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, deals with many sections and many pieces of legislation. I was told this morning that 295 witnesses appeared at 88 committee meetings in previous parliaments. Those individual bills failed to pass during previous parliaments, at least not in the form in which they were introduced by the governments in office at the time.

The government is introducing an omnibus bill that includes all these provisions. Bill C-10 is 102 pages long and includes 208 provisions that amend nine existing laws. This is not a small bill. The explanatory notes alone are 39 pages long. Not everyone in the House has experience in criminal law as it pertains to terrorism or is well versed in the laws relating to young offenders and immigration. That is a lot of things.

The leap of faith that the government is asking us to take is to find that what was done before is sufficient. In the future, when we are not happy, the axe will fall and the government will pass the bill because it committed to introduce the bill and pass it within the first 100 days of its mandate. When we disagree with the Conservatives on any part of the content or form of what they present to us, they tell us that we are in favour of criminals, child rapists and terrorists. I have a problem with this way of categorizing the serious work that all members of the House do every day.

I have a background in law. I worked in criminal law for five years when I began my practice and I was able to see the extraordinary work that the crown attorneys, judges and judiciary do; their work is not always easy. There are also defence lawyers who are obligated, under the Constitution, to represent people who are presumed innocent until proven guilty. There are some rather disturbing isolated cases that seem to have slipped through the cracks in the system. We are all aware that such is the case. I have also had a call-in radio show. Anyone who has listened to this type of show knows how things can sometimes get out of hand when people get started, particularly when such isolated cases are mentioned.

Our judicial system examines thousands and thousands of criminal cases each year. I find it a little rich that the Conservatives are introducing this 102-page bill that contains 208 provisions to amend nine existing laws on the basis of a few cases they have chosen here and there that deviate a bit from the norm.

I participated in a debate with Senator Boisvenu. I have the utmost respect and admiration for the work that he did for years after the crime that led to the loss of his two daughters. However, we must really avoid changing laws simply to respond to a need here or there.

• (1130)

The sad thing is that we on this side of the House are inclined to be in favour of some parts of the bill without even having to do much further study. We are in favour of the provisions having to do with sexual offences against children and parole. The entire system needs to be reformed, and that is often where we run into problems. But this bill lumps everything together.

Government Orders

As a member of the Barreau du Québec I can tell you that we, as lawyers, receive hours of mandatory professional training because the top priority is to protect the public. Every move a lawyer makes is scrutinized. When a lawyer goes the slightest bit off track, he or she is shown the door and is asked to report to the agency that monitors the legal profession.

The Canadian Bar Association has some valid and serious objections to this bill, not because it wants to protect criminals, but because it wants to protect what we should all be trying to protect together, and that is the penal system and the courts. We have to ensure that there is more than just the appearance of justice and that justice is actually served.

My basic concern with this bill, having practised law, is that within the Barreau du Québec and the Canadian Bar Association, two entities for which I have the utmost respect, we are going to see judges become quite apprehensive about hearing minimum sentence cases, because the bill eliminates the wonderful concept that every law student learns on their first day: every case is unique. Under the Conservatives, the concept that every case is unique no longer exists. From now on, if a person commits X crime, they receive X sentence, leaving no room to understand why the crime was committed or to see what would best serve society. Will we create hardened criminals?

Maybe the solution for the Conservatives is to keep everyone locked up for the rest of their lives regardless of the crime. That would be ridiculous. I do not want to put words in their mouths, but sometimes that is the impression the Conservatives give, because under some of the laws affected by the omnibus bill, we will no longer be able to apply this fundamental principle in law. What does that mean? It means there will be legal challenges.

I spoke to a number of my colleagues across the country as I knew that opportunities to hear from witnesses would be curtailed. I consulted several experts in the field who told me that some lawyers believe that constitutional challenges will be launched. Is it contrary to the charter in terms of unusual punishment? Is it this? Is it that? I doubt very much that we will achieve the intended results. Once again, I find it unfortunate that they are playing politics—I was going to say petty politics, but that would be unparliamentary—rather than really trying to fulfill the mandate we have been given, that is to legislate.

When I arrived here for the 41st Parliament, I believed that our job was to ensure that each bill passed is for the good of all Canadians, that each bill is useful, that each bill becomes a good law, and that each bill achieves the intended results.

I have the impression that sometimes it is a question of making headlines. Unfortunately, that does not meet the needs of victims or of the system, and it does not result in the changes the legal community is seeking.

• (1135)

[*English*]

Ms. Libby Davies (Vancouver East, NDP): Madam Speaker, I wonder if the member is aware of a report that just came out from the Public Prosecution Service of Canada that points out that almost three-quarters of its case files involve drug crimes.

One of the real problems we have had is that the government has changed its drug strategy by eliminating harm reduction and focusing instead on enforcement. This is now causing the prison population to explode. We can see this from the Public Prosecution Service of Canada report.

I wonder what comments the member would have in terms of the impact on our society of this massive explosion of the prison population without the necessary services or rehabilitation or reintegration into society. This population explosion is basically for minimal drug crimes in many cases, and the bill would now exacerbate it.

[*Translation*]

Ms. Françoise Boivin: Madam Speaker, I thank my colleague for her question.

That is one of the problems with the judicial system that has come to my attention in recent years in discussions with my colleagues and police forces. Police officers were quite pleased that they would no longer have to spend an eternity on files that may seem enormous. For example, when we are talking about cultivating seven marijuana plants it is certainly less serious than when we, or the minister, talk about cultivating 200 or 250 marijuana plants. The police were happy to focus on serious crimes, crimes of violence against persons, crimes of violence against women, against aboriginal women, in short, all kinds of violence against individuals.

The government is talking about being tough on crime and cracking down on drug crimes. Mandatory minimum sentences make me think of a case I was involved in where a young person was caught with a fairly large amount of drugs. In the end, we managed to save this young man from the criminal system and to make a good citizen of him. How? By not giving him a minimum sentence.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Madam Speaker, I would like to mention the excellent work done by my colleague from Gatineau. Once again, her speech highlighted the absurdity of the Conservatives' omnibus bill and the underlying cynicism of this fundamentally ideological and political operation, in which the government is trying to mash together a multitude of completely disparate and diverse measures. The government is creating something that will not sit well with the majority of Canadians and Quebeckers. It is trying to shove this down our throats to score political points with its very conservative and ideological base, and it will try to say that the opposition, regardless of the party, is soft on crime and is on the side of the criminals. That is a very questionable political move.

I have a question for my hon. colleague. Is she concerned about the fact that this bill will transfer huge responsibilities and costs to the Canadian provinces, when many of them—particularly Ontario and Quebec—already have problems with overpopulation in prisons? The government wants to adopt measures to send a bunch of petty criminals to crime school in already overpopulated prisons.

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●(1140)

Ms. Françoise Boivin: Madam Speaker, the short answer to the question is that I am very worried. And I am not the only one. Many of the provinces are worried because they feel that they will have to deal with the fallout from the Conservative government's smoke and mirrors.

It is very interesting and illuminating to hear the Minister of Justice's responses to the direct questions asked of him, such as how much this will cost. We are not asking about the cost to victims. We already know that. When it came to the victims I represented, I often said that no sentence would satisfy them and that no amount of money would be compensation enough for the damages caused or would represent the true value of what they had lost or suffered.

That is not what we are talking about, yet the minister is constantly shifting to that argument, making it sound as though those of us on this side of the House do not care. That is not true. However, the cost of all this will have a direct impact because the provinces do not have the money and will not be able to assume the costs. So what happens when a law like this comes into effect?

[English]

Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC): Madam Speaker, I am very pleased to rise today to speak to Bill C-10, Safe Streets and Communities Act. This bill takes nine previously introduced pieces of legislation and combines them in one comprehensive crime bill.

The proposed changes in the safe streets and communities act are part of our government's ongoing action to make Canada a safer place for law-abiding Canadian families. I have listened, with a great deal of interest, to comments from several hon. members during the debate on the legislation. I certainly appreciate the opportunity to speak of the many benefits that the changes proposed by our government will bring.

It has been five years since our government first took office. In that time, we have worked to bring forward legislation that would hold criminals accountable, put the safety of Canadian families first and deliver the kind of justice that victims of crime expect. It has now been over five years and through many consultations and conversations with people across our country, including with constituents in my riding of Etobicoke—Lakeshore, it could not be clearer that Canadians are concerned about the safety of their communities. They have long been calling for our government to focus on ensuring that their communities, playgrounds, streets and homes remain safe.

They have asked us to provide our law enforcement agencies with the necessary tools and modern laws that they need to make our communities safe. We have delivered.

They have asked us to increase offender accountability and to hold offenders accountable by being made to serve sentences that reflect the seriousness of those crimes. We have delivered

Canadians have asked us to be proactive by taking preventive measures to reduce crime before it happens. Again, we have delivered.

I want to touch on just a few of the examples on which our government has delivered for Canadians in these areas.

As an example, we are proud to have increased our country's law-enforcement ability by providing \$400 million toward a police officer recruitment fund. In just two years, this fund has enabled us to increase the number of police officers in Canada by more than 1,800. This goes a long way to helping us increase law-enforcement presence in communities both large and small.

We have also passed many pieces of legislation that address the concerns we have heard from victims and Canadians across the country.

[Translation]

For the past five years, we have been fully engaged in promoting healthy, safe communities for Canadians. We have introduced many measures to tackle crime, particularly violent crime and gun crimes. For example, our government took action to crack down on drive-by shootings as well as other shootings that demonstrate reckless disregard for the life or safety of others.

[English]

For example, our government has taken action to crack down on drive-by shootings and other intentional shootings that demonstrate a reckless disregard for the life or safety of others. We have taken action to eliminate the shameful practice of granting two-for-one credit, and sometimes three-for-one credit, for time served before sentencing. With this important change, we are now ensuring truth in sentencing.

We have also extended the time period that a person convicted of a serious personal injury offence, including manslaughter, must wait before applying for a pardon.

We have also passed legislation to strengthen the national sex offender registry and the national DNA data bank, marking another tremendous step forward for the protection of vulnerable people from sex offenders. Importantly, the legislation allows the police to use the national sex offender registry proactively to prevent crime.

We have also passed legislation to restore the faith of Canadians in the corrections and conditional release system by ensuring that offenders can no longer be released at one-sixth of their sentences. The Abolition of Early Parole Act abolished the practice of accelerated parole review, which allowed those convicted of first time non-violent white collar offences to obtain day parole after serving one-sixth of their sentences and full parole after serving only one-third.

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In addition, the government has also taken action to prevent crimes before they happen. In the last year, our government funded some 160 community-based crime prevention programs through its national crime prevention strategy. These programs had an impact on the lives of nearly 10,000 at-risk youth. Crucially, we have also ensured that the youth gang prevention fund continues to help at-risk youth by including an investment of \$7.5 million annually as part of the next phase of Canada's economic action plan.

These are only a few of the measures we have taken to help make our streets and communities safer for law-abiding Canadian families.

However, there is more to do. That is why I am proud to be here today to talk about the safe streets and communities act.

Last May we told Canadians that if re-elected we would move quickly to introduce the past law and order legislation that would crack down on crime, gangs and terrorism. We said that we would do this within 100 sitting days of the new session of Parliament. Our government has pledged to finish what we started and move forward with this legislation to better protect Canadian families. We believe the legislation is a fair and reasonable response to ensure the safety of our communities.

Three departments are responsible for the elements found in the legislation, legislation that impacts Canadians from coast to coast to coast.

Public Safety Canada is responsible for four provisions under the safe streets and communities act. The first measure amends the International Transfer of Offenders Act. We propose to include public safety as an express purpose of the act. We also propose updating the decision making criteria used by the Minister of Public Safety when making the decision to transfer Canadian offenders back to Canada to complete their sentences.

The second Public Safety Canada measure will move to enact the justice for victims of terrorism act and to amend the State Immunity Act to deter terrorism. What this means is that victims of terrorism will be able to launch a law suit in Canadian courts against the individual or organization that carried out the attack.

The third element falling within Public Safety Canada is a proposal to strengthen the legislation governing pardons. First, very important, the legislation would change the name from "pardon" to "record suspension". We have heard from victims and victims rights groups that the word "pardon" indicates that somehow the government has forgiven the person for their crime. Forgiveness is not the government's to give. No one can forgive an offender for a crime except the victim, or the victim's family. This proposal will also change the legislation so that repeat serious offenders and those who commit sexual offences against children are no longer eligible to apply for a record suspension.

Finally, we propose to strengthen the management of offenders during their incarceration and conditional release and highlight the importance of correctional plans in the rehabilitation and reintegration of offenders.

There are several components within Bill C-10 that fall under the responsibility of the Department of Justice. It will increase the penalties imposed for sexual offences against minors.

●(1145)

As a father of young children, I welcome these changes to protect the youngest and most vulnerable members of our society. Bill C-10 would bring forward changes that create tougher sentences for individuals found guilty of the production and possession of illicit drugs for the purposes of trafficking. It would strengthen the laws that deal with young offenders, making sure they are held accountable for their actions and that their sentences fit the crimes that they have committed. It would also bring to an end the use of conditional sentences or house arrest for violent and property crimes.

In addition, there is legislation that falls under the responsibility of the Department of Citizenship and Immigration. Bill C-10 would amend the Immigration and Refugee Protection Act to protect foreign workers who could become victims of human trafficking or exploitation. This is a very real problem in my city of Toronto. Finally, we will be able to pass legislation to deal with it.

None of this legislation is a surprise. Just as Canadians have been clear in supporting our efforts to improve safety and security in our communities, so too have we been clear that this legislation would be a priority in the early days of this new Parliament.

For these reasons, I urge all hon. members of the House to work with the government to ensure the swift passage of Bill C-10.

●(1150)

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Madam Speaker, I would like to ask my colleague if he agrees with what Senator Boisvenu said. He was with the minister when Bill C-10 was announced, and he stated that the underlying reason for omnibus Bill C-10 is the fact that, in general, sentences imposed by the Canadian judiciary are too lenient, and that is what the Conservative government wants to address.

Does the member agree with this statement, that this basically boils down to the fact that Canadian judges impose sentences that are too lenient?

Mr. Bernard Trotter: Madam Speaker, I appreciate the honourable member's question.

[*English*]

The legislation is responding to the needs of Canadians, especially victims. Victims groups and individual victims have been saying for a long time that their needs are not being reflected in the current laws and also the sentencing guidelines. That is why we introduced this legislation.

Police officers are very supportive of Bill C-10. Canadian Police Association President Tom Stamatakis said:

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As a police officer, and as a parent myself, I can't possibly overemphasize the need for the longer sentences this bill provides, to keep these serious offenders off our streets, but perhaps just as important, the creation of the two new offences, particularly prohibition from using any means of telecommunications, including the Internet, to agree or make arrangements with another person for the purpose of committing a sexual offence against a child, is exactly the sort of modernization of the Criminal Code that our members need to deal with today's technologically savvy criminal.

There is a lack of modernization in our current legislation. We are trying to bring this up to 2011, into the 21st century. It is high time. We have been talking about this legislation for several years. These are not surprises and we urge the—

The Deputy Speaker: Questions and comments. The hon. member for Kingston and the Islands.

[Translation]

Mr. Ted Hsu (Kingston and the Islands, Lib.): Madam Speaker, the honourable member told us that he is the father of young children. So am I.

[English]

We lived for a little while in Oakland, California and at nights we could hear gunshots in the distance. California is a jurisdiction that has tried with its “three strikes you're out” law to put more people in jail for longer time periods. It found it ended up spending more money on prisons than on education. This is a jurisdiction which was not made safer for little kids by putting more people in jail.

This is an example of a case where Conservatives putting more people in jail for longer time periods has not made the streets and communities safer, and has imposed a tax burden on future generations. What is the member's answer to that? Can he answer the question that my daughter would want to ask if she were here today?

Mr. Bernard Trottier: Madam Speaker, I can respond to the question from the hon. member who is a father like I am, and I can say that his daughter would not be the victim of an offender who is locked up in prison. She would be protected from him.

Many times in the debate I hear members opposite draw false analogies with the situation in the United States and use the term “three strikes and you're out”. This is not “three strikes and you're out” for minor offences. The offences we are trying to deal with are major, violent, aggressive offences against the security and safety of Canadians. This is a completely different situation.

In terms of the question about the prison population, the federal prison population is about 14,000 and there are various models that have been put forward. It is impossible to determine exactly what the outcome will be, but we do not anticipate that this is going to be the bursting at the seams prison situation that the opposition describes. At any rate, it is far safer for Canadians to have those violent and aggressive offenders locked up than on the streets.

• (1155)

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Madam Speaker, I stand today in opposition to Bill C-10, the omnibus crime bill. I do not stand in opposition to every part of the bill and indeed some parts of Bill C-10 worthwhile.

As a father myself, I have no objection to protecting children against pedophiles and sexual predators. I have no objection to

protecting people against violent crimes, of course not, even though the Conservatives may have people believe otherwise. However, that is the rub with Bill C-10, which throws so many pieces of legislation, nine pieces of legislation, aboard the one bus, the one omnibus bill.

I may agree with coming down hard on pedophiles, but I do not agree with filling prisons with people who probably should not be there, like the people who get caught with some marijuana plants. What will throwing a student into jail do for him or her, or for society in general, besides costing us a fortune in new human cages? My answer is nothing. It will do absolutely nothing.

Bill C-10 is also known as the safe streets and communities act which, to quote *The Telegram*, the daily newspaper in my riding of St. John's South—Mount Pearl, sounds like a new and improved detergent, except Bill C-10 will not make our streets any cleaner. It will not wash away the crime. In fact, chances are, if we put a dirty sock through the omnibus cycle, the sock will come out just as dirty on the other end.

The Conservative detergent: so much of Bill C-10 is a waste of money. It will have no impact on the tougher elements of our society. If anything, Bill C-10 will soak up so much cash to keep what will eventually be our U.S.-style prisons going that there will not be any money left over for infrastructure, such as streets. Forget keeping our streets clean.

The Conservative government has yet to put a price tag on Bill C-10, but it is fair to say it will cost untold billions of dollars as our prisons bulge at the seams. According to a joint statement by the John Howard Society and the Canadian Association of Elizabeth Fry Societies, the increased costs associated with just one of the bills in Bill C-10 will be more than \$5 billion. That is more than double current expenditures for the corrections systems alone.

Furthermore, the provinces and territories would have to contribute the largest portion of the increase. I am sure they will be delighted to step forward.

I do not know about other provinces, but Newfoundland and Labrador's prison system could not handle any more prisoners. Her Majesty's Penitentiary in St. John dates back to Victorian times. The original stone building first opened in 1859. The pen is an aging fortress that has been called an appalling throwback to 19th century justice, which sounds like Bill C-10.

How do people in my riding feel about Bill C-10? I had one particular gentleman write to say he is disgusted. Let me quote from that letter:

This is taking us in the wrong direction both socially and fiscally. I do not want to live in a country with a justice system based on a model developed in the dark ages. We do not need more prisons. We do not need to be taking discretion away from justices of the peace, and we do not need more blanket mandatory sentencing guidelines that will do more harm than good.

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Most of all...I'm concerned about "The Penalties for Organized Drug Crime Act". Yes, I'm concerned about the ongoing substance abuse problems we have in this province and my concerns about the pending legislation doesn't mean I support a legal free for all when it comes to drugs, but increased mandatory sentences for growing a half dozen plants is insane...Who is helped by having a student, a future doctor or engineer, thrown in jail for a year and a half because they decided to make some hash for their own personal use? In what universe does that make sense?...Stop wasting money on cages and start spending it on hospital beds and textbooks.

That is the line that sticks, "Stop wasting money on cages and start spending it on hospital beds and textbooks". That is a great quote.

● (1200)

According to Statistics Canada, in 2008-09 the average annual cost of keeping an inmate incarcerated was \$110,000. Where I come from, in Newfoundland and Labrador, that would pay for roughly two degrees, or eight years of university.

To quote the daily newspaper from my riding once again:

We may buck the American trend — where increasing the number of prisoners has not brought a reduction in crime rates — but the smart money says we'll simply pay more to keep more people in prison and do little to change crime rates, which are among the lowest we've had in decades. You can argue that tougher sentences will make Canada a harder place to do shifty business, but the jury's out on whether it will end up making this country a better place to live.

The jury is still out.

Bill C-10 will not make Canada a better place to live. It will change Canada. It will change how we see ourselves as Newfoundlanders and Labradorians, as Canadians, and how we are seen on the world stage. Lock them up and throw away the key has not worked well in other tough love jurisdictions, the United States, for example.

For every 100,000 people, the United States holds 724 people in prison. In comparison, for every 100,000 people, Canada has 117 people in prison. That is a big difference.

The question that must be asked until there is an answer is, if there are longer stipulated jail sentences for crimes such as growing a few pot plants, who pays for the dramatic increases in the cost of incarceration of both federal and provincial prisons? Is that the next Conservative action plan or job plan that we have been waiting so long to hear about? Is it to build new cages across the country?

As for other sections of the omnibus crime bill, legislation that allows for victims of terrorism to sue perpetrators, including foreign countries, would do absolutely nothing to deter or prevent terrorism acts. To cut to the chase, suing a terrorist organization in a Canadian court would get us absolutely nowhere. No, that is not quite correct, it would get us in debt.

Returning to the section of Bill C-10 that would impose mandatory minimum sentences for the production, possession and trafficking in certain drugs like marijuana, experts have consistently said that mandatory minimum sentences do not work for reducing drug use, tackling organized crime, or for making our communities safer.

How about taking the money from building more cages and putting it into rehabilitation and retraining programs? That is a novel idea. That makes more sense. That is the Canadian way. Bill C-10 is not the Canadian way.

Nothing in the Conservative crime bill deals with prevention, but 80% of people in federal prison deal with at least one addiction. Dr. Julio Montaner, immediate past president of the International AIDS Society, said that the Conservative government's crime agenda would jeopardize the health of some marginalized people. He said:

[the bill] would make it more difficult for physicians to deliver public health services to people who are poor, First Nations, mentally ill, at risk of HIV, or drug-addicted.

He also said:

This law is all about incarcerating the people that this government views as the "other Canadians" for which they have no time for or no interest.

Speaking for myself, my party believes in leaving nobody behind, leaving no Canadian behind, marginalizing nobody.

● (1205)

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, I want to thank my colleague from the NDP for eloquently stating his party's position.

There are aspects in Bill C-10 that are very tempting, especially for people who grow pot. I have to say that in my area I have had my share of grow-house operations.

However, in looking at the cost, the Parliamentary Budget Officers says that we would spend about \$13 billion to go this way. I wonder if my colleague from the NDP would like to share some of his concerns.

I would personally like to see a little of that money, if that would actually be the figure, \$13 billion, to be spent on putting people in the right direction. Maybe we could spend more money on immigrants and give immigrant communities money that the Conservative government took away from in Toronto.

Does my hon. colleague feel that this spending of money is wise or are we going down a false path?

Mr. Ryan Cleary: Mr. Speaker, the hon. member talks about the figure of \$13 billion. The point that we have been trying to get to is that there is no cost on this omnibus crime bill. We do not know the cost. From what I hear, and I have been listening, I do not think the Conservatives have put a figure on this yet. I do not think they have a true cost. That is one of the worries.

The other worry is with all these new prisoners going into the penal system across the country. I have read some estimates of between 3,000 and 5,000 more people will be entering our prison system. In my province of Newfoundland and Labrador, we have, what I mentioned in my speech, Her Majesty's Penitentiary. It is a medium-sized prison. It takes in federal prisoners but it is bulging at the seams. We cannot take in any more.

There is no money for rehabilitation and no money for programs. That is the bigger concern.

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Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I would remind the member opposite that simple possession is not targeted in this legislation, although the reference continues to be to someone growing a few plants.

In the member's hypothetical student example, if that hypothetical student were proven to be trafficking illicit drugs to elementary school children or proven to be handing over his revenue from the sale of hard drugs, such as methamphetamine, to members of organized crime, would the member not agree that the person needs to be dealt with as a serious offender?

Mr. Ryan Cleary: Mr. Speaker, that is the problem we have with this omnibus crime bill and how the Conservatives are trying to sell it. The Conservatives are trying to sell it as being fair.

Would I have a problem with someone growing marijuana and selling it to school children or selling crystal to school children being dealt with as a serious offender? Of course not. I have no problem with that whatsoever. They should be in jail. That is just wrong. That is something that the New Democrats and Canadians in general are absolutely against.

The problem that we see here is the fact that someone who has grown some plants, who has made a mistake and done something against the law, could be put in jail with the key thrown away. Some people, who jail would do nothing for and who should not be in jail, would be put in jail. Our jails would be bulging at the seams. That is what we are against.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, the problem is that the Conservatives are trying to leave an impression that somehow there is no enforcement or no legislation.

The debate here is about mandatory minimums and whether they work. Is the member aware that in the United States, where we have seen the history of mandatory minimums, many of those laws are now being repealed because they have been such a massive failure?

Mr. Ryan Cleary: Mr. Speaker, I am aware. What the Conservatives are trying to do here with this omnibus crime bill has been tried in other jurisdictions, as the hon. member just pointed out, like in the United States, and it does not work. Therefore, why we are trying to do it here is beyond me. I do not have an answer.

• (1210)

Mr. Parm Gill (Brampton—Springdale, CPC): Mr. Speaker, I am pleased to speak in favour of Bill C-10, the safe streets and communities bill.

Canadians gave our Conservative government a strong mandate to keep our streets and communities safe. Part of that important mandate is protecting Canadians both at home and abroad from threats of terrorism, while giving those who do fall victim to a terrorist act the tools they need to have their voices heard.

Since coming to office in 2006, we have been clear: a Conservative government is a government that will put the protection of law-abiding Canadians first. We have taken strong action to fulfill our commitment to protect Canadians by taking a tough on crime approach and giving our law enforcement agencies the resources and tools they need to do their jobs. We have also

moved forward in many areas to crack down on crime and to ensure that our streets and communities are safe and secure.

When talking to my constituents, I hear a common theme. They tell me that they want a justice system that actually delivers justice and a corrections system that actually corrects. I believe the legislation in front of us today is an important step forward in that regard.

We will continue to reverse the shameful trend which began under the Trudeau regime where former solicitor general, Jean-Pierre Goyer, stated that the protection of society was a secondary objective to protecting the rights of criminals. Our Conservative government completely rejects that premise and will continue to work to return common sense to the correctional system.

Recently, all of us have witnessed the terrible consequences that terrorism can have for individuals and communities across the globe. In our time, terrorism has left casualties from New York to New Delhi. We know that Canada is not immune to the threat of radical-led terrorism. We need to recall the hundreds of Canadians who died in the atrocity of the Air India attack and all those who lost their lives on 9/11.

We should not forget that Canada has been named as a target by organizations such as Al-Qaeda. We have also seen the successful prosecution of homegrown terrorists who were arrested before they had a chance to carry out their sadistic plot.

It is starkly clear that Canada has a large role to play in the global fight against terrorism, a role that we have played and will continue to play in the battle against those who use senseless violence against civilians.

That is why I will focus my remarks on Bill C-10 today on justice for the victims of terrorism.

These amendments would strengthen Canada's ability to expose and cut off the material support for terrorism. They would ensure that those who do fall victim to terrorism are able to seek justice and that those who commit or support terrorist acts are held accountable for their actions.

Terrorist groups rarely act alone. The scale and sophistication of terrorist operations demand a vast amount of financial and organizational support. That support often comes from within states led by radical anti-western governments. Many observers have often described the relationship between terrorist groups and certain governments as one of a state operating within a state. Shockingly, on occasion, private individuals living right here in Canada can be sources of support for those who wish to attack our country.

The fact is that money is the lifeblood of terrorism. One of the most effective ways to stop terrorists is to strike at their largest vulnerability, which is their wallets. Bill C-10 aims to do that by holding terrorists and those who support them fully financially accountable.

Bill C-10 would create a cause of action to allow victims of terrorism to sue terrorists and supporters of terrorism for any loss or damages that occurred as a result of terrorist acts committed anywhere in the world on or after January 1, 1985. The target of these suits will include individuals, organizations and certain states that the government has listed for their support to terrorism.

• (1215)

In the case of states, Bill C-10 proposes the creation of a government list of states that there are reasonable grounds to believe support terror. Those states would no longer be immune from civil action. This would allow Canadian courts to hold these supporters of terrorism accountable for their conduct.

On the recommendation of the Minister of Foreign Affairs, in consultation with the Minister of Public Safety, a state would be added to a list of designated states if there are reasonable grounds to believe that the state supports or has supported a terrorist entity listed under the Criminal Code.

The Criminal Code currently lists 44 entities as terrorist organizations. These organizations are subject to rigorous and regular review. States that financially support these organizations cannot be considered a friend of Canada.

We will take all the appropriate precautions to minimize any potential negative impact on Canadian trade or foreign relations or threats to Canadian personnel, interests and citizens abroad when listing and delisting states.

Bill C-10 would also establish a review mechanism to ensure the timely removal of states from a list if they clean up their act and no longer support terrorism. The Minister of Foreign Affairs, in consultation with the Minister of Public Safety, would review the list every two years to determine whether listed states should remain on the list. Ministers would also review information on non-listed states every two years to determine whether any other state should be added to that list.

Additionally, a listed state could apply to be removed from the list by submitting a written application. Once this application is received, the Minister of Foreign Affairs would, after consulting with the Minister of Public Safety, decide whether there were reasonable grounds to recommend to the Governor in Council that the state no longer be listed.

As important as the ability to sue states that support terror is that individuals and corporations that support these actions would also be held liable. Financiers of terror would be held accountable.

Bill C-10 would do more than just create a cause of action for victims of terrorism. It would also allow victims who have successfully sued a terrorist entity or supporter to request assistance from the Minister of Foreign Affairs and the Minister of Finance in identifying and locating in Canada the property of that entity.

Several years ago, the world witnessed the effectiveness of those measures when the families of the Lockerbie bombing victims were given the right to sue the Gadhafi Libya regime for the role it played in supporting this horrific act of terrorism. The former government of Libya subsequently admitted its part in the attack, provided compensation to the families and renounced the use of terrorism.

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Creating this cause of action would hold terrorism and its supporters to account through the courts, giving victims the opportunity to seek justice. This is something victims have sought for some time and our Conservative government is proud to deliver.

I urge all members to give speedy passage to Bill C-10. I especially urge my colleagues in the NDP to support the bill and put the rights of victims and law-abiding Canadians ahead of the rights of terrorists and their supporters. We must stand united in sending a message to those who commit terrorist acts and to those whose support them that they will be held accountable for their actions.

• (1220)

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, I thank my colleague for mentioning a couple of words. He kept talking about terrorism and about protecting Canadians abroad. He also said something about a shameful trend. I will tell him about a shameful trend.

A Canadian by the name of Colin Rutherford has been held by the Taliban for several months now. It will be a year in November. I have asked the government time and time again for information. This individual is being held by terrorists and his family is suffering

I want the hon. gentleman to tell me if that is not a shameful trend when the government is shutting up and is saying absolutely nothing to the family that wants to get news and wants to know what it is doing. Not only that, the government is even refusing to give me information.

Mr. Parm Gill: Mr. Speaker, the mandate our government received in the last election is to protect the rights of Canadians, be it here in Canada or abroad. That is exactly what we are doing.

All of the measures that are in Bill C-10 have been before Parliament. They have been debated for the most part and now Canadians expect us to implement the measures and put them to work. That is exactly what the government will be doing.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I want to compliment my colleague on his speech. I thought it was incredibly relevant to the threats and risks that countries like Canada and many of our allies and partners around the world are facing today. He laid out in very concrete terms why this legislation is important, with specific reference to countering terrorism.

Could he tell the House what the consequences might be of not enacting measures of this kind, and what danger of further impunity for terrorist groups to operate in Canada or elsewhere that might represent for the people of Canada?

Mr. Parm Gill: Mr. Speaker, I would like to thank the hon. member for his hard work on behalf of his constituents.

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Obviously as Canadians we are all concerned about terrorist activities, be they within Canada or abroad. Canadians expect us to take action as their representatives. We are here to represent their best interests. If we choose not to take any action on this, God forbid, we do not want to see another tragedy like the Air India tragedy in 1984. We do not want to see another 9/11. By implementing this important piece of legislation, if we help prevent one more serious tragedy, it will be well worth it.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, the hon. member spoke about stopping terrorists by striking their wallets. It seems that the same government that says it wants to stop terrorists by striking their wallets may have been paying off terrorists like al-Qaeda in North Africa in order to secure the release of Canadians. It seems that the terrorists may have reinvested that dividend into more terrorism.

Where is the consistency of the government that claims it wants to stop terrorists by striking their wallets?

Mr. Parm Gill: Mr. Speaker, the Conservative government has made it very clear that it does not negotiate with any terrorist organization whatsoever. We have a very strong record when it comes to combatting criminal activities, be they crimes committed here or terrorist activities abroad. That is exactly why our very brave men and women are serving our great country around the world. They are protecting us and the democracy and freedom that we so much enjoy here in Canada.

• (1225)

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I rise today to speak to Bill C-10, erroneously entitled the "Safe Streets and Communities Act". Bill C-10 is comprised of nine stand-alone justice bills that died, for good reason I might add, during the previous parliamentary session. These nine bills, justly negated then, are back to haunt Canada in the form of an omnibus mega-bill, or what some have referred to as an ominous bill, seeking to destroy the fair and equitable justice system Canadians from coast to coast to coast have come to rely on for their justice and protection.

I am especially disheartened to see that, at a time when almost two million Canadians are looking for jobs in a struggling economy, the Conservatives' priority is backwards crime legislation.

The Liberal Party knows Canadians want a safe and fair justice system. The facts tell us that Bill C-10 will not deliver that. The Conservatives chose to ignore the facts and instead are intent on pushing through C-10. What we witnessed here today was a miscarriage of justice with the closure motion, which passed because the government has a majority. It is scary when things like that happen because members of the government are speaking from both sides of their mouths.

In fact, the Minister of Public Safety said in speaking to another closure motion, "If the bill was the right thing to do, why did the Prime Minister do the wrong thing by invoking closure"?

At one time, another member of the government, who is now the citizenship and immigration minister, said, "I begin by condemning this government for allowing itself to trample on democracy and democratic deliberation by invoking closure and time allocation on Bill C-36".

Another member of the government, now the Minister of National Defence, said, "Let me be clear. What is happening in this motion, in this use of closure, is an attempt to stifle the debate, to shut it down, to sideline it, to distract, to detract away from the opposition's job to be diligent in asking questions".

I mention those comments to point out the miscarriage of justice here today with this closure motion and how the government is speaking from both sides of its mouth.

Despite the overwhelming evidence and substantive trial and failure of the very same legislation in the United States as we are seeing today in Bill C-10, the Conservatives blindly steamroll ahead. If this type of legislation had any positive effect at all on the safety of citizens and the protection of victims, the United States would be the safest country in the world. Sadly, that is not the case. If C-10 type legislation truly worked, we would not see the Americans' experience with their failed system for over 25 years. For example, Newt Gingrich, who many consider to be the architect of the botched American prison system, declared that his tough-on-crime agenda failed and that the criminal justice system founded on the same blind policies included in C-10 is "broken".

The Americans spent \$68 million in 2010 on corrections, which is 300% more than was spent 25 years before, and their prison population is growing 13 times more rapidly than their population. Clearly, the American model of mandatory minimums did not work in the United States of America and predictably, it will not work in Canada.

We already know that. One need merely to consider the evidence to conclude that the failed justice policies of our American friends imported to Canada will only become failed justice policies of our own. Why is the government not prepared to learn from those mistakes instead of forging ahead prepared to make the same mistakes at enormous cost to the Canadian taxpayer?

Unfortunately for Canadians, the Conservatives have a penchant for ignoring evidence and logic. The fact is that crime in Canada is decreasing. According to Statistics Canada it is at its lowest level since 1973. Existing policies developed in consultation with the provinces by previous governments, many of them Liberal by the way, are working.

The lack of logic was on display only last year when former Conservative minister Stockwell Day reported that the Conservatives intended to build more prisons in order to address unreported crime. This is just one example of the Conservatives' appetite to blindly conclude that the solution to any problem is to build more prisons. That is the problem.

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●(1230)

I read with interest recently a letter to the editor written by Dr. Jim Lang of the Department of Theory and Policy Studies in Education, Ontario Institute for Studies in Education at the University of Toronto. According to Dr. Lang, the Minister of Justice tells us that his government will not let facts or statistics derail its ideological decision to spend our money to make us feel safer on our streets whether we think it is best for us or not. He said that the justice minister cites statistics, the election outcome for example, as justification for the same decision. What is interesting about the content of the letter is that Dr. Lang said that this does not make him feel safer at all, just confused and worried about what those guys will do next and on what pretext.

I agree wholeheartedly with his opinion given that while the government has a majority, it only has 39% of the popular vote, so 61% of voters did not vote for the Conservatives, yet they are going blindly ahead putting something in place that they think is the right thing to do without even considering the views of the majority of Canadians.

Another letter, written by William Trudell, the chair of the Canadian Council of Criminal Defence Lawyers, pleaded with parliamentarians to carefully review this legislation to ensure that it is in the best interests of all Canadians and does not fracture our criminal justice system. The writer said that it does not take a tough on crime agenda to allow judicial discretion to ensure that those genuinely in need find themselves in hospitals and not jails.

Unfortunately, the Conservative crime agenda fails to understand the connection between issues of addiction and mental health and the issue of crime. It is a crime that those very vulnerable in our society will be impacted negatively by Bill C-10.

The government refuses to come clean about the true costs of its crime agenda, which begs the question as to why. The Parliamentary Budget Officer, Kevin Page, said that the price tag for just a few of the measures of the crime agenda will cost over \$13 billion. That is the price tag for just a few, not the entire nine bills that are included in this omnibus bill.

As the global economy contracts, Canada has to ensure that we get value for tax dollars. We have heard the government say that, yet Conservatives spend untold billions on a failed crime agenda that takes a blind and unrealistic approach to public safety and does not create safer communities and is not a wise or effective use of Canadians' hard-earned money. Many of these costs will be downloaded on the provinces which can ill-afford such a burden.

I represent the people of Newfoundland and Labrador as the member of Parliament for Random—Burin—St. George's. Our province does not need to be saddled with more inmates and stripped of any judicial discretion. The Liberal Party will not put Canadians at risk by helping to implement this dangerous bill. In order to safeguard the rights and safety of all Canadians, we must oppose Bill C-10.

While the government stands on a soapbox to promote the bill and claims that the bill will help victims, sadly, legislation such as Bill C-10 will only ensure a continued cycle of victimization. The evidence indicates that preventive policy and education, not tougher

sentences and bloated prisons, are the path to safer streets and communities. After all, the government can talk all it wants about the rights of victims, but the truth is the right of every Canadian is to not be victimized at all.

The Liberal Party is committed to ensuring a justice approach that is evidence based, cost-effective and focused on crime prevention.

The Canadian Bar Association has said that the mandatory minimum sentences and overreliance on incarceration, constraints on judges' discretion to ensure a fair result in each case and the bill's impact on specific already disadvantaged groups are problems with the bill.

●(1235)

Why is it we do not listen to those who deal with the people who need the services on a daily basis to ensure that they are not victimized? Why is it we are refusing to listen to them? Why is it we are not hearing what is being said?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I had to rejoin the debate after hearing the speech from my hon. colleague opposite.

If the Liberal Party opposes mandatory minimums, then why did it bring in mandatory minimums in response to 9/11 in its Anti-terrorism Act?

The Liberals are not opposed to mandatory minimums. They are just opposed when Conservatives bring in mandatory minimums. The Liberals are all in favour of them and brought in mandatory minimums themselves. Why? Because the public believes in governments that respond to and get tough on crime.

The hon. member presents our crime agenda as though it is a this-or-that approach. We have and support successful programs that help those who are most in need and those who can be subject to restorative justice. We have those programs in my riding. I am proud to support them because they work.

However, with regard to career criminals they do not work. Therefore, we need a justice system that is about justice, not just about serving lawyers.

My hon. colleague also said the government is ignoring evidence. It is quite the opposite. As a matter of fact, it is Liberal attorneys general in Ontario, P.E.I. and British Columbia who are supporting our legislation because they recognize that this works. The member said the Liberal Party is against it. That is absolutely not true.

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Finally, she said that we are acting blindly. It is quite the opposite. We know exactly what we are doing. We are responding to the mandate Canadians gave us. This is what Canadians elected us to do and we will get it done. It is because we are doing this that we were entrusted with a majority government and the Liberals have only 34 seats.

Ms. Judy Foote: Mr. Speaker, I do not think there was a question in that dissertation. I acknowledge that the hon. minister has the right to say whatever he feels he must say. However, the situation is one where as a country we cannot afford to spend untold billions on a crime agenda nor should we victimize the most vulnerable in our society.

Today there are people in prisons who have mental issues, who are aboriginal, et cetera. As well, there are young people in prisons who have made mistakes. They want help and need help to deal with their mistakes. They should not be incarcerated in prisons with hardened criminals. At the end of the day, when they get out they might be worse off than they were when they went in.

That is not the proper thing to do, but that is what the government is focusing on. It is taking advantage of the most vulnerable with what it is proposing in Bill C-10.

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, the hon. member for Random—Burin—St. George's raised some good points in her statement.

She spoke about the numbers that have been thrown about, including the figure of \$13 billion for the implementation of several of the acts in the bill.

What does she think the impact will be on the Newfoundland and Labrador prison system which is already inadequate and bulging at the seams?

Ms. Judy Foote: Mr. Speaker, my hon. colleague and I both know of the situation in the prison in St. John's, which also houses federal prisoners. At this point, it cannot possibly house any more. There are two or three inmates sharing a cell. That is unhealthy under any circumstances.

We need to do more in the way of prevention to ensure we do not have to build megaprisons to house criminals. The way to do that is by focusing on prevention by putting the billions of dollars in funding that would be wasted on this crime agenda toward working with people in terms of prevention programs.

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, the Conservative speakers on the bill have negatively characterized with disdain the fact that rehabilitation was introduced into one of the principles of sentencing about 40 years ago.

I would ask the hon. member to correlate that rehabilitation principle with the facts. Where have crime rates gone over the last 40 years?

• (1240)

Ms. Judy Foote: Mr. Speaker, since the previous governments, mainly Liberal, introduced the whole idea of dealing more effectively with crime, statistics have pointed to the fact that crime is decreasing.

Clearly, we have made the right decision to go down that path. The government is trying to fix something that is not broken.

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, I am pleased to participate in the second reading debate on Bill C-10, the Safe Streets and Communities Act. It is a bill that is very important to residents in my riding of Bruce—Grey—Owen Sound and certainly across Canada.

The June 2011 Speech from the Throne recognized the government's fundamental duty to protect the personal safety of all Canadians. Toward this end we have committed to reintroduce law and order legislation to combat crime, including protecting children from sex offenders, eliminating house arrest and pardons for serious crimes, and protecting the most vulnerable in society, our children.

Bill C-10 supports this commitment. It is a comprehensive package of law reforms that had been proposed in nine bills before the previous Parliament, but which died with the dissolution of that Parliament for the general election.

Part 1, clauses 2 to 9, of Bill C-10 includes reforms to support victims of terrorism. These were proposed in former Bill S-7, the Justice for Victims of Terrorism Act.

Part 2, clauses 10 to 51, proposes sentencing reforms to address child sexual exploitation, serious drug offences, and to eliminate the use of conditional sentences for serious, violent and property crimes. It incorporates reforms that were proposed in former Bills C-54, the Protecting Children from Sexual Predators Act, S-10, the Penalties for Organized Drug Crime Act and C-16, the Ending House Arrest for Property and Other Serious Crimes by Serious and Violent Offenders Act.

Part 3, clauses 52 to 166, includes post-sentencing reforms to increase offender accountability, eliminate pardons for serious crimes, and revise the criteria for determining international transfers of Canadian offenders. These reforms were proposed in former Bills C-39, the Ending Early Release for Criminals and Increasing Offender Accountability Act, C-23, the Eliminating Pardons for Serious Crimes Act, C-59, the Abolition of Early Parole Act and C-5, the Keeping Canadians Safe (International Transfer of Offenders) Act.

Part 4, clauses 167 to 204, proposes reforms to the Youth Criminal Justice Act to better protect Canadians from violent young offenders. These had been proposed in former Bill C-4, Sébastien's Law (Protecting the Public from Violent Young Offenders).

Part 5 of Bill C-10 proposes amendments to the Immigration and Refugee Protection Act to protect foreign workers against abuse and exploitation, including sexual exploitation and human trafficking. These amendments had been proposed in former Bill C-56, the Preventing the Trafficking, Abuse and Exploitation of Vulnerable Immigrants Act.

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Many of these proposed reforms were debated and studied in the previous Parliament. I welcome their reintroduction in this new Parliament.

I will focus my remaining time on Bill C-10's proposal to better protect children against sexual exploitation.

As with its predecessor Bill C-54, the objectives of Bill C-10's child sexual exploitation reforms are twofold. First, they seek to ensure that for sentencing purposes all child sexual offences are treated severely and consistently. Second, they seek to protect children by preventing the commission of these offences. Bill C-10 does this by imposing stiffer and stronger penalties.

Bill C-10 proposes numerous amendments to enhance the penalties or sentences of imprisonment that are currently imposed for sexual offences involving child victims. It imposes new or higher mandatory minimum sentences of imprisonment as well as higher maximum penalties for certain offences.

Currently, the Criminal Code has an inconsistent approach regarding penalties for sexual offences involving a child victim. For instance, there are 12 child-specific sexual offences that impose a mandatory minimum sentence of imprisonment, yet there are other child-specific offences that do not impose a minimum penalty.

Similarly, the general sexual offences that apply to both adult and child victims alike do not impose any mandatory minimum penalty where the victim is a child.

As the grandfather of two granddaughters, one six years old and the other three years old, this means a lot to me. The bill serves to strengthen the laws that protect our children and the vulnerable. There should be no question about supporting this bill.

● (1245)

Mandatory minimum penalties are exception in the Criminal Code of Canada. Generally, they have been imposed because Parliament has determined that the nature of a particular offence is sufficiently serious to include a sentence of imprisonment. That sentence was devised to best reflect the facts and circumstances of the case and does not get lost between the mandatory minimum period of time to the prescribed maximum penalty. Where mandatory minimum sentences are imposed, a conditional sentence of imprisonment is never appropriate for the offence.

Given this understanding of mandatory minimum sentences of imprisonment, the effect of imposing these in only some but not all sexual offences where the victim is a child suggests that some child sexual offences are more serious than others. It is ludicrous to suggest that some child victims have been less victimized than others. I cannot understand that thought process.

In my view, this contradicts a fundamental value of Canadian society, namely that all children are among our most vulnerable and that all are deserving of equal protection against all forms of child sexual abuse and exploitation. Therefore, I welcome the proposals of Bill C-10 to impose mandatory minimum sentences for seven sexual offences wherein the victim is a child and where currently mandatory minimum sentences are not imposed.

Bill C-10 also proposes to impose higher mandatory minimum sentences for nine offences that already carry a minimum sentence. These increases would ensure that the minimum sentence is not only in line with the offence in question but also is coherent with the minimum sentences imposed for other offences.

As well, Bill C-10 proposes to create two new offences to prevent the commission of a contact sexual offence against a child. Both of these offences would also impose mandatory minimum sentences.

I would also note that Bill C-10 proposes a few sentencing reforms that were not included in Bill C-54. These changes are entirely consistent with the overall sentencing objectives of former Bill C-54 and seek to better reflect the particularly heinous nature of these offences.

Finally, these changes would increase the maximum penalty and corresponding mandatory minimum sentences for four child sex offences. When proceeded on summary conviction, subsections 163.1(2), making child pornography, and 163.1(3), distribution, et cetera, of child pornography, propose to increase the maximum penalty from 18 months to 2 years less a day as well as increase the current minimum sentence from 90 days to 6 months.

In section 170, parent or guardian procuring sexual activity, the bill proposes to increase the minimum penalty from 6 months to 1 year and the maximum penalty from 5 years to 10 years where the victim is under the age of 16 years, and the minimum from 45 days to 6 months and the maximum from 2 years to 5 years respectively where the victim is 16 to 17 years old.

I hope that all hon. members will work with us to support the expeditious enactment of these much needed reforms.

In closing, as members of Parliament we all have a number of issues that come before us. In my seven years in this great place the one thing that I consistently hear from my constituents, especially those with children, young children and grandchildren, is the lack of rights for victims in this country. We worry more about the rights of criminals than victims, which is a sad case. The pendulum has swung too far one way. I am proud to be part of a government that would straighten that out.

I look forward to all hon. members in the House supporting Bill C-10.

● (1250)

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, I am glad my friend from Bruce—Grey—Owen Sound mentioned his two young granddaughters.

I am the father of two daughters. One is 11 years old and the other is 7 years old. I am particularly concerned about the possibility of a sexual assault occurring because of those people on the street who take advantage of our children. Would the member highlight the areas of the bill that he believes would send them a message?

Sending a message to those people who would prey on innocent children is key. It would be a deterrent for them to know there are stiff penalties in place which their snazzy defence attorneys are unable to bargain or whittle down in a courtroom because the law is tough on that.

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Does the member agree? Could he speak more on that particular part of the bill?

Mr. Larry Miller: Mr. Speaker, it is a privilege to welcome my colleague officially into the House. I enjoy working with him.

I am glad to hear his comments about his young family. While my family has grown up, I did mention my two granddaughters. It is very obvious that the member gets it when it comes to protecting the rights of young and innocent children and that is what a lot of the bill would do.

He talks about the message that the bill sends, that if people want to mess with our young children, the vulnerable, the next generation, and in my case it is not just the next generation but it is my pride and joy, there will be a price to pay. For too long the sentences were almost laughable.

Another message that it sends very strongly to victims is that while we cannot right what was done to them, we certainly can make offenders do the time for the crime.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the comments my hon. colleague makes are interesting. However, flipping through the Quorum before us today, 97% of the articles in it question the viability of Bill C-10, condemning it, talking about how we will only add more victims of crime and increase costs. Money that should go into crime prevention will go to putting more people in jail.

The member should read Quorum. There is no support for Bill C-10 as far as the general public is concerned, yet the member continues to say he is representing more so than the rest of us in the House.

Mr. Larry Miller: Mr. Speaker, I have worked with my colleague in the House and while we sit on opposite sides, I have a lot of respect for her.

I have not read Quorum yet, but I think the point she was trying to make to me was that it was unbelievable that there were still people out there who had written to our national papers, basically sticking up for criminals instead of victims. Like her, I find it very shocking.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, along the same vein, has my colleague seen an article by Newt Gingrich in *The Washington Post*. He cites that the Americans 30 years of tough on crime legislation has been a catastrophic failure. He cites recent empirical evidence for the state of Texas where in 2007 it decided that building more prisons rather than opting for prevention was a mistake and it has changed that now, saving \$2 billion. That money has been put into drug courts, which deal with substance abuse as a medical instead of a criminal problem, and into several crime prevention measures instead of punitive measures to make its streets safer. Because of that, its crime rates have dropped by 10% in that short period of time. Is he aware of that?

• (1255)

Mr. Larry Miller: Mr. Speaker, I have not seen that article. However, my priority here, and I think it is that of all of us in this great House, should be on doing what is right for Canada. The member talks about things we can do to deter criminals instead of locking them up.

I want to make mention of a first-ever program that the Minister of Justice put in my riding of Bruce—Grey—Owen Sound about three

years ago. Equine and partner training is for young people who got involved in drugs, not because they were bad kids but because they got mixed up with the wrong people. It is a great program and I mention it as one example of the kinds of things we will continue to do.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, there is possibly one thing we agree on, and that is the Conservatives have branded and wrapped themselves in a cloak of crime and punishment. As a result, they are blind to the evidence, the costs and the fact that we have the lowest crime rate since 1973.

The Conservatives are blind to building safe and healthy communities. They are blind to the horrendous experience of the U. S. in its war on drugs regime, which now is slowly repealed, including the repeal of mandatory minimum sentencing, as my colleague from Winnipeg Centre just pointed out, because of its catastrophic failure on people and society overall. The Conservatives are blind to the evidence in Canada and to the real impact these bills would have on the lives of people and communities overall.

Added to that, the Conservative members are blind to parliamentary democracy. With this bill and the steady stream of other bills that we have seen, they are only interested in manipulating people, creating fear and division and creating a them and us scenario. I believe, from the bottom of my heart, the omnibus bill before us today is offensive. It is politically motivated and would have enormous negative impacts.

I was involved in some of these bills previously, particularly the drug crime bill, which I will go into.

Listening to the debate, I find it astounding to hear how the Conservatives are completely divorced from the reality of what is going on. They cannot recognize that we have the lowest crime rate since 1973. They cannot comprehend or deal with the fact that federal and provincial prisons are skyrocketing and prisoners are double and even triple bunking, resulting, in part, from bills like the Truth in Sentencing Act, which was passed in the last Parliament.

I wish the Conservatives had the courage to bring forward a truth in prison costs bill because maybe then we would have a better handle on what is really going on here.

The fact is these nine bills have no relevancy together. They have been politically put together in one bill to ram them through the House in 100 days.

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That defies the reality of the 2010-11 annual report that just came out from the Public Prosecution Service of Canada. It shows us that almost three-quarters, or 72%, of all cases handled by federal prosecutors last year involved drug cases, about 58,000 cases. Of those cases, only about 2% were complex, meaning that the vast majority of them were actually straightforward in terms of the impact of some of these bills and the kind of law enforcement approach that the Conservative government has taken.

The Conservatives also hid the real costs of this bill and all the bills in the package from Canadians during the election. We know that the real costs will be billions of dollars both in terms of the provincial cost in prisons and the federal costs.

I have heard so many times that the Conservatives are trying to bring in the bill on mandatory minimum sentencing for drug crimes as a bill that will be tough on organized crime and big traffickers. We heard the Minister of Justice say that again today, as he has so many times.

The reality is that mandatory minimums do not deter organized crime. Instead, they almost exclusively affect small dealers, street level traffickers and non-violent offenders, while leaving the door wide open for organized crime to step in and fill the void created by the sweeps at the lower end. Even the Canadian Justice Department, in its report of 2002, concluded that mandatory minimum sentences were the least effective in relation to drug offences.

The Minister of Justice has never been able to offer a shred of evidence that mandatory minimums are a deterrence, that they work. He was grilled on this in committee the last time the bill went through the House. This is now the third time we have had the bill before us. The minister could not offer any evidence that mandatory minimums were effective or that they would deal with our complex drug issues. All the evidence is to the contrary. The evidence indicates that the bill would have many harmful effects, including increasing the prison population and changing Canada's drug strategy from a four pillar approach that includes enforcement, prevention, treatment and harm reduction.

● (1300)

We know the Conservatives changed that strategy in 2007. Again, they are totally focused on the proposition that somehow a new bill, a new offence, a stiffer penalty, a mandatory minimum would deal with some of these complex issues.

I have a letter that has three pages of organizations and individual experts who have all studied this legislation, particularly, as it applies to mandatory minimums. They all have come to the same conclusion. There is no evidence that the legislation is warranted and would actually assist our society overall.

I would point out, again, more evidence. The auditor general, when she audited drug enforcement a few years ago when we had a special committee on the non-medical use of drugs, produced a very significant report that called for an increased emphasis on prevention, treatment and rehabilitation. What became clear was something like 73% of federal funds were being spent on enforcement, 14% on treatment, 7% on research, 2.6% on prevention and 2.6% on harm reduction.

Even the auditor general, from a very neutral, independent standpoint, came to the conclusion that the so-called drug strategy was not working, that it was not effective and that it could not be shown to be transparent or actually assisting in terms of drug issues in local communities.

The drug bill, in particular, which the Conservatives tried to get through the Senate and through the House, is taking Canada in a completely wrong direction. It is a direction that is very expensive, it will have no effect on drug use itself and it will only increase the prison population, creating a new set of overpopulation that with it will come health and safety concerns and problems that then will manifest themselves within the prison system. Anybody who does not understand that, as I said at the beginning, is simply fooling themselves and is blind to the reality and the evidence that is now before us.

The Conservative government changed the drug strategy in 2007. As result, we have now been down this path similar to the U.S. experience. The Americans have begun to understand that even the most right-wing conservatives, as quoted by my colleague, in the U.S. recognize the massive failure of the course of incarcerating people, of relying on an enforcement approach and mandatory minimums. Surely, Canada has lessons to learn from this.

I want to say this loud and clear, and I am very glad that all my colleagues are speaking out on the bill. We feel the bill is offensive in the way it puts together nine significant bills that should be dealt with individually. In particular, there is no evidence that the drug bill will work. On the contrary, all the evidence indicates that it will be harmful and costly. It is the wrong direction for our country to take.

● (1305)

Mr. Rod Bruinooge (Winnipeg South, CPC): Mr. Speaker, this is my first opportunity to rise in this debate. I listened to the member for Vancouver East's presentation on this and some of her ideas. She spoke about drug crime and some of her concerns she had with the legislation.

We also have drug crime in Winnipeg. We have abuse of certain narcotics such as heroin, for instance.

Other than the fact that she does not think the legislation within this place is the right approach, would she recommend to the citizens of Winnipeg that we perhaps create an InSite facility in downtown Winnipeg and could she comment on that?

Ms. Libby Davies: Mr. Speaker, I can only say that, to me, it is up to the people of Winnipeg to determine what they see as the solutions to the very difficult questions they are facing in their community. In Vancouver East, when we were dealing with very difficult drug overdoses, it was the local community, including the police, the board of trade, businesses, and health professionals, that determined that a safe facility for people to go to was actually part of the solution.

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No one has ever suggested that such a solution be imposed anywhere else. It is up to the residents of his community to determine what those solutions are. Things that are grown locally and that come from the local experiences are the things that work best.

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, I want to congratulate the hon. member for an excellent presentation and I wanted to ask her a particular question.

There are nine different areas dealt with in this legislation, but nowhere does the legislation have anything to say about people with mental illnesses in prisons. We know that up to 20% of youth in prisons today have a mental illness, up to 29% of women in prisons today have a mental illness and 50% of Canadian offenders report substance abuse as a cause for their offence. Existing information tells us that most people who go to prison, especially those with mental illness, show extreme depression and hopelessness before they go into prison.

Does the member have a comment on the fact that we are actually warehousing the mentally ill in prisons today? This trend is going to increase with this kind of legislation, yet there is nothing to be done to deal with this medical problem and to find an appropriate way of dealing with it in prisons.

Ms. Libby Davies: Mr. Speaker, I would like to thank the member for Vancouver Centre for her observations, which I believe are entirely correct.

I think there is an attitude from the government that if it makes people invisible by stuffing them into overcrowded facilities, somehow invisibility means that it has dealt with the problem. Of course, nothing could be further from the truth. Many alarming reports show us that the situation and conditions in terms of safety, health, and lack of rehabilitation in a prison system have a cumulative effect, so when these bills are passed and we just blindly increase the prison population without knowing the impacts, we are actually creating a worse problem than we had in the beginning.

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, I would like to ask the member a question based on a real experience this past weekend, when I participated in a walk of citizens in my riding against drunk driving.

In one case I met with two families who had tragically lost their two sons just over a year ago when a drunk driver ran into them. It was a youth offender, and these people were advocating for stiffer penalties for such a crime, a crime that had caused the deaths of their 16- and 17-year-old children.

Second, I met with the mother of a son who had been brutally beaten to the point of now being severely mentally disabled. This lady came up to me and thanked me for this crime bill. Her son now has lifetime disabilities and will never work and never function, and she said it was time for the people who perpetrated this on him not to get off scot-free for doing that.

What is the member's reaction to those kinds of victims in this country?

• (1310)

Ms. Libby Davies: Mr. Speaker, I think we all have great sympathy for people who have gone through that experience, but one

of the problems that comes from the Conservatives with this debate is the implication that somehow there are not any laws in existence, that somehow we are creating laws and that without this there is mayhem.

The fact is that we already have a very tough Criminal Code. We have a judicial system that allows discretion for judges to take into account individual situations. One of the problems with these bills is that they remove that discretion, so in actual fact we are making the system less responsive and less effective.

Mr. Stephen Woodworth (Kitchener Centre, CPC): Mr. Speaker, I am very pleased to be in the House today to talk about the important changes to the Youth Criminal Justice Act that are included in the Safe Streets and Communities Act.

Since coming to power in 2006, our government has been working hard to ensure that Canadians can feel safe and secure in their communities. A key part of this ongoing work has focused on improvements to our youth criminal justice system. In particular, the government is taking action to strengthen the ways in which the system deals with serious, repeat and violent young offenders. My remarks today will focus on some of the key proposals that address those concerns.

First, the proposed amendments ensure that protection of society remains a key goal of the youth criminal justice system.

While the principles of the youth criminal justice system currently identify the long-term protection of the public as an objective of the act, the bill before us would make it clear that the youth criminal justice system is intended to protect the public by holding young offenders accountable, by promoting their rehabilitation and reintegration into society, and by preventing crime by addressing the circumstances underlying their offending behaviour.

A youth justice system that fails to protect society fails Canadians. Canadians have the right to be protected from crime, including youth crime, and the Government of Canada is committed to achieving that goal.

During our committee hearings on the former Bill C-4, some witnesses expressed the view that this change to the principles of the Youth Criminal Justice Act would move us toward a more punitive youth justice system and away from a system that emphasizes rehabilitation and reintegration.

In fact, if members look at the full statement of principles in the amendment, it is clear that this is simply not the case. Indeed, the proposed amendment specifically states that rehabilitation, reintegration and crime prevention are key to the protection of society.

Furthermore, the bill also proposes amending the principles of the Youth Criminal Justice Act by adding a fundamental principle of justice already articulated by the Supreme Court of Canada, namely that the youth criminal justice system must be based on the principle of diminished moral blameworthiness or diminished culpability.

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Therefore, the proposed changes to the principles reflect a balanced approach that, together with the preservation of the existing principles, will guide those working within the youth criminal justice system to respond to youth in a more effective manner.

The proposed amendments also make important changes to the principles of sentencing in the Youth Criminal Justice Act. The amendments add specific deterrence and denunciation as principles to guide a judge in sentencing young offenders. Right now, deterrence and denunciation are not even included as objectives in youth sentencing decisions, even though many Canadians believe that young offenders' sentences should be designed to deter further offending and to send a message to that particular young offender before the court that criminal behaviour is simply not acceptable.

However, the proposed amendment would also make it very clear that a sentence must still be proportionate to the seriousness of the offence and to the degree of responsibility of the young person for that offence. That means, for example, that judges will not be able to give a young offender an extra-long sentence just to send a message to other youth that the unlawful behaviour was wrong.

Once again, in my view these changes, taken together with the existing principles of sentencing in the Youth Criminal Justice Act, represent a balanced approach that will allow courts to respond to youth crime in an appropriate and effective way.

The package of reforms also includes several significant changes to the definition sections of the Youth Criminal Justice Act. The amended act would define "serious offence" as any indictable offence that carries a maximum penalty in the Criminal Code or in another act of Parliament of five years or more.

This definition includes both property offences, such as auto theft and theft over \$5,000, and violent offences, such as common assault, sexual assault and robbery.

• (1315)

Right now there is no definition of "serious offence" in the Youth Criminal Justice Act. This new definition will have important implications for pretrial detention, and I will touch on them in a few moments.

The amendments also expand the meaning of "violent offence" under the Youth Criminal Justice Act.

The current scope of "violent offence" under the act was interpreted by the Supreme Court of Canada as including offences in which a young offender causes or attempts to cause or threatens to cause bodily harm, but not to include other offences that endanger someone's life or safety. An example is dangerous driving.

The proposed definition includes offences in which a young person actually endangers the life or safety of another person by creating the substantial likelihood of causing bodily harm. This new definition would have application in a number of areas, including the imposition of custodial sentences and the lifting of publication bans.

The proposed amendments to the Youth Criminal Justice Act modify the restrictions on the use of custody as a youth sentencing measure. Apart from exceptional cases, currently a court cannot

impose a custodial sentence on a young offender unless that young offender has committed a violent offence, failed to comply with previous non-custodial sentences, or committed an indictable offence for which an adult would be liable to imprisonment for a term of more than two years, and also has a history that demonstrates a pattern of findings of guilt.

The proposed amendment pertains to the third circumstance, namely to cases in which a young offender has committed a non-violent indictable offence for which an adult is liable to more than two years in prison. The amendment would simply allow and give discretion to a judge to impose a custodial sentence in such a case if the youth's history demonstrated a pattern of findings of guilt or of extrajudicial sanctions or both.

This means that custody could be an option for a young offender who has been found guilty of a non-violent offence and who has in the past engaged in criminal behaviour for which the youth has admitted responsibility, but which was dealt with through extrajudicial sanctions. This simply allows the court to take the youth's full history into account to help determine the appropriate sentence.

The bill also creates a requirement that records be kept when extrajudicial measures are used by law enforcement, which will make it easier to find patterns of repeated reoffending that the police and others may take into account in deciding on appropriate interventions, such as whether to use another extrajudicial measure or proceed through the courts.

Changes to the publication provisions in the Youth Criminal Justice Act are also contained in this package of reforms. Currently the identity of a young offender is protected, and identifying information can be published only in limited circumstances; for example, the publication ban is automatically lifted if a youth receives an adult sentence. The publication ban could also be lifted by the judge in cases in which a youth has received a youth sentence for an offence that falls within a very narrow category of the most serious violent offences.

The new law requires judges simply to consider lifting publication bans whenever a youth sentence is imposed on a youth found guilty of a violent offence. The publication ban could be lifted, but only if the judge finds that the young person poses a significant risk of committing another violent offence and only if the lifting of the ban is necessary to protect the public. It will always be up to the prosecution to convince the judge that lifting the ban is necessary.

As the title of the bill indicates, the amendments to the Youth Criminal Justice Act contained in the safe streets and communities act would make violent and repeat young offenders more accountable for their actions and better protect Canadians. This is what Canadians expect of their youth justice system, and it is an important priority for our government.

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I ask all members of the House to join together with me and the government to focus on the concerns common to all Canadians.

• (1320)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, what worries me most about my colleague's speech is that he fails to take note of or at least recognize or acknowledge that we have 30 years of empirical evidence to draw from as testimony to the predictable consequences and outcomes of the course of action that the government is taking.

I am making reference to the tough on crime initiative of the United States, which American legislators are now saying has been a catastrophic failure and not only a catastrophic failure but it is bankrupting the 50 states. They have been building prisons and stacking up prisoners like cordwood for the last 30 years, to the point where they had to privatize the prison system, bringing in Halliburton to provide jails and to feed the prisoners, and bankrupting states. The streets are no safer.

Is my colleague aware of the recent trend in the United States that has stopped building more prisons, stopped mandatory minimum sentences, and is putting the money that is saved into crime prevention, especially in the context of drug rehabilitation and in dealing with the mentally ill rather than locking them up, giving them treatment? Prevention rather than punishment is the trend.

Mr. Stephen Woodworth: Mr. Speaker, I thank my friend for his comments. I hope he was listening closely to my remarks.

The member will see in them an acknowledgement by me that in fact rehabilitation, reintegration and prevention are important measures. I know, because I have spoken to our justice minister, that those are also important measures to our government. In fact, our justice minister often remarks to me that we are the only party that actually has a balanced program which does take those things into account.

With regard to the American experience, I really hope that my friend has an opportunity to study our legislation because he will see it is entirely dissimilar to what the Americans have been doing for the last 30 years. Our legislation is targeted, focused only on the worst cases, the worst offences, and with nowhere near the kinds of consequences, in terms of three strikes and you are out, and lengthy imprisonments that the Americans have experienced.

He will see that what we are doing is really quite dissimilar from what the Americans have done.

[*Translation*]

Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP): Mr. Speaker, the government claims to want to provide good public administration, but despite all the bad experiences in the world, it insists on maintaining a partisan vision of its public administration. The government does not seem to realize that sending more people to prison in a questionable manner, while cutting preventive and alternative methods, inevitably comes with significant prison costs.

Can the hon. member for Kitchener Centre tell us whether he is in favour of increasing prison costs for the provinces?

[*English*]

Mr. Stephen Woodworth: Mr. Speaker, first of all, I want to take issue with a comment made by my friend, although I will say:

[*Translation*]

I want to thank him very much for his question.

[*English*]

What he said, as I heard it, was that this legislation proposes to put young offenders or people in custody on doubtful grounds. I can only hope, once again, that the member opposite who posed that question actually takes a minute to look at the legislation. He will see that there is no such thing in this legislation. There is so no such thing as putting people in prison on doubtful grounds. In fact, in many cases all we are simply doing is giving judges the discretion to exercise that option.

I am happy to say that in total, since 2006, our government has succeeded in passing 19 criminal justice reform bills. They have all been solid and, in my opinion, essential in tweaking and improving our criminal justice system.

• (1325)

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, I rise today to speak to the omnibus crime bill, Bill C-10, Safe Streets and Communities Act. I support the sections of the bill that aim to protect children from dangerous sexual predators.

In fact, I have introduced legislation myself, Bill C-213, that makes it an offence for an adult to communicate with a minor by any electronic means. This bill would close a loophole in the Criminal Code that allows sexual predators to communicate with children by any electronic devices such as cellular phones or even the social media. This legislation would give more tools to the courts to address the issues of child luring and abuse.

These changes to the Criminal Code are long overdue. This legislation was first introduced in 2008 by my predecessor Dawn Black. I brought forward this legislation when I was first elected and I recently reintroduced it in this session. The government has not addressed this loophole in the Criminal Code for years now. The Conservatives want to use it as window dressing for building mega prisons.

The world has changed in three and a half years, with cellphone and Internet use exploding. During these years, the government has left children unprotected. The government should have taken swift action and moved on this bill but has instead included it in a highly controversial omnibus bill which has many problems associated with it.

The people of New Westminster, Coquitlam and Port Moody want effective public safety policies from the government. Coquitlam has one of the lowest police-to-population ratios in British Columbia. The police are constantly being asked to do more with less and this crime omnibus bill will only exacerbate the problem.

If the government were serious about protecting neighbourhoods, then it would ensure that communities like Coquitlam have adequate funding for the RCMP. The federal government has yet to deliver on its 2006 commitment to fund 2,500 new RCMP officers and to sit down with municipalities to review their community policing needs.

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I believe we need to focus on crime prevention. My riding has experienced gang violence, a prevalent issue in the lower mainland. We need to increase funding for youth gang prevention programs as well as the number of police officers on the street. We need to prevent kids from getting involved with gangs to begin with.

In my riding we have a very successful youth restorative justice program. One organization, Communities Embracing Restorative Action, has been working in my riding since 1999. It aims to provide a just and meaningful response to crime, rehabilitate people who commit crime and to engage the community. The organization also offers preventive programs, running an empowering youth program in local schools. The program is aimed at crime prevention to give young people tools and information before crime emerges, and to build strong and inclusive relationships at an early age. The program has grown to be successful and is an excellent alternative for working with our youth.

We also need to increase support to those suffering from drug addiction and mental health problems. This legislation would increase the overrepresentation of offenders with mental health and addiction problems in our prison system. Our prison system is already strained for resources and resource programs. Currently, only one in five inmates has access to programs for anger management and substance abuse. How will the prison system cope with an influx of inmates needing this treatment?

This is one of the key problems with this crime omnibus bill. It downloads an extra cost and burden on provincial and territorial governments. To date, there has been no analysis nor consultation related to the increased costs for enforcement and prosecution which will be downloaded onto the provinces and territories.

Paula Mallea from the Canadian Centre for Policy Alternatives states:

The cost of the [government's] crime agenda will be colossal, and a large part of it (some say most) will be borne by the provinces, who are responsible for implementing whatever the feds pass. So provinces and territories (many of them in elections as we speak) will be expected to pay for additional courts, clerks, prisons, Crown Attorneys, judges, sheriffs, court reporters and so on.

• (1330)

In British Columbia, our court system is already strained. Our prisons are already overcrowded. According to the B.C. government employees' union that represents prison guards in British Columbia, says jails in the province are at 150% to 200% in overcrowded conditions. Also, understaffing and overcrowding is responsible for an increase in attacks on prison guards. The province of British Columbia closed nine prisons in 2003 and made cutbacks to the corrections system.

How are the provinces and territories to deal with an influx of prisoners who are sent to jail on mandatory minimums?

Growing even six marijuana plants would trigger an automatic six month sentence with an extra three months if it is done in a rental unit, or is deemed a public safety hazard. According to Neil Boyd, a criminologist at the Simon Fraser University, this legislation could increase the proportion of marijuana criminals in B.C. jails from less than 5% to around 30%.

Has the government taken this into account? Is this the best use of our resources? Has this been fully costed? Unfortunately, I think the answer is no.

One of the key concerns with this bill is the cost. When the Conservative government came to power in 2006, the federal corrections system cost nearly \$1.6 billion a year. By 2013-14, according to the department's own projections, the cost of our federal penitentiary system will have increased to \$3.147 billion. In 2010-11, more than \$517 million will be spent on prison construction. According to the Parliamentary Budget Officer, the total annual cost per prison cell is about \$260,000, while a new high security cell amounts to about \$600,000.

Aside from the cost associated with actually building prisons, the cost to incarcerate inmates is high. The average cost for a female inmate is about \$343,000 per year. For a male inmate in maximum security the cost is \$223,000 while medium security is \$141,000 year. Even while out on parole the average cost per inmate is \$39,084 per year.

The crime rate continues to decline. The crime severity index, which measures the seriousness of crime, also dropped to its lowest point since the measure became available in 1998. So why is the government putting forward such costly legislation when crime rates continue to drop? Why is the government pursuing tough on crime policies that have failed so miserably in other jurisdictions such as the United States?

The United States has the highest incarceration rate in the world. Much of this is the result of mandatory minimums and the so-called war on drugs. It has not made the United States a safer place. In fact, most evidence indicates that it has not deterred crime and could even lead to less safe conditions in prisons and in communities.

Just as the costs are expected to be a large burden on our provinces and territories, the costs have proven to be crippling for the states. For example, Texas has recently moved away from using mandatory minimums because the costs to the state were too high.

The bill is not based on evidence. The government has failed to produce information that its legislation to impose mandatory minimums and lengthen sentences would have any deterrence on crime. The Minister of Justice the other day is quoted as saying, "We're not governing on the basis of the latest statistics".

It has been shown time and again that the government fails to understand the importance of statistics, facts and science. To put forward such costly legislation without having statistics to back it up is inappropriate. To put forward legislation based on failed U.S. policies is shortsighted. We need to be moving forward not backward.

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Mandatory minimums remove judicial discretion and this is highly problematic. In some cases, it could lead to judges giving lesser sentences than they otherwise would because they need to rely solely on legislation for sentencing.

According to the Canadian Bar Association, there are concerns with several aspects of the government's proposed omnibus crime bill, including mandatory minimum sentences, an overreliance on incarceration, constraints on judicial discretion to ensure a fair result in each case, and the bill's impact on specific already disadvantaged groups.

While the bill has some parts that I am in favour of, it is only on a case-by-case basis.

● (1335)

My concern is that the government has mixed good legislation in with bad and plans to ram it through all at once. It is ineffective and expensive. I cannot support the bill as it stands.

Mr. Dave MacKenzie (Oxford, CPC): Mr. Speaker, I listened to my colleague across the floor and I hope he has the opportunity to listen again to what he said because a great deal of it did not make sense.

On the one hand, he used statistics from the Parliamentary Budget Officer on the cost of prisons but he certainly did not talk about the real numbers that Corrections Canada provided, which are totally different.

He is talking about crime rates going down and more people going to prison. I can tell members that if people do not commit a crime, they do not go to prison. I do not know where all that comes from.

The member talked about megaprisons. I would like to know where that term came from and how he associates it to this, other than in something in the opposition side where the soft on crime approach is that we should not build prisons.

Mr. Fin Donnelly: Mr. Speaker, I think that building more prisons is something the government is focused on. We can easily make a connection with the United States policy where the Americans are building megaprisons. This is a trend toward that direction.

We should be focused more on prevention, putting our resources and focusing on prevention programs for individuals, especially young people, disadvantaged people and those who suffer from mental health problems and substance addictions. We should be addressing those issues and helping people who need that help in order to stay out of prison in the first place.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the comments that the member has put on the record. I especially liked the comments put on the record by the member for Mount Royal in terms of why it is that Bill C-10 is so fundamentally flawed, why it is that we need the government to take more of an aggressive approach in dealing with some of the causes of these crimes and why we are not doing enough to prevent crimes from occurring in the first place.

I am sure the member for Vancouver Centre would be aware that the Government of Manitoba has taken the position that the bill does not go far enough. It surprised me, I must say, when it took that position.

Does the member believe that the additional responsibilities that would be given and the financial obligations from the provinces as a result of this legislation are totally unfair? Is he aware of any sort of consultation that has been taking place between the provinces and Ottawa with regard to these costs?

Mr. Fin Donnelly: Mr. Speaker, I believe that one of the biggest issues in this omnibus crime bill is the costs. There will be tremendous costs downloaded to our provincial and territorial governments. We are already hearing concerns from the provinces and territories about the bill and with the extent of the bill.

While there are some elements that are good aspects of this bill, the overwhelming majority is not something I can support. This is the wrong direction into which we need to be putting our scant resources.

● (1340)

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, as my colleague well knows, aboriginals, women and children are overrepresented in our jails. In fact, I have some numbers here. Aboriginal women are overrepresented in maximum security prisons specifically. They make up 46% of federally sentenced women. I wonder if my colleague could speak to the fact that they lack services and rarely get proper legal representation. The government is giving few resources to combat all these things and, in fact, Correctional Services' own statistics say that there has been no significant progress in this in the past 20 years.

I wonder if my colleague could speak to how this bill would not actually targeting the problem.

Mr. Fin Donnelly: Mr. Speaker, that is an excellent question from my colleague. What is not addressed in this bill is a focus on prevention, a focus resources to those who need it most. That is where there are huge shortcomings in the bill and that is why I cannot support it.

Mrs. Stella Ambler (Mississauga South, CPC): Mr. Speaker, I appreciate this opportunity to speak in support of Bill C-10, legislation that would further strengthens our government's already impressive track record of keeping our streets and communities safe.

The people of Mississauga South tell me every day, in letters, phone calls, as well as visits to my office, that they want this government to crack down on crime.

I am pleased to speak today in support of Bill C-10, the Safe Streets and Communities Act.

The legislation before us today builds on this work which Canadians have given us a strong mandate to continue, the work of that impressive track record.

One very important component of our government's efforts to build safer streets and communities involves ongoing reforms to help ensure the system of corrections in this country actually works to correct offenders. I would therefore like to focus my remarks on this very important area.

I will begin with the victims of crime because, when it comes to our corrections system, they deserve to have their interests and concerns heard and know that their government is listening.

Government Orders

The current act clearly recognizes that victims of crime have an interest in the correctional process and yet victims and their advocates have expressed dissatisfaction with the current law. They have consistently called for improvements that would ensure a stronger voice in the process. This government has heard their concerns. We have listened and now we are acting on those concerns.

As it stands now, victims sometimes travel long distances to attend parole hearings, but if offenders withdraw their participation, the hearing could be cancelled at the last minute. This creates both a financial and emotional burden for victims.

The bill would remove the ability of offenders to cancel their parole hearings less than two weeks in advance, and victims would have the right to ask why the offender has waived that parole hearing. These measures would go a long way to preserving peace of mind for victims.

Bill C-10 would also enshrine in law a victim's right to attend and make statements at parole hearings. In addition, it would enable victims to request relevant information about an offender's time in custody, including reasons for transfer between institutions, or why they have been granted temporary absence and participation in their correctional plan.

Additionally, the Corrections and Conditional Release Act would be amended to expand the information that may be disclosed to victims by CSC and the Parole Board of Canada. This includes providing information on the reason or 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; and providing guardians and caregivers of dependants of victims who are deceased, ill or otherwise incapacitated with the same information that victims themselves can receive. Such changes would help to ensure that the interests of victims are front and centre.

The second major area of reform relates to the responsibility and accountability of offenders. Additionally, the Corrections and Conditional Release Act would be amended to allow for the establishment of incentive measures designed to promote offender participation in their correctional plan.

A successful transition to the community does not happen by accident or through wishful thinking. 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 Canada.

Offenders would be expected to respect others, obey the rules and actively participate in fulfilling the goals of their correctional plans. To that end, each correctional plan would set out expectations for behaviour, participation in any programs and fulfilment of any court ordered financial obligations.

The third area of reform relates to the management of offenders and their re-integration into the community. In short, we need to do better so that we better protect law-abiding Canadians in all conditional release decisions. To that end, this legislation proposes to give police the power to arrest without warrant any offender who appears to be in breach of his or her release conditions.

● (1345)

Finally, the bill would automatically suspend the parole or statutory release of offenders who receive a new custodial sentence.

In the final area of reform, Bill C-10 would modernize the system of discipline in federal penitentiaries. Specifically, it would create in law new penalties for breaking rules, such as disrespectful, intimidating or assaultive behaviour, including throwing bodily substances. It would also restrict visits for inmates who have been segregated for serious disciplinary offences.

As we have heard, Bill C-10 proposes several fundamental reforms to the corrections and conditional release system to help ensure that our correctional system is actually correcting offenders.

The amendments that our Conservative government is proposing would enhance offender responsibility and accountability and strengthen the management of offenders during their incarceration and conditional release. These amendments would also modernize the system of disciplinary sanctions in federal correctional facilities and give victims the opportunity to request more information about the offender who has harmed them. All in all, the amendments would reinforce and build on the work already under way to strengthen the corrections and conditional release system.

Today we know that many of the offenders arriving in Canada's correctional system also arrive with histories of violent offences. More offenders than ever have gang or organized crime affiliations, and nearly four out of five now arrive at a federal institution with a serious abuse problem. In addition, an increasing number of offenders have serious mental health issues. Such changes in the offender population require a new approach to corrections and conditional release. That is why the government is moving forward with the proposals in Bill C-10.

The reforms being proposed would better serve victims by increasing the information that may be shared with them and guaranteeing their right to be heard at parole hearings. The proposed reforms would also help ensure that offenders are more accountable for their actions and so that their rehabilitation will be more effective.

These measures would also modernize the disciplinary system for inmates.

Further controls for offenders under community supervision are also being introduced.

I urge all members of the House to give their unconditional support for the bill for the sake of offenders who must take more responsibility for a successful transition into the community. I urge all hon. members to support Bill C-10 for the sake of crime victims who deserve a greater voice in the correctional system. I urge them to support the legislation before us today for the sake of corrections officers who have a right to a safe work environment.

Points of Order

I urge all hon. members to support this legislation for the sake of all Canadians. The protection of society is our top priority. Canadians deserve to feel safe in their homes and in their communities. Victims deserve to be treated with respect, as do the guards in our institutions. Offenders must be prepared to take more responsibility for their conduct and pay the price if they break the rules.

* * *

POINTS OF ORDER

PRESS RELEASE

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, I rise on a point of order. Yesterday, I put out a non-partisan press release encouraging every eligible voter to vote, while emphasizing that their vote matters in the provincial election in Ontario. There was certainly no intent on my part to have an impact on the outcome of the provincial election or, for that matter, to be anything other than an appropriate use of parliamentary resources. I realize it could be interpreted otherwise.

As parliamentarians, it is our responsibility to ensure that we follow the letter and the spirit of the rules, and that is something I take very seriously in my job. To that end, I apologize for that to you, Mr. Speaker.

● (1350)

The Acting Speaker (Mr. Bruce Stanton): The House notes the parliamentary secretary's intervention.

* * *

SAFE STREETS AND COMMUNITIES ACT

The House resumed consideration of the motion that Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, be read the second time and referred to a committee, and of the amendment.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I wonder if the hon. member would like to respond to a quote from the Canadian Bar Association with respect to the legislation:

The Bill's approach is contrary to what is known to lead to a safer society.

The CBA believes that the Bill will make already serious criminal justice system problems much worse, with huge resource implications.

Perhaps the hon. member could comment on why that is so wrong.

Mrs. Stella Ambler: Mr. Speaker, the government fundamentally disagrees that being tough on crime will not work to deter criminals. This is a very basic step in the process. I wonder whether the member opposite truly believes that allowing offenders to take more responsibility for their incarceration and for their conditional release is a good idea.

These laws are meant to improve on what currently exists, but more importantly, we are talking about protecting victims of crime. That is what Bill C-10 really wants to do. We are protecting victims of crime by putting in place tougher sentences.

I am wondering which part of this he does not agree with. Does he not want to protect the guards in the prisons? Does he not want to make their working conditions safer? These are the kinds of things that amending the Corrections and Conditional Release Act will do. I urge him to support these changes.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, perhaps my colleague from Mississauga South would agree that if longer prison sentences in and of themselves meant safer streets, the United States would have the safest streets in the world. The Americans lock up people at a higher rate than any other country. Even they have seen the folly in their ways. Would she not concede that the United States has now confessed that it was wrong and changed its practices and is dedicating more of the money it is saving by not building more prisons to prevention and substance abuse programs and treatment and rehabilitation? The U.S. is now enjoying a reduction.

Why are we borrowing billions and billions of dollars to build more prisons when we know full well it will not make our streets any safer? Is this not just a cheap pandering to the Conservatives' voting base?

Mrs. Stella Ambler: Mr. Speaker, in fact, these measures address specific deterrents. When a criminal is in jail, the victim can no longer be victimized. That is whom we care about. We care about the victims. That is whom Canadians care about. That is why we are preventing sexual exploitation of foreign nationals. That is why we are eliminating pardons for serious criminal acts. That is why we are ensuring that young offenders are given the opportunity to properly be rehabilitated. If they have done the crime they should also serve the time as adults if necessary. We are giving the courts the options to deal with the crime without having to worry about how many spots there are in jail.

We are doing the right thing because—

● (1355)

[Translation]

The Acting Speaker (Mr. Bruce Stanton): Order, please. Questions and comments. We have time for one quick question and a brief response. The hon. member for Winnipeg South.

[English]

Mr. Rod Bruinooge (Winnipeg South, CPC): Mr. Speaker, I have run in various elections going back to 2004. When I was on the campaign trail, with all the parties that are represented here in the House, I remember their referring to our crime measures in general as being needed. Whenever I was at a debate with candidates, they would talk about how we needed to get tough on criminals. Yet when they return to this place they revert to their leftist philosophy on crime, which unfortunately does not work. Canadians have spoken on it, and I am sure the member heard the same thing on the campaign trail.

Statements by Members

Mrs. Stella Ambler: Mr. Speaker, I do hear the same thing from my constituents in Mississauga South. They are concerned about crime. They are concerned about their children. They want safe streets and safe communities. That is what we are doing here. We are making sure that offenders serve the time and that when they are released, they are given the proper opportunities for rehabilitation.

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, I am pleased to join the debate on Bill C-10.

As hon. members know, Bill C-10 contains provisions from various bills that were introduced in the previous Parliament, but unfortunately were blocked by the opposition.

The focus of my remarks today will be on the amendments to the Youth Criminal Justice Act.

The proposed changes to the Youth Criminal Justice Act reflect what we as parliamentarians have been hearing from our constituents. They are concerned about the threat posed by violent young offenders as well as by youth who may commit non-violent offences but who appear to be spiralling out of control towards more and more dangerous and harmful behaviour. In talking to fellow Canadians, we have found that they can lose faith in the youth criminal justice system when sentences given to violent and repeat young offenders do not make these youth accountable for their actions.

The package of Youth Criminal Justice Act amendments also responds to issues raised during cross-country consultations, to key decisions of the courts, to concerns raised by the provinces and territories, and to the positions put forward by the many witnesses who appeared before the justice committee during its study of former Bill C-4.

The reforms reflect the widely held view that while the Youth Criminal Justice Act is working fairly well in dealing with the majority of youth who commit crimes, there are concerns about the small number of youth who commit serious repeat or violent offences.

The proposed amendments to the Youth Criminal Justice Act are found in part 4, clauses 167 through 204, of the comprehensive Safe Streets and Communities Act. With a few exceptions, the proposed changes are the same as the changes that were proposed in former Bill C-4, also known as Sébastien's law.

Bill C-4 was introduced in the House of Commons on March 16, 2010 and was before the House of Commons justice and human rights committee, of which I am a member, when Parliament was dissolved prior to the May 2011 election.

As I have indicated, most of the Youth Criminal Justice Act provisions in the bill now before us were included in former Bill C-4. However, after Bill C-4 was introduced in Parliament, a number of provincial attorneys general expressed concerns about the proposed amendments to the Youth Criminal Justice Act provisions dealing specifically with pretrial detention, deferred custody and supervision orders, and adult sentencing.

These concerns were raised directly with the Minister of Justice and were brought before the justice committee. The government has

listened carefully to these and other concerns, and has responded by making the appropriate changes to the previous legislation.

As my colleague, the hon. member for Kitchener Centre, has already given the House a thoughtful and thorough description of the provisions that were found in former Bill C-4, I will specifically discuss the minor changes that are included in this version of the bill.

With respect to pretrial detention, the government recognizes that the current Youth Criminal Justice Act provisions are complex, leading to a varied application of the provisions by the courts.

Bill C-4 proposes a much more straightforward approach to pretrial detention that would have allowed courts to detain a youth awaiting trial if the youth was charged with a serious offence and the court found a substantial likelihood that, if released, the youth would either not appear in court when required to do so or would commit a serious offence while awaiting trial.

The provinces' primary concern with the approach of Bill C-4 was that pretrial detention would be available for youth charged with an offence that was not deemed to be a serious offence. They felt that this could prevent detention of a youth who, although currently charged with a non-serious offence, had a prior history of charges or offending and appeared to be spiralling out of control and thus was posing a risk to public safety.

I will be happy to—

• (1400)

The Acting Speaker (Mr. Bruce Stanton): Order. The member will have six minutes remaining for his speech when the House next considers this bill.

STATEMENTS BY MEMBERS

[*Translation*]

GEORGETTE TOUTANT AND ÉDOUARD BEAUDOIN

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, this is a very special year for Georgette Toutant and Édouard Beaudoin. They are both celebrating their 100th birthdays and their 78th wedding anniversary as well.

This couple have lived an extraordinary life. They owned a dairy farm for 48 years, raised meat animals for 15 years and thus spent 63 years working in agriculture. They remained on their farm until they were 92 years old. They have 7 children, 14 grandchildren and 19 great-grandchildren.

A grand thanksgiving mass was held at the church in their home parish of Gentilly on July 24 to give thanks and celebrate this special birthday.

The 100-year-old husband and wife will celebrate their 78th wedding anniversary on October 25. The community of Gentilly is proud of this couple who are a unique part of the history of the community, Quebec and Canada.

Statements by Members

Congratulations. May you enjoy many more years of happiness.

The Acting Speaker (Mr. Bruce Stanton): Order, please. The hon. member for Dauphin—Swan River—Marquette.

* * *

[English]

THE ENVIRONMENT

Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC): Mr. Speaker, I want to congratulate five high school students from Swan Valley Regional Secondary School in my constituency for their first place achievement in the 2011 Canon Envirothon competition.

Team members were Nyla Burnside, Matt Forbes, Teagan Markin, Breanna Anderson and Eddie Shao. Their advisers were: Rick Wowchuk, Shawn Stankewich and Alex Verbo.

They defeated 53 teams from across North America. They are the very first Canadian team to win this prestigious award for their exceptional knowledge of the environment.

Swan River is an agricultural, forestry and tourism dependent community. The residents of Swan River Valley, as exemplified by the extraordinary achievements of their Envirothon team, have an innate and practical understanding of sustainable development and the wise use of natural resources. This understanding is common throughout rural Canada.

By winning the Envirothon award, these students have demonstrated the relationship they have with their environment. These young people will surely be the conservation leaders of tomorrow.

* * *

[Translation]

COMMUNITY ACTIVITIES IN THE RIDING OF ROSEMONT—LA PETITE-PATRIE

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, Quebec's Multi-Ethnic Association for the Integration of Persons with Disabilities, whose head office is in Rosemont—La Petite-Patrie, is celebrating its 30th anniversary this year. This is a good opportunity to commend the association's excellent work and the determination of its founder and director, Luciana Soave, herself an immigrant and mother of a child with a disability. Her organization helps all immigrants and people with disabilities by offering them services daily and fighting for their rights.

Furthermore, public, community-supported markets are being developed in Rosemont—La Petite-Patrie, which is already well known for the Jean-Talon market. One such example is Festi Marché, which makes fresh fruits and vegetables affordable for people on low incomes. Organized by NA Rive, a literacy centre, this market was held last weekend in a school yard. A massive picnic was also held on Shamrock Street, organized by community organizations such as SODER and by the merchants of Little Italy. For the third consecutive year, a non-profit organization coordinated a market for small-scale producers at Technopôle Angus, in the eastern part of the riding. These are just a few of the local initiatives meant to ensure healthy eating habits and food security for our constituents.

[English]

JUSTICE

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, Canadians gave our Conservative government a strong mandate to keep our streets and communities safe. That means locking up dangerous and repeat offenders, not releasing them early just to save a buck.

Our government is continuing with the planned expansion of our prisons within existing budgets. We will be creating 2,700 new spaces over the next several years.

Canadians have had enough of a justice system that releases convicted dangerous criminals before they are ready.

Our Conservative government has already taken strong action, including ending early parole for drug dealers and fraudsters and ending the so-called faint hope clause that allows murderers out early. There is still more to do. That is why we will move forward quickly with legislation that was shamefully opposed by the NDP and the Liberals in the last Parliament.

On this side of the House we take our responsibility to build stronger, safer communities across Canada very seriously. I call on the NDP and the Liberals to do the same.

* * *

● (1405)

CITIZENSHIP AND IMMIGRATION

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, the past 10 months have been a time of historic change for millions living in places like Yemen, Egypt and Libya.

Starting in Tunisia and sweeping across the Arab world, the winds of change have toppled governments and altered social structures in ways that most of us could never have foreseen. However, inasmuch as some things have changed, much has not. In places like Syria, human rights are regularly violated by the state, particularly for those practising Christianity.

Canada is known for its religious tolerance and human rights protections, and because of this, many persecuted souls have already completed their paperwork to make a new life for themselves here in Canada. In many cases, security and health checks have already occurred, and all that remains is approval from the minister and the department.

The Minister of Citizenship, Immigration and Multiculturalism has it within his power to address this problem and to prevent further abuses from befalling these desperate people, so I ask why he has not done so.

*Statements by Members***JERUSALEM**

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, this past summer I visited the death camps at Majdanek and Auschwitz. I saw young people weeping before mounds of human ashes, shoes of victims, mass graves and monstrous crematoria.

Sadly, the threat to the Jewish people is still with us today. It is clear in the determination of those sworn to destroy the collective Jew, the Jewish state.

The world needs a strong Israel. Israel needs secure borders and neighbours who recognize the state and choose peace.

There are those who advocate dividing Jerusalem, separating the Old City, historic Jerusalem, from the Jewish state, leaving a state without a soul.

The recent Basel Declaration highlights the San Remo commitment of 1920 and the Mandate for Palestine approved by the League of Nations in 1922, solemn commitments that gave the legal foundation for the modern state of Israel, including Jerusalem.

In the pursuit of justice and peace in the Middle East, I urge all nations to handle Jerusalem carefully. The stakes are high; the cost of failure will impact every nation.

* * *

[Translation]

MYSTERY NOVEL AWARDS

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, for 10 years a yearly gala for the Prix du roman policier has been held in the municipality of Saint-Pacôme, in Kamouraska. Well-known mystery novelists have passed through Saint-Pacôme, including Patrick Sénécal and Chrystine Brouillet. The 2011 awards were presented on Saturday, September 24.

I would like to quote this year's recipient, Martin Michaud, who won for his novel *La chorale du diable*. He said, "The Prix Saint-Pacôme du roman policier plays a huge role in promoting...Quebec culture...a vital part of the Canadian identity."

I would like to pay tribute to the volunteers and bibliophiles who have succeeded in making this a worthy national event while still maintaining its local roots. I would also like to pay tribute to the elected municipal officials who promote this gala.

In conclusion, I congratulate the winners in the category for junior short story: Flavie Gauthier-Chamard from l'Islet, Catherine Girard from Saint-Prime, and Ève Gaumond from Cacouna.

The people of Saint-Pacôme can be very proud of this event.

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[English]

CANADIAN VALUES

Mr. Chungsen Leung (Willowdale, CPC): Mr. Speaker, it is an honour and privilege for me to stand in this place today to thank the people of Willowdale for the trust they have placed in me to represent them in the House.

I would also like to thank my wife, Deborah, and my daughter, Elysia, for their support and understanding.

I am honoured to represent a riding such as Willowdale, which is rich in culture and diversity. I believe the diversity provides us our strength as Canadians.

When I became a Canadian citizen over 35 years ago, I was moved by the words of the Right Hon. John Diefenbaker in his definition of a "Canadian". He said:

I am a Canadian, free to speak without fear, free to worship in my own way, free to stand for what I think right, free to oppose what I believe wrong, or free to choose those who shall govern my country. This heritage of freedom I pledge to uphold for myself and all mankind.

These words from our former prime minister describe the Canadian values that we all hold and that we all, in this place, must defend.

* * *

CANCER

Mr. Mike Lake (Edmonton—Mill Woods—Beaumont, CPC): Mr. Speaker, today my thoughts are with two friends back in Edmonton, who are inspiring literally thousands of people as they each battle aggressive forms of cancer.

Calvin Kuhn and Kristen Fersovitch are 44 and 28 respectively, both married, with young children. In Kristen's case, her three kids are all under four years of age.

In the face of unexpected and considerable adversity, both Calvin and Kristen are models of faith and courage. Invariably, those who visit them with a mind to cheer them up come away themselves immeasurably more encouraged. It is impossible to spend time with either of them and not leave with a renewed awareness of the purpose and the people in your own life.

Calvin and Kristen are daily living out the words of the apostle Paul, who counselled the Thessalonians to:

Be joyful always; pray continually; give thanks in all circumstances, for this is God's will for you in Christ Jesus.

May they know that we are inspired by their joy, united with them in prayer and ever thankful for the remarkable model of faith in the most heart-wrenching of circumstances.

* * *

● (1410)

THE ECONOMY

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, when the Conservatives cancelled the long form census, we knew that they were abandoning evidence-based decision-making in favour of implementing their narrowly partisan agenda.

The proof was in the pudding last week, when they introduced the omnibus crime bill.

Despite a well-documented 20-year decline in the crime rate and an acknowledgement by even U.S. Republicans that increased incarceration has done nothing to reduce recidivism, the Conservatives are ploughing ahead with mandatory minimum sentences and megajails, all evidence be damned.

Statements by Members

Regrettably, the government is adopting the same ostrich-like approach to dealing with the current economic turmoil. The Prime Minister cannot just stick his head in the sand and ignore the fact that 1.4 million Canadians are out of work, that the unemployment rate for students was a staggering 17% this summer, that Moody's is reporting record levels of household debt and that every senior economist is warning of another deep recession.

Canadians need, and deserve, their government's support. Glibly suggesting that we are in a relatively stronger position than countries like Greece is an insult to the hard-working Canadians and seniors who are worried about making ends meet.

The time is now for the government to finally acknowledge the legitimate concerns of Canadians, act on the evidence and present a credible plan to safeguard Canadian jobs and our economy.

* * *

CHINESE CANADIANS

Ms. Wai Young (Vancouver South, CPC): Mr. Speaker, I rise today regarding an issue of great importance to the Chinese community in Vancouver south and across Canada.

Earlier this year the CBC reported that many leaders in Canada's cultural communities had called upon the Liberal Party to fire its current outreach leader after he made objectionable and discriminatory statements.

Chinese media have recently reported that after the story appeared on the CBC, the Liberal multiculturalism critic called the leader in the Chinese community in Toronto and said, "I'm glad you've learned to write English."

It is deeply offensive to imply that Canadian citizens of Chinese origin cannot speak or write English. The Liberal Party should be ashamed of itself. When will it learn to respect Chinese Canadians and the important contributions we have made to this great country and not insult hundreds of thousands of us by mocking our English?

* * *

[*Translation*]**RIDING OF COMPTON—STANSTEAD**

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, since this is my first speech here in the House, I would like to sincerely thank the people of Compton—Stanstead for their courage in voting for change.

Having been elected, I vowed to work for everyone in my riding, regardless of their allegiance and their beliefs. Over the next four years, I will try to help this government, which was elected by only 39% of Canadians, to see its social and economic policies more clearly in order to guarantee a more prosperous and fair future for all Canadians.

I would also like to congratulate the organizers of the Virée gourmande, or gourmet tour, that was held on September 24 and 25 as part of the Comptonales festival. The goal of this agro-food event was to highlight the quality and contributions of the region's farmers, whose products are the pride of the region. Whether at the Ferland orchard, BioBon, the Tremblay winery, Domaine Ives Hill or the Fromagerie La Station, just to name a few, the determination—

[*English*]

The Speaker: Order, please. The hon. member for Calgary East.

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ZAMBIA

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, there is some good news coming from Africa. Canada congratulates President Michael Sata on his election as Zambia's new leader. We also applaud all candidates and the Zambian people on their role in bringing about a peaceful political transition through the ballot box.

We would also like to congratulate the outgoing president, President Banda, who has accepted the will of the Zambian people and has peacefully transitioned power to the newly elected president. This is another example of Africa's drive towards building stronger democratic institutions and principles on the continent.

Zambia remains a key partner for Canada. Canada contributed to the Zambian electoral process through the United Nations and the Commonwealth. Two Canadian officials took part in the European Union's election observation mission.

Our best wishes to the Zambian people.

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● (1415)

WORLD TOURISM DAY

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, today is World Tourism Day.

[*Translation*]

Today we have an opportunity to celebrate the beauty that makes our country an attractive destination.

[*English*]

Canadians could spend a lifetime travelling and experiencing different sceneries, cultures and traditions without ever stepping foot outside Canada. Generations of Canadians have sewn our flag on their backpacks and cultivated respect abroad.

[*Translation*]

However, the way we are perceived in the world is changing and we must call on our government to do everything it can to restore our precious reputation.

Canada must raise its profile again in the eyes of the international public by accepting South Korea's invitation to Expo 2012.

[*English*]

We must reinstate the GST rebate for travellers, lower uncompetitive airport rents, taxes and fees and reconsider the new visa requirements that have deterred international visitors to support our important tourism businesses.

[Translation]

I encourage all Canadians to continue to enjoy the beauty of our country.

* * *

WAR MEMORIALS

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, our cenotaphs and monuments are powerful reminders of the sacrifices made by generations of Canadians. They are symbolic places where people can gather in memory of our fellow Canadians, our loved ones and family members who served our country in the name of peace and the freedom we all enjoy today.

Unfortunately, this morning we learned that a war memorial in Girouard Park in Montreal had been vandalized. We have an obligation to preserve and respect memorials in tribute to the service and sacrifices of our men and women in uniform.

I commend Sergeant Jones, who notified the police about this vandalism, and I hope the guilty parties will be held accountable for the seriousness of their mischief.

* * *

WANGARI MAATHAI

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, it was with great sadness that I learned of the death yesterday of Wangari Maathai, the 2004 Nobel Peace Prize laureate.

An advocate for environmental protection, democracy and women's rights in Africa, this great lady from Kenya was able to turn words into action all her life.

Ms. Maathai established the Green Belt Movement, which planted 30 million trees in order to combat soil erosion.

She was also the co-chair of the Congo Basin Forest Fund, established to protect the second-largest rainforest in the world, which plays an important role in the fight against climate change.

Ms. Maathai believed that the future of the human race is inextricably tied to respect for and the preservation of our environment, and that it is possible to protect forests and pursue sustainable economic development at the same time.

I invite the House to salute and pay tribute to the memory of an exemplary pioneer who was known as “the woman who planted trees”.

* * *

[English]

JUSTICE

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Mr. Speaker, earlier today the interim leader of the third party called the safe streets and communities act “dumb on crime”. Dumb on crime? This is from the same party whose former public safety critic said that its primary public safety concern was inmate morale. Sadly, out-of-touch statements like this are not surprising from the Liberals.

The safe streets and communities act is reasonable and tough, and it is what Canadians gave us a mandate to do. For example, it stops

Oral Questions

those who have committed sexual offences against children from getting pardons.

We believe that often while a criminal's jail term may end, the suffering caused to his or her victims will last a lifetime. Canadians have been clear. It is unacceptable to ever forget the harm that child molesters have caused their victims.

I call on the Liberals to finally put the rights of law-abiding Canadians ahead of the rights of convicted criminals and support the safe streets and communities act.

ORAL QUESTIONS

● (1420)

[Translation]

GOVERNMENT MINISTERS

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, in his Guide for Ministers and Ministers of State, the Prime Minister says, and I quote:

As a Minister, you are individually accountable to Parliament for the discharge of all responsibilities vested in you. You must answer all questions pertaining to your areas of responsibility...

Can the Prime Minister tell us what happens when his ministers do not follow his guide?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government has established rules and these rules are enforced. I think that the Leader of the Opposition is talking about a specific situation. The minister responsible has answered questions a number of times in the House of Commons.

* * *

THE ECONOMY

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, the Prime Minister has not taken any action in the face of the coming economic crisis. Since we returned, we have not seen any initiatives or any action plan. The only bill introduced has nothing to do with the economy, unless the Prime Minister is telling us that more prisons are the key to the recovery. The Prime Minister and the Minister of Finance are meeting with the Governor of the Bank of Canada today.

Will we have a job plan tomorrow?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government is continuing with a plan that has been a big success. That is why Canada has created many more jobs than the vast majority of industrialized countries. Obviously, we reject the NDP's proposals to increase taxes and shut down key industries in the Canadian economy. Such proposals would kill employment and this government will never agree to those kinds of NDP proposals.

[English]

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, the consensus among economists and business gurus is that the Canadian economy will slow down. We are facing another recession.

Oral Questions

The chief economist for BMO Nesbitt Burns compares the Prime Minister to President Hoover, who brought on the Great Depression by responding, like this government, with austerity measures.

Why will the Prime Minister not bring forward a job creation plan instead?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government's plans are oriented toward job creation, which is why Canada has one of the best job creation records in the entire industrialized world. That is the path we will continue to pursue.

We seek, obviously, any useful ideas from the opposition on how we can improve Canada's performance, but we will tell you that what they have proposed lately, raising taxes and shutting down key industries, are not proposals that will create jobs and not proposals that this government will ever accept.

[*Translation*]

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, the Conservatives' failure to act has proven to be an economic disaster for young workers. Today there are 110,000 fewer jobs for young people than before the recession, and the unemployment rate is over 14%, not counting the thousands of young people who abandoned the labour market and are now on social assistance or living on the street. Canada cannot deprive itself of its talented youth.

Where is the Conservatives' plan to put our young people back to work?

[*English*]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, in the second phase of Canada's economic action plan there is a hiring credit for the 525,000 small businesses in Canada. I hope that the official opposition will support these measures to help job creation in Canada.

We remain focused on the economy and job growth, and I welcome any useful suggestions the member opposite has.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, we have seen just how out of touch the government is. Conservatives are boasting about precarious jobs, part-time jobs, jobs that pay just half of what they did before the recession because of Conservative economic mismanagement.

Canada has lost too many good, high-skilled, highly paid manufacturing jobs. TD Bank says these workers, if they can find work, are now paid an average of \$10,000 less a year.

Where is the Conservative plan to create good jobs. Where is the jobs plan?

•(1425)

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the plan is working.

I hear what the member opposite asserts; of course, it is not accurate. We have created about 600,000 net new jobs in the Canadian economy in past couple of years, of which 80% are full-time jobs for Canadians.

This is just the opposite of what the official opposition, the NDP, suggests. What the NDP suggests is a brand new tax increase of \$10 billion on Canadian business to kill jobs in the Canadian economy.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, Dr. Sherry Cooper of BMO Nesbitt Burns said recently in her newsletter:

We are in danger of repeating the deflationary policies that caused the 1929 stock market crash and the Great Depression.

She goes on to say:

The misplaced belief that the road to economic prosperity is paved by near-term fiscal tightening, as espoused by our Prime Minister...shows we have learned nothing from Herbert Hoover's response to the Great Depression.

I wonder if the Prime Minister would care to comment on these words from a distinguished economist?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, Canada's economic action plan and Canada's fiscal approach have been praised by observers around the world.

It is not as the leader of the Liberal Party would suggest. In fact, we are running a very expansionary fiscal policy right now, but we are obviously undertaking good management and some modest savings to ensure that as the economy recovers, we will in fact balance our budget and retain our fiscal advantage.

[*Translation*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the position I just shared is not my personal view. It is the position clearly expressed by Ms. Cooper, and one that is shared by many other observers who see that this government's activities are doing nothing to help economic growth.

We are not asking for a response for us, but rather for those who are talking about the contraction in the United States and in Europe and the problems that exist in Canada. Why can we not get a different answer from the government?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the vast majority of analysts who have examined our plan support our approach. It is a very expansionary approach now, with an expansionary fiscal policy. Clearly, we need to save money in order to achieve a balanced budget once the economy begins to grow again. It is crucial that we retain our fiscal advantage.

* * *

[*English*]

G8 SUMMIT

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, when it comes to the President of the Treasury Board, we know very well that he can twitter. We know very well that he can tweet. What we also know is that he cannot get up on his feet.

That is the problem we have with respect to the accountability that we see today from the minister.

The Prime Minister has allowed an absurd situation to be created where the minister who is responsible for the public spending of Canada is not able to respond to an issue that is as clear as clear can be with respect to the activities that went on in Muskoka in preparation for the G8—

The Speaker: Order. The Right Hon. Prime Minister.

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker this issue has been thoroughly aired.

The Auditor General thoroughly examined all of the spending, and while she suggested some process improvements, we have noted that all of the money has been accounted for and went for projects that were approved.

I would think that the Liberal Party, having run an entire campaign, the worst in its history, on this issue and having been drubbed so badly, would decide that now is probably not the time to keep talking about politics in this way.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, when the President of the Treasury Board broke the rules, he was also breaking the Prime Minister's own guidelines for cabinet ministers.

When the media starting asking about how he was trying to pass off a \$21 million Olympic hockey arena complete with a swimming pool as a media centre, he intervened with the local mayor and said, "Do not talk to the media until we talk and get our lines converged", to which the mayor responded, "Done. Call me when convenient for you—I will be waiting. Fran loves it when you use that term!"

When will they stop trying to get their story straight and come clean with Canadians?

• (1430)

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, as has been said in this place many times, the facts have not changed. The issue has been thoroughly aired. The Auditor General has had access to all government information.

It is this kind of muckraking that Canadians rejected in the last election campaign. What they sent all of us here to do is to fight for Canadians, to fight for jobs, to fight for more opportunity, and that is exactly what the government is doing.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, it has been 110 days since the Muskoka minister was put in the doghouse, and is that the best the government can come up with?

It is not just the minister's credibility on the line. It is the Prime Minister's, for promoting him and looking the other way when he broke the rules.

If the minister had nothing to hide, why did he intervene with local mayors and tell them to keep their mouths shut until they got their stories straight? This is about ministerial responsibility. It is 110 days and counting. When will the minister take responsibility to the Canadian people?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, the Auditor General has looked at this issue. She has made some comments on how process improvements could be made. The government has accepted those recommendations.

The good news is that all 32 of these projects are public infrastructure, whether they be in North Bay or in the Muskoka—Georgian Bay area. They all are public assets that will benefit Canadians for many years to come, and a lot of jobs were created. In addition to these projects, there are 23,000 projects right across the country from coast to coast to coast.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, the President of the Treasury Board had a \$20 million, Olympic-size arena built in his riding, using money from the border infrastructure fund. He used his constituency office to distribute government money all over the place. In all likelihood, those responsible for the G8 summit hid information from the Auditor General. As they say in baseball, three strikes and you are out.

Why is the President of the Treasury Board still in cabinet? How is it that he has yet to respond to questions addressed to him here in the House?

[*English*]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, the facts have not changed in this regard.

The member opposite talked about a pool. It was there many years before Muskoka was even announced as the G8 centre. He talked about a hockey rink. That was not even paid for by taxpayers, but through the Government of Ontario.

The member opposite has the right to his own opinion. He does not have the right to his own facts.

[*Translation*]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, when the President of the Treasury Board's unofficial spokesperson knows what he is talking about, then he can stand up. Until then, he is not qualified to answer, and the question is not meant for him anyway.

The President of the Treasury Board got a job for his friend at the City of Huntsville. He managed a slush fund with his friends the mayor and the hotel manager. He made funding commitments for government projects in the middle of an election campaign. If the President of the Treasury Board truly believes in ministerial responsibility, he should rise and answer these questions.

[*English*]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, that kind of muckraking is exactly what Canadians rejected at the last election.

What they wanted from their elected representatives was a team of men and women who would fight for jobs, who would fight for more opportunity and more hope, and that is exactly what this government is doing each and every day.

* * *

ASBESTOS INDUSTRY

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, asbestos is the greatest industrial killer that the world has ever known, yet this country continues to export nearly 200,000 tonnes per year into underdeveloped nations that have virtually no health and safety protocols.

Oral Questions

Instead of shovelling even more corporate welfare into this made-in-Canada epidemic, why does the government not use that money for economic diversification for the asbestos region of Quebec to get it out of this deadly and dying industry?

[Translation]

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, for more than 30 years, Canada has been arguing for the safe and controlled use of chrysotile at home and abroad and recent scientific studies clearly confirm that chrysotile can be used safely in a controlled environment.

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, let us try again and see if we get anything new.

This government claims to want to create jobs by supporting the asbestos industry. In reality, it is exporting disease and death to countries that have inadequate labour health and safety standards. This position does not help the communities that are relying on a dying industry. The workers have suffered enough.

What is this government waiting for to show real respect for these people and to develop with them a transition plan to stimulate the economy in that region?

• (1435)

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, for more than 30 years, Canada has been arguing for the safe and controlled use of chrysotile at home and abroad, and recent scientific studies clearly confirm that chrysotile can be used safely in a controlled environment.

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[English]

INFRASTRUCTURE

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, more tax giveaways to big oil companies do not create jobs. What does create jobs is infrastructure. Almost 60% of Montrealers are scared to drive because of crumbling concrete. Yesterday, a motion to replace the Champlain Bridge was rejected by the Conservative government. Muskoka got a \$50 million slush fund, but other communities are being denied the basics. Why?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, my experience in municipal politics has taught me that municipalities have not in the past had a more committed partner than our Conservative government, led by this Prime Minister.

It was our government that launched the building Canada fund and we will continue to deliver for municipalities.

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, I was talking about an infrastructure plan, like the Champlain Bridge, that right now costs \$30 million a year just to maintain. Cities across Canada need new bridges, new rail lines, sewage treatment plants, and other critically important projects. Investing in infrastructure makes sense.

We have seen the government reward its well-connected friends. When will it protect Canadians by investing in basic infrastructure?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, as my hon. colleague already knows, we will have a new infrastructure plan after 2014. That is why we trust our infrastructure investments. That is why, in the economic action plan, we invested more than ever in infrastructure. I do not understand why members of the NDP are saying that today and yet they voted against it when we set it up.

[Translation]

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, we know that closing the Champlain Bridge would result in annual losses of \$740 million. We know that the bridge must be replaced immediately to ensure the safety of Quebeckers and the health of the Canadian economy.

Yesterday, we moved a motion proposing that the Champlain Bridge be replaced. The Conservatives rejected the motion outright. They said no to the economy and to safety.

Why did they reject the motion? When will this government take action and build a new bridge?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, while my colleague talks about closing the Champlain Bridge, we are investing \$380 million to ensure that it is safe and will continue to be operational for a long time. While the member moves motions, we are working to ensure that the people of Montreal will have a safe bridge that is in good working order for a long time to come.

* * *

[English]

PRESIDENT OF THE TREASURY BOARD

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the facts are these. Parliament approved government spending on border infrastructure, but without lawful authority the Treasury Board President took money from border infrastructure and spent it instead on totally unrelated and unauthorized vanity projects in his own riding.

To cover this up the government misinformed the Auditor General and caused the Auditor General to misinform Parliament. Now the minister hides. This looks like the behaviour of a coward. Will the Treasury Board President finally respond for himself?

Some hon. members: Oh, oh!

The Speaker: Order. I do not think we need to be using words like that.

Oral Questions

I see the Minister of Foreign Affairs rising, so I will allow him to answer, but I would ask members not to use words like I just heard.

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, the member was elected first to the House of Commons in 1974. I would have expected better from him and I will not dignify his question with a response.

[Translation]

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, I have a few very simple questions for the President of Treasury Board.

Is he aware that Canadians pay him a bonus of \$75,000 for being a cabinet member, in addition to his MP's salary? Therefore, when will he rise and tell Canadians what he is doing with their money? This conduct shows contempt and a lack of respect for Canadians.

• (1440)

[English]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, this issue has been thoroughly aired. This type of muckraking was rejected by Canadians in the last election campaign.

What Canadians expect of us is to focus on the priorities of Canadian families. That is jobs and the economy. That is providing the important services that the federal government does and that is what this government is going to continue doing.

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, I personally entered politics to counter the public's perception that politicians are on the take. Regrettably, the member for Parry Sound—Muskoka is making that extremely difficult.

Some hon. members: Oh, oh!

The Speaker: Order, please.

There is a long-standing tradition that you cannot do indirectly what you are not allowed to do directly. This is the second time I have heard an indirect way of making an unparliamentary remark, so I think we will move on to the hon. member for Windsor—Tecumseh.

* * *

[Translation]

JUSTICE

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, the government is out of touch with the reality of Canadians when it comes to the safety of our communities. The Conservatives are playing politics with their omnibus bill on crime but they are not even aware of the cost. The job of parliamentarians is to study and debate bills but the Conservatives refuse to do so.

Why are the Conservatives refusing to work with the NDP to improve the safety of our communities and protect our youth and the rights of victims?

[English]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I find it interesting that the NDP always objects to spending money when it comes to fighting violent crime. Now when it comes to spending money and threatening jail time for people who do not fill out the census, the

NDP does not have a problem with that, or for farmers who do not like the Wheat Board, or those who do not agree with the long gun registry.

I am proud to be part of a party that knows where money should be spent and that is to go after violent criminals in this country, and he should be supporting that.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, we have heard repeatedly, and again just now, about the cost to victims but the government will not produce any evidence of that to this Parliament. That is exactly why we need to continue the study around these claims. The Conservatives are wrong to shut down debate on a bill which we have spent less than four minutes a page debating.

Later today, the NDP will propose fast-tracking parts of this bill; for example, parts that protect children from sexual abuse, that have already passed this Parliament once before and then proceed with a constructive debate on the rest. Will the government agree to that strategy?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, we offered to do that before, but then we got a majority and now the NDP has withdrawn that. Now he is saying that we are to leave out the part that goes after drug dealers, the people who bring drugs into this country, the people who sell drugs around schools. Nobody is going to agree to that. Let us get the whole thing passed. That is what Canadians want.

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, the justice minister has been silent on the cost to taxpayers of the government's massive crime bill. This is the same government that, in the last Parliament, refused to provide information to the Parliamentary Budget Officer, so he could report to Canadians how much those crime bills would cost.

Are the Conservatives shutting down debate because they do not want Canadians to know the facts? When will the Conservatives come clean and release the real cost of this bill?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, let me tell members who has been silent. It is the NDP on the cost to victims in this country. We never hear a question about that coming from the NDP and, to be fair, the Liberals as well. They are in on that.

The Department of Justice estimated the cost of crime in this country is about \$99 billion, of which 83% is borne by victims. If the hon. member is worried about the costs, he should start standing up for victims, just to make a change for the NDP.

Oral Questions

●(1445)

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, I want to tell that side of the House that crime is not a political wedge issue. We believe it is a public safety issue. Once again, Conservatives refuse to answer a direct question. Canadians deserve an answer. Millions of out of work Canadians want their government to invest in job plans, not in doubling the prison budget.

Why does the government hide behind its overused talking points instead of just telling Canadians what the real cost is of this crime bill?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, this is an investment to better protect Canadians in their homes and make them feel safer in their communities. I appreciate that is not a priority for the NDP. If members want detailed costs, look at the hundreds of pages that we tabled before the committee. That will give many hours of happy reading for NDP members, but I have a feeling that it will not convince them to start standing up for victims and law-abiding Canadians.

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NATURAL RESOURCES

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, our government is certainly focused on jobs and the economy. We are helping to put Canadians back to work as evidenced by the 600,000 new jobs created since July 2009. However, the opposition has another agenda that will destroy Canadian jobs and put our country deeply back into a recession.

Could the Minister of Natural Resources please comment on the NDP's latest job-killing energy policy?

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, the Keystone XL pipeline will create over 140,000 good, high paying jobs in Canada. The NDP has decided to stand against these jobs and ally itself with a few environmental extremists who want to shutter all oil sands development. While the NDP continues to betray its job killing agenda, our government will continue to stand with the hundreds of thousands of Canadians who will benefit from this important project.

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[Translation]

THE ENVIRONMENT

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, last week, the Minister of the Environment said that the department could lose hundreds of scientists without any effect on basic services. But the government has cut 43% of the Canadian Environmental Assessment Agency's budget.

If assessing and preventing industrial impacts on our environment are not considered basic services, then can the minister explain what he means by "basic services"?

[English]

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, first of all, I would correct my hon. colleague. The Environmental Assessment Agency has not been cut by 48% and the environment remains a priority of this government even at times of

fiscal restraint. As we are doing across government, we will continue to take a close look at all of our spending over the next year and the results of this examination will be revealed in the budget in the spring.

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HEALTH

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the minister, despite being asked multiple times, has still not said what he considers to be a core program, so perhaps the Minister of Health would like to answer a question because these programs are not only an environmental concern and surely the Minister of Health knows that the UV index created by Canada has lowered skin cancer rates and saved lives.

For the Minister of Health, will she have the courage to stand up for the health of Canadians?

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, as my colleague knows, our government does recognize the burden of cancer and the effect that it has on lives and the families who live with loved ones who have this horrible disease. That is why our government is supporting cancer control and prevention efforts, working with provincial and territorial governments as well as stakeholders from across Canada to reduce the burden of cancer. We are renewing \$250 million over five years for the Canadian Partnership Against Cancer to continue its excellent work.

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NATURAL RESOURCES

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, this out-of-touch government seems more concerned with American unemployment than Canadian jobs. Why else would it ignore environmental concerns on both sides of the border and ship raw bitumen on the Keystone pipeline to the Gulf coast?

We all know it is not just oil sands bitumen that will flow through that pipeline. It is good paying Canadian jobs.

Will this out-of-touch government come clean about what the Keystone pipeline really means to Canadian families: a loss of good paying Canadian jobs?

●(1450)

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, the NDP talking about jobs and the oil sands is frankly ridiculous. The NDP's former environment critic called for a moratorium on oil sands development. The Keystone XL pipeline will create over 140,000 jobs and \$600 billion in economic activity. That is what the NDP is prepared to kill.

*Oral Questions**[Translation]*

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, the government is not doing anything to protect Canadians' jobs in the Keystone XL project. Thousands of well-paying, quality jobs will be transferred to the United States should the project go ahead. According to a study conducted by Informetrica, tens of thousands of Canadian jobs are at stake.

Why is this government sacrificing thousands of Canadian jobs for the sake of its relationship with the oil companies?

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, the fact is that oil sands development generates over 500,000 jobs and the Keystone project will generate over 140,000 jobs across Canada.

[English]

It is also interesting to note how the NDP does not really understand that there is no refinery capacity in Alberta. There is in Texas. It would cost over \$16 billion to create refineries, rendering it uneconomical.

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CANADA-U.S. RELATIONS

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, when it comes to defending Canadians against U.S. protectionism, the government has failed consistently.

DFAIT officials before a committee admitted that the government had failed to take pre-emptive action against buy American, even though President Obama has been stating made in America for months.

The WTO found United States country of origin labelling is a trade violation and yet the government makes excuses.

When will the Minister of International Trade realize that United States protectionism is something he must defend against, not make excuses for?

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, it was actually the Liberal Party that slept through 13 long years on the trade file.

It was the WTO that recently pointed out that Canada's considerably expanded free trade agreement agenda marks a departure with its past practice. What practice are we referring to? It is the practice of the previous Liberal government.

[Translation]

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, the Conservative government falls short every time it is faced with American protectionism. When the United States announced its Buy American initiative in 2009, it took the Conservatives seven months to react. According to the WTO, country-of-origin labelling violates trade laws. Nevertheless, the government continues to insist that the United States is negotiating in good faith.

When will the Conservatives realize that they have to fight American protectionism, not excuse it?

[English]

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, we have stated time and again that trade is critical to Canada's long-term prosperity. We have been working very hard to impress upon our American neighbours that protectionism hurts not only Canadians, but it hurts Americans. It takes away jobs and it takes away the robustness of global trade.

We will continue to stand up for hard-working Canadians and businesses. Why will the Liberal Party not do so?

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*[Translation]***RESEARCH AND DEVELOPMENT**

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, this government's research and development policy is pathetic, and a recent report has confirmed that. Canada ranks last among industrialized countries in terms of direct funding for research. It ranks second-last in terms of patent development and second-last in terms of the number of PhD graduates. What a failure.

Will this government review its research and development policies to create the jobs that our economy and Canadian families so desperately need?

[English]

Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC): Mr. Speaker, I reject the premise of that question. In fact, no government in the history of our country has put so much investment into science and technology. In fact, the brain drain that we knew about years and years ago under the Liberals has been reversed under this government.

We now have more fellowships, more internships, more Canada excellence research chairs and more Canada research chairs. We have funding for buildings and equipment.

That is under this Prime Minister, and that is a fantastic record.

● (1455)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, it would be great if it were true but it simply is not.

On this side of the House, we believe in innovation, but let us see the record on the other side. We see that direct public investment in R & D is in last place in the industrialized world. Patent development is second to last. PhD graduates are second to last. That is the record of the government. It is clear that the government does not have a plan.

When will the government stop endangering our economy and start investing in research and development to create jobs here in Canada for Canadian families?

Oral Questions

Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC): Mr. Speaker, first, productivity and innovation have been declining for decades, which is exactly why the Prime Minister came forward with the science and tech strategy in 2007. Under that strategy, we have invested historic amounts of funding for our universities and incentives for our businesses.

It is true that businesses are not doing enough, which is exactly why, if the member were paying attention, we launched a panel review into the R and D sectors and our platform of programs. That panel will report in a couple of weeks. The hon. member should stay tuned.

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POLITICAL DONATIONS

Mr. Bryan Hayes (Sault Ste. Marie, CPC): Mr. Speaker, today, the Standing Committee on Access to Information, Privacy and Ethics passed an important motion to investigate the questionable influence of big unions on the NDP.

Last week, it was revealed that the NDP received at least \$85,000 from big labour unions for their convention even though such donations were banned in 2005.

Could the Parliamentary Secretary to the Prime Minister please update the House on Elections Canada law and what we are doing to ensure Canadians know about the big union donations that are subsidizing the NDP?

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, this type of behaviour on behalf of the NDP is entirely unacceptable. The Elections Canada Act clearly indicates that corporate and union donations are not allowed. Political parties are required to raise money through donations from ordinary everyday Canadians. Elections Canada has been asked to investigate these sponsorships.

The NDP and its union friends do not need to wait for that. They can come clean with Canadians today. We do not need to go to the ethics committee. They could come clean and tell Canadians today but they are not doing it.

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GOVERNMENT GRANTS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, in February, the Conservatives gave a \$75,000 accessibility grant to the Ontario Cornerstone Leadership Corporation, a front for the Ontario NDP, to install a wheelchair lift in its inaccessible party headquarters. The rules required that construction was to begin six months ago and be completed two months ago. It is obvious to anyone who walks up to the building that the project has not even started.

Where did the money go? If the money was improperly spent, will the government demand that the money be returned to the taxpayer?

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, no government has done more for Canadians with disabilities than our Conservative government. Their

full participation in our economy and communities is vital to our country's success. Supporting Canadians of all abilities through the economic action plan helped create opportunities for people who otherwise would not have had them.

We are very proud of this program and, to date, we have supported over 600 worthy community-based projects across the country. Budget 2010 provided an additional \$45 million over the next three years and will expand this program for mid-sized projects. We are doing what we need to do for Canadians with disabilities.

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THE ECONOMY

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, Canadian university graduates are being shut out of the job market at an alarming rate. A whopping one in five grads wind up with jobs on the low end of the income scale. That is more than any other OECD country. Instead of helping strengthen our economy with their degrees and skills, they are being wasted.

When will the government stop the inaction and come forward with a real jobs plan with real opportunities for Canadian graduates?

● (1500)

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, we have a plan to support jobs and growth. It is the second phase of the economic action plan. It includes the small business tax credit, which is very important, and I hope members opposite will choose to support that.

The NDP and the Liberals voted against \$1 billion in federal funding to the provinces and territories for infrastructure in 2011-12. The opposition also voted against the accelerated capital cost allowance, which would have continued over the past two years. I hope the voting behaviour will match the rhetoric.

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HEALTH

Mr. Parm Gill (Brampton—Springdale, CPC): Mr. Speaker, recent statistics have shown us that the number of people smoking in this country is at historic lows. Our government takes the health and safety of Canadians seriously and we will continue our diligent work, not only to encourage more and more people to quit smoking but also to discourage young Canadians from starting this bad habit in the first place.

Today, the Minister of Health announced tough new warnings for tobacco products. Would the parliamentary secretary please provide the details of this announcement to the House?

Points of Order

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, I thank the member for Brampton—Springdale for all his good work on the health committee.

Canadians gave our government a strong mandate to continue efforts aimed at keeping our citizens healthy. Today we announced new warnings for tobacco products. The 16 new warnings cover 75% of the front and back of cigarette and little cigar packages, with eight health information messages and four toxic emission statements on the sides of the packages.

Our government wants to sensitize Canadians to the health challenges posed by tobacco products and we will continue to act in order to protect Canadians' health and keep our children safe.

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INTERNATIONAL TRADE

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, Canada's Asia-Pacific gateway should be about more than the Conservative strategy of just shipping our raw materials overseas.

Last week, the president of the Asia Pacific Foundation advised the government that to be successful in expanding our trade, Canada needed to invest in human capacity building. This means investing in better language education, better training in cross-cultural communication and more support for international business education.

Why are the Conservatives just shipping away Canadian raw materials and jobs instead of making the smart investments in Canadians that will build a foundation for expanding our trade with the region?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, the Asia-Pacific gateway is critical to Canada's long-term economic prosperity. As the demand for Canadian exports to the Asia-Pacific markets continue to grow so do the opportunities for Canadian workers and companies. We are well-positioned to take advantage of the Asia-Pacific markets so we can create economic growth, more jobs and financial security for all Canadians.

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NATURAL RESOURCES CANADA

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, my question is for the hon. Minister of Natural Resources.

On top of recent cuts at Environment Canada, we are aware now that the whole glaciology group at Natural Resources Canada is being disbanded and dismantled. Eighty thousand years worth of climate record in the ice cores may disappear from Canadian possession.

I would like to ask the minister if he would please reconsider and ensure that this essential science is protected and that Canada continues its world record-breaking work in this key and core area of science?

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, the hon. member is misinformed. There will be no destruction of the ice cores. In fact, having provided the useful

scientific input at NRCan, they will be transferred to universities where the research can continue.

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PRESENCE IN GALLERY

The Speaker: I would like to draw the attention of hon. members to the presence in the gallery of the Hon. Dustin Duncan, Minister of the Environment for Saskatchewan.

Some hon. members: Hear, hear!

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POINTS OF ORDER

OFFICIAL REPORT

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, I rise on a point of order. The other day in the House of Commons I raised a question and stated, "In Alberta, Jonathan Denis, the housing minister, now says that Alberta will pick up the slack where the federal government has failed".

I wish to correct the record. I read the story in a media release and I verified it. He did not actually say that he would "pick up the slack". He did say, "It didn't sit well with me that someone who's put their life on the line for our country was homeless", noting no one should be homeless, but this particular case hit him hard. Further on in the media release he stated that he wanted to assist those homeless veterans.

Even though I personally believe that issues involving veterans are federal issues, I am proud to say that the Alberta government and other governments are doing something to help these veterans.

I did quote Mr. Denis incorrectly and I wish to apologize to him and correct the record.

● (1505)

The Speaker: The House appreciates that.

STATEMENTS BY MEMBERS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I rise on a point of order. In the course of question period today, you made a point of saying that someone could not do indirectly what he or she is not allowed to do directly.

In that context, Mr. Speaker, I wonder if you would take the time to have a look at Standing Order 31 in the name of the member for Vancouver South, which must have been approved by her whip, which must have been approved by the leadership of her caucus and which was a direct personal attack on the member for Scarborough—Agincourt and seemed to have gone unobserved by those who were listening to it.

I wonder if you would have a look at the record, Mr. Speaker.

The Speaker: I will examine the transcript and get back to the House if necessary.

*Government Orders***GOVERNMENT ORDERS***[English]***SAFE STREETS AND COMMUNITIES ACT**

The House resumed consideration of the motion that Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, be read the second time and referred to a committee, and of the amendment.

The Speaker: I will go back to the hon. member for Edmonton—St. Albert, who has six minutes left to conclude his remarks.

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, in my previous comments, I was talking about Bill C-10 and specifically the portion affecting the amendments to the Youth Criminal Justice Act.

On the old Bill C-4 from the last Parliament, the justice committee heard concerns from many of the provincial attorneys general concerning the issue of pretrial detention. I would remind the House that the primary concern of provinces with the approach of Bill C-4 was that pretrial detention would not be available to a youth charged with an offence that was not “a serious offence”.

The provisions in the current Bill C-10 address this concern. Under the proposed amendments, pretrial detention of a youth charged with a non-serious offence is possible if the youth has a history that indicates a pattern of either outstanding charges or findings of guilt and if the court finds that detention is necessary for the protection and safety of the public.

This change would allow for detention of so-called out-of-control youth who would pose a danger to society even if that youth were not presently before the court on a serious offence charge.

Moreover, the test for pretrial detention will be self-contained in the Youth Criminal Justice Act, without requiring reference to the Criminal Code provisions as is currently the case.

The second modification to the former Bill C-4 deals with the availability of the deferred custody and supervision order, which is a Youth Criminal Justice Act sentencing option that allows a young person who would otherwise be sentenced to custody to serve his or her sentence in the community under conditions. If those conditions are violated, the young person can be sent to custody.

Under the Youth Criminal Justice Act, this order is not available as a sentencing option if the young person has been found guilty of a serious violent offence, currently defined in the act as an offence in the commission of which a young person causes or attempts to cause serious bodily harm.

The new narrower definition of a “serious violent offence” proposed in Bill C-4 would have expanded the scope of offences for which deferred custody and supervision orders would be available.

However, the provisions in the current bill include the new definition of “serious violent offence” and would also include a change to the amendments proposed in the former Bill C-4 in order to retain the current law on eligibility for these orders, meaning that a

deferred custody and supervision order will not be available if the youth is found guilty of an offence involving either serious bodily harm or an attempt to cause serious bodily harm. I think members could agree with me that these modifications are an improvement over the former Bill C-4.

The third modification since Bill C-4 concerns the adult sentencing provisions in the Youth Criminal Justice Act. The amendments to the former Bill C-4 and contained in this new bill would require a prosecutor to consider seeking an adult sentence for young offenders 14 and older who committed serious violent offences. Prosecutors would also have to inform the court if they decided not to apply for an adult sentence for individual 14 or older who were convicted of a serious violent offence. When the Crown would apply for an adult sentence, the onus would have been on the Crown to convince the judge that an adult sentence was justified.

In part these amendments respond to the Supreme Court of Canada ruling in the case of *R. v. D.B.* that certain provisions of the Youth Criminal Justice Act violated section 7 of the charter. These presumptive offence provisions placed an onus on a young person found guilty of certain serious violent offences to justify receiving a youth rather than an adult sentence and to justify the continued protection of their privacy.

The proposed amendments remove the presumptive offence provisions from the Youth Criminal Justice Act as well as other inoperative provisions to clarify the test for the imposition of an adult sentence and ensure that the onus is on the Crown to satisfy the court as to the appropriateness of an adult sentence.

In the former Bill C-4 the proposed test for an adult sentence would have required that a judge be satisfied beyond a reasonable doubt that an adult sentence was necessary. When we were consulting, a number of the provinces expressed the view that “beyond a reasonable doubt” was too high a standard to meet, was not required by the current case law and would make it significantly more difficult to obtain adult sentences in appropriate circumstances.

The current proposals remove reference to the “beyond a reasonable doubt” standard that had been in the former Bill C-4, thus leaving it up to the courts to determine the appropriate standard of proof, as is the case under the current law.

Government Orders

•(1510)

I think all members of the House will agree that the amendments to the Youth Criminal Justice Act included in Bill C-10 are the result of the widespread consultations and respond to the concerns of Canadians. Our government listened to our provincial and territorial counterparts, to provincial attorneys general, Canadians and victims and have made the necessary changes to this part of Bill C-10.

I think all members can agree that the changes I have described and outlined for the House are reasonable and responsive. I encourage all hon. members to support all parts of Bill C-10.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Wind-sor, Lib.): Mr. Speaker, one of the fundamental elements of this omnibus bill obviously deals with the issue of mandatory minimums as a deterrent. Would my hon. colleague justify how this is to be a deterrent when it comes to mandatory minimums?

We have examples where in certain jurisdictions around North America the death penalty exists, yet their capital offence rates are much higher than jurisdictions that do not have the death penalty in place. When we see situations like that, we have to wonder whether mandatory minimums do serve as that deterrent? Perhaps my colleague can convince me that this is the case.

Mr. Brent Rathgeber: Mr. Speaker, if the hon. member had been listening to my speech, he would have know that I was talking specifically about changing amendments and provisions to the Youth Criminal Justice Act not to the minimum mandatory sentence provisions, which I suspect he might be referring to those who traffic in cannabis and other controlled substances.

However, notwithstanding the lack of relevance of the question toward my speech, I will attempt to answer it. Certainly, there are no provisions anywhere in Bill C-10 dealing with death sentences, nor ought there to be in my view.

Minimum mandatory sentences in appropriate circumstances do deter crime for one very simple proposition that appears to be lost on most members of the opposition, and that is an individual when incarcerated cannot commit further crimes.

•(1515)

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, the government has introduced the safe streets and communities act as if the very title alone validates the legislation. It is presented to us as it is called *res ipsa loquitur*. The very title speaks for itself. If there is any doubt, the government repeats the mantra, as it is done over and over today, that it has “a mandate” for enacting the safe streets and communities act.

Every government not only has a mandate but an obligation to protect its citizens. As a government, we too spoke of safe streets and safe communities in our speech from the throne. Five years ago, in debate in this very House, I spoke as follows:

Safe streets and safe communities are the shared aspiration of all Canadians and the common objective of all parliamentarians and parties. No political party can claim that it alone speaks or cares for the safety of all Canadians or that it alone is legislating for that purpose.

The question then becomes this. What are the means that are chosen to bring about what we have defined as a shared objective of all governments and all parties, namely safe streets and safe

communities? For example, we cannot enact unconstitutional legislation and say “These measures are necessary to protect safe streets and safe communities”. Nor can we justify bad policy through the repetition of the mantra about a mandate. Legislation has to be examined on the merits.

Accordingly this omnibus legislation, taken as a whole, because there are certain bills within that I would support if the good and the bad were not bundled together, reminds me of Gresham's law, that the bad drives out the good. This type of omnibus legislation will result in more crime and less justice at exorbitant and still undisclosed costs.

I will summarize some of the principal defects of the legislation.

First, even before this legislation was tabled, and this appears to be overlooked by the government sometimes, there was a serious problem of prison overcrowding, with some provinces already reporting 200% capacity. We know overcrowding leads to more crime within prisons and more crime outside prisons. The U.S. supreme court has found that overcrowding of 137% can even constitute cruel and unusual punishment. This legislation will only exacerbate the problem in Canada, both as a matter of policy and arguably even as a matter of the constitution.

[*Translation*]

Second, we need to talk about cost. Not only do we not know how much all these measures will cost, but the Parliamentary Budget Officer estimates that just one part of this bill will cost \$5 billion. Canadians and Parliament have the right to all of the figures.

Third, we need to consult the provinces and territories, which will be assuming these costs, to the detriment of services, and ensure that the focus is also on crime prevention and not just on crime and punishment.

[*English*]

Fourth, bundling nine major pieces of legislation in one omnibus bill would not allow for sufficient and differentiated parliamentary discussion and debate let alone oversight of the legislation. This is a constitutional responsibility of parliamentarians particularly with the spending this bill has though the costs remain undisclosed. In effect, it would serve to undermine the parliamentary process.

If we ask the Canadian people if they are in favour of protecting victims and of safe streets, of course the answer will be yes. The question is how to achieve that. This bill would not achieve that. Rather, it would make things worse.

Government Orders

Fifth, the omnibus bill is about principles and priorities. At its core it is about values. If we spend billions of dollars on building unnecessary prisons while crime is receding and putting more people in prison for longer periods of time, that money cannot be used to invest in: a social justice agenda, child care, health care, crime prevention, seniors or social housing. At the end of the day, we would probably have more crime and less justice as a result of this bill.

The evidence demonstrates that the use of mandatory minimum sentences such as would be expanded by this legislation would not deter crime and would have a differential discriminatory impact on vulnerable groups. I particularly highlight the differential and discriminatory impact it would have on aboriginal people, where 34% of all women inmates are aboriginal, and unduly circumscribes judicial and prosecutorial discretion.

As has been mentioned in this debate, even U.S. conservatives now regard it as a failed policy that has caused the prison population to skyrocket while creating expensive megajails that have effectively become factories of crime.

Finally, the manner in which debate is being limited is an abuse of the parliamentary process if not an abuse of the democratic process. In effect, we are being asked to inhibit discussion with our constituents and almost silence or shut them out of the debate. This prejudices members of Parliament from all parties.

The Minister of Justice said that this bill and the bills contained within it were before us in the previous Parliament. There are many current members of the House who were not members of the House in previous Parliaments. Why should they not have a right to discuss this legislation? Why should we not solicit their input? Why should they not be able to consult their constituents? In effect, that is an abuse of the democratic and parliamentary processes and prejudices the very objective this legislation seeks.

I would call upon the government to rethink and revisit its approach with respect to procedure, principle and policy. This sets a disturbing precedent regarding parliamentary procedure as well as a disturbing principle regarding a matter wherein it seeks to enact criminal justice policy.

● (1520)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I strongly disagree with the member for Mount Royal's substantive critique of the bill before the House. In my question I would ask him to address his complaints with respect to process.

I would emphasize that not only were the bills collectively given dozens of hours of debate in the previous Parliament, they were a central element in the electoral platform of the Conservative Party, which committed to passing these bills within 100 days of the resumption of a new Parliament.

For him to characterize the government maintaining its democratic commitment and executing its democratic mandate as somehow undemocratic denudes the term "democracy" of any meaning.

He said that all members should have an opportunity to debate. Of course we will have a debate. We will continue to have a debate on

these matters. Every party and many dozens of members have spoken to the bill.

Let us be clear. The opposition will do everything it can to prevent the bill from passing. It is not interested in debate. It is interested in using dilatory tactics to prevent the adoption of the legislation, which is a core part of the government's democratic mandate.

He said that this is without precedent. I was in the opposition when his party invoked a time limit on debate dozens of times, so I think he is being a bit—

The Speaker: Order. I will stop the member there to allow the member for Mount Royal a chance to respond.

Hon. Irwin Cotler: Mr. Speaker, the architects of prorogation do not have any lessons to give us about the protection of parliamentary procedure and protection of parliamentary debate.

The notion as the minister has put it that these bills were all public through their introduction in the previous Parliament is no less problematic than it is demagogy. Not all of these bills made it through full deliberation and debate in the House let alone in clause-by-clause consideration in committee.

More important, there are new MPs on his side of the House as well as on this side of the House who deserve to have the right to participate in a debate on these bills, which they will not have a chance to do, to discuss it with their constituents and not have the mantra thrown at them: we have a mandate.

We all have a mandate for safe streets and safe communities. The question is how to achieve that mandate. It will not be achieved through this procedure.

● (1525)

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, in his speech the hon. member said that there are parts of the omnibus bill that the opposition agrees with. Would he tell us what the government could do with this omnibus bill if it were really interested in the security of victims and helping victims, if it were really interested in enforcing the laws of this country?

What could the government do to help speed up this omnibus bill?

Hon. Irwin Cotler: Mr. Speaker, one of the first things it could do is to unbundle this legislation and allow for a differentiated consideration of each bill on its merit.

For example, let us take the Justice for Victims of Terrorism Act and related amendments to the State Immunity Act, former Bill S-7. I myself introduced a private member's bill on this issue. I support this legislation in principle, though it could be refined by way of amendment with respect to the issues in my private member's bill. This will not even get to the floor for discussion and debate.

At the end of the day, we will have a bill that provides civil remedies for victims of terror. I support that and many members in the House would support that. However, it would not be as good or as effective a bill as it could be without a differentiated study of it.

Government Orders

Similarly, with respect to the Protecting Children from Sexual Predators Act, we could discuss and even approve that kind of bill in a very short period of time.

I can go through all of this legislation. However, in a word I am saying "unbundle" the bill. Allow every piece of legislation to be considered on its merits. Some bills can be fast-tracked because we will find consensus in the House with respect to the principles and the policies of the bills. Others will be properly amended and improved for the sake of the public and criminal justice, generally speaking.

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, I have listened with much interest to the hon. members' contributions on Bill C-10. I am grateful to have the opportunity to join the debate.

As members know, in the spring of this year our government made a commitment that should Canadians give us their trust and return us to office we would swiftly reintroduce our legislation to make our families, streets and communities safer.

This bill includes a broad range of measures. It includes measures that crack down on drug dealers who target our children. It also includes measures to ensure that those convicted of a sexual offence against children will never be eligible to have their record suspended. It includes measures to get tough on violent young offenders. As well, it includes measures to increase offender accountability and provide stronger justice for victims.

There are several portfolios under which this legislation, the Safe Streets and Communities Act, falls. In addition to justice and public safety there is legislation in the bill that is part of strengthening Canada's immigration system. It is to those proposed changes that I would like to speak today.

Canada's immigration system is an important part of our identity, economy and society. I see these impacts every day in my great riding of Don Valley West. For those people who are applying to enter our country, Canada represents hope, safety and a new beginning. Unfortunately, some arrive here only to have their hopes and dreams shattered. For example, some temporary foreign workers are more vulnerable than others. We cannot turn our backs on them. That is why the Safe Streets and Communities Act includes measures that would prevent the trafficking, abuse and exploitation of vulnerable immigrants.

According to the provisions of Bill C-10, the Minister of Citizenship, Immigration and Multiculturalism would have the authority to provide immigration officers with instructions for refusing a work permit. Instructions would be based on clear public policy considerations and would be supported by evidence that shows the risk of humiliating or degrading treatment. The instructions would not target specific work permit applicants directly. Rather they would apply to applicants of a particular occupation or a group of applicants who could be identified as vulnerable to abuse or exploitation.

The instructions would describe situations that could represent risks to an applicant and would set out the risk factors for officers to consider. They would also help define who would be considered vulnerable depending on the situation or context. For example, an individual applying to come to Canada as an exotic dancer might be

refused a work permit because he or she may be vulnerable to abuse. However, the same individual might be granted a work permit if he or she applied to come to Canada to work in another occupation or a different situation that did not pose the same risk.

It is also important to note that this legislation only creates the legal authority to issue instructions. It does not establish any actual instructions. We anticipate that input from all members of the House will be forthcoming as these ministerial instructions are drafted. Their input is certainly welcome.

Without these amendments, Citizenship and Immigration Canada has no discretionary authority to deny a work permit to someone who meets all the requirements to enter Canada even if immigration officers believe there is a strong possibility of exploitation or abuse. The amendments we propose also include strong measures to ensure that the government is accountable for its use of the new authority. There will be accountability. Each time the minister issues instructions under the authority they must be published in the *Canada Gazette*. In addition, they must be published in Citizenship and Immigration Canada's annual report to Parliament.

Assessments by immigration officers would be made on a case-by-case basis and would take into account the public policy considerations set out in the ministerial instructions.

• (1530)

As I have already stated, these would need to be supported by evidence showing the risk of humiliating or degrading treatment. Furthermore, any decision by an immigration officer to refuse a work permit would need to be reviewed by a second immigration officer.

Canadians do not want an immigration system that can be used to victimize or exploit people. With this authority we can help protect vulnerable people from being brought into our country to face abuse and exploitation. Bill C-10 will protect the vulnerable from abuse.

Again, this action that would prevent the exploitation of vulnerable foreign workers is only one part of our comprehensive crime legislation that makes up the safe streets and communities act.

To recap, the legislation before the House would better protect children and youth from sexual predators; increase penalties for organized drug crime; end house arrest for serious crime, and thus prevent serious criminals from serving out their sentences from the comfort of their living rooms; protect the public from violent young offenders; eliminate pardons for serious crimes, such as sexual abuse against children; enshrine in law a number of additional key factors in deciding whether an offender would be granted a transfer back to Canada; support victims of terrorism; increase offender accountability and support victims of crime; and, as I have discussed here today, protect vulnerable foreign nationals against abuse and exploitation.

Government Orders

Parliament has already seen and debated a great deal of this legislation. None of it is a surprise. All of it is part of our important action to make Canada's streets and communities safer for law-abiding Canadians and their families.

We made a commitment to Canadians. Canadians gave us a strong mandate to follow through on that commitment, and that is what the safe streets and communities act is about.

I close by asking that the hon. members across the floor join our government as we work to keep Canadians safe by helping us to pass this important legislation.

● (1535)

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, there are two aspects of the crime bill that the hon. member did not appear to address in speaking about the bill.

One is that in the last Parliament, public prosecutors came to testify on the previous proposed provisions for mandatory minimum sentences for juvenile offenders. They testified that only 5% of all youth offenders are actually involved in violent crime and that it did not make sense to have a blanket approach to all youth offenders.

Second, there was a very sad incident in my riding this past summer. The alleged actions of someone who was mentally suffering caused the death of an elderly woman.

I would ask the member for his comments on the apparent rise in numbers of people with mental problems who are being sentenced for crimes instead of being re-routed before the crimes are committed, thus preventing the crimes. What is the response to that? Should we not be taking action to prevent people with mental problems from committing serious crimes, rather than jailing them?

Mr. John Carmichael: Mr. Speaker, clearly these issues go hand in hand. Our mandate is to make our streets and communities safer for our families. As the member experienced, in my riding we had three serious shooting events that clearly described the severity of gang violence and drug violence in communities today.

I understand her question on the mental health issue clearly. We have a responsibility to ensure that those questions are addressed as well, but our mandate is to deliver this bill. I would ask her to get on board with us and vote in favour of this bill so that we could take it to committee and deal with these issues directly.

Hon. Jim Karygiannis (Scarborough—Agincourt, Lib.): Mr. Speaker, I want to thank the hon. member across the way for eloquently stating his ground. However, there was a point that I missed, and I would ask for clarification.

My colleague stated that the bill would help temporary foreign workers in Canada. He said that it would give the minister the right to extend their work permits. Then he went on to say that if there is an exotic dancer who applies and does not qualify, then that person could apply for something else.

I wonder if the member is recommending to the people who want to come to Canada that they can shop around in how they could apply to come to Canada. That is what I understood from his wording. I am sure that if he looked through his speech, I think he might find that he made a mistake and might want to rephrase what he said.

Mr. John Carmichael: Mr. Speaker, I will review my speech in due course, but clearly we want to protect the victims of abuse and take steps to ensure that newcomers to this country are not exploited or taken advantage of.

In the case of that one example, we know that those who come here are in a vulnerable state and could be placed in a position of untenable stress.

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, Canada is outranked among western democracies only by the United States in terms of its high incarceration rate. Barring interventions, prison populations are expected to grow in the next decade by over 50%. I wonder if the member—

The Acting Speaker (Mr. Bruce Stanton): Order, please.

We will get back to the member for Davenport. I am sure that members, and certainly the member for Don Valley West, will need to hear the question and comment.

The hon. member for Davenport.

● (1540)

Mr. Andrew Cash: Mr. Speaker, the Canadian Criminal Justice Association has a long list of reasons describing why overcrowding is detrimental to the rates of prisoners being able to be reintegrated into Canadian society. Overcrowding impairs reintegration efforts of offenders and contributes to rates of recidivism. It spends vast quantities of resources to warehouse inmates, with negative rather than positive impacts, diverts resources from treatment and cripples the ability of the system to deliver programs and treatments in a timely and appropriate manner.

What we are going to have is more overcrowding. What is there in the bill that solves these problems? Could the member answer that question?

Mr. John Carmichael: Mr. Speaker, clearly the hon. member's question is outside the area I was speaking to today, but if we are going to provide safer streets and create crime bills that create deterrence, yes, there is going to be additional demand on our system. We are going to have to find resolution to living with that.

However, the mandate we have been given by the people of Canada is to provide safer streets for our communities and our families.

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, I have tremendous respect for the member for Mount Royal, but he spent his entire opportunity to speak to the bill, which he said he did not have enough time to speak to, in explaining why he needed more time to speak to the bill. I am looking forward to having my opportunity to speak to Bill C-10, which I think does much for the people across this country.

Canada is a land of opportunity and freedoms, and we should not practise anything different. Many come to Canada to seek a better life but instead find themselves vulnerable to exploitation by employers. Found in vulnerable situations, they have no one to turn to. We should not let the vulnerable be exploited. We need to stand up for those who are being exploited by others.

Government Orders

I am speaking about one part of Bill C-10, which deals with preventing the trafficking, abuse and exploitation of vulnerable immigrants. It is former Bill C-56. Our government is making good on the commitment we made to Canadians. It is our duty to hold criminals accountable for their actions and to do everything we can to make our communities safe for law-abiding citizens who work hard and play by the rules. It is our duty not to let people take advantage of our generous immigration system.

People in St. Catharines have said that cracking down on criminals and making their community safer is one of their top priorities. People in Niagara and across the country want and deserve to be able to feel safe in their homes and communities, and that means criminals need to be kept off the street. I have heard my constituents loud and clear, and I will stand up and support the bill because they have asked me to do so.

The bill will not only keep our communities safe but will also ensure that vulnerable foreign workers who contribute to many of our communities are not exploited. As my hon. colleagues know, some temporary foreign workers may have weak language skills and very little money. They may have no family or friends in Canada and they may also fear the police and any level of government. This often puts them in a vulnerable position. With no one to turn to, their situation can place them at the mercy of those who wish to abuse them or exploit them.

As the Parliamentary Secretary to the Minister of Citizenship and Immigration, I have conducted consultations with employers who rely on the temporary foreign worker program. Almost all of them treat their employees with the respect and dignity they deserve, but some of them do not. When we talk to employers who use the temporary foreign worker program and entreat individuals to come from another country to work in this country to help provide for their families back home and earn a living, it is clear that there are those in this country who do take advantage of temporary foreign workers who come to Canada.

Whether it is New Brunswick, Nova Scotia, British Columbia, Alberta, Saskatchewan, Manitoba, Ontario or Quebec, employers who love and use and understand this program have developed it into something that is respected around the world. In my view and in many employers' views, the program is actually the best foreign support program we could offer workers because of what it allows them to do in terms of bringing home the revenue they are able to make here. It helps their families, it helps their children go to school, it improves their lives with respect to their homes, and it ensures that their children get a college or university education.

It is the same employers who support this program who want us to crack down on the employers who take advantage of those individuals.

That is exactly what the bill would do. It is what this portion of the bill would allow us to move forward on. The bill would help us protect vulnerable foreign workers by giving immigration officers the authority to deny work permits to those who are at risk of humiliating and degrading treatment, including sexual exploitation. The ability to deny work permits to vulnerable workers would enable the government to protect applicants by keeping them out of these types of situations.

Bill C-10 would actually alter the current objective in the Immigration and Refugee Protection Act, section 3. Instead of referring to protecting "the health and safety of Canadians", it would refer to protecting "public health and safety".

• (1545)

We are not just defining the bill anymore to Canadians. We are extending that obligation of employers and of our government to those who are here on a temporary basis to seek and find employment and work here on behalf of their families at home. We are doing this because the government believes that it is our responsibility to protect the health and safety of individuals who not only apply for Canadian citizenship and permanent residence, but apply to work here in our country legally.

We are committed to ensuring that Canada's immigration system continues to have a positive impact on our economy in society and that everyone who enters Canada has a fair chance to find what they are looking for, which is hope, safety and a new start. It does not make sense for the government to knowingly authorize vulnerable foreign nationals to enter into a potentially abusive situation. As the government, we will work to ensure that people who come to Canada can pursue their new lives without fear for their own safety.

Bill C-10 is an important step forward to that goal. If members share this goal, I ask them to support this legislation.

Preventing the trafficking, abuse and exploitation of vulnerable immigrants act would authorize immigration officers to refuse work permits to vulnerable foreign nationals when it is determined that they are at risk of humiliating or degrading treatment, including sexual exploitation or human trafficking. This is but one of ten, but a step in the right direction to accomplishing that.

I would also submit that we have seen the success of the program. Many employers across the country call this the best foreign aid program this country has to offer. We have temporary foreign workers who come here and are able to fulfill an obligation that they have to themselves and to their family to provide for a stronger future for their families in the countries they come from. Many of those temporary foreign workers who come here have told me about how successful this program has been and what it means to them. All of them feel that their employers treat them in a way that makes them feel they are part of the organization, part of the company, part of the extended family.

By putting this bill forward, we are not only suggesting to Canadians and to employers across this country that fair, humane and equal treatment is an obligation that we have, both under our Constitution and obviously under the Charter of Rights and Freedoms, but it is an obligation that we are now extending not just to Canadian citizens, not just to permanent residents, but to those who come here to work under the conditions of a permit that they have met the obligations of, and have a chance to work for their families and for themselves, to put their children through school and to build a better life.

Government Orders

With this bill, we would be putting in place a system that would actually improve a program upon which, since the 1960s, we have built on in this country, that has been successful and that has proven to be successful. In fact, with the enhancements in a small part of this bill, we would be preparing and providing for them in a much stronger and better way than we already are.

• (1550)

[Translation]

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, I would like to thank the Parliamentary Secretary to the Minister of Citizenship and Immigration for elaborating on one part of the bill that is before us.

I would like to ask two questions pertaining to two parts of the bill. First, what concrete measures will ensure that temporary foreign workers will not be exploited? And how will the Minister of Citizenship and Immigration verify the working conditions of foreign workers to ensure that they are not being exploited?

[English]

Mr. Rick Dykstra: Mr. Speaker, I will answer the second part of the question first.

Basically, our department, along with Human Resources and Development Canada, spends a great deal of time ensuring that those employers who seek to have temporary foreign workers assist them in their companies have it done in a manner that is clear and effective. Every employer must meet specific standards with respect to this issue. The department and the government, along with our provincial counterparts, ensure that is put into place.

In terms of the first part of the member's question, very specifically, Bill C-10 would alter the current objective within the Immigration and Refugee Protection Act. Section 3(1)(h) would be changed from protecting the health and safety of Canadians to protecting public health and safety. This extends, specifically, the right to fair treatment and the right to the type of protection to which I spoke, not just to Canadians and permanent resident but to temporary foreign workers as well.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the problem with this particular bill is that the government has made a decision in its wisdom to say that it wants this, this and this. Those are all pieces that should have been separate pieces of legislation so that when the government brings forward individual pieces of legislation there is more legitimacy to the debate on the issue and the law that it is attempting to change.

There are many things that we could be doing in terms of amendments to the refugee and immigration laws.

Would the Parliamentary Secretary to the Minister of Citizenship and Immigration recognize that there is so much more that could have been done had this been a stand-alone bill, which would have enabled all members to have a better engagement on what is a critically important issue across this country? In fact, there needs to be dialogue with provinces? Some provinces have actually made significant advancements on protecting the workers. Would the hon. member not agree with that?

Mr. Rick Dykstra: Mr. Speaker, I understand the point the member is making. I compliment him on his appointment as critic

for the third party at our citizenship, immigration and multiculturalism committee. I look forward to working with him on that committee.

The member understands. He was here for part of the 40th Parliament when we introduced and passed Bill C-11, Balanced Refugee Reform Act and Bill C-35, the crooked consultants act, two pieces of significant legislation. In fact, I would argue that, aside from our budget, Bill C-11 was the most significant piece of legislation that this Parliament passed in the 40th Parliament. That legislation arrived in this House after second reading, went to committee, came back for third reading and was passed unanimously by the House.

I can let the member know that we have lots in this bill that we want to pass. We have passed quite a bit with respect to citizenship and immigration. There is a lot more to come.

• (1555)

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, Lambton—Kent—Middlesex is very much a rural riding. In that riding, from one end to the other, we have the great use of the temporary foreign workers programs. It is so significant and so important to our farming community, whether it is apple orchards or greenhouses. I have been to a number of those farm operations. The care that these operations provide for their temporary workers is just immeasurable, quite honestly, and they are the ones I want to compliment.

However, these operators are also concerned about those who do not have protection. They want to ensure that, when a bill goes through, it will actually offer protection so that no foreign worker is being exploited. Would this bill fulfill that need?

Mr. Rick Dykstra: Mr. Speaker, when it comes to this issue, time and again the member has come to speak to me about the good work that the employers in his riding are doing and about the importance the put on the treatment of foreign workers in his community.

I want to assure the member that from a department perspective we will continue to work at that. As a government, we show support to those employers who want to follow the rules and ensure that this program works but for those who do not they will pay substantially for it.

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am pleased to stand in the House today to participate in the debate on Bill C-10, the Conservative government's omnibus crime bill. Sadly, I only have 10 minutes to make my remarks, which is wholly inadequate for offering an in-depth analysis of each section of the 110 page bill.

However, since this is second reading, the stage in a bill's passage during which all members are charged with providing feedback to the government on the principles of the legislation before us, I am confident that I can at least do that within the allotted timeframe.

I will begin by stating what ought to be obvious. All members in the House, regardless of political party, agree that serious crime requires a serious response. There is absolutely no debate here. However, we also need to remember that the iconic statue of justice holds a scale in her hand for a reason: justice requires balance. It is that balance that is lost in the bill that is before us today.

Government Orders

My NDP colleagues from Windsor—Tecumseh and Vancouver Kingsway have already articulated the fact that the bill puts wedge politics and ideology ahead of facts and evidence. It is a point that bears repeating.

It is absolutely true that we have three years of evidence now to prove that the violent crime rate in Canada is falling dramatically. We also know that there is not a single empirical study in Canada, or any other democracy for that matter, which proves that incarceration is an effective deterrent.

On the contrary, by imposing mandatory minimums on young offenders and therefore sending them to jail for longer periods of time, we will be creating more recidivists, not less. A government policy that turns young offenders into hardened criminals surely must be seen as completely undermining the goals of any criminal justice reform.

Equally absurd is the part of the bill that mandates less jail time for a child rapist than someone being charged with growing pot. The omnibus legislation would impose a one year mandatory minimum for sexually assaulting a child, luring a child via the Internet or involving a child in bestiality. All three of those offences carry lighter automatic sentences than those for people running medium sized grow-ops in rental property or on someone else's land. A pedophile who gets a child to watch pornography with him or someone who exposes himself to kids at a playground would receive a minimum 90 day sentence, half the term of a man convicted of growing six pot plants in his own home.

I do not think there is a single constituent in my riding of Hamilton Mountain who would agree with either that approach or that outcome. However, that is what we get when, instead of looking at the Criminal Code as a whole, exploring reforms systematically and ensuring that the same sentencing principles are applied in all sections of the code, we have a government that simply lumps a whole bunch of pre-election promises together in an act of political expediency. Ideologically, the government may want to be seen as being tough on crime but effective criminal law reform requires us to be smart on crime. Bill C-10 fails that test completely.

The Canadian Bar Association would concur with my assessment. The association made a specific comment on the minimum sentencing provisions of the bill by pointing out that they fail the mentally ill, aboriginal people, visible minorities and the poor. Mandatory minimum legislation will simply clog the courts and fill Canadian prisons with vulnerable segments of the population. As a result, the Bar Association is calling on the government to reverse course and to allow judges leeway in applying mandatory minimums so that they are not imposed when it would be cruel or inappropriate.

The CBA is spot on. It leads me to ask my Conservative colleagues why they are so intent on imposing a straitjacket on Canadian judges by so aggressively pursuing mandatory minimum sentencing. Justice requires the ability to differentiate between similar offences when they are committed under completely different circumstances. I am not saying that judges are perfect. They are human and might on occasion make mistakes. However, they enjoy the confidence of the vast majority of Canadians. They are highly educated and highly trained and, therefore, are much better equipped

to determine appropriate sentences than any of us here in the House. I suggest that we allow them to do their jobs.

There is a particular irony in the timing of the proposals contained in the bill with respect to mandatory minimums. While I appreciate that their genesis lies in the tough on crime and drugs approach adopted decades ago by the United States, the Conservatives are choosing to emulate that agenda at precisely the time that it is being discredited south of the border, even by Republicans, as an exorbitantly expensive failure.

I will begin with the obvious. I want to reiterate the succinct statement made by my colleague the member for Kings—Hants:

If putting more people in prison for longer periods of time created safer communities, American cities would be the safest in the world, because nobody incarcerates more people than the Americans.

• (1600)

U.S. conservatives are now recognizing their folly. Even Newt Gingrich, the right-wing Republican former speaker, is on the record now acknowledging that longer prison terms have not been effective deterrents. In an editorial to *The Washington Post* he wrote:

Our prisons might be worth the current cost if the recidivism rate were not so high, but, according to the Bureau of Justice Statistics, half of the prisoners released this year are expected to be back in prison within three years. If our prison policies are failing half of the time, and we know that there are more humane, effective alternatives, it is time to fundamentally rethink how we treat and rehabilitate our prisoners.

He then went on to praise Texas as a state that has reduced its prison population while keeping the public safe. He wrote:

Several states have shown that it is possible to cut costs while keeping the public safe. Consider events in Texas, which is known to be tough on crime. Conservative Republicans joined with Democrats in adopting incentive-based funding to strengthen the state's probation system in 2005. Then in 2007, they decided against building more prisons and instead opted to enhance proven community corrections approaches such as drug courts. The reforms are forecast to save \$2 billion in prison costs over five years.

The Lone Star State has already redirected much of the money saved into community treatment for the mentally ill and low-level drug addicts. Not only have these reforms reduced Texas's prison population - helping to close the state budget gap - but for the first time there is no waiting list for drug treatment in the state. And crime has dropped 10 percent from 2004, the year before the reforms, through 2009, according to the latest figures available, reaching its lowest annual rate since 1973.

Canada should heed the experience south of the border and it should heed the advice of Gingrich, who himself entered into this debate primarily because of the exigencies of rising budget deficits.

Here in Canada, we appear to be on the brink of another recession and instead of investing in people and jobs, the Conservatives announced that they are seeking \$4 billion in annual savings. Clearly, the government is not seeing the forest for the trees.

Government Orders

The Parliamentary Budget Officer is estimating that this new crime bill could double the annual prison costs from \$4.4 billion to \$9.5 billion in five years. That is an increase of \$5.1 billion, while they are looking for savings of \$4 billion in program costs elsewhere.

I would urge the government to put this question to Canadians: Do they support the doubling of prison costs at the cost of reduced benefits in other programs? Or would they rather see that money continue to be spent on health care, job creation, employment insurance, adequate pensions, and education for their kids?

I think the Prime Minister knows the answer and that is why he is not going to the Canadian people to offer them that choice. Instead, he is paying a private consultant \$90,000 a day to find savings in other programs just so he can pay for his ideological priority of building more jails. It is absolutely absurd.

Let me end where I started. I talked about the scales of justice and their symbolic call to all of us to strive for balance. I would therefore be remiss if I did not acknowledge that there are parts of this bill that I do support.

I do support the initiatives to protect children from exploitation including sexual assault. In fact, two of the new offences that this bill targets came from NDP private members' bills relating specifically to communicating for the purposes of luring a child. As I said before, we part ways when the government's solution focuses simplistically on creating additional mandatory minimums.

I also agree with putting victims rights into law. I would argue that this is long overdue.

I supported legislation in the last Parliament that blocked Karla Homolka from getting a pardon.

However, the additional changes proposed to the pardon system in this bill are neither rational nor evidence-based and they fail to put public safety first. That, to me, must be the basis for evaluating the entire omnibus bill. Failing that test, I cannot possibly vote in favour of the current bill.

•(1605)

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, I wonder if my hon. colleague is aware of a recent article by Mr. Peter Blaikie who is one of the founding partners of the well-known Montreal law firm, Heenan Blaikie, and a former president of the Progressive Conservative Party of Canada. In an article on August 2 in *The Gazette* he stated:

A civilized, effective system of justice should have two overriding objectives: to protect society, perhaps forever, from the truly dangerous and, while punishing the others, using every possible effort to rehabilitate them, turning them into productive citizens. The government's approach, in effect and almost certainly in intention, reverses these objectives. It is all stick and no carrot. It even abandons the highly successful, self-sustaining, century-old program of prison farms, which taught generations of inmates critical life skills.

I would like her comments on this.

Ms. Chris Charlton: Mr. Speaker, as I said at the outset, when people actually start to look at the legislation, it is incredible how many are astounded at the lack of balance in the omnibus crime bill.

The member is absolutely right. It is always delicious in the House when a member quotes another Conservative and I appreciate him

doing that. It is perhaps one of the more fun moments that we get to enjoy in this place. However, it is an important piece of legislation and we should not make light of it.

The reality is that this bill does nothing for the victims of crime in terms of preventing crime from happening in the first place. If we are serious about wanting to help victims, we have to ensure they do not get victimized in the first place.

I would have liked to have seen provisions for expanded programs to deal with mental health issues, poverty, and all of the root causes of crime. Of course, none of that is in there. Instead, we are downloading prison costs to over-burdened provinces that cannot possibly deal with the additional demands that are made on their prison system.

As I said at the outset, there is absolutely no balance in the bill.

[*Translation*]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, while I understand the political jousting that consists of vilifying the opposition by saying it plans to vote against certain parts of the bill, I would like to hear my colleague's opinion on this bill's general approach. It seems to pit victims and offenders against one another, as though each of these groups could not find within a bill any essential elements to improve safety.

I feel as though the government is creating a false sense of security with this bill. On the one hand, by imposing minimum sentences without coming up with any solutions to rehabilitate offenders, once those sentences are over, we will be no further ahead.

[*English*]

Ms. Chris Charlton: Mr. Speaker, the member is absolutely right, there is nothing in the bill that talks about investments in rehabilitation.

As I said in my speech, all of us in this House, no matter which side of the floor we sit on, believe that serious crimes must be dealt with seriously. There is absolutely no disagreement. We all want our communities to be safe communities. However, let us look at the crime statistics. We know that crime has gone down over the last 20 years successively. That is true both for property crimes and for things like murder and assault.

The member is absolutely right to point out that what we need to do when we are dealing with the criminal justice system is to, first of all, deal with it holistically. We need to ensure that we deal with both the criminals and the victims in a way that is fair, that allows for rehabilitation in our prison system, and that we are not just adding cost without any benefit in creating a better justice system.

Government Orders

•(1610)

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): We have enough time for one brief question and one brief response. The hon. member for Sudbury.

[*English*]

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, one thing we have been hearing over and over when it comes to everything else that the government talks about is cost. The Conservatives talk about it being costed in their election platform and costed here and there. However, there is absolutely nothing coming from the Conservatives that relates to the cost of the bill. Our justice critic has put the question to the minister and we did not get an answer. I would like to hear the member's comments.

Ms. Chris Charlton: Mr. Speaker, the hon. member for Sudbury was here in the last Parliament when the Conservative government actually denied us access to the costing of its previous round of crime bills.

We know that prison costs are up 86% since the Conservatives took power. By 2013-14, the federal prison budget will almost double to over \$3 billion. This evidence exposes a real question of priorities. If the government is belt-tightening everywhere else, why is the opposite true here?

Mr. John Williamson (New Brunswick Southwest, CPC): Mr. Speaker, I am pleased to rise today to speak to Bill C-10, Safe Streets and Communities Act.

Hon. members will know that over five years ago our government made a promise to Canadians. We pledged to keep them safe and secure.

[*Translation*]

This bill builds on the work our government has already undertaken to more fully hold offenders to account for their actions and to stand up for victims.

[*English*]

Victims have always been central to our government's crime reduction agenda. With that in mind, I would like to devote my remarks today to discuss a very important component of Bill C-10 which deals with victims of terrorism.

[*Translation*]

The threat of terrorism is a reality for Canadians. It is not a distant concept or something that only happens in far corners of the globe.

[*English*]

The reality is that terrorism can happen. It has happened right here on our soil and Canadians can be, and are, also targeted by terrorist organizations when they are living, working, and travelling in other countries.

Since September 2001, 195 Canadians have fallen victim to terrorism. This year, on the tenth anniversary of the September 11 attacks, we remember the 24 Canadians killed that brutal morning.

In 2002, two Canadians were killed in the Bali bombings. Another individual killed by terrorists in Indonesia that day was my friend,

Peter Record, a 32-year old British citizen. Peter was like any typical Canadian. He liked the outdoors, he enjoyed a pint of ale, but instead of hockey was a big rugby fan. Peter and I worked together in Hong Kong, and on that tragic day in 2002, he was vacationing in Bali when he was killed by a bomb. For me, this is a striking reminder that a terrorist attack is not something that only happens to the friends and families of others. Indeed, this is a global threat and Canada must do its part to protect its citizens.

In 2003, a year later, two Canadians were killed in the bombing of the United Nations headquarters in Baghdad. A Canadian diplomat was killed in Afghanistan in 2006 in an attack on a Canadian convey. Two years later, in 2008, four Canadians were killed and injured in the Bombay attacks, and another two Canadian aid workers were ambushed and killed by the Taliban in Afghanistan.

[*Translation*]

In 2009, an explosion in Kandahar City claimed the life of a Canadian journalist. More recently, in 2011, two Canadian citizens were killed in a café attack in Morocco. One hundred and fifty seven members of the Canadian Forces have been killed combatting terrorism while serving in the Afghanistan mission.

[*English*]

To this day, terrorism continues to threaten the lives of innocent citizens in Canada and around the world. A number of international and domestic extremist groups are present in Canada. Some engage in terrorist activities here or support terrorism beyond Canada's borders. Some have worked to manipulate or coerce members of Canadian society into advancing extremist causes hostile to our nation and our nation's values. Terrorism is a serious and persistent threat to the security of Canada and its citizens.

•(1615)

[*Translation*]

This government is committed to protecting Canada from terrorism and keeping its citizens safe in their communities. Ensuring the safety and security of all Canadians is a commitment our government takes seriously.

[*English*]

The bill before us today is another important initiative to strengthen our country's national security network.

Bill C-10 would complement our exiting counterterrorism measures by deterring terrorism, responding to the needs of victims of terrorism and demonstrating Canada's leadership in acting against the perpetrators and supporters of terrorism around the world. Indeed, Bill C-10 would constitute another important instrument in our efforts to deter this global threat.

I would like to take this opportunity to provide members with an overview of the provisions contained in Bill C-10, which pertain to victims of terrorism and explain how our government proposes to respond to their needs.

Government Orders

To achieve these goals, Bill C-10 would allow victims of terrorism to sue, in a Canadian court, perpetrators of terrorist acts and their supporters, provided the victims could demonstrate a real and substantial connection between their actions in Canada.

Specifically, Bill C-10 would allow victims of terrorism to file a court case against perpetrators of terror, such terrorist entity listed under the Criminal Code, or other persons or organizations that carried out a terrorist attack. In addition, a legal case could be brought against individuals, entities or listed states which provide and support to a terrorist entity.

If the loss or damage occurs outside Canada, there must be a real and substantial connection to this country. This legislation would be retroactive to January 1, 1985, in order to allow victims of terrorism to seek redress for loss and damage that occurred as a result of a terrorist act committed anywhere in the world on or after that date. Allowing victims to terrorism to sue for past events would send a message to perpetrators and supporters of terror that Canada would hold them liable for their actions.

To allow for legal action against listed states, Bill C-10 would amend the State Immunity Act to lift the immunity of states that were supporters of terrorism. Lifting a state's immunity is a decision that cannot be taken lightly, as it may have significant impacts on Canada's international relations, interests and foreign policy.

This bill would create a robust mechanism for determining whether a foreign state should be listed as a supporter of terrorism. The Governor-in-Council, on the recommendation of the Minister of Foreign Affairs, in consultation with the Minister of Public Safety, would be able to add a state to the list if there were reasonable grounds to believe that the state supported, or had supported, a terrorist entity listed under the Criminal Code.

Using the list of terrorist entities under the Criminal Code is an adequate criterion to justify the listing of a foreign state since the Criminal Code list is determined through a rigorous analytical process. There are currently 44 listed entities.

Let me assure members that the government will take all the appropriate precautions to minimize any potential negative impact on Canadian trade, or foreign relations or threats to Canadian personnel, interests and citizens abroad when listing and delisting states.

Bill C-10 would also establish a review mechanism to ensure the timely removal of states from the list if they were determined to no longer support terrorism. Here, the Minister of Foreign Affairs, in consultation with the Minister of Public Safety, would review the list every two years to determine whether a state should remain on the list and whether other countries should be added to the list.

Also, a listed state could apply to be removed by submitting a written application to this effect. Once this application was received, the Minister of Foreign Affairs and the Minister of Public Safety would decide whether there were reasonable grounds to recommend to the Governor-in-Council that the state no longer be listed.

Bill C-10 would do more than just create a cause of legal action for victims of terrorism. It would also allow plaintiffs who had received a judgment in their favour to request assistance from the

Minister of Foreign Affairs and the Minister of Public Safety in identifying and locating in Canada the property of a foreign state against which a judgment had been rendered. Such assistance would have to fall within the mandates of those ministers and would be provided to the extent reasonably practical, unless doing so would be detrimental to Canada's interests.

These provisions would strike a balance to allow the Government of Canada to help victims in real and tangible ways, while safeguarding Canada's standing in the international community.

Finally, Bill C-10 also calls for the recognition of foreign judgments by Canadian courts in favour of victims of terrorism.

Bill C-10 is yet another indication of our determination to give victims not only a voice, but legal means to seek justice against those who caused them harm. This is the latest tool in our growing arsenal to deal with the threats of the safety of Canadians both here at home and abroad.

I urge all hon. members to support Bill C-10 in order to provide justice for victims and punishment for terrorists perpetrators and supporters of terrorism.

• (1620)

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I would like to thank the hon. member for his speech and ask him a question.

I am aware of the work that he did previously as the president of the Canadian Taxpayers Federation. One of my biggest concerns about Bill C-10 is the fact that we do not know how much it will cost the provinces. We do know that the bill will cost the federal and provincial governments a significant amount of money, particularly because of minimum sentences.

Can the hon. member give us an idea of how much will be covered by the provinces and how much will be covered by the federal government, and can he tell me what he thinks of a government that cannot give us an answer in this regard?

[*English*]

Mr. John Williamson: Mr. Speaker, the member's question does not really address the issues I have raised today, but let me touch on it nonetheless. It is clear there is a cost to society when crime is allowed to happen and is not deterred. Our government is simply taking steps to reduce crime thereby saving society money.

I will touch on the comments by the Minister of Justice earlier today. It is ironic that the only time the official opposition seems to be concerned about spending initiatives is when it comes to the protection and safety of Canadians.

Government Orders

Regarding this aspect of Bill C-10, this measure would give rights to the victims of terrorism to seek help or redress in the courts. This is not an area that will end up costing the Government of Canada huge sums of money. We are acting to facilitate victims of terrorism so they can seek justice in our courts for what happens here or around the world.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, my question is in a similar vein to the previous one. I know the member is an economist, but he also used to work for an organization that took every opportunity to be against higher government spending in favour of lower taxes.

Bill C-10 involves higher government spending, not the usual kind that is explicit and honestly stated, but hidden government spending. We have a situation where it may be \$3 billion, or \$10 billion or whatever numbers of billions of additional expenditures on prisons and the government refuses to give us any idea of what that additional cost is.

I have nothing against most of what the member said in terms of the ability of victims of terrorism to sue, that does not even cost much money, but the overall bill costs an unknown number of billions of dollars possibly ranging into tens of billions. Therefore, one might like something if it costs \$1 billion, but not like it if it costs \$12 billion.

How can the member possibly justify the government giving no information to Canadians on the cost of this legislation?

Mr. John Williamson: Mr. Speaker, the group I used to work for, the Canadian Taxpayers Federation, was primarily opposed to wasteful government spending, which is an altogether different thing than opposing all government spending.

On that note the member has a valid point. For example, the long gun registry sounded like a great idea when we were told it would cost \$2 million, but when the price tag hit \$2 billion, suddenly Canadians no longer agreed with it. The member is correct. Governments can waste money and often do.

Again, when it comes to the bill, documents were tabled that outlined some of the costs, but we also want to step back here. The Minister of Public Safety has pointed out in the media that his own department thought some of the provisions we enacted would increase the prison population to 16,000 when it had gone to 14,800. By getting tough on crime, it is the repeat offenders who are serving time in jail longer as opposed to us locking up more and more Canadians, which seems to be a concern of the opposition.

This is a reasonable bill, which addresses the concerns of Canadians. Yes, there is a cost to it, but there is a greater cost to society when government sits back and allows crime to happen without it being punished.

• (1625)

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): 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 Rivière-des-Mille-Îles, The Environment; the hon. member for Nanaimo—Cowichan, Poverty.

[*English*]

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, the sweeping omnibus crime bill tabled by the government will have one clear result, and that is thousands more will be incarcerated, billions more will be spent on prisons and aboriginal Canadians will be most at risk.

This “jail everyone” policy shift contradicts testimony by experts and sound recommendations from countless national reviews on how to reduce the number of aboriginals committing crimes or who are the victims of crime.

While only 3% of Canadians are aboriginals, they constitute 22% of prison populations, nine times the national average.

I cannot even hear myself speak, Mr. Speaker.

The Acting Speaker (Mr. Bruce Stanton): The member for Edmonton—Strathcona has the floor. I am sure that members will be interested to hear. It is difficult to do that when there is so much noise in the chamber.

The hon. member for Edmonton—Strathcona.

Ms. Linda Duncan: Mr. Speaker, I do not appreciate the caustic comments coming back at my request for consideration.

This policy shift to jail everyone contradicts testimony by experts and the sound recommendations from countless national reviews on how to reduce the number of aboriginals committing crimes or who are the victims of crime. While only 3% of Canadians are aboriginal, they constitute 22% of the prison populations, nine times the national average. In 2008, one in four people identifying as aboriginal was in provincial or territorial sentence custody. In Nunavut, prisons are so crowded prisoners are sent away from the community to serve their sentences. They are dislocated from any community support. The long-standing housing shortage in Nunavut may soon be perversely solved through expanded jails.

Yet only 2% of the federal prison budget is spent on aboriginal programs. While the Canadian Human Rights Commission decries the government's failure to offer rehabilitation for aboriginal inmates, the government continues to cut effective programs, including prison farms and healing circles.

Government Orders

National Chief Shawn Atleo has told us that aboriginal high school students are more likely to be incarcerated than to graduate. Aboriginal youth face a 14% unemployment rate. Aboriginal women suffer more than twice the rate of unemployment than non-aboriginal Canadians.

The Samson Cree first nation faces an unemployment rate of 53%, high levels of substance abuse, marked increase in gang activity, and among the highest rates of incarceration per population of any first nation in this country.

A task force of first nations, RCMP and government agencies examined the root causes and recommended a number of measures. At the top of the list was a youth centre to stream vulnerable youth away from the incubating of gangs, yet they were told the government does not fund recreation centres for aboriginals.

Aboriginal women make up a whopping one-third of women in custody. Federal correctional investigator Howard Sapers has reported systemic discrimination against aboriginal women prisoners. He has reported that they do not receive timely access to rehabilitation programs which hinders their community integration. Given the percentage of women imprisoned, that is likely having a significant impact on aboriginal communities.

Anyone who commits a crime must face justice, but is it not equally important to take action to prevent involvement in criminal activities?

As the majority of prisoners are released back into the community, and as the intended result of this legislation is to imprison more people, is it not important that greater attention be given to rehabilitation programming? Is that not important to reduce the risk of reoffending and thus reduce more victims of crime? Instead of building more jails, why not invest more in education and job creation for aboriginal Canadians?

Aboriginal people are also victims of crime and deserve informed, effective strategies to protect their communities and their streets.

According to Statistics Canada, in 2009, 37% of aboriginals age 15 or older in the provinces have suffered violent victimization compared to only 26% among non-aboriginals. Twelve per cent of aboriginal people have been victims of violent crime compared to 5% of other Canadians. In 2009, 67,000 or 13% of aboriginal women reported being a victim of one or more violent crimes. The number of aboriginal women reporting incidents of spousal violence was two times more than non-aboriginal women. The number of missing and murdered aboriginal women continues to rise.

In assuming the portfolio as aboriginal affairs and northern development critic for my party, I have taken the time to review reports by the Auditor General. Sixteen reports over two decades have raised significant issues regarding the federal response to rising aboriginal health, housing, education and employment disparities. Aboriginal affairs reports that aboriginal people are four times more likely to live in crowded dwellings and in poor conditions.

Sheila Fraser advised that she was profoundly disappointed to note that despite federal action in response to her recommendations, a disproportionate number of first nations people still lacked the most basic services that other Canadians take for granted. In her

words, "In a country as rich as Canada, this disparity is unacceptable". She called for action on structural impediments to services. Nowhere in her report does she call for the construction of yet more prisons to address this disparity.

• (1630)

The government has committed, under the Canada-First Nations Joint Action Plan, to address disparities in education, jobs and governance. It is unclear whether similar commitments will be extended to Inuit and Métis Canadians. The question to ask is, what new fiscal commitments are being made to deliver on these promises?

The government has yet to table in the House the projected costs of the prison expansions needed under Bill C-10. It has also not yet revealed if there will be cuts to the Department of Aboriginal Affairs and Northern Development. In the last budget the government cut support for the healing centres. As many provinces are facing significant deficits, the downloading of prison expansion costs will have implications for their programs, such as for addictions and fetal alcohol syndrome.

Alberta already has faced public displeasure over the decision to cut its restorative justice program. Municipalities are begging for support for housing. Sadly, a good percentage of the Edmonton murders recently are related to mental health and homelessness. One victim was murdered as he slept on a bench. He was slated to move into his first home the next day after 20 years of living on the street.

The situation in which far too many aboriginals find themselves growing up fosters criminal activity and abuse. Why not respond to the myriad commission reports calling for increased investments in housing, in youth programs, in schools, and addictions counselling, and reduce the probability of yet more victims of crime? Why not invest in programs that may provide a ray of hope instead of legislation and policies that merely entrench despair?

The Auditor General and many others have offered constructive measures. It is time for the government to respond.

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, the member will no doubt know that the City of Edmonton is currently facing a murder epidemic. There have been 38 murders in the City of Edmonton in this calendar year alone, more than in any other city in Canada. I am curious as to why she and her party are opposed to the government's safe street and communities agenda, given that crime is out of control in the city in which both she and I live?

Government Orders

Ms. Linda Duncan: Mr. Speaker, I am fully aware of the murder rate in my city and it is reprehensible. What Edmontonians want is action by the federal government and all governments, including the police forces and all government departments and agencies to prevent more violent crime. It provides little redress to the victim of a crime that we are going to incarcerate somebody after the fact.

As I mentioned, there is the very sad case of a mentally troubled individual allegedly causing a fire in a building and causing the death of someone. A number of homeless people are being murdered on the streets as they are sleeping. This calls for a much broader response than simply locking people up on a minimum mandatory sentence.

• (1635)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I am very sensitive to many of the comments made by New Democratic members on this bill. However, in the September 21 issue of the *Winnipeg Sun*, I was quite surprised to read the NDP government's position on this bill. Gord Mackintosh, whom I have known personally for a number of years, stated that they strongly urge all parties in Ottawa to support this crime bill and to support it expeditiously. In fact, Mr. Mackintosh indicated that the bill does not go far enough.

Has the NDP government caucus in Manitoba had any consultation with the member's caucus as to what its position actually is on Bill C-10? Could her party share with the House what those costs might be, for example, in the province of Manitoba?

Ms. Linda Duncan: Mr. Speaker, I am sure the members of my caucus who are from Manitoba regularly speak to their provincial counterparts. I would not deign to step on their toes. I am busy enough dealing with the Alberta government.

I cannot speak to the details on that question except to say it is a pretty broad-brushed question to ask what further can be done in all the provisions of the bill. My colleagues have been very clear on the parts of the bill we do support, and that is to expedite the provisions relating to the protection of children from pornography and assault, and in fact to hold off on measures such as mandatory sentencing for youth who might be caught with five marijuana plants.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, mandatory minimums, which have been universally condemned by everyone with expertise in public policy and criminology, have now had an additional criticism laid against them from evidence in the United States. The *New York Times* reported on September 25 that mandatory minimums are now increasing plea bargains, that prosecutors are taking all the powers that judges used to have and it is actually resulting in criminals getting lighter sentences than they would have had, had their cases gone to trial.

I would be grateful for any comments from the member for Edmonton—Strathcona.

Ms. Linda Duncan: Mr. Speaker, as my colleagues stated earlier, many in the U.S. government, both at the state and the federal levels, are raising questions about the past policies of the U.S. government and are moving toward the kind of measures we are proposing which are to prevent crime.

Indeed, we need to reconsider the elected members making the decisions on what the appropriate sentence should be and instead rely on the judges and prosecutors who hear the details of each case.

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, the excellent speech of my colleague from Edmonton—Strathcona brought forward what is truly one of the parts of this legislation which the government has failed to talk about, which is the impact on aboriginal people.

Certainly my colleague has explained this at length, but I would like to hear more about how this legislation leaves out people who are often the most negatively impacted as a result of the inequality that exists in our society. They often end up in the correctional system without the services, without prevention, and without the needed supports. Obviously it is a major gap and we hear nothing about this from the government. It has a fiduciary obligation to first nations and aboriginal peoples.

I would certainly like to hear from the member how the government is letting go of that obligation and leaving aboriginal people out in the cold.

Ms. Linda Duncan: Mr. Speaker, the hon. member for Churchill has been strident in the House in speaking on behalf of the rights and interests of aboriginal communities, including those in her own riding. She spoke out stridently against cutting the healing centre funding. There is no substance to the apology to our aboriginal communities, our first nations, if we do not come forward with substantive programs.

Absolutely, I have been sitting in here today and have heard no mention whatsoever of the consideration to our aboriginal Canadians. We need to be, not only in sentencing, giving due consideration to their plight and the impact on them from residential schools, their poverty and so forth. Also, we need to know what the government will do to invest in providing additional programs to help make aboriginal Canadians part of our economy.

• (1640)

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, as I begin my statement today, I will say that, as a retired member of the RCMP, I am proud to be part of a government that is putting forth legislation to assist police officers across Canada in serious investigations. More so, I am extremely proud that we are putting the rights of victims of crime before that of the people who commit the crime.

I am very pleased today to have an opportunity to speak to the safe streets and communities act and also to talk a bit about the good work our government has been doing to keep our streets and communities safer for Canada's law-abiding families.

As we know, the legislation in this comprehensive bill, which encompasses nine bills that have been brought before Parliament at various times since 2007, is not new to Canadians. In fact, this legislation has already had 79 full hours of debate in this place and has been studied in committee for 123 hours. All together, that is more than eight straight days spent considering common sense legislation.

Government Orders

Furthermore, in the election this past spring, we were very clear that, if elected, a strong, stable, national, majority Conservative government would bring legislation before the House in this manner. I am pleased and proud that Canadians saw fit to give us a strong mandate to carry on with our work.

I am also hopeful that members of the opposition will do the right thing and help us pass this important legislation.

As several of my hon. colleagues have pointed out, since taking office our government has not wavered from our commitment to crack down on crime and continue working to put the safety and security of Canadians at the forefront of our law and order agenda.

Hon. members will know that our government told Canadians, when it was first elected, that we would do things differently than the previous Liberal government. In fact, we have taken action on a number of fronts.

We said we that would get tough on crime. We have delivered. We said that we would ensure that people convicted of serious gun crimes would be given serious sentences. We have delivered. We said that we would take action to give law enforcement the tools it needed to do its jobs. We have delivered. In fact, we have taken steps to augment police forces and to help in efforts to improve recruitment for law enforcement agencies. For example, in 2008, we committed \$400 million for the police officer recruitment fund to assist provinces and territories in hiring additional police officers.

That is a significant federal contribution to provincial and municipal policing costs over a five year period, and it supports the efforts of these jurisdictions to recruit new police officers in order to target local crimes and make communities safer.

On the legislative side, we have passed legislation targeting gang violence and organized crime by addressing issues such as gang murders, drive-by shootings and additional protection for police officers.

We have passed legislation to end the shameful practice of giving two for one or even three for one credit for criminals in pre-sentencing custody. This change will help ensure that offenders serve sentences that truly reflect the severity of their crimes.

We have also passed legislation to help reform the pardon system, and Bill C-10 contains further measures to eliminate pardons for serious crimes including those who sexually abuse the most vulnerable citizens in society, our children.

As well, we have passed legislation to strengthen the National Sex Offender Registry and the National DNA Data Bank in order to better protect our children and other vulnerable members of our society from sexual predators. This change means that police officers can now use the Sex Offender Registry as an effective tool to investigate and, hopefully, prevent crimes.

We also recently passed legislation that eliminates accelerated parole review, ensuring that drug dealers and white collar fraudsters are no longer eligible for release on day parole after one-sixth of their sentence.

We also have ended the faint hope clause so that persons convicted of first degree murder serve their entire parole eligibility period in prison.

Clearly, our government has done a lot to help ensure that criminals are fully held to account for their actions and to keep our streets and communities safe.

• (1645)

Over the last three years, our government has done what it said it would do to keep Canadians safe in their homes and communities. We have done that because we said that we would help the victims of those crimes. I will talk a bit about that now.

First, with a great deal of this legislation, we are recognizing the harm done to victims in this country by serious violent crime. We are delivering tangible action to help make them part of the corrections process, as well as help them to seek redress for what they have suffered.

As we know, the repercussions of crime extend far beyond the act that the victim of crime will suffer at the time. The repercussions extend for years into the future, causing financial, emotional and even psychological impacts. As well, for the victims of crime, regardless of how long one works to try to come to terms with what has happened, the act of crime and the long-lasting impact it has on the victims will, invariably, last a lifetime. With that act of crime, the victims' life, as they know it, is effectively taken from them and replaced with one of ongoing distress, the effect of which could be multiplied by the changes in conditions for their attacker. That is why the safe streets and communities act includes provisions to ensure that victims are actively included in the corrections process.

For example, the safe streets and communities act would enshrine in law a victim's participation in Parole Board of Canada hearings. That means it would be formally recognized that a victim must be included and heard in the process by which an offender is considered for conditional release into the community.

Also included in the safe streets and communities act are provisions that would ensure victims are kept better informed about what is happening with the offender in the corrections system. These provisions would specifically deal with how offenders are behaving while they are incarcerated, whether they are adhering to their correctional plan and if they are being transferred to a lower security institution. By keeping victims better informed about the behaviour, movements and potential release of offenders, we would ensure that victims are more fully engaged in the overall corrections process.

It is not as a mere formality or acknowledgement of what they have suffered. Ensuring that victims are actively involved in the corrections process is essential for both their healing and well-being. It also demonstrates to offenders the true nature of the harm they have done to society, which is a necessary part of the rehabilitation process.

Government Orders

Another way that safe streets and communities act is standing up for victims is the provision that would allow victims to sue perpetrators and supporters of terrorism and hold them accountable for their actions. The legislation would create an action where the victim could sue, in a Canadian court, an individual or a listed state that was responsible for actions of terrorism by which that individual had been directly affected. This is something in which Canada is leading the way and a new way in which criminals and terrorists could be held accountable and no longer act with impunity outside the law.

We hope that the opposition will support this legislation as we work to deliver better tools to help victims seek redress from the crimes committed against them. As well, by bringing victims more formally into the corrections process, it is our aim to protect the rights of victims and continue to take action to put the safety and security of Canadians, including victims, at the forefront of the way that corrections is handled in our great country.

I will end my speech by calling on the NDP to support this important legislation and stop its pattern of putting the rights of criminals ahead of the rights of law-abiding citizens.

• (1650)

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I would like to hear what the hon. member has to say about the fact that, at its annual meeting on August 13 and 14, 2011, the Canadian Bar Association adopted a resolution that states:

...WHEREAS mandatory minimum sentences remove judicial discretion from the sentencing process, precluding sentencing judges from balancing all the factors of the case and imposing a one-size-fits-all solution to dispositions;

...WHEREAS mandatory minimum sentences disproportionately impact already disadvantaged populations, including Aboriginal people;

I would like to add youth to that.

I would like the hon. member to comment on the resolution adopted by the Canadian Bar Association.

[*English*]

Mr. David Wilks: Mr. Speaker, with regard to minimum sentencing, police officers across Canada have been looking forward to this legislation for a long time. They understand that there is a certain segment of society that requires incarceration and the bill would supply that to those people who need incarceration.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I will begin by citing a couple of quotes. The first quote comes from the Minister of Citizenship, Immigration and Multiculturalism on May 27, 1998, when he stated:

I begin by condemning this government for allowing itself to trample on democracy and democratic deliberation....

He was referring to time allocation, among other things.

This quote on June 10, 2003 comes from the member for Edmonton Southwest, who said:

The purpose of the institution of Parliament is supposed to be a deliberative assembly. When we shut down debate, we eliminate the whole purpose for the institution in the first place.

What is the government doing here? It has taken a bunch of bills and put them into one, which we call Bill C-10, and now it is putting

a time limitation that prevents members of Parliament from being able to talk on each and every, what should be, separate bills. What would those members have said back then about government action?

I would suggest that what is being forced upon the opposition today is most unfair and not very well principled when it comes to the democratic principles of the House of Commons.

Mr. David Wilks: Mr. Speaker, as I said at the beginning of my speech, this legislation has already spent 79 full hours of debate in this place, not including today. It has been studied at committee for 123 hours for a total of 8 days. I believe that we have studied the bill long enough.

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, the member for Kootenay—Columbia opened his remarks indicating support for the bill based on his experience as a retired RCMP officer. What specific measures in the bill would add to the police toolbox as they continue their fight against crime?

Mr. David Wilks: Mr. Speaker, with regard to what will assist in this, certainly the sex offender registry data bank will help. Police officers across Canada would be able to follow where those people are if they should move. The DNA bank will also be very helpful for investigations should an offender commit a crime that needs to be determined at a later date. With DNA evidence, they can do that.

[*Translation*]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, once again, I heard my colleague call for the NDP to support this bill.

My question is very simple. Would the member agree to split up the bill so that we can speak with one voice on issues on which we all agree, and then try to build bridges for issues on which we are divided?

[*English*]

Mr. David Wilks: Mr. Speaker, as I said before, since 2007, a number of these bills have come before the House and they have all been debated at great length. We believe it is time now, with Bill C-10, to push these forward.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I am rising for the second time on this bill. As we are aware, the motion that is currently before the House is the one from the third party in the House. It recommends that the bill deferred for an extended period of time for a number of reasons. With regard to that, it is an appropriate motion given the complexity of the bill, so it would be one that my party would be prepared to support.

It is obvious that the government will not to back off on this bill. Therefore, I would like to make a few other comments with regard to its approach, both what we have seen with the time allocation motion that it brought before and now passed in the House and the propensity for the Conservatives to further curtail debate in committee and perhaps when the bill comes back to the House at report stage and third reading. If this is any indication of the nature in which they will govern with a majority, it certainly strikes at the very foundation of the principles of democracy that the House is supposed to encompass. We will wait to see how the Conservatives will handle it at committee and when it comes back to the House, but I approach the bill in the way they have approached it, with a great deal of foreboding.

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With regard to the contents of the history of the bill itself, in its various other incarnations, we have heard the statistics about the amount of debate that has taken place on this. The interesting part is a number of the recommendations that were passed with majority votes in committee and in the House have been ignored by the government. That certainly does not bode well for the democracy in our country.

In particular, I want to address the bill that dealt with the sexual abuse of children. That part of the bill, which we see encompassed in the larger bill today, had a great deal of debate. We took a good deal of evidence at the justice committee and it ultimately came out of the justice committee with only a couple of minor amendments. The bill basically created several new offences, which had support from all four parties at that time. In fact, two of the major new endeavours in that regard, around criminalizing the luring of children and the grooming of children for potential sexual victims, came out of NDP private member's bills over a number of years, which the government had latched onto and encompassed into what was Bill C-54 in the last Parliament.

We were quite supportive of that. The use of grooming techniques is well known. Psychologists and psychiatrists have taught us very clearly what to look for in that regard. Therefore, both the NDP private member's bill and the government bill took that into account and prohibited a number of types of conduct and imposed penalties if that conduct was deemed to have occurred and people were convicted of it.

We had concerns with that part of Bill C-54 in the sense that there were unintended consequences that I believed would occur with the mandatory minimums that the Conservatives imposed. We rarely have judges who are prepared to not sentence people who are convicted of these sexual abuses of children to time in prison. The difficulty I had with the bill was that a number of the mandatory minimums, taking away that discretion from the court as to how to best and perhaps more severely deal with the offenders, were being taken away and very rigid penalties were being imposed. I believe in some cases the result would be that we would see judges hesitating to impose more severe penalties because the mandatory minimums had now been set by the legislature.

• (1655)

However, we ultimately concluded, as a party, that we would allow this bill to go forward because of the new crimes that were being committed. This is really where we were going to make our children, our grandchildren, safer, by prohibiting that kind of conduct and allowing our police, prosecutors and judges to identify, convict and sentence on those types of offences.

We were quite supportive of that.

Also additional provisions were given to the judges in terms of the type of penalties they could impose, expanding them from beyond just the penalties that sentence them to prisons, but to also, when they came out, limiting access to the Internet, for instance. Only under supervised circumstances would they be able to have access to children. Those provisions were badly needed to expand the ability of our judges to control conduct after a person was released. Those were very good provisions, again, ones that we had suggested earlier on.

We are quite supportive of that kind of approach. Again, I have some reservation with regard to the mandatory minimums because they may have just the opposite consequence of what the government intends.

However, it is more important to get that law into place. Therefore, I ask for the unanimous consent of this House to move the following motion: That the provisions of Bill C-10, an act to enact the justice for victims of terrorism act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other acts with respect to sexual offences against children, and consisting of clauses 10 to 31, 35 to 38 and 42-9, do compose Bill C-10B; that the remaining provisions in Bill C-10 do compose Bill C-10A; that the Law Clerk and Parliamentary Counsel be authorized to make any technical changes or corrections as may be necessary; that Bill C-10A and C-10B be reprinted; and that Bill C-10B be deemed to have been read the first time and be printed, deemed read the second time and referred to a committee of the whole, deemed reported without amendment and deemed read the third time and passed.

The effect of this is to get that part of the bill on sexual offences against children into legislation much faster so our police, prosecutors and judges can use it to protect our children, as opposed to having to wait for we do not know how many more months before Bill C-10, as a whole, comes back to the House for final debate and/or passage.

Our intent is entirely clear on this. We want this done now. We do not want to wait another number of months. The bill sat in the Senate for a while after it passed the House, a Senate that was controlled by the government. Then we had the election and it died. We do not want to waste any more time on this. We are quite supportive of getting this bill through today, tomorrow at the latest, and on to the Senate.

That is the intent of the motion, and I would seek unanimous consent of the House to pass it today.

• (1700)

The Acting Speaker (Mr. Bruce Stanton): Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bruce Stanton): Questions and comments, the hon. member for Edmonton—St. Albert.

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, I enjoy working with the hon. for Windsor—Tecumseh on the justice committee.

He talked about his concern regarding minimum mandatory sentences, saying that they might actually have the opposite effect of what the government contemplated. The example he cited was that they might actually preclude the judges from giving higher sentences than what is in the minimum mandatory.

Government Orders

I am perplexed by that and I want to challenge him. The current Criminal Code has maximum penalties for every offence and the judges do not use as the benchmark. They tailor a sentence in the appropriate range.

Why is he fearful that the minimum mandatory might become a ceiling rather than a floor?

Mr. Joe Comartin: Mr. Speaker, in fact, I disagree with his analysis of the law, at this point, and the sentencing practices in our courts. The maximum penalties in our code are very clearly seen quite rigidly by our judges as the maximum they will go to. They will not tailor it below, but they are very clearly saying, "Where does it fit in this range?"

For this kind of offence, if the legislature says that the minimum penalty at the low end should be six months, as a judge I think the low end should be a year. However, what has happened, and I say this, as well, from the perspective of legislation like this that has passed in the United States, the tendency has been that the judges there have tended to stick fairly rigidly to the mandatory minimums when it is at the low end.

I want to make this final point before we go on to other questions. We have excellent judges in our country. I am not saying many of them would do this, but I think some of them would fall into that trap.

• (1705)

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, earlier in a question I referred to an article by Mr. Peter Blaikie, a very distinguished Canadian lawyer, founding partner of Heenan Blaikie and a former president of the Progressive Conservative Party of Canada. I would like to quote from his article again and get the member's reaction to it. He said:

The [Prime Minister's] government wants to send more Canadian young offenders to jail and for longer periods of time, no doubt creating more recidivists. One twice-jailed young offender had the following comments on the legislation:

"For the most part, harsh sentences do not deter crime and actually work against rehabilitating offenders. My brief time in incarceration only ensconced me more deeply in the criminal culture."

Mr. Joe Comartin: Mr. Speaker, we know that deterrence generally does not work with regard to young offenders.

Every study that we have ever seen, and the government has never been able to produce one to the contrary, has indicated that with regard to young offenders, because of their age, their immaturity, deterrence does not work at all. Everybody agrees, even most government members. Yet Bill C-10 contains provisions that would open the door, even if only a crack, and reintroduce the deterrent concept, which has been ruled against all the way up to the Supreme Court. If that part of the bill goes through, it will eventually be struck down by the Supreme Court.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I would like to thank my colleague for his work not only on the bill before us but on several others.

It is important to get his reflections on what has just taken place. My colleague offered a reasonable solution in an effort to advance the cause of protecting children in our society. He suggested that part of this legislation be moved to the Senate. It needs to be highlighted that the Conservatives have denied that consent, yet we have done

this before in the past. There have been many times when unanimous consent moved issues through the House. Would he reflect on that?

We try to find some common ground here in the House. I cannot understand what excuse the government could provide for not protecting children sooner. That is exactly what would take place. Would he comment on that because it is a tactic that has been used in the House by all parties at different times? It is unsettling that we are not getting that movement right now.

Mr. Joe Comartin: Mr. Speaker, I actually meant to mention this in my opening remarks.

We just did this in June in the House because of a decision in a Quebec court to turn loose, under a cloud, 30-plus Hells Angels because it was going to take too long. The government agreed with us at the time that we needed the megatrial bill immediately. It was not the government's suggestion; it was ours. The government came onsite.

It is more important that we look at the experience we had in the Homolka pardon case in the spring of 2010. We had to fight tooth and nail to sever off part of the bill that would have prevented Ms. Homolka from getting a pardon. It was our work. The member for Welland in particular worked very hard on this. He spoke to the family. We managed to get that through.

I do not know why the government is refusing today to take those extra steps. It is quite simple. This is not an unusual procedure that I have proposed. It is quite easy to do this. We could get the bill in place in the next week or two and protect our children more adequately.

Hon. Julian Fantino (Associate Minister of National Defence, CPC): Mr. Speaker, I rise in the House of Commons this evening to speak on second reading of Bill C-10, Safe Streets and Communities Act.

I would like to add to the comments made by my friend, the hon. Minister of Justice, with respect to the provisions in Bill C-10 that would ensure individuals who sexually abuse children serve sentences that reflect the severity of their heinous crimes committed against the most vulnerable and defenceless members of society.

Over the duration of my almost 40 years of practical experience in law enforcement, I have played a leading role in helping protect victims of child abuse and exploitation.

Canadians have long supported this government's efforts to put the plight of victims ahead of the rights of criminals. The commitment was made in the June 1, 2004 document entitled "Demand Safer Communities", the Conservative plan for Canada's criminal justice system. wherein it stated:

—prohibit conditional sentences for child sex offences to ensure that all of those charged with these offences will serve prison time and be removed from the community.

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Our government has listened to the plight of victims and law-abiding Canadians. Our government has received successive strengthened mandates from Canadians to pass these long-needed reforms to give law enforcement and victims the upper hand.

That is why I am honoured to rise as a member of this government today. We are delivering on the promise to Canadians by working to pass this important legislation without further delay.

One of the other objectives of our legislation to address child sexual exploitation is preventing the commission of a contact sexual offence against a child in the first place. It does so by proposing two new offences, and proposing to require courts to consider imposing two new specific conditions that would serve to prevent a suspected or convicted child sex offender from engaging in conduct that could facilitate their sexual offending.

These proposals remain as originally introduced in former Bill C-54. The first new offence would prohibit anyone from providing sexually explicit material to a young person for the purpose of facilitating the commission of a sexual offence against that young person. This practice is often used by child sex offenders to groom their victims to make it easier to sexually exploit their victims.

This conduct is already prohibited where the material consists of child pornography, but if the material in question depicts adults engaged in explicit sexual activity, the Criminal Code does not currently prohibit this use of material. This does not meet the very high threshold of the legal definition of obscene material under section 163 of the Criminal Code.

This current definition only applies to depictions of explicit sexual activity coupled with violence or that are judicially determined to be degrading or dehumanizing. Clearly, this creates a gap in our criminal law, and Bill C-10 represents an appropriate and reasonable response to that gap.

This new offence would carry a penalty similar to that of the existing obscenity/corruption morals offence in section 163, namely a maximum of six months imprisonment on summary conviction and two years imprisonment on an indictable offence. It would impose a mandatory minimum of 30 days on summary conviction and 90 days on an indictable, more serious criminal offence.

The second new offence proposed by Bill C-10 would prohibit anyone from using telecommunications to agree or make arrangements with another person to commit a sexual offence against a child. Again, this new offence would fill a gap in the current law.

Currently, the offence of luring a child, section 172 of the Criminal Code, prohibits using a computer system to communicate directly with a child for the purposes of facilitating the commission of a sexual offence against that child. This offence does not apply where the communication does not directly involve the child victim.

The new offence uses the term “telecommunications” which is defined by section 2 of the Federal Interpretation Act as the emission, transmission or reception of signs, signals, writings, images, sounds or intelligence of any nature by any wire, cable, radio, optical or other electromagnetic system, or by any similar technical system.

●(1710)

In my view, this broad definition and approach ensures that the new offence will apply to the same prohibited use of any new technology that may be created after this offence is enacted. This new offence would operate in a manner similar to the existing luring a child offence under section 172.1 of the Criminal Code. For example, both contain the same provisions about presumed or reasonable but mistaken belief in the age of a child. Both preserve the common law defence of entrapment for an accused in the appropriate circumstances, and both would carry the same penalties, a mandatory minimum of 90 days and a maximum of 18 months imprisonment on summary conviction and a mandatory minimum of one year and a maximum of 10 years imprisonment on an indictable offence.

Bill C-10 proposes to add these two new offences to schedule 1 of the Criminal Records Act. Individuals convicted of these new offences would be ineligible to apply for a record suspension, currently known as a pardon and which part 3 of Bill C-10 proposes to rename as a record suspension.

Bill C-10 also includes former Bill C-54's proposals to expand the powers of a court to prohibit a convicted child sex offender, under section 161, and a suspected child sex offender, under section 810.1, from engaging in conduct that could facilitate their commission of one of the enumerated child sexual or abduction offences.

Specifically, these proposals would broaden the list of offences for which these conditions may be imposed to include the four child procuring prostitution offences in section 212. These are described in the actual words in the Criminal Code. It would also direct a court to consider imposing a condition prohibiting the offender from having any unsupervised access to a young person or from having any unsupervised use of the Internet.

The objective of these conditions is self-evident. If we deny a known or suspected child sex offender access to a child or from having access to a tool such as the Internet that can enable that person to sexually exploit a child, then hopefully we can prevent the victimization of yet other victims.

As chief of the London police force, I led an investigation into a network of individuals involved in child sexual abuse and exploitation. I believe that we must do better. In these circumstances, I can relate the statement of a 15-year old victim. In referring to his victimizer he said, “He preys on street kids. He'll feed them, give them drugs, money. He doesn't even care what he's done. He couldn't care less about any one of the kids, including myself”.

Bill C-10 proposes welcomed reforms to better protect Canadians, particularly to better protect vulnerable children and youth against sexual abuse and exploitation.

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As I have noted, many of these proposals were previously debated and studied in the previous Parliament. Accordingly, I think all members should be able to work together to ensure the expeditious enactment of these long-needed reforms. If not us, then who? If not now, then when?

It has been stated that even in the most ungoverned kingdoms, animals protect their young. We collectively, as a responsible society, can do no less to protect our children from those who seek to sexually violate them.

There has been a lot of talk and discussion about the role of judges, and there are judges who really, I believe, have captured the significance of what it is that we are talking about in terms of the imperative need for us to rise to equip our police officers, the courts, and the system as a whole, to better protect vulnerable people, especially our children.

● (1715)

I wish to quote Mr. Justice Moldaver from the Ontario Court of Appeal. Adjudicating with his colleagues over a case, he stated:

While...the offender's prospects for rehabilitation will always warrant consideration, the objectives of denunciation, deterrence, and the need to separate sexual predators from society for society's well-being and the well-being of our children must take precedence.

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, first, the government presents an omnibus bill which packs nine bills into one and then it limits debate. The moment an hon. member on our side presents a motion that would seek to expedite the passing of the very part of the legislation that the hon. member opposite is speaking to, the government decides to stall.

I want to ask the hon. member opposite, how can he justify that action?

● (1720)

Hon. Julian Fantino: Mr. Speaker, the justification that all Canadians would very much appreciate is everybody getting their act together, quit all the back and forth, and pass this very important piece of legislation.

It is critically important to law enforcement officers if we want them to do the job that they are mandated to do. It is critical to the courts and it is critical to society, especially to vulnerable people.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, I appreciated the hon. minister's speech today and congratulate him for many years of service in the OPP, the London police force and elsewhere, but I am surprised at the answer he gave to the previous question because it seems to me the point of the questions was that if there are parts of the bill which the opposition is prepared to support and expedite, why would the government not want to do that?

The minister said to get this moving, get it going, and get the measures that he is talking about today moving forward. That is what my hon. colleague who spoke a moment ago was talking about exactly.

I do not comprehend why the minister would not say yes, that is the right move. Why, when there are other issues in this bill that opposition members in both parties, enough that he is not concerned about, why not separate the bill? It is a huge, omnibus piece of

legislation. Why not separate it and move forward quickly with so many of the measures on which there is agreement?

Hon. Julian Fantino: Mr. Speaker, we need to realize that many of these things have been debated, up, down and sideways, certainly in the previous Parliament, namely Bill C-54.

We feel very strongly that what we have put together is a response to the mandate that has been given to us by the Canadian people. We campaigned on these issues. We are fulfilling our responsibility, our mandate, and our accountability to the people who sent us here.

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Mr. Speaker, I thank the Associate Minister of National Defence for his excellent contribution to the debate.

He mentioned his many years of law enforcement, for which he has been recognized.

I am quite certain he probably talks to some of his law enforcement friends from time to time and I am curious, through those informal consultations, what information he has been able to gather concerning the appropriateness and the effectiveness of this impending legislation?

Hon. Julian Fantino: Mr. Speaker, the impact will be significant in terms of our ability to fill gaps that now exist. Our ability to better protect, especially, as I indicated, children, but more so dealing with the current and emerging threats that we all have to deal with and about which we all have to be concerned, including terrorism.

At the end of the day, and I know there is a lot of talk about the impact on offenders, one of the best forms of crime prevention is to ensure that recidivist criminals are locked up, and that is what we intend to do.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have a quick question for the minister.

My understanding is that if we compare a child predator, who is trying to get a child to do something such as watch pornographic movies, to someone who gets caught growing six marijuana plants, there is a stricter penalty or consequence for the individual who is growing the marijuana. Is that not correct? If so, would he agree that something is wrong there?

Hon. Julian Fantino: Mr. Speaker, with respect to my friend's interpretation of what is intended here, first and foremost the growing of six plants is for the purpose of trafficking. It is vastly different from what the member is suggesting.

No one is looking at comparing crime in the context of the experience that I and my colleagues have had. We are talking about those who traffic in marijuana; six plants is the number that has been calculated, but I also know people who have trafficked one plant.

I do not see how one could ignore the fact that the criterion is that of trafficking, as opposed to just growing it for personal use, even though some people may frame it that way.

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• (1725)

Mr. Jasbir Sandhu: Mr. Speaker, I would like to seek unanimous consent to move the following motion: that the provisions of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts respecting support for victims and consisting of clauses 52, 55, 96 through 98, and clause 130, do compose Bill C-10B; that the remaining provisions in Bill C-10 do compose Bill C-10A; that the clerk and the parliamentary counsel be authorized to make any technical changes or corrections as may be necessary; that Bill C-10A and Bill C-10B be reprinted; and that Bill C-10B be deemed to have been read the first time and be printed, deemed read the second time and referred to the committee of the whole, deemed reported without amendment and deemed read the third time and passed.

Mr. Speaker, we are proposing this motion to move forward those sections of the omnibus bill that would provide support for victims, including broadening the definition of a victim, allowing the inclusion of victim impact statements at parole hearings and providing enhanced notification to victims regarding parole board hearings as well as other measures that support victims.

The Acting Speaker (Mr. Bruce Stanton): I do not think that is a point of order.

Is there unanimous consent to proceed in this manner?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bruce Stanton): There is no consent.

Resuming debate, the hon. member for York West

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I have been able to squeeze my name in among many others so that I can speak to Bill C-10 and talk about what is good about it as well as all the concerns we have about it. I am glad that I was able to get in, given the fact that we have closure before us.

Just over a week ago the Minister of Justice introduced his highly politicized Bill C-10. Now, after only a couple of hours of debate, the government has moved to shut down democratic discussion on the bill, in the very House of democracy.

This bill is actually nine previous bills jumbled together in a way that must make U.S. Republicans green with envy. Let us imagine nine bills going through with no debate. Yes, we are supportive of parts of those nine bills, but to put them forward in one huge bill and expect us to pass them in less than the two weeks that we have been in this House is a real insult to democracy and an insult to all of us as parliamentarians here to do a job. With some of it we have no problem, but to turn around and have it proceeding in such a short period of time without full debate and input from all of us is a true disservice.

If I were to listen to the government, it would seem that crime is rampant and out of control in the cities, towns, villages and hamlets of Canada. The government, perched on its white horse, says it is

prepared to ride to our rescue. What does that actually mean in real legislation?

Despite the rhetoric and the fearmongering from our friends across the way, which is something we are all guilty of in this House on various pieces of legislation, Statistics Canada seems to have a different take when it comes to crime rates.

In a report released earlier this year, Statistics Canada stated that police-reported crime reached its lowest levels since the early 1970s. It goes on to say that the police-reported crime rate, which measures the overall volume of crime, continued to decline right up until last year. In fact, last year it was down 5%, reaching its lowest level since 1973, which is something we are all thrilled about. We are pleased that it has gone down to that extent.

Would we like to wipe it out altogether? Of course we would, but we also have to be practical. There are various issues here that have to be addressed as we all try to reduce crime in this country. It is as low as it is as a result of the many crime prevention programs introduced through the Liberal years that we were here.

That same Statistics Canada report says that violent crime is at its lowest since 1999. Last year both the volume and severity of violent crime fell 3% from the previous year, while the decline in the violent crime severity index was more notably down 6%.

This is the fourth straight year when there has been a decline in the violent crime severity index, and it is the largest drop in more than a decade.

Overall, violent crimes accounted for just one in five offences. Among the violence crimes that saw a significant decline were attempted murder, down 14%; homicide, down 10%; robbery, down 7%; and serious assault, down 5%.

That is where we all want to see it, going down, which is what raises the question of why we have Bill C-10 bundled up with nine pieces of legislation and then rushed through this parliamentary session.

We know that Bill C-10 is not on the table because of actual evidence. There has been no evidence presented to tell us exactly why it is important for us to cram this through and why we cannot have full debate through the House and through committee stages. The Conservatives want to scare people by painting a picture of crime that is clearly, in their opinion, out of control, because it fits the ideology of the Republicans and of the Conservative government.

I am prepared, as are many of my colleagues, to support measures that actually tackle real crime with balance and focus. Bill C-10 is not that.

For example, as my colleague just mentioned, this legislation suggests minimum penalties for certain drug crimes that are harsher than those for certain sexually driven crimes involving children. We have to look at both of those and try to see where there is a balance. I would suspect that any crime involving children and sexual activity would have the harshest of penalties applied.

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● (1730)

Instead there seems to be a difference in how that would be applied. We do not support the idea of someone growing marijuana plants either, but it certainly should not have a stricter penalty, or at least both of them should be at the appropriate level. If we are truly talking about protecting the vulnerable, we have to do far more than what is written in Bill C-10.

The real challenge ahead of us is that the bill proposes to spend billions of dollars on a crime and punishment agenda that will do little or nothing to tackle crime and punishment. Despite the billions of dollars being spent on Bill C-10, it fails the real issues of tackling poverty, homelessness, financial illiteracy, income security, and education. Almost 99% of what we see in the crime agenda is a result of those issues. No job, no education, homelessness, drugs and mental illness are usually the key issues that get people into those crime situations. Experts tell us that any real effort to prevent crime must start with an effort to stamp out hopelessness and fear.

It appears as though Bill C-10 is covered with the fingerprints of U.S. Republicans. The Americans have one of the highest rates of incarceration on the planet, and they are starting to see that a system based only on punishment is a failure. As much as it might make us feel good to lock people up, the reality is that it does not appear to work in all of the cases.

Let me quote from a recent U.S. editorial with regard to crime and prisons. It states:

California spends more money on prisons than on higher education. The governor is right—we've got it backwards and it's time to reverse course.

Only 68% of our high school students are graduating. Yet we pay prison guards substantially more than teachers.

Fear of crime led us to vote for long prison terms and the three strikes law. We didn't intend to spend \$4 billion more on prisons than colleges....

The less educated our workforce...the more we feed the prisons.

It's time to admit our mistakes and make tough decisions. By pumping so much money into prisons, we're starving education. We cannot afford the consequences.

That was a quote from an editorial in a newspaper in the United States, and it spells out exactly the direction we are going.

We are pleading with the government not to go down that route. Let us look at this. Let us take some time to make sure that Bill C-10 goes in the right direction. Let it go to committee and let it have full hearings and a full debate. We all want to ensure safety on our streets and in our communities. No one thinks any differently, but we really have our heads in the sand if we think that bundling it all up and pretending it is going to solve all the problems is really going to make that happen.

That is not what we want, and I am sure none of the other members in the House want it. Locking someone up forever does not eliminate crime. Locking someone up forever does not make us any safer. Locking someone up does not help those who have been victimized by criminals either. Locking someone up forever is an after-the-fact system that does little to address the root causes of crime.

I believe we can do better. We can tackle poverty, homelessness and joblessness. We can make our streets safer for our children and

families. We can replace fear with hope, but Bill C-10 is not the way to do this.

The Conservatives cite their majority in the House as a justification for why the bill is worth passing. That is not a valid reason. On this side of the House we are willing to work with the government to pass a crime bill that strikes at the root causes of crime, helps victims get back on their feet and punishes offenders appropriately for their misdeeds.

Bill C-10 ignores evidence and does not produce any facts. It creates an illusion that crime is out of control and it fails to provide any information on the real costs of implementation. Bill C-10 does not reflect the values of Canadians as a smart, caring society, and it would do nothing to address crime in this country.

Bill C-10 is not an omnibus crime bill, it is an ominous crime bill, because it signals a shift toward an approach to crime that has failed in places like the United States. If we adopt Bill C-10 as it is, we are adopting a failed approach.

I, for one, have grave concerns with not only the financial impact, but the real agenda is to make our communities and our streets safer. Bill C-10 has some merit in some parts, and there are areas we would like to support, but clearly work has to be done.

● (1735)

Mr. Brent Rathgeber (Edmonton—St. Albert, CPC): Madam Speaker, I certainly want to thank the hon. member for York West for her contribution in this debate.

I am always amazed when opponents of our safe streets and safe community agenda cherry-pick statistics to oppose our legislation. I say "cherry-pick" deliberately because if we pick 1970 as a reference point official crime statistics are down. However, if we pick 1960 as a reference point they are up and they are up considerably.

More relevantly, I wonder if the hon. member knows that in 2009 one in four Canadians reported being a victim of a crime and only 31% of those people reported those crimes to the police.

The real issue is not if crime is up or down. It is whether the level is tolerable. In 2010, even official police statistics showed two million crimes in Canada, 440,000 of which were violent.

Are those acceptable numbers?

Hon. Judy Sgro: Madam Speaker, in my mind no crime is tolerable, period. Frankly, if I could wave a magic wand we would not have any crime. However, that does not work and we all know that. We live in a world where statistics matter and we need evidence to back up what we are moving forward.

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I would rather see more money go into policing to provide support for the men and women who keep our streets and our country safe, crime prevention, and ensuring there is housing so that people are not living on the streets. A big important part is the whole issue of mental health. All of us who work daily in our communities know that a number of people who are out there causing part of this crime are seriously ill. That is an area the House has yet to tackle. We talk a lot about it but we have yet to put the investment into truly helping people who are suffering from mental health illness.

• (1740)

[*Translation*]

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Madam Speaker, I have a question for my hon. colleague.

In all of the research she has done, is there a single modern state, in North America or Europe, that has a tough on crime policy and that has seen crime rates decrease more quickly than in a neighbouring state? Or, on the contrary, are there not examples where the tough on crime policy slowed a decrease in the crime rate or even caused an increase?

[*English*]

Hon. Judy Sgro: Madam Speaker, let me be very clear. We should be very tough on crime. We all want those who are violent offenders or sexual predators to be dealt with as severely as the system allows.

The issue is what about all of the people who for whatever reason find themselves in a situation where they have no money and commit a robbery? Without question there should be an appropriate penalty for every crime, not just lock people in prison for two or three years.

I visited Mimico, a reformatory system in Toronto. It was filled with young people. I wondered what they would be like when they came out. From everything I hear, once they go into those kinds of facilities they always come out tougher, hardened and more disillusioned with life.

We have to spend more time figuring out how we can stay ahead of that. That means ensuring that our local police services have all the support they need, that we have crime prevention programs and that we invest in our communities.

Hon. Geoff Regan (Halifax West, Lib.): Madam Speaker, I would ask my hon. colleague from York West to talk about the overall costs of this tough-on-crime approach which a previous member said a moment ago has been found elsewhere not to work. In fact, he found that crime had increased as a result of these policies. California is a good example of that.

I would like to hear her comments.

Hon. Judy Sgro: Madam Speaker, I alluded to the California issue. We need to look at exactly what went on there and why it probably has the highest incarceration rate in the world. It is out of control. California does not have any money to balance its budgets or to put into education.

Clearly, if we use what was done in California as an example, that is exactly the direction in which Bill C-10 appears to be taking us.

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Madam Speaker, I am pleased to participate in the second reading debate on Bill C-10, the Safe Streets and Communities Act.

Bill C-10 is comprehensive legislation that addresses a number of serious issues that are in front of mind for this government and for all Canadians.

It proposes legislative reforms to strengthen our existing responses to: child sexual abuse and exploitation as well as serious drug, violent and property crimes found in part 2, clauses 10 to 51; terrorism, found in part 1, clauses 2 to 9; violent young offenders, part 4, clauses 167 to 204; offender accountability and management, part 3, clauses 52 to 166; and the protection of vulnerable foreign workers against abuse and exploitation, part 5, clauses 205 to 207.

There can be no question that this is an important package of reforms. That is why we must take our task as lawmakers seriously, and study and pass these proposals to ensure the safety of all Canadians.

Bill C-10 compiles the reforms that were included in nine bills that were before the previous Parliament which died on the order paper with the dissolution of that Parliament for the general election. Former Bill C-4, Sébastien's Law (Protecting the Public from Violent Young Offenders) is now in part 4 of Bill C-10. Former Bill C-5, Keeping Canadians Safe (International Transfer of Offenders) Act is now in part 3. Former Bill C-16, Ending House Arrest for Property and Other Serious Crimes by Serious and Violent Offenders Act is now in part 2. Former Bill C-23B, Eliminating Pardons for Serious Crimes Act is now in part 3. Former Bill C-39, Ending Early Release for Criminals and Increasing Offender Accountability Act is now in part 3. Former Bill C-54, Protecting Children from Sexual Predators Act is now in part 2. Bill C-56, Preventing the Trafficking, Abuse and Exploitation of Vulnerable Immigrants Act is now in part 5. Former Bill C-59, Abolition of Early Parole Act is now in part 3. Former Bill S-7, Justice for Victims of Terrorism Act is now in part 1. Former Bill S-10, Penalties for Organized Drug Crime Act is now in part 2.

Many of these former bills were previously debated, studied and some were even passed by the House of Commons. Therefore, they should easily be supported again in this Parliament.

I would like to focus the balance of my remarks on the proposals in Bill C-10 to better protect children against sexual exploitation, that being those reforms now in part 2 of this legislation that were previously in Bill C-54 in the last session of Parliament.

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The reforms build on the government's well-established commitment and track record in delivering concrete measures tackling violent crime, and in particular to safeguard children against violent sexual offenders. For example, the Tackling Violent Crime Act, 2008 raised the age of consent of sexual activity from 14 to 16 years to better protect Canadian youth against adult sexual predators. It also better protected all Canadians against dangerous offenders by providing police, crown prosecutors and the courts with much needed tools to more effectively manage the threat posed by individuals who were at high risk of reoffending sexually and violently.

While it is true that our existing criminal laws addressing child sexual abuse and exploitation are already comprehensive and robust, there is always room for improvement. We should never be complacent in ensuring that we are doing all we can to safeguard such a vulnerable segment of the Canadian population.

This point is underscored by Statistics Canada's Canadian Centre for Justice Statistics *Juristat* article "Police-reported crime statistics in Canada, 2010", released on July 21, 2011, which reported increases in the rates of child pornography offences as up 36% and sexual assault as up 5%.

• (1745)

The proposed reforms in Bill C-10 are both timely and welcome. They address clear gaps in our existing laws. They address the gap created by inconsistent penalties for sexual assault offences where the victim is a child and the gap that now exists because some of the preparatory conduct engaged in by child sex offenders is not criminalized. They fill a gap in our existing measures to help prevent known or suspected child sex offenders from engaging in conduct that could facilitate their sexual offences.

The proposals in Bill C-10 seek to ensure that all sexual offences involving a child are treated equally, seriously and consistently. They do so by: proposing to impose new mandatory minimum penalties for offences involving child victims that currently do not carry minimum penalties; increasing the mandatory minimum penalties for some child sex offences that are already imposed; and, by increasing the maximum penalties on some other offences. Once these reforms are enacted, there would be a consistent approach to sentencing in all sexual assault cases involving child victims.

Child sexual assault could be charged under any of the child-specific sexual offences or under the general sexual assault offences that also apply to adult victims. Currently, 12 but not all child-specific sexual offences impose mandatory minimum penalties and none of the general sexual assault offences impose mandatory minimum penalties.

In practice, this means that the overwhelming majority of child sexual assault cases do not carry mandatory minimum sentences. This is because the majority of child sexual offences are charged under the general sexual assault offence in section 271, which does not currently impose a mandatory minimum sentence of imprisonment. That is 80% of all child sex offences charged in 2008. The source of this information is Statistics Canada's Canadian Centre for Justice Statistics Uniform Crime Reporting Survey, UCR2. It is very current data.

If we take as our starting point the universally shared view that all child sexual abuse must be strongly condemned and that mandatory minimum penalties are exceptional in the Criminal Code and are reserved for those crimes that Parliament determines must be strongly denounced and deterred, it should be obvious to all that the current use of mandatory minimum sentences for some but not all sexual offences involving child victims is just wrong. That sends a message to some victims that their experience of sexual assault is less serious than that of other child victims. It also sends a message to child sex offenders that they should try to plea bargain for charges under offences that do not impose mandatory minimum penalties.

Bill C-10 contains fundamental legislative safeguards for all Canadians. I call upon the opposition members to put an end to their attempts to obstruct the bill and to support our efforts to keep Canadians safe.

• (1750)

Mr. Andrew Cash (Davenport, NDP): Madam Speaker, the member opposite invites us to take our job as lawmakers and parliamentarians seriously, which is why the limitation on debate of this huge omnibus bill is so egregious.

The member opposite listed all the reasons that the House should unanimously support the component around child exploitation and sexual assault. Perhaps the hon. member was not in the House when my hon. colleague from Windsor—Tecumseh rose to say that we indeed do support that part of the legislation. In fact, it should be expedited. We could have that part of the bill passed in 48 hours if the government would stop stalling.

Could the member opposite explain why the government is stalling on that part of the legislation?

Mrs. Joy Smith: Madam Speaker, the elements in the bill and the laws in the bill were already debated in this House. Now we want to put them through so Canadians can be safe.

When we stand in this Parliament and look around at what Canadians expect us to do as lawmakers, we do need to take our jobs very seriously. In the past election, Canadians overwhelmingly gave us a mandate to push these bills forward, bills that we could not get through in the last Parliament.

Now, to enable that to happen, they have gone into one bill. They have been debated and some have even been passed in the House. Now it is time to get on with the job and get this done.

Hon. Geoff Regan (Halifax West, Lib.): Madam Speaker, I do not claim, by any means, to be an expert in matters related to crime. I studied a little bit at law school and have not done much in relation to it since.

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However, I respect the view of Mr. Peter Blaikie, who is a distinguished Canadian lawyer and a former president of the Progressive Conservative Party. Earlier this year, he said:

Why is the tough-on-crime policy so appallingly bad?

Perhaps most bizarrely, it runs counter to all the statistical evidence of significantly falling crime rates over the past 25 years. It rejects not only the expert evidence of those involved in the criminal-justice system directly, including the Correctional Service of Canada, but also that of psychiatrists, psychologists, social workers and others.

What expertise does my hon. colleague have that she knows better than those folks?

• (1755)

Mrs. Joy Smith: Madam Speaker, in my humble opinion, I am a parliamentarian and do not profess to know better than anybody else. What I do know is that for the better part of 10 years I have worked with victims of crime. As recently as two weeks ago in Toronto, I was talking to a young girl who was sexually assaulted. She was trafficked. She is hidden now. She said quite clearly that she would not report the crime because they will just get off anyway.

Nobody talks about that on the opposite side in this Parliament.

My experience, working with victims of crime for 10 years, touches my heart and it causes me to move forward. Apart from that, I worked very closely with ICE units and other police officers. My own son was in the ICE unit. He is part of the RCMP.

I do not expect that I could profess to be an expert or a lawyer. I do have nine years of university and I know a lot about mathematics and science because that is where my expertise is. However, as a human being, I do know that when a child is afraid to report a crime something is very wrong with the laws. We need to take our jobs seriously as lawmakers and move forward to get this job done.

Mr. Glenn Thibeault (Sudbury, NDP): Madam Speaker, I stand today in the House in opposition to the proposed Bill C-10, cleverly titled the safe streets and communities act. I say “cleverly titled” because there is certainly no consensus that the proposed changes to the Criminal Code would make Canada's streets and communities any safer than they already are. This is because this bill relies on the false pretense that increased incarceration rates necessarily lead to lower crime rates.

Sadly, when drafting this crime bill, the Conservatives have ignored the evidence. Crime rates in Canada are at a 20-year low and, despite the claim by Conservative colleagues that there has been a sharp rise in unreported crime, the reality does not reflect their over the top rhetoric.

The international examples of countries that employ a similar crime model demonstrate why such an approach is not one that Canada should be adopting. We can take, for instance, the United States. Since undertaking similar crime policies during Ronald Reagan's tenure as president, federal incarceration rates have skyrocketed with the prison population, nearly doubling over a 15-year period. Yet, in spite of the doubling of the prison population, the overall crime rate in the United States has remained relatively stagnant. This underscores the idea that deterrence through wide-scale incarceration is not an effective crime prevention strategy. If anything, it only exacerbates the problem.

In the California penal system, inmates are being double and sometimes even triple bunked, often in recreational areas of the prison, such as cafeterias and gyms. They also lack adequate access to rehabilitation and mental health treatment, something that has a great effect on the rates of recidivism. Even notable Republican, Newt Gingrich, has recently reversed course and publicly criticized the U.S.'s tough on crime approach as being counterproductive to the real goal of reducing overall crime rates.

Why then are the Conservatives leading us down the path that other governments are beginning to abandon? Has the abject failure of this approach in the U.S. taught the government nothing?

Another aspect of Bill C-10 that worries me is who would be caught in the wide-ranging dragnet of this bill. Of particular concern is the effect this legislation would have on persons with mental health issues and serious drug abuse problems. Under the current system of drug sentencing, judges have discretion when issuing sentences. This means that judges can weigh all factors when determining the appropriate sentence, particularly whether the accused has a mental health issue or substance abuse problem. By removing this judicial discretion from the sentencing process, we would be stacking the deck against persons suffering from mental illness and substance abuse. Instead of giving these groups the treatment they need, we would be locking them up in an environment that often fosters and worsens their illness.

I have heard from many of my constituents in the riding of Sudbury who have singled out the effects that this bill would have on these vulnerable groups and they have asked me to oppose this bill for that very reason.

Furthermore, although my Conservative colleagues claim that this bill would target serious organized crime groups in Canada, I fear that, as is often the case in the United States, it will be the low hanging fruit that will be caught in the crosshairs. All indications suggest that the vast majority of the people who would be affected by the proposed changes are not the Hell's Angels, not groups like the Rizzutos and, ultimately, not the people who would generally be defined as “organized crime”. Instead, the vast majority are small-time, low threat, non-violent offenders. Should we really be expending finite budgetary resources to incarcerate people who represent very little threat to public safety in Canada? I and millions of Canadians believe not.

For instance, the inclusion of a mandatory minimum sentencing provision for persons caught cultivating more than five marijuana plants highlights the failure of this legislation to strike an appropriate balance between public safety and a rational model of crime prevention.

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•(1800)

I agree that large scale, clandestine grow-op operations are a problem in Canada. It is unfair for homeowners who have unwittingly bought homes that were once used as grow-ops. They need to be protected. However, to create a regime where a teenager growing six plants in his or her parents' basement would face the same mandatory minimum jail sentence as organized crime groups involved with large scale operations, fails to properly differentiate between real and perceived threats to public safety.

Speaking of real versus perceived threats to public safety, the bill would see tougher sentences for persons caught cultivating marijuana than persons convicted of certain sexual offences against children.

I will quote Serj Tankian, who said:

All research and successful drug policy shows
That treatment should be increased,
And law enforcement decreased,
While abolishing mandatory minimum sentences,

I also take particular issue with the approach of packaging such a large volume of legislative changes to the Criminal Code into one massive omnibus bill. There are aspects of the bill that I believe are legitimate and useful, but because of the way it has been presented, I am obliged to vote against it. It seems that the Minister of Justice has taken an all or nothing, take it or leave it approach with this legislation. Either Canadians take the bad with the good or we get nothing at all.

This is not the approach that Canadians expect their elected representatives to take. Canadians expect members of Parliament to have nuanced debates to deal with specific legislative issues. The packaging of nine pieces of legislation into one bill shortchanges Canadian democracy and makes it impossible for me to support specific changes to the Criminal Code, which I would support were they introduced individually.

A 10-minute speech barely allows me to scratch the surface of this legislation. That speaks to the fact that bundling so many unrelated changes into the Criminal Code shortchanges Canadians.

Something that deeply disturbs me is the fact that the minister responsible has failed to provide Canadians with adequate cost estimates relating to the implementation of the bill. Canadians are living in a time of great economic uncertainty and yet the minister is unable to answer even the most basic questions about how much this would cost to implement. It begs the question about how the Conservatives can be trusted to preside over Canada's overall economic prosperity when they cannot provide an accurate cost estimate of legislation that they have had in their back pocket for close to six years.

As an administrator in my past life, I understand the need for financial and budgetary transparency, so this leaves me asking a few very important questions. How many new prisons would be required to house the thousands of Canadians that would be criminalized by this legislation? What are the administrative costs associated with prosecuting thousands of additional criminal proceedings? How much of this burden would be borne on the backs of provinces

already struggling with budgetary restrictions and tight fiscal situations? Those questions remain unanswered.

The fact that the minister cannot provide these basic details creates a broader credibility issue for the government. How are Canadians supposed to trust a government that cannot provide cost estimates for its own legislation? Does the minister really know the cost or is the government purposely withholding this information because it knows Canadians will overwhelmingly reject its approach if the real figures were made public? Canadians have a right to know the real costs of this legislation.

What I see in Bill C-10 is an accumulation of ineffective policies to solve a diminishing problem, all at an unknown cost to the taxpayer. What I do not see is how the bill would actually lower crime and recidivism rates and ultimately make Canada's streets and communities any safer.

•(1805)

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Madam Speaker, is the member opposite aware that the proposed legislation would allow the courts, including drug treatment courts, to exempt an offender from the mandatory minimum sentence that would otherwise be imposed where the offence involved no other aggravating factors other than a previous conviction for a serious drug offence and the offender's successfully completes a treatment program? This seems contrary to what the member has suggested.

Mr. Glenn Thibeault: Madam Speaker, I thank the member for her question, but I think she was reading from her device.

The Conservatives are putting forward legislation which is bundled to ensure that they can—

An hon. member: Oh, oh!

Mr. Glenn Thibeault: Madam Speaker, I am trying to answer the question, but it seems that another member is trying to ask a question.

We are seeing the Conservative agenda coming forward which does nothing to help individuals who have mental health issues or drug and substance abuse issues. We are hearing that from organizations such as the John Howard Society of Canada, the Canadian Association of Elizabeth Fry Societies and victims' associations. They would like to see policy put in place to ensure that criminals do not reoffend. What we are seeing from the government is an agenda based on ideology.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, someone who visited my constituency office to emphasize how important crime and safety is provided me with a copy of an article from the *Winnipeg Free Press* dated September 14, 2011. The very first line reads, "Family and friends of a slain 15-year-old gathered Tuesday evening at the spot where the boy was stabbed, while investigators continued to work to find his killer."

I believe the constituents of Winnipeg North share the same concerns in regard to crime and safety and they want our streets to be safer.

Government Orders

Would the member agree that what we really need to do is to start investing in things such as community policing and after school programs? Looking at those programs and finding things for our young people to do as an alternative to participating in gangs, for example, is where the government needs to put more resources and more of its energy.

Mr. Glenn Thibeault: Madam Speaker, I could not agree more. We have seen the priorities flipped. We are spending money to build megaprisons, to double-bunk prisoners. We are looking at all the wrong things. We need to ensure that our youth and individuals with mental health or drug abuse issues or whatever their issues are provided the necessary supports so they do not commit crimes. When unfortunately they do commit crimes, we have to ensure that the necessary resources for their rehabilitation are in place when they serve their time.

The government is completely ignoring the point of rehabilitation. We should provide the necessary resources for more of the programs that my hon. colleague was talking about to help those individuals who go into the prison system.

• (1810)

Mr. Brian Masse (Windsor West, NDP): Madam Speaker, the Conservatives denied unanimous consent to move the child provisions of the bill. This is something that was done before when dealing with Karla Homolka as well as the Hell's Angels. I would like to hear the member's comments on that. We could have cracked down on this right away, but the Conservatives are refusing to do that. Once again they are protecting those who would abuse children.

Mr. Glenn Thibeault: Madam Speaker, it could have easily been done. Our justice critic, the member for Windsor—Tecumseh, mentioned that we are spending four minutes per page to have a discussion on this omnibus bill. We still need to have more discussion on the bill, but everyone in the House has the same mandate in that we want to protect children. The Conservatives could have easily agreed to this. There is a precedent. We could have moved this forward. We could have stepped forward to protect our children as quickly as possible.

Mr. David Christopherson: Madam Speaker, I rise on a point of order. I would like unanimous consent to move the following motion, "That the provisions of Bill C-10, An Act to enact the Justice for Victims of Terrorism Act and to amend the State Immunity Act, the Criminal Code, the Controlled Drugs and Substances Act, the Corrections and Conditional Release Act, the Youth Criminal Justice Act, the Immigration and Refugee Protection Act and other Acts, respecting drug treatment court programs, and consisting of clause 43(2), do compose Bill C-10B; that the remaining provisions in Bill C-10 do compose Bill C-10A; that the Law Clerk and Parliamentary Counsel be authorized to make any technical changes or corrections as may be necessary; that Bill C-10A and Bill C-10B be reprinted; and that Bill C-10B be deemed to have been read the first time and be printed, deemed read the second time and referred to a committee of the whole, deemed reported without amendment and deemed read the third time and passed".

The purpose of this would be to ensure that we could delay sentencing where someone is in a drug treatment program and it

would remove the mandatory minimum if the person successfully completed the program.

The Deputy Speaker: Is there unanimous consent?

Some hon. members: No.

The Deputy Speaker: There is no unanimous consent.

Resuming debate. The hon. member for Yukon.

Mr. Ryan Leef (Yukon, CPC): Madam Speaker, I am pleased to rise in support of Bill C-10, the Safe Streets and Communities Act.

I want to start by talking about what the name of this bill actually means to Canadians. For a long time Canadians have watched the criminal justice system work in a way that was not making the safety and security of our streets a community priority. After all, if it had been a priority, how could previous governments stand by while dangerous criminals were released from prison after serving a third or even a sixth of their sentences?

In addition to all of this, Canadian victims, having already suffered so much, were not being listened to or included in the correction process of their offenders. This was not only worsening the feeling of victimization, but was also extremely insulting.

These are just some of the reasons that our government is so serious about delivering the right kind of changes that are found in the Safe Streets and Communities Act. It is important for the safety of law-abiding Canadian families. It is important for victims. It is important because we need to have a justice system in this country in which Canadian families can have confidence.

Since first taking office, we have worked to restore confidence in Canada's justice system and to fulfill our commitment to put law-abiding Canadians and victims first. We have taken direct action to fulfill that commitment through this legislation and by giving our law enforcement agencies the resources and tools they need to do their jobs effectively.

We have also moved forward in many areas to crack down on crime and to ensure that our neighbourhoods and communities are safe and secure.

Canadians have told us that they want a justice system that actually delivers justice and that protects our citizens without compromising the values that define our country. Again, I believe the legislation in front of us today does exactly that. It is yet another step forward in our commitment to keep Canadians safe.

There are a number of measures contained in Bill C-10, some of which my hon. colleagues have spoken about quite eloquently today.

Bill C-10 will help us build safer streets and communities by, for example, establishing new mandatory minimum penalties for certain existing offences related to child exploitation and increasing the maximum sentence to better reflect the reprehensible nature of these crimes.

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The legislation before us today will also provide mandatory minimum penalties for serious drug offences when such offences are carried out for organized crime purposes or if they involve targeting our children.

One case where we repeatedly see this is with the targeting of areas around schools by drug dealers. I think all of us can agree there are few things worse than specifically targeting our children for criminal purposes. Deliberately trying to get kids hooked on drugs for financial gain is deplorable, which is why I am pleased to support the measures in Bill C-10 that provide mandatory minimum sentences for those who engage in this sort of illegal activity.

The Safe Streets and Communities Act also delivers real penalties for serious and repeat violent young offenders. Bill C-10 proposes amendments to the Youth Criminal Justice Act that would highlight the protection of society as a fundamental principle for the Youth Criminal Justice Act.

It will simplify pretrial detention rules to help ensure that, when necessary, violent and repeat young offenders are kept off the streets while awaiting trial. It will strengthen sentencing provisions and will reduce barriers to custody, where appropriate, for violent and repeat young offenders.

In terms of increasing offender accountability, Bill C-10 proposes very important reforms to the Corrections and Conditional Release Act to modernize discipline in prisons, and to add a requirement in law that each offender completes his or her own correctional plan. This would include things such as behavioural expectations and the meeting of court-ordered obligations, such as child support and victim restitution.

Bill C-10, among other things, will also enshrine victim participation in parole board hearings and will keep victims better informed about the behaviour and handling of offenders.

As well, the Safe Streets and Communities Act proposes amendments to the Criminal Records Act that would make certain people ineligible to apply for criminal record suspension, including those convicted of sexual offences against children, or those convicted of more than three offences. I want to address this point, specifically.

● (1815)

With this provision we are saying there are some people who should never be eligible for a criminal record suspension. As I said earlier, targeting our children is one of the most despicable forms of crime, and sexual abuse of a child is among the most heinous.

By including these provisions in the Safe Streets and Communities Act, we are taking action to ensure that those who have committed this terrible crime will never be able to hide from the harm they have caused to the most vulnerable in our society, our children. We believe this is an appropriate form and fair measure in face of such despicable crimes.

New mandatory minimum penalties are provided for seven existing offences related to child sexual exploitation and abuse for children under 16 years of age, such as sexual assault, sexual assault with a weapon, aggravated sexual assault, incest, and luring a child through the use of a computer.

The addition of mandatory minimum penalties to these offences will also have the effect of eliminating the use of conditional sentences or house arrest for these crimes.

As a father I am concerned about predators who hunt our children online and prey on their innocence.

As a police officer, I have looked into the eyes of too many victims, trying to provide comfort, unsure if they would find the justice and protection that they both needed and deserved.

As a corrections manager, I have been part of the rehabilitative process, the programming, hope, help and healing that can come from these institutions, as well as the human potential that lies within.

As an investigator for the safer community and neighbourhoods unit in my riding, I saw the degradation of neighbourhoods and the citizens' sense of safety and pride. I heard the loud and resounding voices of our communities to take action. I witnessed first-hand the revitalization of full neighbourhoods, community spirit and pride, and the citizens' sense of safety and security.

I also watched Habitat for Humanity homes take the place of drug dens. I watched the long but successful struggles of those battling with addictions finally rise above them.

It was through action, bold and tough decisions, that the first, not the last, step to a better life for all occurred.

Our government has the courage and the resolve to learn from our past, improve our present and perfect our future.

In closing, I hope that my hon. colleagues on this side of the House will also demonstrate the courage and resolve needed to keep Canadian families safer, stand up for victims and hold criminals accountable by supporting this bill.

● (1820)

[*Translation*]

Mr. Robert Aubin (Trois-Rivières, NDP): Madam Speaker, in his introduction, the member referred to a justice system in which we can have confidence. Just to improve my knowledge and enlighten me, I wonder if he could tell us of any organizations working within the Canadian justice system that would be willing to support Bill C-10 in its entirety and in which he has confidence.

[*English*]

Mr. Ryan Leef: Madam Speaker, we heard loud and clear from victims across Canada during the election campaign in the spring that Canadians' priorities were to support victims and hold criminals accountable. That is what this legislation will do. Victims' organizations across this country have spoken loud and clear that all too often their voices are not heard in the justice system from the moment they become victimized. They are forgotten from that point forward. This legislation will ensure that the victims are heard from the beginning to the end of the process, that the people who need our help the most will get it, and that the offenders, who made the choice to victimize people, are held accountable for that, and that victims are supported in this country.

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Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, the member talked a great deal about individuals who exploit our children. I agree in terms of just how serious a crime that is.

However, if we look at the legislation and follow it through, it is saying that if a pedophile forces a child to watch pornographic movies, as an example, there is a minimum sentence that is established. There is also a minimum sentence established for someone who is growing five or six marijuana plants in his or her basement. The minimum sentence is actually greater for the person growing the pot than it is for the person who is victimizing a child.

Would the member not say there is something wrong with that picture?

Mr. Ryan Leef: Madam Speaker, I think what the member is referring to is when the prosecution decides to go by way of summary conviction and not an indictable offence. It is comparing apples and oranges when we start comparing pot growers to people who are exploiting our children.

However, if we want to talk about the offence of growing five or six marijuana plants, the hon. member is making that seem as though, in this case, the offender innocently stumbled upon them.

There are aggravating circumstances outlined in the legislation that talk about when those minimum standards will kick in, and I will just note a couple of those. The aggravating factors include: for the benefit of organized crime; involving use or threat of violence; involving use or threat of weapons, by someone who has previously been convicted in the past 10 years of a serious drug offence; when they do it in prison; if they are in a position of authority and they abuse that. That is just to name a few.

This is a case where it is not just a hippy surfer growing a couple of pot plants in his basement. This is somebody who is making a criminal organization out of this.

Mr. Kevin Sorenson (Crowfoot, CPC): Madam Speaker, Yukon is finally getting good representation in the House. As chair of the public safety and national security committee, the hon. member is a very good contributor to our committee. He spoke about pardons and record suspension, and some of those issues. Can he tell this House why those who are convicted of a sexual offence in relation to a minor should not be able to receive a pardon?

• (1825)

Mr. Ryan Leef: Madam Speaker, it is critical. Canadians have spoken loud and clear about this. We cannot allow somebody who has done that to our youth, to our children, victimized anybody in a sexual manner, to be pardoned for that. That is not what Canadians want. That is not what Canadians said to us during the campaign. They gave us a strong mandate to ensure that does not occur. Those offenders cannot have the opportunity to run and hide from that, and there is no clear indication from any science in those types of crimes that they will recover and not repeat those offences.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Madam Speaker, it is with a great deal of sadness that I rise today to speak against this omnibus legislation. I agree with the previous speaker that it is more like an ominous bill rather than an omnibus one.

The first area that makes me sad is that my colleagues across the floor did not agree to separate the bill and let go through a fast-track process the provisions that deal with the abuse of young children. Being a teacher, a mother and now a grandmother to three of the most beautiful grandchildren in the world, there is nothing that is more important than the protection of our children from sexual predators. It is an absolute shame that my colleagues have not agreed to fast-track that.

To put nine pieces of legislation into one bill, and then to keep hearing the rhetoric about how, because I happen to sit on this side of the House, I do not care about victims is offensive.

I have been a teacher and a counsellor most of my life. I have dealt with victims of child abuse and rape. I have dealt with families that have lost loved ones who were shot through gang violence. I have dealt with families who have dealt with violent crime. I know what it is like to be a victim. I know the kind of pain victims suffer.

I want to remind my colleagues across the floor that absolutely 39% of Canadians voted for them, but that leaves a high majority who did not give them a mandate to bring in sweeping legislation.

I am also hearing what they are hearing from victims everywhere they go.

I was back in my community of Newton-North Delta last weekend. For those who know Surrey, they know how it is often in the news as having the greatest number of gang-style killings and violence. Recently, a young woman was butchered at her workplace. She was not even safe at work. We dealt with the aftermath of that not only with her family, but with the whole community. We lost a young man who was shot. We dealt not only with the family but with the whole community.

As a community, we have dealt with the impact of these kinds of killings and these kinds of crimes. Our community deals with young people who are engaged in drug abuse and drug addiction. I do not have members in my community telling us to punish those who do the crimes. It actually made me cry just a few weeks ago to hear a mother who lost her child due to violent crime saying that all she wanted was justice. She did not want draconian punishment because she herself was a mother.

Last weekend I attended a forum held by the Surrey Board of Trade, and I learned something really amazing that I had not expected to learn at that meeting. The president of the Surrey Board of Trade said education is the single indicator toward building our economy, to making our communities safe, to making savings on health care, to protecting the environment, whichever aspect of our society that we value. That president did not say it is incarceration and punishment, and there is a huge difference between education and punishment.

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•(1830)

As a counsellor and teacher, let me say that punishment by itself and the kind of punitive sentences, mandatory sentences, and actions we are seeing explicit in this bill will make very little difference to crime. The U.S. just to the south of us has tried incarceration and has tried the death penalty. It still has high drug abuse, high death rates due to the use of weapons, and a very high population in prison.

I know we think we can do things differently. If our business community, the president of the Surrey Board of Trade, can see education as a main driving force to building healthy, safe communities, then surely we as parliamentarians should be taking the time to debate those issues.

I have to express my dismay at this time that as an elected official I am being denied, and therefore, the people who voted for me and sent me here to represent them, a fair and in-depth debate of issues that are going to impact our families, our communities, our young people, and those who are the most vulnerable.

It is time that we stopped using the rhetoric of the victim to say we do not care or that the NDP members do not care. It is time we started to talk about what really works. I will tell the House what works, from my perspective of 30 years of experience in the school system and in my community.

What works is prevention programs. What works is better policing. What works is rehabilitation. There is not a doctor out there who is going to call drug abuse and drug addiction just something fancy that somebody gets up and does one morning. It has now been classified as a medical condition. So what do we do with people who have a medical condition? Do we put them in prisons or do we treat them? Canadians who are compassionate citizens want to see treatment.

In Surrey, the fastest-growing district in B.C., we have more students sitting in mouldy classrooms because our province keeps telling us it cannot afford to build schools. Yet, this legislation would force provinces to build prisons. Does that mean that young people in my area would have to sit even longer in mouldy classrooms day in and day out because the province would be forced to build prisons?

I also want to say to my colleagues that there are two ways to debate. I really like respectful debate. Yes, teachers deserve a decent wage. They absolutely do and they deserve it for the job they do everyday. However, let me get back to this. Are we as Canadians saying that we would rather put people in prisons rather than take steps to address the very issues and problems that lead people into crime, whether it be addiction, poverty or just family dysfunction, so therefore the need for some social programs?

I urge my colleagues across the floor to reconsider separating the child sexual exploitation bill. Let us work that one through and then send it to committee, and let us take a serious look, based on research and on good practice.

•(1835)

Those members can accuse the NDP of being out there, but the Canadian Bar Association has spoken and said that this is the wrong direction.

[*Translation*]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Madam Speaker, I listened carefully to the hon. member's speech, at least the last part, and I think her proposal fits in with what all members want, namely, to split up the bill. In any omnibus bill, there are always some good parts and some more debatable parts. I do not understand why the government insists on introducing omnibus bills that bury good proposals under bad ones. If the government were to split up the bill, there would be unanimous consent on several parts and we could at least improve the debatable parts.

The hon. member talked about prevention. I am referring to young offenders, to Quebec's Youth Criminal Justice Act, which is cited as an example around the world and whereby prevention is effective with 85% of young people. I think we could learn something from that.

[*English*]

Ms. Jinny Jogindera Sims: Madam Speaker, I thank the member for the information he shared with us. My experience as a councillor and teacher has taught me that when one is dealing with young offenders, prevention, rehabilitation and finding support for them goes a long way. All kinds of evidence show that when young people are incarcerated in prison, they come out on the other side as a more hardened criminals and lose the little fear they had when they went in.

Mr. Dave MacKenzie (Oxford, CPC): Madam Speaker, I have listened to my colleague across the floor talk about having been a teacher. Some of us on this side have been police officers for a long time. We certainly have dealt with the issues of which she speaks and we certainly have dealt with victims.

I listened as she blamed society for most of the ills of those people who had committed crimes. Quite frankly, I have not found many people in my life who blame society. It is generally the individual at whom they look. We have done a lot of things to help young people, but sometimes they have to help themselves.

I heard her complaining about people going to jail. Could she tell me who it is that goes to jail? It has been my experience that the people who go to jail are the people who committed crimes. Does she know somebody else?

Ms. Jinny Jogindera Sims: Madam Speaker, I have spent some of time not only teaching in a regular school, but also working with juveniles who have been incarcerated in prison. My experience is that the people who have ended up in jail have committed crimes. I am not saying they were innocent when they went in there, but it is how we deal with people and at what level we deal with them. This legislation enforces mandatory sentencing. That is just plain wrong.

I would add one other point. I did not blame society for all the ills of whatever anybody has done. Absolutely, human beings make choices. However, we as a society cannot escape the fact that there are certain conditions, whether they be medical conditions that one is born with or societal issues, that lead to greater levels of crime.

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Try working in an inner city school and see the pressures on the young kids. Try dealing with a young man who, at the age of 14 in order for his mother to make a living, has to go out in the evening to find customers for his mother who is a prostitute. They are living on the run and they cannot afford to stay in one place more than one night. Those kinds of conditions are created by communities.

• (1840)

Mr. Kevin Sorenson (Crowfoot, CPC): Madam Speaker, I have sat in the House today and enjoyed the speeches from all sides. Certainly it is a topic that gives the full sense of the word debate because there is a difference opinion here, and I can appreciate that.

It is my pleasure to rise and add my comments to the debate on Bill C-10, the Safe Streets and Communities Act. As other speakers before me have, I would like to break it down. It is an omnibus bill. We have heard that. It is nine different bills that have been moved together into this one that will help make our streets and our communities safer. I would also like to focus on the legislation that proposes to strengthen the sentences for those who commit sexual offences against children. I am pleased to hear that those from the other side of the House would like to see this brought forward as well.

Bill C-10 proposes to add mandatory minimum penalties to seven offences that do not currently impose mandatory minimum penalties, including incest, under section 155, Internet luring a child, section 172.1 and section 271, and sexual assault where the victim is under the age of 16 years. It also proposes higher mandatory minimum penalties for nine existing child specific sexual offences, including sexual interference, section 151, sexual exploitation and making and distributing as well as possessing child pornography.

As well, in building on what was originally proposed in the former Bill C-54, Bill C-10 proposes to increase the maximum penalty for four child sex offences with a corresponding increase in their mandatory minimum sentences to better reflect the particularly heinous nature of those offences.

First is bestiality involving a child, section 160, when proceeded on summary conviction, it increases the maximum penalty from six months to two years less a day and imposes a mandatory minimum of six months imprisonment. Former Bill C-54 had proposed a mandatory minimum penalty of 30 days.

The second one is making and distributing child pornography, section 163.1(2) and (3). When proceeded on summary conviction, it increases the maximum penalty from 18 months to two years less a day and increases the current mandatory minimum penalty from 90 days to 6 months.

Also, the other offence is the indictable offence of a parent or a guardian procuring sexual activity, section 170, increasing the minimum penalty from 6 months to 1 year and the maximum penalty from 5 to 10 years when the victim is under the age of 16 and from 45 days to 6 months and 2 years to 5 years respectively when the victim is between the ages of 16 and 17 years.

As I said earlier, Bill C-10 also seeks to criminalize preparatory conduct; that is, to criminalize conduct that child sex offenders engage in to facilitate their ultimate objective of actually sexually assaulting a child. It does so by proposing to enact two new offences.

The first new offence would prohibit anyone from providing sexually explicit material to a young person for the purpose of facilitating the commission of a sexual offence against that young person. Many sex offenders do this with a view to grooming their victims, for example, to lower their victim's sexual inhibitions with a view to making it easier to sexually exploit them a little later on. Currently, this conduct is only criminalized if the offender provides the child with material that constitutes child pornography.

Bill C-10 defines "sexually explicit material" as a representation that shows either a person engaged in explicit sexual activity or that shows the person's genital organs and does it in a way to lessen the child's resolve to fight against it. Although this is a new definition and a new offence, the definition incorporates terminology that is already used in the child pornography offence. Section 163.1 includes both aspects of this definition and the voyeurism offence incorporates both aspects of the definition.

• (1845)

The proposed new offence would also impose a mandatory minimum penalty consistent with those proposed elsewhere in the bill.

The second offence proposed by Bill C-10 will prohibit anyone from using telecommunications to agree or make arrangements with another person to commit a sexual offence against a child. It is modelled on the existing "luring a child" offence in section 172.1 of the Criminal Code, which prohibits using a computer system to communicate directly with a child for the purpose of facilitating the commission of a sexual offence against that child.

However, as the luring offence only applies if the communication is with the specific child victim, this new offences closes the gap where the communication is between two other persons to facilitate the commission of a sexual offence against the child, in effect, where perhaps two adults come together on purpose to victimize a young child. This new offence would also impose a mandatory minimum penalty consistent with those proposed elsewhere in the bill.

These two new offences would also be added to schedule 1 of the Criminal Records Act to ensure that persons convicted of these new offences would be ineligible to apply for a record suspension or pardon, as it is currently called, for the same period of time as for the other child sex offences.

Last, Bill C-10 proposes reforms to prevent child sex offenders from engaging in conduct or practices that can facilitate their sexual offending.

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Currently a court can impose a condition on convicted child sex offenders, a prohibition order under section 161, or on suspected child sex offenders, a recognizance or peace bond under section 810.1, prohibiting them from engaging in specified conduct that would facilitate their commission of one of the enumerated child sex offences or even the abduction offences.

For example, these conditions can prohibit an offender from attending places that are normally frequented by children. The example that has been given many times is the offender who shows up on school grounds or shows up on a playground.

Also, an offender can be prohibited from obtaining a paid or volunteer position involving a position of trust or authority over children. That might be as a provider of day care or as a provider of education, some of those different examples.

Bill C-10 proposes to expand the list of offences for which these conditions may be imposed to include the four child procuring prostitution offences in section 212: subsection 212(1), procuring; 212(2), living on the avails of prostitution of a person under the age of 18; aggravated offence in relation to living on the avails of prostitution of a person under the age of 18 years; and subsection 212(4), prostitution of a person under the age of 18.

Bill C-10 also proposes to require the court to consider imposing two new conditions: prohibiting the offender from having any unsupervised access to a young person; and prohibiting the offender from having any unsupervised use of the Internet.

These types of conditions, to put it plainly, just make sense. If we prevent the offender from having the opportunity or the tools to commit a child sex offence, then we prevent new children from becoming victims.

I would also note that these preventive measures would be added to the existing provisions in sections 161 and 810.1, with the result that they will be subject to the same checks and balances that currently exist for these provisions, such as, for example, enabling the offender or the Crown to apply to vary the conditions where a court is satisfied that it is desirable due to a change in circumstances.

I have heard a little today that we are pushing the bill through. There have been over 200 speeches given on different sections of the bill in the previous Parliament and even the speeches today. I would urge the opposition to jump on board to support these measures that would help keep our community safe and our streets.

• (1850)

[Translation]

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Madam Speaker, like many of his colleagues, the hon. member who just spoke focused on pedophilia almost exclusively. I would like to say that if we are talking about distributing pornography to minors, I agree we need to be very strict on that. If we are talking about imposing harsher sentences for sexual abuse of minors, I support that too. I have three children. You have mixed up this aspect of the law, which is extremely important to any father, with other things that do not have to do with the same kind of crime. In addition, you refuse to split up the bill.

The Deputy Speaker: Order, please. I ask all members to address their comments to the Chair.

Mr. François Lapointe: How can you justify refusing to split up this bill to make it possible for a father to vote in favour of this without having to vote against other principles?

[English]

Mr. Kevin Sorenson: Madam Speaker, I appreciate that the member is the father of three children and that he cares about these types of bills.

It is a methodology of opposition members to find that one little area that they support and say that we should just separate that one.

This bill was brought forward. I can guarantee that we will move forward on this quickly. All the nine bills that are in Bill C-10 are bills that we campaigned on. They are bills that the voters across this country recognized our party as standing strong for.

I would encourage members to support the entire bill, a good bill that would make our streets and communities safer.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusking, NDP): Madam Speaker, I have a couple of questions for the member.

I have a letter here that was written to the Prime Minister by Jane Wright in Providence Bay. She states:

There are adequate measures presently in place to keep in prison the few who are truly dangerous. Your crime bill will further disadvantage young aboriginals and the mentally ill....

Does the member think that we should be stocking our prisons with aboriginals and the mentally ill as opposed to providing rehabilitative and proper services for them?

Mr. Kevin Sorenson: Madam Speaker, I think our prisons should be full of those who have committed crimes against our society and who have been found guilty in a court of law. I think our prisons should be a place where we can try to rehabilitate people, but we should hold them, incarcerate them and tell them that the penalty for crime is prison in some cases.

The mandatory minimums that we are bringing forward, generally speaking, are on indictable offences where the Canadian public has said that they do not want them doing house arrest and that they do not believe those people should be living out their time in their homes while their victims are sometimes completely victimized.

We realize that there is a high percentage of aboriginals in our penitentiaries, and, yes, that must be addressed as well, but in many cases there are many aboriginal victims who are standing right there while the offender is the locked in prison.

• (1855)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, the member spoke on one aspect of Bill C-10. Other members will take another aspect of Bill C-10.

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The point is that the government has taken a bunch of bills that should have been, in essence, separate bills and tied them into an omnibus bill.

The member made reference to the fact that this was an election issue. The government could probably take 30 or 40 election issues and say that now that it has a majority, that it has the most seats, it wants all of those bills to be included in an omnibus bill.

The concern, in part, that we have is—

The Deputy Speaker: Order, please. I would like to give the hon. member for Crowfoot the opportunity to respond. He has 30 seconds.

Mr. Kevin Sorenson: Madam Speaker, 10 or 11 years ago when I was elected, I was actually surprised. During the election campaign, the Liberals would talk about law and order but then, as soon as soon as they were elected, we would never see any law and order bills coming forward in this House.

I would tell the fairly new member over there that there have been over 200 speeches made in this place in debate dealing with different aspects of this bill. The Liberals tried to stall it here in the House. They tried to stall in the committees. They tried to stall it in the Senate.

Now the member is saying that if they are given a little more time for debate—

[*Translation*]

The Deputy Speaker: Resuming debate. The hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup has the floor, but I will have to interrupt him.

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Madam Speaker, what we have here is a huge mistake that could potentially cost the Canadian treasury \$5 billion. The repressive measures that were taken throughout the United States did not help lower the crime rate. In some cases, there was even an increase in serious crimes. The government wants to invest \$5 billion of public funds in a solution that will worsen the problem. And that does not include the hundreds of millions of dollars that the provinces will have to spend to expand prisons and meet the demand that will be created, for no good reason, by the current government.

The current government is boasting that it has a majority, but it is forgetting to keep in mind that approximately six out of ten Canadians did not vote for extreme right-wing values, such as being tough on crime. So the government wants to drop \$5 billion without even having a clear majority that agrees with the basic principle.

I want to come back to the so-called contempt for victims the bleeding hearts on the left here have, according to our Conservative friends across the way. There is a dynamic that escapes me. They are applying tough on crime policies, but there is ample evidence over a number of decades from a number of places in North America that such policies do not reduce crime. It does not work. There may even be an increase. I want to know how increasing the number of victims is a form of respect for victims.

Can we tell the woman who, statistically speaking, will be abused—and would not have been with a policy that reduced the crime rate

—that she can take comfort in the fact that the person who abused her will spend an extra six months in prison thanks to the bill the Conservative government passed two years beforehand? Is that how we show respect for victims, by creating the necessary conditions to produce more victims in the coming decades?

We are entering a spiral of crime. This reminds me of *A Clockwork Orange*, a movie that was extremely popular a very long time ago, in which—

• (1900)

The Deputy Speaker: Order. I am sorry, but I have to interrupt the hon. member. He can continue his comments when we resume this debate.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*Translation*]

THE ENVIRONMENT

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Madam Speaker, I am pleased to be following up on a question that I raised in the House about the Keystone XL pipeline. First I would like to say that the Keystone pipeline is part of a massive plan to renew North America's oil and gas infrastructure. It will allow for a drastic expansion of oil sands production.

Under this plan, oil from the oil sands would be destined for export markets. Crude oil would be sent to the United States, where it would be refined. The refined oil would then be shipped back to us. That is illogical. This is not a viable energy security plan. The Keystone XL pipeline project is the third phase of a \$13 billion project to export western Canada's bitumen to American refineries.

It is estimated that 900,000 barrels of raw bitumen will be exported to the United States each day. An estimated 40,500 potential direct and indirect jobs will be lost because of this government's negligence. The president of the Alberta Federation of Labour believes that the Keystone XL pipeline project will kill far more jobs than it will create.

The pipeline projects to the United States have already slowed down new bitumen upgrading projects in Canada. According to a study by the Alberta Federation of Labour, nine bitumen upgrading projects have been postponed or delayed. While the Americans will benefit from well-paying refinery jobs, all Canadians will get is the environmental costs of oil sands development. In addition to taking potential upgrading and refining jobs away from Canadians, the pipeline project will also destroy the environment.

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Just last year, the Transportation Safety Board recorded over 100 leaks in Canadian pipelines, including 23 leaks in the first section of the Keystone project. In addition, the rights of aboriginal people have been violated because they were not properly consulted. Last week, during question period, the Parliamentary Secretary to the Minister of Natural Resources said, and I quote: "...the Keystone XL pipeline will provide a substantial economic benefit to both Canada and the United States."

However, since this project is being developed at the expense of workers, our environment, future generations and the rights of aboriginal people, how can the parliamentary secretary claim that the Keystone project will provide significant benefits to Canada?

The government did not give us all the facts and is unable to justify the so-called benefits of the Keystone pipeline. This project does not make any sense in terms of energy security, the environment or the economy. I would like to know why the government chose a quick profit and why it is protecting the interests of the large oil companies rather than developing a viable energy strategy that is consistent with the principles of sustainable development.

[English]

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Madam Speaker, our government is doing what Canadians asked us to do on May 2, and that is to concentrate on what matters to them, which are jobs and economic growth.

The oil sands is a proven strategic resource for Canada. It is creating jobs and economic opportunity for Canadians in all provinces and regions across this country. As I did a couple of times yesterday, I want to go over how many jobs are being created because the NDP is not being straightforward on this issue. Right now, the oil sands is responsible for 130,000 direct jobs for Canadians. We know as well that it currently contributes to 390,000 jobs across Canada, direct and induced jobs, and over the next 25 years the oil sands development is anticipated to support an estimated 480,000 jobs across Canada.

I want to talk about the Keystone pipeline. If the Keystone XL pipeline is approved, because of the additional oil sands product that it will carry, it is estimated that over 600,000 good jobs for Canadians will be created. The NDP is saying no to 600,000 jobs for Canadians. It can hardly pretend that it is interested in Canadians and in the job situation.

That does not come as a surprise. The NDP's former environment critic called for a moratorium on oil sands development that would kill thousands of Canadian jobs and destroy the progress our government has made in terms of Canada's economic recovery. The Keystone XL pipeline project will contribute to both job creation and energy security for Canada.

Unlike the NDP, which is clearly only too happy to sacrifice good Canadian jobs and jeopardize Canada's economic recovery for its own political game and gain, our government will continue to promote Canada and the oil sands as a stable and secure, and ethical source of energy for the world. We will not apologize for standing up for Canada.

● (1905)

[Translation]

Ms. Laurin Liu: Mr. Speaker, the government seems incapable of understanding that economic development and environmental protection are not mutually exclusive. On the contrary, sustainable development is the way of the future. We believe that instead of approving a pipeline that will destroy everything in its path, cost us 40,500 jobs, and considerably increase our greenhouse gas emissions, the government should stop this project.

The NDP is proposing a transition plan for a green economy, which will create good jobs and ensure our energy security. Until then, the burden of proof rests with the government. It must prove that the massive export of crude oil is a good thing for Canada. We just do not believe it.

[English]

Mr. David Anderson: Madam Speaker, if the NDP has such a plan, Canadians have certainly never heard of it.

We do believe that we can balance economic development and environmental protection. We are focused, as I said, on what matters to Canadians, which is job growth and economic growth as well.

We know the resource sector is key to Canada's economic growth. As I said, it employs hundreds of thousands of Canadians across the country.

We also know the importance of getting the environmental challenges right. That is why we have invested in new technology that will create both jobs and a cleaner environment. That is why we are working with the provinces to ensure that our resources are developed in a responsible manner.

I just heard the member, in her hyperbole, say that this pipeline was going to destroy everything in its passage. That is a ridiculous thing to say. That is why the NDP should stop listening to the extremist environmentalists who want to shut down the development of the oil sands and destroy hundreds of thousands of jobs.

We are not going to let that happen. We are going to work with Canadians.

POVERTY

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Madam Speaker, I am rising on a question that I raised in June with regard to the number of children living in poverty in Canada. I was quoting numbers of over 100,000 children in British Columbia, but I want to put this into a national context.

In an article in *The Vancouver Sun* on September 26, Paul Kershaw indicated a number of grim statistics. He says:

Canada allocates just 0.34 per cent of GDP to child care and kindergarten services for children under age six (2008). This is just over half of the United Kingdom and New Zealand; and barely one-third of what is allocated in France, Sweden and Denmark.

He also said:

Canada ranks among the industrialized countries with the highest rates of child poverty. Child poverty in Canada is three to five times higher than the countries that make it a real priority to eliminate poverty among the generation raising young kids.

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He concludes by saying:

On the other hand, history books make clear Canadians have been reticent to build new social policy since the 1970s.

This reticence is especially evident in our slow national response to the fact that the generation raising young kids today is the first in a long time to struggle with a dramatically lower standard of living than their parents.

That highlights the fact that when we are talking about child poverty, we are talking about children and families.

I want to give a perspective on both coasts. In New Brunswick on September 27, the Canadian Centre for Policy Alternatives released some numbers that we often hear about the economy. It released numbers saying that the cost of poverty for the Province of New Brunswick is \$2 billion.

These calculations are based on research that consistently links poverty to poorer health prospects, lower literacy, more crime, poor school performance for children and greater stress for everyone living in poverty. There is not only a cost to the family, but there is a cost to the community, the province and the country in not dealing with poverty.

In British Columbia, B.C. Campaign 2000 released the 2010 child poverty report card, and it had some very grim statistics. In fact, it said that the 2008 figure before tax followed six consecutive years when British Columbia had the worst child poverty record of any province in Canada. Campaign 2000 equated it to about 121,000 children, which is more than the total populations of Campbell River, Mission, Squamish and Vernon combined. We have more children living in poverty in British Columbia than the combination of a number of cities in our province.

The report goes on to say that it is worse for children under the age of six, who had a poverty rate of 19.6% in 2008. Almost 20% of British Columbia children under the age of six are living in poverty.

The 2010 child poverty report card also reminds us that Canada signed the UN Convention on the Rights of the Child in 1989 and that the House of Commons unanimously passed a resolution to seek to achieve the goal of eliminating poverty among Canadian children by the year 2000, yet the report goes on to say that one of every seven children in B.C. still lives in poverty despite years of unprecedented economic prosperity.

In B.C. up to 2008, we have allowed income inequality to increase.

In my riding of Nanaimo—Cowichan, we have higher than average welfare rates in general, and although some progress has been made, the report says that the Nanaimo-Ladysmith School District still ranks among the highest in the province in terms of poverty-stricken students. In case we think we are just talking about numbers, it goes on to say that these children are doing without food. When kids leave on Friday, they come back on Monday and have barely eaten all weekend.

When will the government give us a concrete plan on lifting children and families out of poverty?

• (1910)

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of

Labour, CPC): Madam Speaker, I am pleased that the hon. member for Nanaimo—Cowichan has given me this opportunity to explain the progress our government has made.

While Canada is emerging from one of the most fragile economic times we have seen since the Great Depression, Canada's economic recovery is leading the G7 countries.

The targeted measures in the first phase of our economic action plan have contributed to creating the favourable conditions for this recovery, but that is not to say that the economic problems other countries are facing will not have repercussions on our own country.

[*Translation*]

The recovery remains fragile.

[*English*]

The best protection against poverty is a strong economy and a strong labour market. That is why jobs and the economy will continue to be our first priority. Under the leadership of Prime Minister Stephen Harper, Canada has created 600,000 net new jobs since the height of the economic downturn and 300,000 jobs are protected through work-sharing agreements.

Despite the opinion expressed by my hon. colleague, no one here is unaware of the reality of poverty. Compassion has nothing to do with political allegiances. We all want the best for our fellow Canadians.

We are investing in programs to promote growth and job creation, programs like the one time hiring credit for small businesses and programs for Canadian workers who have been laid off, like the targeted initiative for older workers, which has helped close to 16,000 people in the most vulnerable communities.

We are investing in programs for Canadian families. We provide over \$14 billion per year in benefits to families with children.

Our government is investing in programs for our seniors who have worked hard to build our country. Budget 2011 increased the guaranteed income supplement for seniors with little or no income. This will be a benefit for more than 680,000 seniors.

We are investing in programs for caregivers. We estimated that more than 500,000 caregivers will benefit from the family caregiver tax credit.

We are investing in programs for the working poor. We have provided over \$1 billion per year in the working income tax benefit, which helps to ensure low income families are finally better off when they have a job.

We are investing in programs that promote education and skills training because that is the key to economic independence and prosperity for everyone.

We have also invested in apprenticeships and the trades. As of today, we have issued more than 280,000 apprenticeship grants for college and university students through the Canada student loans and grants program and the adults for low literacy who want to acquire the essential skills they need to improve their future prospects.

I want to stress that the risks to our financial stability are too great for us to maintain the status quo. We are looking for ways to harmonize these investments with a balanced budget, without imposing a tax hike on hard-working Canadians.

The Deputy Speaker: I would just remind the hon. member that members must not mention the name of sitting members of the House.

The hon. member for Nanaimo—Cowichan.

• (1915)

Ms. Jean Crowder: Madam Speaker, despite the list of programs that the member cites, the reality is that thousands of children and their families are still living in poverty in this country.

The 2010 child poverty report card stated that child poverty was known to be economically and socially unsustainable and that we either shared the collective responsibility to prevent and eliminate child and family poverty or we would face the rising costs in health care services, criminal justice and education, along with lost productivity and human potential.

The government continues to talk about jobs. What we are talking about is the loss of future workers because they simply are living in poverty and do not have access to education and other services that they need.

In June, I tabled Bill C-233, an act to eliminate poverty in Canada. The bill was the result of consultations with a wide variety of anti-

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poverty activists, community members and government officials. I would ask the member if she and her government are prepared to support Bill C-233, an act to eliminate poverty in Canada?

Ms. Kellie Leitch: Madam Speaker, Canadians gave us a clear, strong mandate. They want us to respect the money they make and the money we receive in taxes, and they want us to spend it very wisely.

The best way to fight poverty is to get Canadians working. Our government is doing just that. We have created 600,000 new jobs since July 2009.

Our government is reaching out to help families across the country, especially those in need. That is one of the reasons that we introduced the universal child care benefit and we increased the national child benefit.

Those are all initiatives aimed to help low income families get over the welfare wall, just like the WITB that we introduced and then increased.

Every action we have taken has been to help Canadians and their families become independent and help them contribute to their economy and their community.

Sadly, the NDP voted against every one of those initiatives to help vulnerable families.

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:17 p.m.)

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