



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 146 • NUMBER 025 • 1st SESSION • 41st PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Monday, October 3, 2011

—

Speaker: The Honourable Andrew Scheer

CONTENTS

(Table of Contents appears at back of this issue.)

HOUSE OF COMMONS

Monday, October 3, 2011

The House met at 11 a.m.

Prayers

• (1105)
[English]

WAYS AND MEANS

NOTICE OF MOTION

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, since July 2009, nearly 600,000 new jobs have been created here in Canada. Our government is committed to continuing this strong record. That is why, today, I am pleased to table, pursuant to Standing Order 83(1), a notice of ways and means motion respecting An Act to implement certain provisions of the 2011 budget as updated on June 6, 2011 and other measures.

I ask that an order of the day be designated for consideration of this motion.

The Speaker: Accordingly, pursuant to an order made on Wednesday, September 28, the ways and means motion is deemed moved, the question is deemed put, and a recorded division deemed requested and deferred until later this day at the expiry of the time provided for government orders.

GOVERNMENT ORDERS

[English]

SENATE REFORM ACT

The House resumed from September 30 consideration of the motion that Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits, be read the second time and referred to a committee.

The Speaker: The hon. Parliamentary Secretary to the Minister of Human Resources has 15 minutes left to conclude her remarks.

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, as I was mentioning a few days ago, the Senate reform act will also introduce term limits for senators. The act will restrict the length of time that senators can sit in the Senate to

a nine year term limit. This will apply to all senators appointed after the royal assent of the bill. It will also apply to current senators appointed after October 2008 whose terms would end nine years after royal assent.

We believe that a nine-year term provides enough time to enable individual senators to gain the experience necessary to carry out their legislative functions while also ensuring regular renewal of the upper chamber. At the same time, a nine-year term does not compromise the Senate's role of sober second thought in independent legislative review and in in-depth policy investigation.

Unlike the selection provisions which do not amend the Constitution, the term limits provision would change the Constitution. However, this change is within Parliament's exclusive constitutional authority under section 44 of the Constitution Act, 1982.

I would now like to address in more detail some of the concerns that have been raised about the constitutionality of this bill.

While some commentators would argue that this bill presents a fundamental constitutional change requiring the support of the provinces, I disagree. Our government has been careful to ensure that our approach to Senate reform falls within the federal government's constitutional jurisdiction. Let me explain.

Concerning Senate consultations, I have already noted that the process would not require constitutional amendment because it does not change the method of selecting senators. The bill does not require that the Prime Minister recommend the names of individuals selected as a result of the consultation process. Any provincial process would only be consultative in nature and not legally binding. The fact that these processes would be consultative is a key aspect of this bill, especially considering that consultation with citizens is a fundamental element of our democratic system. In many ways, these consultative processes would resemble non-binding referendums or plebiscites.

In that vein, I would note that the majority of provinces have legislation that enables them to seek the views of citizens through a referendum on any matters of public interest or concern. I would also note that the Prime Minister already consults with a number of people when making recommendations on Senate appointments and this bill would not change that. The bill simply proposes a method to enable the Prime Minister to consult with Canadians on who should be selected to hold a position in the Senate.

Government Orders

In 2006, the Senate convened a special committee to study the issue of Senate reform. The committee heard from a number of distinguished constitutional scholars, including Peter Hogg, Patrick Monahan and Stephen Scott. In its report, the committee noted that Professors Hogg, Monahan and Scott supported the view that if the result of a consultation process was simply to create a pool of individuals from which the Prime Minister could make a selection, then there “would not likely be any objection on constitutional grounds”. Since this is the approach presented in the Senate reform act, I am confident in the constitutionality of these provisions.

Concerning term limits, I would point out a similar amendment was passed by Parliament, acting alone, in 1965. At that time, Parliament reduced the tenure of senators from a lifetime appointment to mandatory retirement at age 75.

The Constitution provides specific authority for the Parliament of Canada to legislate with respect to the Senate. The Constitution also very clearly sets out those types of changes to the Senate that requires some level of provincial consent. Our legislation has been very carefully designed to ensure that we are acting in those areas where we have authority to legislate.

In its 2006 study, the special Senate committee concluded that the constitutionality of term limits was sufficiently clear and that a reference to the Supreme Court of Canada was not necessary. In fact, the committee further reported that most members of the committee endorsed the principle of the bill and agreed that “a defined limit to the terms of senators would be an improvement to Canada’s Senate”.

As a final point, I would note that nothing in the Senate reform act would fundamentally alter the role or powers of the Senate. The House of Commons would continue to be the chamber of confidence and the Senate would continue principally as a revising chamber, offering its valuable insight in the review of legislation. While our proposed agenda focuses on achievable reforms, that does not mean that the more fundamental issues, such as Senate powers and the appropriate representation of the provinces, are insignificant.

●(1110)

These are important questions that must be considered and discussed; however, we will continue to concentrate on our incremental approach and how its successful implementation will possibly ignite interest in further enhancing the role of the upper chamber.

The reforms proposed by the Senate Reform Act are not radical changes but are important changes that provide an alternative to the status quo which is no longer acceptable to Canadians. Doing nothing is simply not an option.

Our government is doing its part to ensure that we can improve and enhance our institutions to make them better for Canadians. Our reforms are practical and achievable, and we hope they will lay the foundation for more fundamental reform. To implement these changes, however, we need the co-operation of parliamentarians. Until now our government has faced resistance to our attempts to modernize the Senate, in particular some from within the Senate itself.

It is my hope that we can count on all parliamentarians to come together to implement these important reforms for all Canadians.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I cannot help thinking that this entire piece of legislation is a bit rickety. Where I come from we might call it held together with duct tape and chicken wire. It is hardly an overwhelming reform, and I do not think it has much of a chance of success. We are going to end up with much of what we have now.

Could the member tell us to what extent she has consulted with provinces, and how many provinces have actually signed on to this legislation?

Ms. Kellie Leitch: Mr. Speaker, our government has been given a strong mandate. Part of that strong mandate was for Senate reform. We have taken a flexible approach to this with incremental changes, so that we can implement those things that are important to Canadians, to improve the democracy that we hold dear to us, and to improve our Senate from the standpoint of ensuring there are limited terms as well as ensuring that we have some degree of flexibility in what we are doing moving forward.

We are consulting. We had a substantive consultation earlier this year on May 2. The Canadian public gave us a strong mandate to move forward on Senate reform.

[*Translation*]

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, with all due respect, my colleague did not answer the question. There is one reality for the Government of Quebec and another reality for the other provinces.

Which provinces did the Conservative Party consult? Does it have the support of these provinces? Which provinces support it? Is my colleague not concerned that this will still end up before the courts?

[*English*]

Ms. Kellie Leitch: Mr. Speaker, as I said, we consulted all Canadians with respect to our plan.

On May 2 Canadians brought us forward with a strong mandate for Senate reform. As the member opposite knows, there is already legislation in place for democratic selections in other provinces, whether that be in Alberta or Saskatchewan, which have enacted legislation for democratic selection processes.

There is a broad consultation that will be taking place. In the case of Alberta, it moved forward in 1989 with the senatorial selection act, and in 2009, Saskatchewan moved forward with the senate nominee election act.

This government is moving forward by creating a reformed Senate, so that we can ensure that we have democratic institutions that are modern in this country.

●(1115)

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, on Saturday I attended a round table in Toronto with the Minister of State for Democratic Reform. We had a very diverse group of people around the table.

Government Orders

We talked about different things around democratic renewal generally, and we did talk a little bit about the Senate. One of the things that people around that table did say was that they wanted to see the Senate be more effective. They believe the Senate plays an important role in representing regional interests and regional differences.

Perhaps the parliamentary secretary could give a little bit more background on how these reforms are going to make the Senate more visible and more active for Canadians?

Ms. Kellie Leitch: Mr. Speaker, the Senate Reform Act would encourage the provinces to enact the democratic process so Canadians would have a greater say in who represents them in the Senate. It would provide more of a dynamism in the Senate.

The bill provides a voluntary framework to assist the provinces in implementing a selection process to bring forward names of individuals for the Prime Minister to consider. It also introduces term limits for senators. After the bill receives royal assent, senators will be appointed for a non-renewable term of nine years. This will allow a routine and regular turnover of senators so that fresh and new ideas are brought forward. We want to move forward with this reform of the Senate in order to modernize the democratic institutions in this country.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I was wondering whether the hon. member has considered the question of costs. Time and again we see Conservative proposals presented in this chamber with no costing. Could she comment on the more than \$100 million the Senate costs us every year?

In addition, what about costs for holding those election campaigns? On this side we question the value of a second house. The House of Commons is elected and does a very good job doing the public's business. Do we need to spend several hundred million dollars more on a second chamber?

Could the member comment on what costs would be associated with the bill?

Ms. Kellie Leitch: Mr. Speaker, this issue has come up. The bill does not provide funding for provincial and territorial consultation processes. Our government believes provincial and territorial processes should be funded by the provinces and territories.

Alberta has already had three consultative processes and the Government of Canada has not contributed funding for them. Alberta's most recent consultation process was held in 2004 in conjunction with its general provincial election. Alberta estimated that it cost approximately \$1.6 million. The Government of Alberta is the one that took on that cost.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, I am not entirely satisfied with the answer from the parliamentary secretary to the question posed by my hon. colleague from Bourassa.

The hon. parliamentary secretary and I come from a province where the government is opposed to having a Senate and would like to abolish it. I was wondering if the parliamentary secretary would like to comment on what would happen if a province decided that it did not want to participate in Senate reform because the province

wants to abolish it. What if a province does not want to participate in the process as set down by the government in the bill?

Ms. Kellie Leitch: Mr. Speaker, as was mentioned before, this process is voluntary. We look forward to working with the provinces and using the framework as a base for creating what the provinces believe to be the best process for consultation. The federal government is not imposing this framework; it is voluntary. Each province should be given the flexibility and ability to put forward names. However, we are not taking away the ability of the Prime Minister and the Governor General to choose those individuals. In order to increase representation, whether that be of minority groups or women, the Prime Minister would still be able to select individuals even if they are not presented on the list provided by the provinces.

• (1120)

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, I congratulate the parliamentary secretary on her presentation and some of the clarification that has come over this long debate. Since 2006 when the Conservative Party formed government, it has been the mandate not only of the Prime Minister, but certainly of this caucus of moving ahead on being transparent and having accountability within the Senate.

One of the things that continually comes up is the question around tenure, and the member has talked about it already. Not only is there a question about the length of tenure, but about whether we can actually do it. We realize that in 1965 that was changed and it was constitutionally allowable. Now we are looking at a term of nine years. I wonder if there has been a discussion with the provinces about tenure and how they feel about the term of nine years.

Ms. Kellie Leitch: Mr. Speaker, the Senate reform bill is an incremental approach to reform and reaffirms our government's commitment to make the upper chamber more democratic, effective and accountable. The bill is consistent with the government's efforts to encourage the provinces to implement a democratic process for this election but also to implement term limits for senators so that there is continued renewal. That continued renewal would be brought about through the nine-year non-renewable terms. In that way new and fresh ideas could be brought into the Senate for debate and sober second thought.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, on this fine morning I am pleased to have the opportunity to speak to this bill regarding the selection of senators and amendment of the Constitution Act, 1867.

For a long time this Parliament has been made up of two chambers, one elected and one unelected. When the provinces were first set up they had the two chamber concept but all of them got rid of the second chamber. History has shown us that the legislatures of Canada can function very well without a second chamber. The legislatures representing the provinces across this country do not have senates now and they are doing a fine job.

Government Orders

What has been my experience with the Senate here in Parliament over the last five years? I have a very difficult time identifying the positive work of the hundred or so members in the other chamber. It is not that they are not good Canadians or that they have poor work habits or that they are not intellectually capable people; it is that they are simply not listened to when they make reports. In the last while, there has been a change in the Senate. It has become much more political. The senators who are there very much play a role in determining government policy. Now that the government has a majority, the Senate acts in accordance with the government's wishes in moving forward government legislation or in blocking legislation that comes forward from other members of this House.

I would say that the climate change bill is at the root of the change that has taken place. That bill was voted on and approved by elected members in the House of Commons but was summarily rejected by the Senate. This represents for me a clear delineation of the problem with the Senate. Ignoring the Senate and allowing it to remain a basket of good intentions where reports are written and nothing is done with them is the old model. The new model is one in which the Senate acts as a policeman over the House of Commons for any of the private members who might not agree with the prevailing view within that Senate, whether there is a Liberal majority or a Conservative majority in the Senate. That is what has been happening.

Of course the New Democrats have supported the abolition of that institution for a long time. We are very concerned that the Senate does not add to the democratic process. In reality, it is taking away from the democratic process. It is taking away from the rights of elected members and from the directions that are given clearly by the majority of the elected members in this House of Commons. The situation is not good and it is getting worse.

I am glad to have the opportunity to debate Senate reform. I want to assist in improving the democratic process that we use to run this country, to provide protection for the rights of Canadians and to give good direction to the future for our country. I am positive we are all here for that. However, what we have here does not strike me as a likely addition to the good work of this body.

• (1125)

I cannot help but continue to support our position to abolish the Senate and look for ways to find approbation among the people of Canada for that position, because that is the democratic process.

A referendum on the future of the Senate and opening the debate to Canadians is a great idea. We support that idea. When this bill fails, as it is likely to do, perhaps the government will consider that to be a better way to go about this exercise. This is a better way to determine which direction we should take. My colleagues can rest assured the people actually can make choices. They have the capacity to look at what is going on and make good choices.

Having spoken to the general direction of the Senate, this bill purports to make changes to the Senate to give us exactly what I am not sure. I am not sure what the government's vision of the Senate would be after the bill passed, which is very unlikely, or what its vision of the Senate should be.

The Prime Minister uses the Senate as an instrument of control over the democratic process in this House. Would the changes made in the bill increase the Prime Minister's use of the Senate? Would it become even more of a tool for parties to use when they are in government? Or when a party is thrown out of government, would that party use the Senate as a tool to subvert the democratic will of the House of Commons?

Four years from now after the next election when the people have turfed out the present government but it has a very large majority in the Senate, I can see a situation where things could be made very difficult for a new direction for Canada. I do not want that.

I am not here to create a situation where those who are not in power have their hands around the throats of those who have been democratically elected to represent the people of Canada. I am not interested in that. I hope the other side is not interested in that either. I appeal to hon. members as Canadians to think about that. When Canadians make a choice, that choice should be represented in the House of Commons and not in the Senate.

What do we see in the proposed changes to the Senate? All senators would be restricted to a single nine-year term. They would need to be registered with a political party in order for people to vote for them in the elections that would be held in the provinces. People would have to register, for example, as a Conservative, a Liberal, a New Democrat or a Green Party. However, once they were elected, it would be for one electoral term and that is it.

Where is the recourse of the voter to senators? They would be in there for nine years. They would be under the direction of the government or the opposition, whichever party they were registered with. How would that work for sober second thought, for careful delineation of what is going on in the House, for advice given to the House, for supporting the democratic process in the House? How would that actually help? Where is the vision?

The Prime Minister would not be required to appoint any of the people elected by the provinces through registered parties. The Prime Minister could make his choice.

We really have changed nothing. If the Prime Minister did not like a particular candidate, he could ignore the person throughout his time in office. If it does not extend to six years and the Prime Minister is thrown out after the next election, perhaps that person who was elected by the people in the region would have a chance to be appointed by the new prime minister. As long as that happened within the next few years, they would have that opportunity. If not, good-bye to the voters' intent to put somebody in to represent them.

• (1130)

If the Senate is to represent the regions and the only way people can get elected to the Senate is to be part of a registered political party, and once they are in there, they still must be appointed by a prime minister, I just do not see how that would push forward the regional issues that someone who is actually elected by the region to represent the region would be in a position to do so. I think it would leave that senator much indebted to the political party and very little indebted to the region that will never get vote for him or her again anyhow.

Government Orders

Those are some of the provisions that the Conservatives have put forward to change the Senate.

What do we see? Not much of this will make a difference to what is happening now. It will not make a difference to the fact that the Senate is now being used to subvert the will of the majority in this House of Commons, which happened in the last two years. Nothing will stop that. If the government does not succeed in being re-elected four years from now, it will have a stranglehold over in the Senate. We will fight our way through that, as a new government, with extreme difficulty. That will become a vehicle for non-change and a vehicle for continuing the will of a government past its time, which is unfortunate to a Canadian democracy. That will not work.

The Conservatives railed at the Liberal senators for three years, until they got a majority. They hated them. They said that they were always standing in their way and always making it more difficult for them. What were they going to do? They were going to perpetuate, through this legislation, the continuation of that problem that the Conservatives saw very clearly when they started their time as government.

Where is their vision? What is their vision for the Senate of Canada? They should tell us.

However, like most legislation that the Conservatives put forward, they do not put a vision forward with it. They are scared to do that. They are scared to tell us what they are really thinking and what they really want for this country, which is unfortunate because this country needs leadership and direction right now. They need to work to make things better.

However, the only way we will do that is with disclosure, with understanding. When we do not have it, this will not work.

• (1135)

[*Translation*]

Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP): Mr. Speaker, I thank my colleague.

We know that, fundamentally, the Senate should be there to ensure a separation of powers. How does my colleague think that a senator elected under the banner of a party will allow us to have a true separation of powers?

[*English*]

Mr. Dennis Bevington: Mr. Speaker, I actually do not see that as the trend that has developed in the Senate. I see the trend developing in the Senate much more in a direction of political parties being the primary driver of the Senate, which is unfortunate because, quite clearly, the good work that Senators have done in the past, and there has been good work, has been when they have spoken impartially on legislation, when they have made their way forward with reports that do not speak to any particular political direction but speak to the realities of Canadian life and the way legislation could be written that would better suit Canadians. Those are things that are useful. I do not say that they are useful to \$100 million a year. I have trouble with that because there is simply not enough work being done there to make that \$100 million viable.

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, I listened carefully to my friend and I found a fair number of contradictions in what he was saying to the House. One is either for

democracy or not but the member is both for and against democracy. I found that very contradicting.

Our goal here is to make the Senate more transparent and ensure that it plays an effective role in Parliament. I do not think I heard the member talking about a constitutional war with the provinces to kill the Senate. , I think our role as parliamentarians is to make the Senate as democratic and transparent as possible and to ensure that the senators over there are doing good work for Canadians.

Perhaps the member could take a moment to better explain whether he believes senators should be elected or whether senators should continue to be appointed in the way they have been for 143 years.

Mr. Dennis Bevington: Mr. Speaker, I do not see any contradiction in what I said. If the prime minister would have the right to overrule any election, how could that possibly be part of a democratic process? That would be like asking a U.S. senator running for the Republicans to get permission from President Obama before he is elected. If we are going to have an elected Senate, then let it be elected. People make the choice and that is the choice they are stuck with.

Another point in the bill is that senators would need to be members of registered political parties. How is that democratic? How is it democratic for somebody who wants to represent his region to have to indicate his support for a particular party when he would be going into a body that is supposed to represent the region and speak for the region?

When those elements are put into the bill, the democratic process is taken away.

• (1140)

[*Translation*]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, I have a question for my colleague, whose speech I very much enjoyed.

I would like to know what he thinks about more substantive and fundamental reform of our parliamentary institutions. The former Bill C-20 on Senate reform very clearly set out a transition towards a means of direct election for the Senate, which would completely change the system. This bill was simply a transition. That was completely cut out of the bill before us today. There is no more talk of a transition or of more substantive changes. This seems to be all that the Conservatives have to offer us by way of reform. I would like to hear what my colleague has to say about that.

[*English*]

Mr. Dennis Bevington: Mr. Speaker, I will speak to why I favour the abolition of the Senate.

We do not have a 200-year history like the United States. However, there are many other countries that have two elected Houses where they have an arrangement between the two elected bodies to work together to create legislation and make government work.

Government Orders

A directly elected body of senators could be a terrible imposition on the smooth running of the Government of Canada. There could be very different points of view about how the government should be run, what direction it should take, and that would be coming from two groups of elected members. The senators, who are not now elected, do not have much jam when it comes to speaking for the people. If they were elected, I agree that they would have a lot more influence and confidence in their ability to stand up to the government.

I would say that it would be an extreme problem for our democracy right now. We do not have the underlying principles or the direction for two elected bodies in this House.

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I want to correct the record. The member opposite commented on having to be a member of a registered party in order to have one's name brought forward. I would like him to look at section 19.2(b) in Bill C-7 where it states that the name of each candidate must be printed on a ballot together with:

the word "independent", if the candidate is not a candidate for a registered provincial or territorial political party.

Just to be clear, one would not need to be a member of a political party in order have one's name brought forward.

The member and his party talked about the abolishment of the Senate altogether. This would require significant constitutional change but really end up at the status quo. Would this help modernize Canadian society by just maintaining the status quo as opposed to moving forward with incremental democratic reform, as the Canadian public wishes?

Mr. Dennis Bevington: Mr. Speaker, having a debate about the Senate is a great idea. I happen to favour the approach of abolition, much as the provinces have with their senates because that is likely to be the most democratic thing to do. I do not see that creating an elected Senate in the end will be a good thing for our democracy.

Without attention to a whole number of issues that come out of our developed political system, imposing an elected Senate on it will cause more grief than productive results for Canadians.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I thank my colleague for pointing out the folly of this bill.

For me, this bill seems weak, ill-conceived and flimsy. I wonder if my colleague would agree that the Conservatives have proposed this weak legislation because they have put themselves in a trap. They have over-promised to their base and now must come up with legislation that they know will not really work. They have done this to themselves and now we are stuck with legislation that will not do anything.

• (1145)

Mr. Dennis Bevington: Mr. Speaker, the Conservatives have found the Senate to be useful to them in the last while in stopping legislation in a minority situation that they could not stop in the House. I think that has been of some interest to them.

In the long term, over the next dozen years if they are thrown out as government, if they legitimize the power of the Senate they will

have a powerful instrument to thwart the will of any other party that takes control of the government. It is not simply to massage their base. I look at it in a different fashion because that has been my experience in the last five years in the House.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I am very pleased to enter into the debate on Bill C-7, Senate Reform Act.

First, I tend to share some of the feelings that members opposite may have about the Senate because I was there at one time. Before I was first elected to this place in 2004, I had many misgivings about the Senate in its current form. I did not know, frankly, whether the Senate actually served any useful purpose. I was not sure whether the Senate should still remain as an institution in our democratic system or whether it should be abolished. However, it was not really until I came to this place that I started to more fully understand what the Senate was, what it did and the benefits it could provide to Canadians and to our democratic institution.

I am now firmly of the belief that the Senate plays a very important role in Parliament and should not be abolished, but it needs to be reformed. That is what Bill C-7 intends to do, to make some incremental preliminary steps to reform this institution, to make it a more democratic, more accountable system in today's society.

This debate will also serve the purpose of perhaps, and hopefully, pointing out to Canadians what the Senate actually does and how it works on their behalf.

We have seen in news stories emanating out of New Brunswick today that New Brunswick Premier Alward has stated that he wants to see democratic consultations on Senate appointments made in New Brunswick. He believes New Brunswick will need a strong, regional representative voice in the Senate should our Parliament go forward with expanding the number of seats in the House of Commons.

I think most members of this place know that one of the primary functions of Senate is to provide that regional representation in the House and in Parliament.

I can point to a very quick example in my own province of Saskatchewan many years ago of where this regional representation really came into play. Back 40 or 50 years, there was a Liberal government of the day. Unfortunately for the government it had no elected Liberal members of Parliament from the province of Saskatchewan. Therefore, Saskatchewan had no effective representation in Parliament, at least in the House of Commons.

The prime minister of the day appointed a Saskatchewan Liberal senator by the name of Hazen Argue to cabinet and made him the minister of agriculture. In that fashion, Saskatchewan had representation. That is probably the most glaring and best example of how the Senate and senators can represent their region in Parliament.

Government Orders

Beyond the regional representation, on many occasions I have seen senators provide very useful services and provide a very important function to Parliament. We have seen, time and time again, where senators start to examine bills that have been passed by our Parliament, by the House of Commons. After due diligence and post-examination of some of those bills, Senate reports have come back recommending amendments or changes or improvements to legislation, which in fact have strengthened the bill.

There is a reason why the Senate is called the chamber of sober second thought. It allows that second set of eyes to examine legislation that is brought forth from this place.

I could go on with many more examples of why the Senate is a useful institution, but I want to concentrate on two elements of the Senate that I think need reform. Those two areas are what Bill C-7 purports to do.

As we all know, currently senators are appointed. They are appointed by the Governor General. Many people think it is the Prime Minister who appoints senators to the Senate. That is not correct. The Prime Minister provides advice to the Governor General who then makes the appointments. However, one of the reasons I think Canadians have been so upset over the years with Senate appointments is that on many occasions senators have been appointed for purely partisan reasons.

● (1150)

If people have been good soldiers for a political party that happens to be in power at the time, whether they have been local campaign workers and good volunteers or have been fundraisers over time, it seems, on many occasions, that their reward for all of this partisan work on behalf of the political party they represented was an appointment to the Senate. Too many times we have seen blatant partisan appointments where the competency, the integrity and the independence of that senator comes into question, and rightfully so.

With Bill C-7, what we purport to do is allow Canadians to have a direct input into the Senate appointments coming out of their region. Let me be clear. We are not talking about direct Senate elections. That would require constitutional change. We are not talking about a system in which Canadians would elect a senator, where on the results of that election, they would automatically go to the Senate. The legislation does not intend to do that. We do not want to reopen the Constitution. We do not want to try to engage provinces and others in constitutional discussions about revamping the Constitution to allow for direct Senate elections. What we are however talking about is allowing Canadians in various regions the ability and opportunity to voice their opinion on who they would like to see as their senator or senators.

How would we do this? It is quite simple. Each province has the ability and flexibility to set up a process for consultation. They could have an election, if they want to call it an election, in which the voters of particular region or province would cast a ballot, usually in conjunction with a provincial election or a federal election, and then the people who would come out of that consultation process or election would have their names given to the Prime Minister with a recommendation that the next appointments to the Senate should be that person or persons. However, it would still be up to the Prime

Minister and the Governor General to make the official appointments.

In other words, provinces would be able to hold a consultation process to seek the input from their citizens on who they would like to see as their senator. That name would then be passed along to the Prime Minister, who would then have the ability to either suggest that name to the Governor General for appointment, or reject that name.

Let us be quite clear that any prime minister would be walking a very thin political line if he or she did not take the advice of the provinces on the choice they wanted or had made in terms of Senate appointments. A prime minister could ignore the advice of the province and appoint someone else. That would be within his or her purview, but the prime minister of the day would be doing that at his or her political peril if he or she did not follow the consultation process that the provinces had set out.

The beauty of this is that it would not require a constitutional amendment because the Prime Minister and the Governor General, as they have always done, would be the ones who would make the final appointment. It is just that in this fashion they would be able to take advice from provinces on who the appointment should be.

This is a very important first step in democratic reform of the Senate. Why? Should this legislation pass, for the first time Canadians will have the ability to directly consult with their citizens and will have a direct opportunity and have a hand in the appointment process.

● (1155)

We have seen and heard time and time again from Canadians that they do not believe the Senate serves any useful purpose because there is no accountability and because appointments are made for partisan purposes and for no other reason. The consultation process that we are bringing forward in the legislation would provide accountability because the citizens of each province would have direct input into the senators who would represent their interests. Accountability is paramount is a democratic institution. It is certainly paramount in determining which senators represent which regions.

I do not think there can be any hesitation on behalf of Canadians. In fact, most of the polling data that I have seen seems to indicate that Canadians from coast to coast to coast are very much in favour of having some form of direct input on senatorial appointments. I believe this would be a process that would find Canadians approving of the attempts by the Prime Minister and the government to reform the Senate and allow accountability to finally come into the Senate.

Government Orders

I could talk about a few other matters that are important with the consultation process, but I should also point out that most of the provinces are onside with this. Most of them have either changed or introduced legislation to allow for some form of consultation process or have at least indicated that they would be willing to entertain such a system. Saskatchewan has already brought forward legislation that would allow for the consultation process to take place, Alberta has had this consultation process established for a number of years. Several other provinces have indicated their willingness to enter into such a process so they would be able to engage their citizens in a discussion and ultimately an election or referendum of sorts to give to the Prime Minister a name or names of possible Senate appointments.

I want to also point out that the legislation would allow individual provinces the flexibility to establish this consultation process however they wish. In other words, a province may want to have a consultation process wherein a first-past-the-post system would be established and the name of person who received the greatest number of votes would be suggested to the Prime Minister for appointment purposes. However, another province may want to have a preferential balloting system, if there were multiple openings for the Senate.

The flexibility remains with the provinces to determine how they wish to consult with their citizens. It would not force the provinces to follow a set-in-stone path for the consultation process. I believe this is one of the reasons why most of the provinces have tended to agree with our attempts to reform the Senate because they would have a direct say in these democratic reforms.

The appointment process is one of the elements of Bill C-7, which is the ability for provinces to have a direct say in the appointment process for senators. However, I believe the second part is also extremely important, and that is setting term limits for senators.

I mentioned at the outset that I had some concerns before I came to this place about the Senate itself. One of my concerns was that beyond being appointed for purely partisan reasons, senators could be appointed for an extended period of time and there was no recourse. Outside of perhaps being charged and convicted criminally, once an individual was appointed to the Senate, that person was there for up to 45 years potentially. One could be appointed at 30 years old, with 75 years of age being the mandatory retirement age for senators. For that period of time, unless someone appointed to the Senate did something against the law or contravened the Constitution, a person could remain there and the government or citizenship would have absolutely no ability to remove the individual.

● (1200)

I think we all recall a story from a number of years ago that got great play in Canadian newspapers and media. There was a senator who had been in the Senate for several decades, and his attendance record was absolutely abysmal. This senator actually spent more time in Mexico than he did in the Senate. If memory serves me well, in the last year of that senator's duration, he had spent fewer than five days actually in the Senate. In other words, he showed up for work on fewer than five days out of a year. Eventually, once the story became public, the Senate took steps, and that senator eventually was forced to resign.

However, the fact of the matter is that constitutionally, once people are appointed to the Senate, there is no way to either reprimand them or force them to resign should they not be doing their job, and that is something I do not think most Canadians can abide by. I certainly cannot see the rationale behind allowing someone to be appointed at age 30 and then serve until age 75 with absolutely no accountability or recourse.

In this legislation, we are suggesting that senators would be appointed for a nine-year term, and for only nine years. They could not be reappointed. In other words, if a senator were to run in a provincial consultation process and ultimately be appointed to the Senate, if that senator wanted to run again after nine years, he or she could not do so. The only flexibility built into that system would be that if the senators, once appointed, had to resign because of, for example, medical issues, they could run again in their province and perhaps be reappointed, but only to serve out the remainder of their nine years. In other words, whether it was an interrupted term or a consecutive term, nine years would be the absolute limit.

Why is that important? It's very important because it would allow those senators to be beholden to the people of the region rather than to the people who appointed them.

As an explanation, right now we have people who have been appointed for partisan reasons. Who are they responsible and loyal to? Human nature being what it is, they are probably going to be more loyal to the person who appointed them than to the people they are supposed to be representing.

If senators were appointed for a nine-year term and appointed based on some consultations with the people of their region, in my view they would be more loyal to the people who appointed them. If they were only there for nine years with no chance of being reappointed, those senators would not have to curry favour with the Prime Minister or anyone else, because they would know that at the end of nine years, their terms would be done. Those senators would be there for a finite period of time and to represent the wishes of their region. That is what the Senate is supposed to be all about.

In conclusion, let me just say that while I believe there are more reforms needed in today's Senate, these two steps, as small and incremental as they may be, would be the first steps toward a total and needed reform of the Senate. I would ask all members to please get behind these reforms, get behind Bill C-7 and show Canadians that while we understand the role the Senate can play, we understand the need for reform.

● (1205)

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, the speech given by the hon. member on the other side was extremely interesting. He spoke about a senator who made the front page around the country. I remember it; we actually talked about it on the call-in radio show I was hosting at the time.

Government Orders

When I look at Bill C-7, introduced by the Conservatives, I do not understand how limiting terms to nine years would prevent that type of behaviour. On the contrary, the person who is elected—no matter how it is done, which the bill is not clear on—will be accountable to absolutely no one. A senator can finish his nine-year term and do pretty much anything he wants. All this bill does is limit a senator's term to nine years, instead of allowing it to span a longer period. I do not understand the Conservatives' logic on this one.

[*English*]

Mr. Tom Lukiwski: Mr. Speaker, to a point I agree. If a senator were appointed for a nine-year term, that person could certainly argue that once he or she had been appointed, we could not get that person out for nine years.

However, when we combine the nine-year term with the fact that the senator has really been appointed as a result of a democratic process within his or her own region, I think there is accountability built in. That senator will still have to go home and face the citizens of his or her province.

Human nature being what it is, I think any elected member here could say the same thing. We could say that we are elected for four years now in a majority government, so we can do whatever we want. Well, we still have to answer to our constituents. I think that single element alone speaks to the fact that senators, if they are appointed for nine years after consultation with their own province or region, will have accountability to their members.

Quite frankly, I would also suggest that while the member makes the point that nine years could mean they could come in and just fall asleep at the switch for nine years, the fact is that there is a system in place through which there is peer pressure, pressure from their provincial counterparts and pressure from their own constituents that would prevent a lot of the abuse of the senatorial process that the member suggests could take place.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, I have a question about the consultative process between the provinces and their citizens.

Let us imagine if the Prime Minister were to simply promise Canadians that he would consider lists of potential appointees submitted by the provinces. I fail to see the difference between that and the current bill. The current bill simply invites provinces to hold elections and to consult with their citizens. In both cases, whatever the provinces do, it is voluntary.

Now, the Conservatives could say that what is really going to happen is that there are going to be elections and we are going to have senators who are basically de facto elected senators.

To my mind, that is backdoor legislation. That is having an elected Senate by backdoor means. I do not think that is right.

In that case, if the Conservatives are saying that de facto we are going to have an elected Senate, we should be consulting with the provinces and the Supreme Court, because the reality is that senators would be elected. We should be dealing with reality instead of trying to trick Canadians about changing the Constitution, but not changing the Constitution because we are not allowed to.

Would the parliamentary secretary care to respond to that?

Mr. Tom Lukiwski: Mr. Speaker, we are not trying to trick Canadians at all.

As I said in my presentation, the reason we are setting up the consultation process in the manner suggested by Bill C-7 is to do so in such a way that we would not have to open up the Constitution, yet it would still allow provincial input and input from citizens within provinces and regions. That is all.

Is it a de facto elected Senate? Yes, some could argue that it would be. However, we are talking about accountability. The reason we want provinces to consult with their own citizens before a senatorial appointment is made is so that the citizens of their own province could have a say in who they would like to see as a senator. There is absolutely nothing wrong with that.

If we can do so in a manner that does not require constitutional change and is efficient and effective, that is what we are trying to get at here. It is nothing short of that. It is as simple as that.

• (1210)

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, I want to thank my colleague for his comments today and also for bringing up the Premier of New Brunswick, who just this past weekend announced a willingness to enter a consultation process that could happen as early as this spring as part of the municipal election process.

Given that there will be additional seats added in this place based on population growth in provinces, would he tell me how important it is to ensure the legitimacy of the Senate going forward and how important it is to make sure we have these elective processes to ensure that they establish this legitimacy?

Mr. Tom Lukiwski: Mr. Speaker, I thank my hon. colleague for the tough but fair question.

All kidding aside, Premier Alward was quite clear when he said that he wanted to ensure good representation in New Brunswick. If the number of seats in the House of Commons is to increase because several provinces—Ontario, Alberta and British Columbia in particular—are increasing their population base and thus will require additional representatives in the House of Commons, he does not want to see New Brunswick's voice being diluted. He wants to ensure that the province has adequate representation, and one way to do so is to ensure that it has strong regional representation in the Senate.

If there were no Senate, New Brunswick's voice in Parliament would be diluted. Premier Alward is right on the money when he understands and appreciates the role the Senate can play and wants to ensure that New Brunswick continues to have a strong regional voice at the Senate level.

Premier Alward is one of the many premiers who are in support of this legislation, and for good reason.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I find it a bit strange today to hear members from the Conservative Party standing up and defending the Senate. It must make for awkward cocktail parties when they say that they want the status quo with a few extra bells and whistles.

Government Orders

I was interested when the member opposite described this as phase one of Senate reform and that perhaps we would be moving on to a phase two. I was wondering if the member could explain what phase two would look like.

Mr. Tom Lukiwski: Mr. Speaker, I will only refer to Bill C-7, because I will certainly not pre-empt or presuppose what future reforms or pieces of legislation may be. I am sure my colleague, the Minister of State (Democratic Reform), will have much to say about that in future, but we have already spoken about some of the things we want to see in terms of democratic reform initiatives in Parliament.

I would, however, like to make a quick comment on the preface of his question. He said he found it passing strange that Conservatives would actually be standing up defending the Senate. I see nothing strange about that whatsoever.

We have stated on many occasions, and the Prime Minister has stated on many occasions, that while the Senate is a useful institution, it needs to be reformed. We have also heard the Prime Minister say that if reform cannot be enacted, then we are in favour of abolishment. I do not think there could be a stronger statement than that: that while we believe in the institution, there must be fundamental reform.

That is what Bill C-7 intends to do.

[*Translation*]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, I listened closely to the hon. member's speech, which was very interesting. He stated repeatedly that the primary functions of the Senate are to represent the regions and to be a chamber of sober second thought.

Given that that is the Senate's core mandate and that, in fact, since the Senate has existed, it has actually achieved regional representation only a handful of times, how will a partisan election, with the fights between parties, help this regional representation and this chamber of sober second thought, which is supposed to be wise, non-partisan and independent?

How will elections help fulfill this mandate?

●(1215)

[*English*]

Mr. Tom Lukiwski: Mr. Speaker, the consultation process or, as my colleague calls it, elections, will absolutely have a positive impact, because right now the current system is that the senators who are appointed are really accountable to no one, except perhaps the person who appointed them, whereas if there were consultations conducted on a provincial level, senators would be accountable to the people who elected them or at least suggested that they be appointed to the Senate.

In other words, if we have a senator who is appointed by the Prime Minister for partisan reasons, that person is really only accountable to and answerable to, in many respects, the Prime Minister, because that is how the person got the appointment. It was because the Prime Minister suggested that appointment to the Governor General, who made the ultimate appointment.

However, if provinces suggest to the Prime Minister that an individual should be appointed to the Senate and the Prime Minister follows through with that in his advice to the Governor General, ultimately it is the people of the province who made that selection and to whom the senator will be accountable. That is the beauty of this approach. A senator would be accountable to the people of his or her region and province rather than to the Prime Minister, and that is an important distinction.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I rise to speak to Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits.

I begin by acknowledging the work that the member for Hamilton Centre has done on Senate and democratic reform over a number of years. He has spoken quite clearly regarding our opposition to the bill for a number of good reasons.

The members who have risen to speak to the bill have stated that this is an opportunity to raise awareness regarding the Senate as well as some of the issues we face when discussing the bill. Therefore, I will take this opportunity to refer to the legislative summary for Bill C-7 wherein there are a couple of key points I want to raise.

It states in the background that the Prime Minister made an appearance before the Special Senate Committee on Senate Reform in September 2006 wherein he spoke of a step-by-step process for Senate reform. The process involved legislation to introduce short senatorial terms that would be followed by legislation to establish an advisory or consultative election process for senators on a national level.

As well, the summary states that Bill C-7 sets out a model statute that prescribes an electoral process which provinces and territories may choose to adopt. It is the word "may" that is a sticking point.

It also states that the provinces and territories may select senatorial nominees and submit them to the Prime Minister who would be obligated to consider them in making his or her recommendations to the Governor General for appointment to the Senate. Again, the word "may" is a critical part of this conversation.

We have heard the parliamentary secretary say that the provinces are largely getting on board. We know that simply is not true. The Ontario and Nova Scotia premiers have openly called for the abolition of the Senate. The B.C. premier has stated that the Senate no longer plays a useful role in Confederation. Manitoba has maintained its position on Senate abolition. However, if the bill goes forward, it will prepare legislation to deal with the outcome of the bill. Quebec has called the legislation unconstitutional and has said it will launch a provincial court appeal if the bill proceeds without consultation of the provinces.

The legislation is being touted as the forerunner of great Senate reform yet the provinces may or may not be on board. It appears that they have not been consulted in depth.

The summary also states:

Government Orders

It should be noted that the bill imposes no obligation on provinces or territories to establish a selection process for Senate nominees modelled on the framework as set out in the schedule. It provides provinces and territories with an opportunity to propose qualified individuals to the prime minister, who must consider—but is not bound to accept—the names of the persons proposed. The bill effectively sets out an optional alternative to the current selection process. If a particular province or territory chooses to take no action, the current process—whereby the prime minister alone selects Senate nominees—would continue.

The bill highlights several other issues regarding this supposed great Senate reform. First, the Prime Minister is not required to accept the nominees suggested by the provinces. We heard government members say that the Prime Minister would honour that process, but there is nothing in the legislation stating that.

We heard the parliamentary secretary speak to the partisan process currently in place. We have seen its track record over the last five years, wherein Conservative Party candidates who were defeated in elections were appointed to the Senate. We have seen party officials appointed to the Senate. There is nothing in the legislation to prevent the government from continuing to recommend partisan appointments if the provinces choose not to engage in the process as it is outlined.

New Democrats support abolition of the Senate. It is difficult to see how Senate reform would be mandated in the context of this legislation when it contains so many loopholes.

In terms of history and background, proposals for Senate reform have been ongoing since 1887. I will touch on a few of those.

• (1220)

During the first interprovincial conference of 1887, provincial premiers passed a resolution proposing that half the members of the Senate be appointed by the federal government and the other half by the provincial governments.

In 1972, a special joint committee of the Senate and the House of Commons report recommended that senators continue to be nominated by the federal government but that half of them be appointed by a panel of nominees submitted by the provincial and territorial governments.

In 1979, the Task Force on Canadian Unity recommended the abolition of the Senate and the establishment of the Council of the Federation to be composed of provincial delegations led by a person of ministerial rank or by the premier of a province.

In 1984, the Special Joint Committee of the Senate and of the House of Commons on Senate Reform recommended that senators be directly elected.

The Royal Commission on the Economic Union and Development Prospects for Canada recommended that senators be elected and those elections be held simultaneously with elections to the House of Commons.

Finally, in 1992, the Special Joint Committee of the Senate and the House of Commons on a Renewed Canada recommended the direct election of senators under a proportional representation system. There were a number of other proposals in between.

I mention those recommendations to point out that Senate reform is not a new conversation in the House.

The bill before us reflects some of those recommendations in terms of an electoral process. Substantial work has been done and therefore, it would seem appropriate on the basis of this work to go back to the Canadian people to discuss what it is they want in terms of a Senate. Do they want it abolished? Do they want Senate reform? Do they want an electoral process? Do they want to minimize the Prime Minister's influence on those appointments? The amount of work that has been done, and the fact that virtually no change has occurred as a result of it, shows that there is an appetite for looking at the Senate seriously. Whether this bill is the way to do it is the question.

I mentioned that there has been virtually no reform since 1867, but there has been one, which has been mentioned in the legislative summary, that has affected the tenure of senators. In 1965, the British North America Act was amended to establish a retirement age of 75 for senators. Prior to that reform they were allowed to serve for life. Despite the dissatisfaction that has been raised with this long-standing institution's performance, there has been no other reform introduced since that time.

We have heard the conversation surrounding constitutional amendment. The legislative summary is not clear regarding whether this will require constitutional amendment. It is important that Canadians be made aware of the two opinions that exist on this.

Professor Patrick Monahan, a constitutional law specialist who was vice-president, academic and provost of York University, believes that a non-binding election for the nomination of senators would not need a constitutional amendment. It should be noted that certain changes are possible in federal institutions without formal constitutional amendment, such as the appointment of senators on the basis of non-binding elections.

Of course there is an opposing opinion. It has been suggested that this advisory or consultative election process may constitute an alteration to the method of selection of senators, in which case an amendment to the Constitution Act, 1867 would be required. In accordance with paragraph 42(1)(b) and section 30 of the Constitution Act, 1982, any such constitutional amendment would require the concurrence of at least seven provinces, representing at least 50% of the population.

Despite the government's assurance that no constitutional amendment would be required, constitutional experts disagree. It begs the question as to whether or not we will end up in some sort of long legal wrangling over that.

There have been arguments raised in favour of term limits for senators. Regarding term limits the legislative summary states:

Term limits could enhance the prime ministerial power of appointment, eroding the independence of the Senate and its sober second thought function as well as its historical role of protecting regional and provincial interests. As previously noted, prime ministers with a majority government lasting two or more terms could conceivably fill all or most Senate seats by the time they left office, effectively controlling the Senate. This would also exacerbate political partisanship in the Senate, further eroding the Senate's capacity for independent and thorough legislative review and regional and provincial representation.

In the context of this bill and the many assurances offered by the government as to how it would deal with some of the challenges, including partisanship, there are simply far too many questions remaining to actually satisfy the concerns that have been raised.

Government Orders

• (1225)

Part of what the New Democrats are calling for is a process to engage Canadians in discussions involving democratic and Senate reform. Although the 43rd report of the Standing Committee on Procedure and House Affairs did not deal specifically with Senate reform, I will quote one paragraph which deals with the importance of engaging Canadians when talking about reforms of this magnitude.

It states:

Despite different approaches to the study of electoral reform, it is clear that no contemplated change can be done without citizen engagement. A successful consultation strategy will ensure that the process is, and is seen to be, objective, transparent and accountable. Citizen engagement also gives legitimacy to the recommendations that are made. The electoral system must reflect the views, the priorities, and the values of Canadians, and their involvement is essential.

Therefore, when we are talking about Senate reform, it is essential that we engage Canadians in the conversation rather than hammer through a bill that could affect the democratic process we have in place. New Democrats have consistently called for democratic reform. We believe there should be a system of proportional representation in the House. It is important that the bill be taken off the table and that we engage Canadians.

Members on the other side constantly say that in the last election they were given a mandate to establish this kind of reform. I would argue that as members of Parliament we have a due diligence to consider the legislation that comes before us.

We must also consider whether Canadians are actually in favour of it. To state that an election process stipulates that Canadians are in favour of all aspects of a legislative agenda a government chooses to bring forward simply is not true. If that were the case, that government would be required to present that agenda to Canadians at that time. That does not happen, nor is it realistic.

On July 6, 2011, Deborah Coyne wrote an article entitled, "The wrong road to Senate reform". Although I do not necessarily agree with her approach and what she says regarding Senate reform, she does make a couple of valid points about this piece of legislation. She states:

...the Conservative government is misleading Canadians into believing that mere tinkering with a Senate structure dating back to the 19th century – establishing nine-year term limits and à la carte elections – is sufficient.

She goes on to say:

Senate reform is too important a component of any serious plan for improving the functioning of Canadian democracy to be left to the legislative fiat of shortsighted politicians. Rather, the people of Canada must be directly engaged in the debate over this vital issue, and must ultimately be consulted through a national referendum.

Due to an insufficient amount of democratic legitimacy in Senate, our national leaders have increasingly deferred to provincial premiers on matters of national concern in unaccountable federal-provincial negotiations. The national interest is too often equated with the haphazard sum of disparate provincial-government interests, dependent on highly improbable provincial-government co-operation for even the minimum national standards or actions.

The result is a lack of national action on climate change, an increasing patchwork of health-care policies, the absence of a national clean-energy strategy, a crumbling national infrastructure, and a stalemate on pension reform. This ongoing drift toward national incoherence has not only failed Canadians, but has also led to Canada's increasing insignificance on the global stage. Among other things, we are ignored during international climate-change discussions, and are no longer considered worthy of a UN Security Council seat. Furthermore, with our recent infamous UN vote blocking the addition of asbestos to the list of hazardous chemicals, we have

relegated Canada to the sidelines of history on this issue, further devaluing the Canadian perspective on the international stage...

To engage Canadians, we must take the Senate-reform debate to the people, and away from the day-to-day operations of Parliament. A non-partisan commission of informed Canadians should be tasked with holding hearings across the country to listen to Canadians, explain the issues at stake, and discuss possible options for reform.

New Democrats would like to see one of those possible options of reform as abolition.

She goes on in her article to state:

Any proposal that the commission makes must then be made available for Canadians to vote on in a national referendum. Ratification cannot be left only to the first ministers, since they are able to stifle all possible progress in the national interest...

In closing she states:

[The] Prime Minister...has made the disingenuous claim that the May 2 election somehow performed the function of a referendum, and that, in that "referendum," Canadians provided the Conservatives with a strong mandate for their Senate tinkering. Our national representatives need to be reminded that, at all times – whether during, or in between, elections – they govern in trust for the people of Canada. It is their democratic responsibility to engage Canadians in fundamental debates, and they cannot shirk this responsibility for the sake of convenience.

• (1230)

I think that says it far better than any of us in this House have so far about the importance of engaging Canadians.

In closing, I would refer to a speech of February 10, 2011 by Jack Layton called "Canada's Senate: Second thoughts about sober second thought". I want to raise this because he talked about a number of democratic reforms that should be required, including true implementation of the accountability act and proportional representation. He also talked about what the current Senate appointments have done to very important pieces of legislation in Canada. I quote from Jack's speech:

Last fall, the Conservative-dominated Senate was used to veto legislation the Prime Minister simply didn't like. The Climate Change Accountability Act was Canada's only federal climate change legislation. It passed twice in a minority Parliament. It was good, solid legislation—supported by a majority of elected MPs. Legislation embodying the direction Canadians want to take. But on November 16, 2010, the Senate defeated Bill C-311 at second reading. No committee review. No witness hearings. Canada's only legislative effort to fight climate change—gone.

Of course, we have seen other circumstances where the Senate has disregarded the will of the House. I think it is a good reminder that the Senate has a kind of influence that people would think is undemocratic because of the way the partisan appointments take place there.

Later in Jack's speech he said:

Real political reform, of course, involves more than just the Senate. To really change the way politics works, we need to reform the elected House as well. It's up to all of us, in a minority Parliament, to make sure our political system works for the people we're elected to serve. To bring Canadians back in touch...Let's bring about the electoral reform New Democrats have been working for since the days of Ed Broadbent. Incorporating proportional representation would produce a fairer House that truly reflects the political choices of all Canadians. And it would bring us up to speed with most of the world's democracies.

Government Orders

In conclusion, New Democrats simply cannot support the legislation that has been put forward. First of all, the legislation itself has no teeth because of the loose way it could be applied. It would allow a prime minister to continue to make partisan appointments, as he can currently. It does not engage Canadians in what could be a significant change to the way our democratic process works. It certainly does not go far enough in looking at the kind of electoral reform we need in this House. In the last election, only 39% of Canadians elected a majority government, which simply is not reflective of the will of the majority of Canadians.

I urge all members to say no to this legislation. I urge the government to do that kind of consultation process with Canadians. It is very important to the democratic process.

• (1235)

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, I would like to congratulate the member for her eloquent speech.

This coming year in Canada we have several provincial elections. There's one in Ontario, P.E.I., Newfoundland, I believe Manitoba and in one of the territories. Presently, we have senators going from province to province to campaign in these elections on the taxpayers' dime. The taxpayers are paying for these unelected senators to campaign for their parties.

I would like the member's opinion on these unelected senators going from province to province to either campaign or fundraise for their parties.

Ms. Jean Crowder: Mr. Speaker, a number of issues have been raised about the appropriate use of Senate resources, whether it has been in provincial elections or federal elections. We are seeing taxpayers' dollars being used.

I know many members in the House work for their respective political parties in elections, but they do it outside of their duties here. They are not using the resources of the House.

I cannot see how this is a legitimate use of Senate resources: the travel is on Senate budgets and Senate resources are used to do that kind of campaigning. That simply does not make any kind of sense.

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, in this debate I continue to be amazed by a party that calls itself the New Democratic Party actually arguing against a bill that brings true democracy to the Senate. I just shake my head every time I listen to one of the members in the opposition get up and speak to this bill.

So my question to the member for Nanaimo—Cowichan is this. Would not the election of senators allow for much greater diversity in the membership of the Senate? It clearly would end the partisan appointments, regardless of which party is in power. We might actually get a couple of New Democrats elected to the Senate, heaven forbid but that would be democracy. And we would have senators there who would be reflecting the views of all kinds of Canadians. Her party also talks about proportional representation. We would have more diversity in the Senate. We would have more parties represented in the Senate. We would probably even have some independents elected to the Senate which would probably be a good thing.

Why are the member and her party so opposed to democracy in the Senate?

Ms. Jean Crowder: Mr. Speaker, as I outlined in my speech, this legislation does not guarantee that outcome. Bill C-7 has a lot of “mays” and “maybes” and “might haves” in it. Provinces may conduct some sort of process and that is a big problem here. Currently, there is one province that does that. One other province had legislation, but it is sunsetted. Other provinces may or may not engage in that legislative process. There is no guarantee that this legislation would actually do what the member for Mississauga—Streetsville is talking about.

Regarding the member's comments about a democratic process, in my speech I outlined in a number of different places that what we actually do in a democratic process is engage Canadians. Why do we not talk to Canadians about what they want to see regarding Senate reform? As I pointed out in my speech, there have been numerous reports between the Senate and the House about proposed Senate change and nothing has come to fruition.

I think it is time we take that question to Canadians and ask them what they want to see in their Senate.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I would like to thank the member for Nanaimo—Cowichan for her excellent speech on this topic and especially for her emphasis on consulting Canadians. It is fairly clear the government on the other side has consulted neither Canadians nor the provinces.

Let us imagine a Canada that did not have a Senate. What does my colleague think the public's reaction would be if we went to them and said, “Let's have an extra 105 politicians, have them stay there for nine years without being voted on again and let's spend \$100 million a year?” We could ask if the public would think this would actually help solve the problems we face as a country. I would be interested to hear what the member thinks the public would think about this, if we did not have a Senate and if someone came forward to suggest we needed one.

• (1240)

Ms. Jean Crowder: Mr. Speaker, there have been recent polls that strongly suggest that Canadians actually want to see the Senate abolished. I would be surprised if Canadians thought that this tinkering at the margins around Senate reform is actually reflective of any significant change to the Senate.

When we talk about a democratic process, this would be a good time to engage Canadians. In this House, we have seen declining percentages of Canadians coming out to vote. I would argue that this is actually a really good time to ask Canadians how they want their governments to behave; how they want this House to be elected; what they want to do with their Senate; and whether to abolish it or some other kind of reform. It seems to me that this would be a time when we could re-engage and re-legitimize the democratic process by engaging Canadians in that very important conversation.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, most of our discussion surrounding this particular speech that was made by my colleague has focused on the issue of the voluntary selection by provinces of a senator-in-waiting. We do know that the province that has implemented that has had a positive experience with it. However, in the last few minutes we have not had much focus on the issue of the term limits of senators.

Government Orders

It seems to me that most Canadians would find it surprising that currently a senator can be elected as early as age 30 and potentially serve there for 45 years. That is not a really good representation of Canadians. I would like my colleague to respond as to whether she thinks it would be a move in the right direction to limit a senator's term of service from a potential 45 years back to nine years.

Ms. Jean Crowder: Mr. Speaker, the member is absolutely correct. Most of my focus has been on the electoral process and the consultative process.

However, when it comes to term limits, other members in this House have already pointed out that just because we have a senator serving only nine years it would not prevent partisan appointments, so it would not prevent all the partisan activities that the member for Nickel Belt, for example, outlined. It would not prevent misuse of Senate resources. It would not prevent the kinds of problems that have been identified with the Senate currently.

One of the members opposite had talked about some senator who spent a significant amount of time in Mexico. There is nothing about limiting it to nine years that would prevent any of that kind of behaviour. Whether they are at it for nine years or 40-some-odd years, that is not what the issue is. The issue is, do we want to have a Senate to begin with? If we have a Senate, how do we want the senators chosen? And then, how do we prevent the kind of partisan activities and appointments that have characterized the other place since its inception?

[*Translation*]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, since a member just asked a question about term limits and the fact that senators can now serve up to the age of 75, I would like to hear my colleague's thoughts on the fact that, at present, senators must be at least 30 years old. We are talking about better representation of the regions and of the Canadian population. How can an elected Senate represent the people if none of the elected senators is under 30 years of age?

[*English*]

Ms. Jean Crowder: Mr. Speaker, there were all kinds of anachronisms around the way senators used to get appointed. It used to be the place where one could only be appointed if one were a landholder, for example. Actually, I do not know if that rule is still in place.

When we hear the conversation about diversity in the Senate, young people are currently precluded from being appointed. I would argue that if we have a place of so-called sober second thought, young people have a lot to contribute toward that sober second thought because they are ones who are actually going to have to live out the impacts of any legislative agenda that is put in place.

It is young people, now, who are having to deal with the impacts of climate change for many decades to come. Some of us are at the other end of the spectrum. It is young people who are having to deal with things like child care. It is young people who are going to have look at the impact of pension reform in the long term for how it is going to affect their generation as they retire.

I agree with the member. It is a very important question.

● (1245)

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, as this is my first speech in this Parliament since the May election, I will take this opportunity to thank all the voters of the great constituency of Wetaskiwin, Alberta, for putting their faith in me for a third consecutive term. I will commit to them that I will continue to put their interest first in all that I do as their member of Parliament and as their humble and faithful servant.

I also want to take this opportunity to thank all of the volunteers who worked so hard on the last campaign, either in the office, at the door or putting up signs in the over 15,000 square kilometres that encompasses our riding, from Rolly View to Genasee, from Buck Creek to Strachan, from Alhambra to Alix and all points in between. The job is daunting, to say the least. I am proud of each of them for exercising, not only their democratic right but for taking their responsibility so seriously that they got involved and participated more than just the act of voting.

I just returned to Ottawa last night from my home in Lacombe, Alberta, after this past weekend. I have been away for a couple of weeks. I was so glad on Thursday to step off the airplane into the fresh, crisp Alberta evening air. Right away, my senses were overcome as I could smell the wheat and barley dust in the air. The harvest is still in full swing. It took my memory back to the times when I was a child growing up on a farm in central Alberta and the salt of the earth people with whom I grew up and was surrounded by.

My memory also went back to a time when I was a little bit younger than I am now. I am still fairly young, at least I like to think so. To brought me back to a time when one of those fields was used for more than just growing a crop in Alberta. It was one of those fields that one could see clearly from the air when landing an airplane in Calgary. Etched into that field all those years ago, some 20, if not more, years ago, were three large letters, EEE for a triple-E Senate, back when the movement in Alberta to elect our senators was in full swing. I believe that field, at that time, or still does belong to now-Senator Bert Brown. I cannot think of a better use of a field, other than growing some wheat or barley.

This is the crux of my speech today. I am so proud as an Albertan and as a Canadian that this Parliament is moving forward to reform and enhance our democracy. The change is but a small step in implementation but a leap forward in making our democracy more accountable to the people it represents.

The 2011 Speech from the Throne reaffirmed the government's Senate reform priority and that our government would reintroduce this legislation, encourage provinces and territories that have yet to do so to hold elections for Senate nominees, and to limit those term lengths that they now enjoy.

In keeping with that commitment in the throne speech, on June 21, 2011, earlier this spring, our government introduced the Senate reform act that we are debating today.

Government Orders

There has been some criticism that the reforms do not go far enough and do not meet all the pillars of the triple-E Senate, for example, that the reforms constitute a major change in the Senate structure, that it should be referred to the Supreme Court of Canada, or that the changes may be unconstitutional or may change the Senate for the worse in the long run. I do not believe any of those are true.

These reforms are consistent with the government's incremental approach to reform and are completely within the jurisdiction of Parliament. While the bill encourages provinces and territories to hold elections for Senate nominees, it does not change the method of selection for senators. Moreover, it does not bind the Prime Minister or the Governor General when making appointments to the Senate.

Our government is approaching Senate reform in a step-by-step fashion in order to avoid the all-or-nothing confrontational approaches that have failed in the past.

One of the important initiatives in this bill, when implemented, is that our government would be very willing to consider other worthwhile proposals. If anyone has a better idea, I am all ears.

● (1250)

The government has encouraged the provinces and territories to implement a democratic process for the selection of Senate nominees. The Senate reform act would provide a voluntary framework for provinces to implement a democratic process that enables voters to select nominees to represent them, their province and their region in the Senate.

The act would include a voluntary schedule based on Alberta's senatorial selection act, which would set out a basis for provinces to enact these democratic processes. As we said, Alberta already has established a democratic process for the selection of senators in which we have seen most recently the appointment of Senator Bert Brown in 2007.

However, it would require the Prime Minister to consider the recommended names from a list of elected Senate nominees when making or recommending Senate appointments. In Alberta, for example, there is some criticism. The *Edmonton Journal* has led the way in speaking out against our reforms by printing an op-ed by the hon. member for Saint-Laurent—Cartierville and a negative editorial. On the other hand, our former premier, Don Getty, says that the reforms do not go far enough to bring democracy to the Senate.

Despite those criticisms, much of which is hypothetical and speculative, the one thing that is standard across the board is that the status quo is no longer acceptable. Everyone agrees that it has to be reformed. We just simply may disagree right now on how to go about it.

Generally speaking, our reforms have been perceived to be balanced, moderate and reasonable. We are not going so far as to suggest that it should be abolished. I do not think the Conservatives like to tear down their house before seeing if they can fix it first. However, members of the New Democratic Party and the member for Hamilton Centre specifically, have been very vocal on that point.

We are acting on what I think everyone agrees must happen but we need to change things up. We need to make it more democratic and accountable and that the status quo simply cannot continue. Our government received a strong mandate from Canadians to reform the Senate and to implement our Senate reform commitments. We were very clear, not only in this past election campaign but in every election campaign in which I have been involved as a Conservative candidate, that we would bring democratic reform to the Senate.

The effectiveness and legitimacy of the Senate suffers because senators have no democratic mandate from Canadians and can serve terms as long as 45 years. I have been here for almost six years and have served as an executive member of the NATO parliamentary assembly. I am an executive member of the interparliamentary union of 144 countries that get together to discuss how to enhance their parliaments and democratic processes and I am continuously amazed when parliamentarians from places like Mexico, Indonesia, Poland and even Australia are amazed that Canada does not have an elected Senate.

The Senate reform act would change that. It also would change how long senators can sit in the upper chamber. We have specifically chosen terms that are long enough to maintain the essential characteristics of the Senate as a chamber of sober second thought while still providing regular renewal in Senate membership. Limiting Senate tenure is within Parliament's exclusive constitutional authority under section 44 of the Constitution Act, 1982 and is similar to an amendment passed by the Pearson government in 1965, which also reduced the tenure of senators.

The Prime Minister has made it clear that our government is prepared to be flexible in the consideration of amendments to Senate term lengths so long as any amendment does not undermine the principle of the bill. By proposing a nine year term, our government has already demonstrated that it can be flexible in the details of the bill. However, we would not accept a length of term that was so long that it would defeat the purpose of the bill, which is to ensure that the Senate is refreshed with new ideas and perspectives on a regular and ongoing basis.

As the Prime Minister stated when he appeared before the Special Senate Committee on Senate Reform, the fact that senators can be and occasionally are appointed for terms of 15, 30 or even 45 years is just not acceptable today to the broad mainstream of the Canadian community.

Our position has been supported by many of Canada's leading constitutional authorities, as well as the Senate Special Committee on Senate Reform, but that is not what the opposition would like Canadians to believe.

● (1255)

Our minister has met with opposition critics in the House and discussed Senate reform broadly. The NDP's former leader and the member for Hamilton Centre always maintained a strict Senate abolitionist position as their preferred and ultimate goal. While they have stated publicly that some reform is better than no reform, I fully expect that the NDP will oppose the bill.

Government Orders

The Liberal critic, the member for Saint-Laurent—Cartierville, is highly knowledgeable on the file and has expressed specific concerns, all of which have been publicly dealt with. The Liberals are concerned that a dispute resolution mechanism between the two chambers does not exist. They claim that other conventional and constitutional tools necessary to deal with changed circumstances with Senate reform would cause numerous problems. They oppose incremental reform and argue that the provinces must be consulted and that this legislation should be referred to the Supreme Court of Canada before proceeding. They have argued and prefer longer term limits than those proposed by the government, if and when they support term limits at all.

We expect Liberal senators to oppose and obstruct the legislation and to encourage Conservative senators with reservations about the bill to speak publicly and to oppose it. Furthermore, we expect the Liberals to profess support for wholesale Senate reform in general, but opposition to incremental reform through legislation such as this bill.

We have heard the opposition ask questions about these reforms affecting people representation within the Senate chamber. However, under the current appointment system, there is no guarantee that minority groups will be properly represented in the Senate. Our government is hopeful that women and minority candidates will participate fully in any selection process by putting their names forward as candidates.

Provincial political parties could play a role in the nomination of potential Senate nominees, as they do in the nomination process for members of the legislative assembly. The government hopes that parties will encourage the participation of groups that have been traditionally under-represented in our political institutions.

The Prime Minister's prerogative to recommend qualified individuals for appointment to the Senate would not be affected by any consultation process that may be implemented. Should the Prime Minister feel that it is necessary to take steps to address an imbalance in the representation of women or minority groups in the Senate, he or she would retain the power to do so.

I will now discuss what Senate reform has done in my home province of Alberta, but I will first talk about a very interesting thing that happened in my province this past weekend.

I congratulate Alison Redford, the premier-elect and now the new leader of the Progressive Conservative Party of Alberta. She will be one of three women leading various provinces across our country in the very near future. I convey to her my congratulations and offer her goodwill as she takes on the task of taking over the helm of our province.

I also thank outgoing premier, Ed Stelmach, and his wife, Marie, for the decades of service they have given to Albertans. I wish them well as they move on to the next phase of their lives after the next provincial election.

Alberta has been ahead of the game for quite some time. We passed the senatorial selection act in 1989, an act that allows voters to select nominees through a democratic process. Under that act, the Government of Alberta submits the names of elected nominees to the federal government. The act does not require the prime minister or

the governor general to appoint the individuals selected as nominees through the process.

We have had Senate selections in 1989, 1998 and 2004. Two senators have been appointed as a result of these processes: Stan Waters in 1990 by Prime Minister Brian Mulroney, and Bert Brown in 2007 by our current Prime Minister.

In Alberta, candidates for Senate nominees can run as independents or as candidates of a registered provincial political party. Recently, the Alberta Progressive Conservatives have nominated candidates in each of these selection processes. The Liberal Party of Alberta has not had and did not have any candidates in either the 1998 or the 2004 process. The New Democratic Party of Alberta, which has stated its preference for Senate abolition, has yet to endorse a candidate for a selection process.

In past processes, candidates have also been nominated under provincial parties formed specifically to contest Senate elections. For example, the Reform Party of Alberta supported candidates in the 1989 and 1998 selections but did not run in the 2004 selection process. Stan Waters was a Reform Party of Alberta candidate in 1989 and sat as a Reform Senator when he was appointed in 1990.

● (1300)

In other cases, candidates have run under provincial party banners that have no federal equivalent. In 2004, three candidates ran under the Alberta Alliance Party. The Alberta Alliance Party changed its name to the Wildrose Alliance when it merged with the Wildrose Party in 2008. Wildrose Alliance leader Danielle Smith has indicated the party's plan to run full slate of candidates in the next senatorial selection process and has noted that the selections are one of the ways our regional issues can be most fairly represented.

The Canada West Foundation estimates that voter turnout for the 1998 process was about 30% overall. On average, voter turnout for the Senate vote was about 10% lower than ballots cast in municipal races.

In 2004 Alberta held its senatorial selection process in conjunction with the provincial general election. Previously, in 1998 and in 1989, these processes were held at the same time as general municipal elections.

Voter turnout for the 2004 senatorial selection process was nearly 44.2%. However, once rejected and spoiled ballots were considered, voter turnout for the senatorial process was closer to 35%. In comparison, voter turnout for the 2004 provincial general election was just over 44%.

I know what some rural Canadians are thinking. If Senate nominees are selected from provincial-wide constituencies, would candidates from urban centres not have an advantage over Canadians from rural areas?

Government Orders

I want to be very clear here. Our legislation improves the current consultation process in terms of Senate selections. Under the current method of selection, there is no guarantee that all regions in a province can be represented at the same time. However, the proposed bill empowers the provinces to implement a consultation process that will best meet the needs of its citizens. It will be up to each province to decide upon a process to ensure that all citizens in the provinces are properly represented.

The role of the Senate and the individual senators would not change as a result of this legislation. Senators will continue to play an important function in legislative review and their status will not be affected by whether they have been appointed directly or selected on the basis of popular consultation.

Similarly, the status of senators will not be affected by the type of electoral system that is used to select them. Over time, as more senators are appointed on the basis of a consultation process, it is our hope that the democratic legitimacy of the Senate as a whole will improve and that this would lay the basis for longer term future reform.

The bill does not provide funding for provincial or territorial consultation processes. Our government believes that provincial or territorial processes should be funded by provincial or territorial governments. For example, Alberta has held three consultation processes and the Government of Canada has never contributed funding. Alberta estimated that the cost of the most recent consultation process held in 2004 was approximately \$1.6 million.

Our preference is Senate reform, not Senate abolition, like some of the opposition would suggest. That is why we acted quickly in reintroducing Senate reform legislation so the Senate would better reflect the values of Canada and Canadians in the 21st century.

On the equal part of the triple-E, we need more seats for the west. Across the country, there may be varying viewpoints, opinions and ideas on what to do with the Senate. These are all things for legitimate debate, but most important is the status quo. What we are doing today is simply no longer palatable to the Canadian public.

That is why we are proceeding with Senate reform that is reasonable and within the constitutional authority of Parliament. The federal government has to take a look at the processes that have worked for our provincial colleagues.

Alberta is firmly committed to an elected Senate and to Senate reform. Not only that, but Alberta has proven that democratic processes are feasible and possible, holding its first selections more than 20 years ago.

We in this party encourage all provinces to follow Alberta's lead and start electing their Senate representatives.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I thank my colleague for his presentation on a variety of issues surrounding Senate reform, including the decoration on his wheat fields, which I thought was quite entertaining.

He spoke about public support for this. In fact, the public support for a referendum on the Senate is growing. An Angus Reid survey from 2011 shows that 71% of Canadians are in favour of holding a

referendum to decide the future of the Senate and 36% of Canadians support the abolition of the Senate, up from 25% one year earlier.

In the spirit of democracy, would it not be incumbent upon the government to determine what Canadians think is a good plan of attack for dealing with the Senate? Would it not be a good idea to open it up for a much wider ranging discussion that would come with a referendum? Would that not make more sense than putting forward a bill that is likely to fail anyhow?

• (1305)

Mr. Blaine Calkins: Mr. Speaker, I am not sure where the hon. colleague was when we had referenda on these mixed in with other issues back when we had the Charlottetown accord and the Meech Lake accord. Those were failed processes. Also I do not share his view that the bill will not pass this chamber. I do not know why he wants to muddy this issue. It is very clear, and we agree, that Canadians want change. The status quo is no longer acceptable.

Conservatives believe we should fix the house before we tear it down. There is something here we are salvaging. Regional interests need to be taken into consideration. The Senate is there to do just that. This House, if we get future bills passed, will more accurately reflect representation by population. Our country is too large and vast, both in its ethnicity and culture and in its space. We have five easily discernible regions: the Arctic; the West; Ontario; Quebec; and the Atlantic provinces. They all need to have some say and oversight and someone here in Ottawa looking out for the broader interests of those regions and those provinces. It is folly to throw that institution away on a whim from the NDP.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, I thank my colleague and join him in congratulating the new Premier of Alberta.

[*Translation*]

Since she is bilingual, I am pleased to congratulate her in French.

[*English*]

I thank him for taking the time to list the criticisms of this bill that have been addressed, including by the former premier of his province, Don Getty.

Although my colleague said that Mr. Getty's criticism is speculative, it is not. It is arithmetic. Today Alberta has only six senators. We have provinces four to five times less populated that have 10 senators. It is a problem but it is not so huge because the Senate is playing its role with reservation.

Since 1945, the Senate has only blocked seven bills. If everyone in the Senate is elected, then it would be a part of daily life for the Senate to stop the House and the House to stop the Senate and six Albertans would have a voice on that. It would be grossly under-represented for Alberta. I question why he is hurting his province this way.

Mr. Blaine Calkins: Mr. Speaker, I am not hurting my province at all. Albertans have always done their fair part in this confederation and they always will continue to do so. Six Alberta senators is what we constitutionally agreed to as part of this confederation.

Government Orders

They may want to go back and open up the Constitution. They have argued that is the case. However, everybody knows it is simply not possible. There is no current support across our country to have seven of ten provinces holding at least 50% of the population to have a one-off constitutional amendment. Unless the member knows something which I do not know, which I doubt on this case, if he has names and agreements of premiers and so on to go forward with this, then by all means bring it before the House and let us have a look at it. I said in my speech that we would take a look at the options that are available to us.

However, I am glad he is sticking up for Alberta. When the future legislation comes to increase the number of seats in the House so we have democratic representation by population, I know my colleague will stand with me in supporting Alberta's increase in seats in the House of Commons.

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, my friend from Wetaskiwin's position on the Senate reform was very well thought out and well articulated.

I want to add my voice to the support for Bill C-7. This is an important bill and I cannot believe the suggestions coming from New Democrats that this is not fixing democracy. They do not want to have new democracy within the Senate. They talk about having proportional representation. Do members know how proportional representation works?

I know my friend from Wetaskiwin will be able to tell us how proportional representation works because of his experience with other parliaments around the world that have proportional representation. The list is developed through a partisan manner and the people who come into the chamber come off a partisan list. The New Democrats think there is too much patronage and partisanship happening in the Senate, which we want to fix, but they want to bring that type of patronage into the House of Commons through proportional representation.

It is the worst thing that could happen to democracy and I want my friend from Wetaskiwin to talk about that.

• (1310)

Mr. Blaine Calkins: Mr. Speaker, I might be a little partisan in my remarks here. It has happened from time to time.

Any time we have discussions about democracy, there are certain forces in this world that are always claiming they are acting in the best interest of the people, for the people, but the reality is it is just a smokescreen. We only have to ask the Hugo Chavezs of the world. What happens when totalitarian leftists or extremists on either side get into power? They circumvent all the processes that they have to in order to seize and hold power indefinitely.

Our first-past-the-post system is a tried and tested method of democracy. We have inherited this from our parent countries when we became our own country. This is something that works and it works in the House. It will work in the upper chamber as well.

We can elect people who belong to provincial parties, or people with affiliations to federal parties, or people with no affiliation to any political party at all. What a novel concept. How many members of Parliament have heard complaints from their constituents in that they do not really like the party but they vote for the person?

Now we have an opportunity through this legislation to elect an individual with no party affiliation at all to represent the interest of a province in the upper chamber. However, the New Democrats say that this is not good enough for them.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, does the hon. member seriously think his constituents would like the idea of adding 105 politicians to our system if we did not already have a Senate now? Would they really think it would solve their problems? Would they think that spending \$109 million or \$107 million a year would actually do anything to solve the problems they are worried about in their daily lives? I do not think so.

The second part of my question is on accountability. In a nine-year term where people are not re-elected, how is there any accountability for that person at all in the system being proposed?

Mr. Blaine Calkins: Mr. Speaker, I do not have to doubt too much what the constituents in the riding of Wetaskiwin are thinking. They sent me here with a fairly solid mandate to represent their interests. In respect to the member's question though, yes, I hear some folks say that abolition is certainly an option, but that is only if we cannot get the democratic reform that they are seeking.

I made it very clear in my speech. Albertans like Bert Brown in the Senate. They liked Stan Waters before him. Like all of those who have ran and let their names stand for Senate elections in Alberta three different times, and they are going to do it again, it is very clear what Alberta's position is. We want democracy in the Senate. We do not want to wipe out democracy. We love democracy in Alberta. We love electing people based on their merits, which is why we elect the Alison Redfords to be our premier, the Naheed Nenshis and Stephen Mandels to be our mayors. We like having those democratic choices.

In Alberta we believe that people with merit should be representing Alberta's provincial and regional interests in Ottawa, which is why they send virtually a full slate of Conservatives to Ottawa. They know those interests will be best represented that way.

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, what a rare honour it is to follow the very astute comments by the member for Wetaskiwin. Did he not speak well? He spoke well in defending democracy, pushing toward updates and reasonable changes to our democracy.

Government Orders

Our party has been very clear that the economy and job creation are top priorities. Those are the priorities of the Conservative government. That is why we have taken Canada's economic action plan to the next step. That is why we unveiled advantage Canada way back in 2007 and started working on a framework and foundation that would guide Canada not just through good times but through tough times. Has that plan not worked well? That does not mean we do not continue to work toward improving this place. It does not mean we do not continue to work at making our streets and communities safer and that we do not try in every way possible to make Canada an even greater nation than it is today.

I am honoured to represent the electric city of Peterborough, Ontario and the great hard-working people of Peterborough. In fact, you, Mr. Speaker, represent the riding adjacent to mine. We share one of the most beautiful regions in the country. The Kawartha Lakes region is in the name of your riding, Mr. Speaker, but I have most of it in my back yard. However, we are not going to fight over that. The bottom line is we are very privileged to represent one of the truly great regions within Canada.

When I talk to people in my riding, they understand that the Senate needs to be changed, that it needs to be reformed and that we should constantly work to improve democracy in this country. One thing is clear. If we go back to 1867 and the foundation of this country, the Senate was prescribed in a given fashion. However, the country has matured. It has become a more mature democracy. We have seen reforms in many ways. In fact, we have seen Canada grow up. I would argue it is an experiment that continues to evolve, to become stronger and even more united. In fact, I would argue patriotism in this country and the identity behind the Canadian flag has never been more clear, passionate or stronger than it is today.

In May our government received a mandate; a strong, stable, national Conservative government was elected on May 2. It is a majority government, as the member for Kitchener—Conestoga correctly pointed out. One of the things we made very clear in the election campaign was that we would continue to fight for reform of the Senate.

New Democrats had a very confusing policy on the Senate. They said that they would come to Ottawa and fight for Senate abolition, but they cannot do that in isolation. They know that requires the agreement of the provinces. One of the key provinces that has voiced concerns over that is the province of Quebec. When the New Democrats take their Senate abolition message back to Quebec, I wonder what they are hearing from the provincial government and constituents in Quebec. I wonder what they are hearing because that is not what we are hearing. In fact, we are hearing that the Senate should be reformed, not abolished.

Our government has been clear about our commitment to bring reform to the Senate chamber. We pledged to do this and we are following through.

We believe the Senate can play an important role in our parliamentary system. It reviews statutes and legislation. It serves to represent regional and minority interests. It provides research and thoughtful recommendations to the members of the House. It can be a place where a broader range of experience and expertise can be brought to bear on the issues facing our country.

I heard a member point out that one cannot assume a position in the Senate until the age of 30 and felt that was discriminatory. I do not believe that is discriminatory when we look at the role the Senate plays. I was elected, I thought as quite a young person, at the age of 35, but I brought a considerable amount of experience, small business experience, charitable experience and experience on the farm growing up. I had a resumé of life experience that I could bring to bear.

● (1315)

I think the younger that members are, regardless of how intelligent or well intentioned they are, it is the life experiences they bring with them to Parliament, whether it is here in the House of Commons or in the Senate chamber, that allows them to be truly representative of a broader scope of people, but also to fully understand and comprehend the impact of the decisions that are made here in Parliament.

Unfortunately, the contributions of our Senate are overshadowed by the fact that senators are selected and appointed without a democratic mandate from Canadians. Their effectiveness and legitimacy suffer because they have no democratic mandate and they can serve as long as 45 years.

As I said, the Senate does good work. One of the most transformative and important reports to come out of the Senate in a very long time is the "Out of the Shadows at Last" report by Senator Keon and Senator Kirby, two very outstanding Canadians who worked very hard to bring forward their study on mental health and mental illness. From that our government acted. We put together a Canadian mental health strategy that is now working to organize and build capacity in that regard here in Canada. That is the kind of good work and the kind of solid report we see come out of the Senate. That is why there is value in what the Senate does.

Much of that work is overshadowed because the Senate is still stuck in 1867. Our government does not believe the current situation is acceptable in a modern representative democracy and neither do Canadians, certainly not the people of Peterborough.

Our government has long believed the Senate status quo is unacceptable and that it must change in order to reach its full potential as a democratic institution and a more legitimate chamber of this Parliament. The alternative is status quo. Canadians are with us in saying no to the status quo.

With the introduction of the Senate reform bill, our government is responding to the concerns of Canadians who made it clear that the status quo is simply not acceptable. If we are to begin the journey toward reform, we must do what we can within the scope of Parliament's authority.

Government Orders

Our government believes that Senate reform is needed now. We are committed to pursuing a practical and reasonable approach to reform that we believe will help restore effectiveness and legitimacy in the Senate. Canadians do not want a long drawn-out constitutional battle, as we have been down that road, especially when, as I said at the start of this speech, Parliament needs to focus on the well-being of the Canadian economy and on job creation. It does not mean that Parliament should not act, but a long drawn-out constitutional battle is not in our interest, nor in the provinces' interest, nor in the interest of any Canadians. These battles would detract from the government's focus in all areas.

Achieving the necessary level of provincial support for particular fundamental reforms is complex and lengthy with no particular guarantee of success. That is why we are moving forward with the Senate reform bill.

Through this bill, our government is taking immediate and concrete action to fulfill our commitment to Canadians to increase the effectiveness and legitimacy of the upper chamber and to work co-operatively with the provinces and territories.

The bill provides a suggested framework for the provinces and territories that wish to establish democratic consultation processes to give Canadians a say in who represents them.

I have often said it is a real shame that many Canadians can name their member of Parliament, they can name other members of Parliament, they can name ministers and opposition critics, but many Canadians cannot name the senators who represent their province or any province. That points to a fundamental flaw in the current system. They are the people who are supposed to represent the regions, including Nickel Belt, for example.

The member who is arguing for abolition as I am speaking should know that the people from Nickel Belt can have representation in the Senate; they can have a say in who represents them in the Senate. It is important regional representation for northern Ontario. I hear from people in the north all the time that they feel they are under-represented in this place, that they are under-represented at the provincial level. The regional representation in the Senate can give them a voice, and they should have a say in who represents them there.

We have consistently encouraged provinces and territories to implement a democratic process for the selection of Senate nominees. The Senate reform bill gives clarity to our flexible approach.

● (1320)

The bill requires the Prime Minister to consider the names selected from democratic processes when making recommendations on appointments. It does not bind the Prime Minister or the Governor General when making Senate appointments, nor does it change the method of selection for senators.

The bill also contains a voluntary framework for provinces and territories to use as a basis for developing a democratic selection process to consult voters on the preferences for Senate nominees based on Alberta's senatorial selection act.

The framework is meant to facilitate development of provincial or territorial legislation. This is a co-operative venture. The provinces and territories can adapt the framework that best suits the needs of their unique circumstances. Built-in flexibility will further encourage provinces to provide a democratic consultation process to give greater voice to their citizens and the provinces in the Senate.

Our proposed approach has already been successful. In 2007 the Prime Minister recommended the appointment of Bert Brown to the Senate. He was chosen by Alberta voters in 2004, and I might add, ignored by the Liberal government that oversaw the selection process here in Ottawa. We thank Senator Brown for his tireless work for reform both inside and outside the Senate.

Alberta is not the only province, however, that has taken steps to facilitate this reform. In 2009 Saskatchewan passed its Senate nominee election act. In British Columbia the premier's parliamentary secretary has introduced a similar bill. Just on Saturday, October 1, Premier Alward of New Brunswick announced his government's support for our approach. We look forward to seeing New Brunswick take the steps toward Senate reform.

It is building. Provinces are taking up the challenge of improving our democracy. It is exciting. We encourage our colleagues in all provincial and territorial legislatures and assemblies to consider supporting and moving forward with similar initiatives.

In addition to encouraging the implementation of the democratic selection process for Senate nominees, the act would also limit Senate terms which can span several decades under the current rules. In fact, a term could be up to 45 years under the current rules. Polls have consistently shown that over 70% of Canadians support limiting senators' terms. This is quite different from some of the speeches we have heard in the Senate. I listened when senators who have served for decades reach the age of 75 and point out there is no legitimate reason for them to have to bow out from the job.

But there is a legitimate reason. I would hope that every member in the House would understand that it is not enough simply to be elected; it is not enough simply to be here. People have to contribute. They have to bring fresh ideas to the table. New people have to be given a chance to bring in new ideas. More people have to be given an opportunity to contribute toward this great country. That is one of the reasons term limits are so important.

The nine-year term would also apply to all senators appointed after October 2008, up to royal assent. The nine-year clock for those senators would start when this bill receives royal assent. The Senate reform act would keep the mandatory retirement age for senators in place. In 1965, Parliament introduced mandatory retirement at age 75 for senators. Prior to that, senators were appointed for life. This clearly demonstrates Parliament's authority to put these laws in place. In 2007 the Senate Standing Committee on Legal and Constitutional Affairs recommended that the mandatory retirement age of 75 be maintained while examining a previous Senate term limits bill.

Government Orders

Some opposition members argue that the bill presents a fundamental constitutional change requiring the support of the provinces. Personally I think they are entirely wrong, as do many others, including the provinces that are signing onto the bill and putting in place mechanisms to elect senators.

The Constitution also very clearly sets out those types of changes to the Senate that require some level of provincial consent. Our government has been careful to ensure that our approach to Senate reform falls within Parliament's constitutional jurisdiction.

I have listened to the speeches and questions from the opposition members and I have to say that they are missing the point. Our goal is to begin the reform process. We want to be as constructive as we can while ensuring that we move this place forward.

● (1325)

In contrast to the position of other parties, it is clear that our government's approach is the practical and reasonable way forward. It is the approach that can truly achieve results on behalf of every single Canadian in this country.

In fact, the stated positions of the opposition parties are essentially arguments in favour of the status quo. This is what is so dishonest about their approach. They understand full well that standing in this place and arguing anything other than this bill is in fact an argument for the status quo. It is an argument for the Senate to stay stuck in 1867. Their proposals would not achieve anything, and we would have no reform at all. That is not acceptable to Canadians.

The NDP, as I have said previously, would try to abolish the Senate. Canadians just do not support that kind of radical and fundamental change. There is no wide agreement among the provinces for that proposal. As I said earlier, I encourage the Quebec members to go to the National Assembly in Quebec City and see how much support they get for that position.

The position of the Liberal Party, on the other hand, has been to advocate for a process, not a result. How Liberal.

Perhaps we could have a summit. After the summit, we could have round tables. After the round tables, we could go to telephone consultation. After that, maybe we could do a mail-in campaign, and maybe sometime, a decade or two down the road, the Liberal Party might be prepared to act; we are not sure.

The Liberals do not support the reform of the Senate. That is the bottom line. The Liberals' 13-year record of inaction demonstrates their opposition. They have been clear about this, yet their suggestion is to open up the Constitution and begin a process that we know would end in bitter, drawn-out national conflict without Senate reforms being achieved.

We have seen how the Liberal Party responds whenever the Constitution is opened. It is simply to be contrarian. When we were seeking to bring Quebec into the Constitution, for example, when former Prime Minister Mulroney entered into constitutional reform, we know it was the Liberal Party that fought against it. We know it was the Liberal Party that was trying to tear down that House that would have, in my mind and in the minds of many others, put an end to the question of Canada being a country that spans from sea to sea to sea.

The Liberal approach is a recipe for accomplishing absolutely nothing while dragging us into a constitutional quagmire at a time when the government, the Liberal party, the New Democratic Party and all their members should be focused on the economy and jobs.

In conclusion, our government is dedicated to reforming the Senate so that it better reflects the values of hard-working Canadians across the country.

My constituents tell me that they want change. I believe that the time for change in the Senate has come. With the Senate reform act, our government is presenting modest but important and attainable changes that would improve the Senate by providing it with greater legitimacy in the eyes of Canadians.

Every member in this House has the opportunity to do something truly historic, something fundamental to our democratic process. They have the opportunity to bring the Senate, even if just marginally, into the 21st century to begin the process of reform.

We see what happens when we introduce democracy into the parliamentary system or into the governing systems of countries. It becomes infectious. People demand more democracy. They want even greater participation in their political process.

Every member in this House has the opportunity to do something historic, to give something to their constituents that they have never had before: a say in who represents them.

Can members imagine that in the 21st century in Canada we have a political body structured such that the people we all represent have no say in who represents them?

Let us do something historic. Let us support this bill. Let us move forward. Let us reform the Senate. Let us make Canada an even stronger and better country than it is today.

That is the charge I put to every member of this House.

● (1330)

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I enjoyed the hon. member's grand flourish at the end, although it seemed a bit inappropriate since what the bill would do is give the Prime Minister the option that he has right now. He can, right now, agree to appoint a senator elected from a provincial legislature or from the workings of a provincial election. He can do that right now.

If we were to pass the bill, the Prime Minister would not be required to appoint those elected. He can appoint whomever he feels like appointing. What would we be adding to Canadians? We would not have very much at all in that regard.

Would the hon. member explain exactly what he meant when he said this would be a grand change for Canadians?

Government Orders

● (1335)

Mr. Dean Del Mastro: Mr. Speaker, I would point out to the member that he has a historic opportunity on behalf of the citizens of Western Arctic. I would also remind the member that when the Prime Minister in this Conservative Party of Canada had an opportunity to nominate someone who had gone through that process, our Prime Minister did just that. We are very proud of him for doing so, because he followed the democratic will of the people of Alberta. Our Prime Minister will follow the democratic will of the people across Canada.

We would be putting in place a formal understanding between the Prime Minister and the people of Canada that if they take part in the democratic process and make their voices heard by casting their ballots, that person would be considered by the Prime Minister, and I would say that any Prime Minister who thwarts the democratic will of the people would not be the Prime Minister for very long.

However, it will not be this Prime Minister. This Prime Minister has already indicated and clearly demonstrated that he will follow the democratic will of the people of this country when it comes to the Senate. That is why I believe that the Prime Minister will be the Prime Minister for a very long time.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, the member must keep in mind my suggestion that an old law of public policy says that the problems we have today are often the result of the institutional reforms of yesterday. I want to point out three problems with the bill that may create a lot of problems in the future.

The first is corporate donations. The Prime Minister created a law that banished corporate donations. However, they would be back with a vengeance with the passage of the bill because many provinces have weak or no regulations regarding corporate donations.

Second, it is very likely that the bill is unconstitutional. I understand that the member disagrees, but the list of experts saying the opposite is quite long. Premier Charest said he would go to court to fight the bill. In order to avoid this constitutional chaos, why not ask the Supreme Court for its view on the bill? It would be responsible to do so.

Finally, there is no constitutional mechanism to solve any disagreement between the two elected chambers. If the Senate were to be elected, the likelihood that the Senate would be of a different view than the House would be very high. What democracy would accept being in a situation in which there are no constitutional mechanisms to solve disagreements between the two chambers?

These are three clear questions. I would like my colleague to answer each of them.

Mr. Dean Del Mastro: Mr. Speaker, the member brings forward a number of very good concerns that I think are important and valid.

On his first question with respect to banishing corporate and union donations, we made that very clear in the Accountability Act.

Now, the NDP does not feel that it should follow it. We know the NDP accepted tens of thousands of dollars of illegal donations at its most recent party convention in June in Vancouver. That is an issue

for the Chief Electoral Officer, and it is one we expect him to follow up on.

However, it is important, because in doing so, we have returned politics to the people. We have empowered the people by making sure that those with deep pockets cannot simply buy elections or buy the electoral process.

I think every province should have similar legislation. They should also ban third party advertising. If we look at what is going on in the province of Ontario right now, as far as I am concerned, that is not putting people first; it is in fact drowning out the voices of the people, and it is unacceptable.

With respect to the constitutionality of the bill, we have sought opinion and we believe it is well within the authority of Parliament to move forward with the bill.

I believe the member's last question had to do with sending the bill to the Supreme Court. We have no interest in being in a long-drawn-out constitutional battle. We do not think that is productive. We think bringing democracy to the Senate chamber is what Canadians want and deserve.

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, I thank my hon. colleague for his excellent speech and for his hard work for his colleagues and constituents in Peterborough.

My question is specifically on the timeframe.

I represent wonderful constituents in Kelowna—Lake Country. We had a Liberal senator, Ross Fitzpatrick, who served our community very well. I worked nine years on city council before being elected three times to the House. I know being partisan was mentioned, and it was mentioned that we can elect a senator who does not necessarily have a political affiliation. In this case, Mr. Fitzpatrick was appointed by the Liberal Prime Minister at the time.

Mr. Fitzpatrick had to retire at the age of 75. I hear from constituents that 15, 30 or 45 years seems like a long time for somebody to have that job without either having to be elected the first time or being accountable.

My question to my colleague is this: why is a nine-year term proposed? What is significant about nine years?

● (1340)

Mr. Dean Del Mastro: Mr. Speaker, the establishment of the term limit at nine years is in response to the concerns that were brought forward by some of the members in the opposition and some of the members of the public. They indicated that anything shorter would allow a government, in two majority mandates, to be able to dictate all of the membership of the Senate. Putting in place a nine-year term limit would be longer than two terms of Parliament. It was a fair compromise that we sought.

I go back to the argument. The hon. member represents, by the way, one of the most beautiful parts of this country. It is very close to being as beautiful as the Kawartha Lakes. In fact, some folks from there might even be deceived into believing it is more beautiful, but I will not enter into that debate.

Government Orders

However, I can say very clearly that the hon. member is representing his constituents and the overwhelming majority of Canadians in his support for a term limit on senators that is not up to 45 years.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, I am very concerned about the bill.

First, it presents flimsy and minor changes designed to pander to a Conservative base. I am concerned that it will not have any real impact, and that if it does have any impact, as my colleague has pointed out, it is bound to be negative. Tie-ups between the House of Commons and the Senate are something we can ill afford at this time.

Second, it continues the trend of offloading to the provinces. There does not seem to be any provision in the bill to help provinces pay for elections. Just as in Bill C-10, there are basically no provisions to help provinces to absorb these additional costs that are being lowered onto them by the federal government.

Could the member opposite tell me how much it will cost British Columbians to hold these kinds of mostly meaningless elections?

Mr. Dean Del Mastro: Mr. Speaker, it shocks me that the member is concerned about the cost of democracy.

What is the cost of not having democracy? What is the cost of having a completely and entirely appointed body that may not represent the views of the people of British Columbia? I would argue that the cost is a democracy stuck some 143 or 145 years in the past.

The member should take a second look at the bill. As I said previously, the member has the opportunity to do something historic: to start Canada down the road toward building a democratic chamber in the Senate and to start down the road of establishing a reasonable Senate term limit.

Is the member aware that there are people currently serving in the Senate who were appointed by Pierre Trudeau? Is he aware of that? Is the member aware of what their contributions may or may not have been, or whether anyone in their respective provinces supported those senators' appointments to begin with?

I am aware that most of the people in my riding cannot name a single senator. Some of them might be able to name two or three, but virtually none of them can name a senator who represents them. Under a democratic body, that would change.

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, since this is my first speech in the House of Commons in the 41st Parliament, I would like to thank the people of Nickel Belt for returning me to this House of Commons. I am grateful to the people from as far west as Foleyet, to the east of Garden Village, from the south in Killarney, and to the north of Capreol and River Valley, for returning me to this House.

One of their reasons for returning me to this House of Commons is due to the fine work that my staff is doing in Nickel Belt. I would like to thank them in this House, including Carmen McMurray in Nickel Belt and Val Caron, Ghislaine Millette in Val Caron, and Mona Noël and Don Pitre in Sturgeon Falls. I would like to thank them for the fine work they are doing.

Some of the reasons why we were re-elected to this House of Commons are because the people of Nickel Belt are more concerned about unemployment, health care, education and about their mothers, fathers and grandfathers. They are not too concerned about Senate reform. They are concerned about the things that affect them and Senate reform certainly does not affect them.

I am happy to rise in the House today to speak about the important principles of democratic reform and accountability.

I know the citizens of my riding of Nickel Belt want an electoral system where people are made to feel their vote counts. They want to feel good about government again, to see it as truly representative of them, and to feel they have a choice.

Five years ago, our Prime Minister was opposition leader. He recognized how wrong the unelected Senate was. He called it unfair and undemocratic. He called an appointed Senate a relic of the 19th century. Then, as opposition leader, he clearly did not like how the Prime Minister held a virtual free hand in the selection of senators and he made a promise that, as Prime Minister he would not name appointed people to the Senate. Sadly, we have seen another broken promise. Instead of fixing the problem with the Senate, the Conservative government has made the problem worse.

Consider the evidence. The Prime Minister now holds the all-time record for appointing the largest number of senators in one day. He has appointed Conservative Party faithful, spin doctors, fundraisers and insiders, his former Conservative Party president, his former national campaign director, and several defeated Conservative candidates. What more evidence do we need than seeing the architect of the Conservative notorious in and out scheme currently sitting in the Senate? Unnecessary Conservative senators spend their time voting down laws passed by elected members of the House of Commons, while burning through taxpayers' dollars to travel the country fundraising for the Conservative Party of Canada. Talk about doing politics differently; it is more of the same old, same old as we saw with the previous Liberal government.

Last fall, we watched in shame as the Conservative-dominated Senate was used to veto legislation that the Prime Minister simply did not like. The Climate Change Accountability Act, introduced by my colleague from northern Ontario, the hon. member for Thunder Bay—Superior North, was passed twice in a minority Parliament. Elected members representing Canadians passed the bill. A majority of elected MPs supported that legislation twice. Tragically, on November 16, 2010, the Senate, with its Conservative appointees, defeated Bill C-311 on second reading. There was no community discussion in the Senate and no witnesses. It was killed by unelected friends of the Prime Minister.

Government Orders

•(1345)

Unfortunately, the government's legislation related to the Senate is not about real democratic reform or delivering on commitments of accountability. New Democrats are talking about real democratic reform. We are calling for the abolition of the Senate. Canadians have had enough. The Senate has to go. Most Canadians would not miss it. Recent polling shows that only 18% approve of the actions of the Senate. Unfortunately, today's senators are too often partisan, working for their parties while being paid with public money. No sober second thought can come from unelected appointees with such obvious conflicts of interest.

Then there is the waste of money in the unelected Senate because Canadians are paying more and more for a discredited institution that does less and less at a time when people are dealing with slow economic recovery and the Conservative government is contemplating billions in cutbacks. Maintaining the Senate costs Canadians around \$19 million a year. While folks are looking for jobs, trying to make ends meet when their EI runs out and scraping by on pensions that do not even cover basic necessities, senators are earning \$132,000 a year for a three-day work week. Travel and expenses for senators cost \$859,000 a year for an institution that will not play any relevant role in the lives of most Canadians.

I can think of a lot of things that matter to people, like creating family-supporting jobs, improving public health care, and building a decent future for our kids. Lining the pockets of party insiders probably is not high on anyone's list. I repeat that New Democrats want the Senate abolished. That has been the position of the New Democratic Party and its predecessors since 1930, and we are not alone.

•(1350)

[*Translation*]

The Premier of Ontario, Dalton McGuinty, and the Premier of Nova Scotia, Darrell Dexter, have publicly called for the Senate to be abolished. The Premier of British Columbia, Christy Clark, has said she does not think it serves a useful purpose within Confederation. Manitoba also maintains its position in favour of abolishing the Senate. Quebec has called this bill unconstitutional. The provincial government has said it would appeal the matter in court if this bill passes without prior consultation with the provinces.

[*English*]

We know real democratic reform is not achieved by tinkering with how senators are appointed or chosen from the provinces. We will need to introduce fair voting and proportional representation where the franchise of every voter is respected. We are calling on government to hold a referendum asking the Canadian public whether they support abolishing the Senate.

Today, I am asking the Prime Minister to start with two modest but vital first steps. First, I am asking the Prime Minister to stop appointing failed candidates and party insiders to the Senate. I am asking him to reach out to Canadians by making that a firm commitment.

Second, I am asking the Prime Minister to work with me to ensure all senators are banned from fundraising for political parties. No sober second thought can come from unelected appointees with such

an august conflict of interest. It makes a joke of our democratic system, and it is not fair to Canadians.

In the long run, New Democrats remain firmly committed to following other modern democracies, as well as Canada's provinces, by abolishing the upper house and continuing to call for a pan-Canadian referendum to allow Canadians to provide a mandate on how to proceed.

We, as New Democrats, want Canadians to feel good about government again, to see it as the embodiment of their collective capacities as citizens, and to feel they have a voice. Let our elected members of Parliament, and only our elected MPs, speak on behalf of Canadians.

Second, let us stop wasting money on the undemocratic parts of our country that are not benefiting Canadians.

I want to bring out some key facts on this Senate reform. All provincial Senates were abolished by 1960, and provinces have continued to function properly. For those from the opposition who think we cannot work without a Senate, the proof is in the pudding. The provinces got rid of all Senates in 1968, and they are still functioning.

Public support for a referendum on the Senate is growing. An Angus Reid survey from July 2011 showed that 71% of Canadians were in favour of holding a referendum to decide the future of the Senate; and 36% of Canadians supported abolishing the Senate, up from 25% one year earlier.

If we really want to hear what Canadians have to say about the Senate, maybe we should have a referendum and let Canadians tell us what they want. With this Angus Reid survey, we know what Canadians want. They want the Senate abolished.

The Conservatives have said that they do not want to tear the other place down, they want to rebuild it. They are accusing us of wanting to tear the other place down. There have been 13 attempts to reform the Senate since the 1900s, 13 times Canadians wanted to remodel the Senate and failed every time. We are not going to accomplish anything this time either.

The government has been all over the map when it comes to Senate reform. A previous Conservative bill called for a federally regulated electoral process, while another bill called for eight year term limits.

The Conservatives have not properly consulted with the provinces about whether or not they agree with the content of this bill. When this bill was first introduced in June 2011, Conservative senators, even those appointed by the Prime Minister, pushed back against any plan for Senate term limits.

Statements by Members

Senators will remain unaccountable to the Canadian people by only being allowed by law to serve one term as senators. They will never have to face the public to account for the promises they made to get elected or the decisions they made in the previous nine years, and they will get a pension when they leave office.

The safest, small c conservative approach to the Senate is to abolish it. We know how the House of Commons works, but we have no idea what will happen with an elected Senate.

• (1355)

The Prime Minister has called the Senate a relic of the 19th century. In 2006, the Conservative Party platform stated:

The Conservatives...believe that the current Senate must be either reformed or abolished. An unelected Senate should not be able to block the will of the elected House in the 21st century.

That is exactly what happened to Bill C-311.

The government has used the Senate as a dumping ground for party operatives and fundraisers who are using public money to campaign for the Conservatives. We are seeing that right now with the provincial elections going on across the country. We are seeing senators going from province to province and riding to riding campaigning for the Conservatives at a cost to public money.

The Prime Minister has used the unaccountable and undemocratic Senate to kill legislation that had been passed by the House of Commons twice. As I mentioned previously, Bill C-311 and, this past spring, killing Bill C-393, generic drugs to Africa.

We have Alberta senator, Bert Brown, whose name has been mentioned quite often by Conservative members today making him the god from Alberta. Bert Brown made it very clear in his letter to the Senate dated June 15, when he stated:

...our loyalty is to the man who brought us here, the man who has wanted Senate reform since he entered politics...

It was not to their regions or constituents.

What a shame that an appointed senator would say something like that. He is not there to represent the regions or his constituents. Who is he there to represent if he is not there to represent Canadians? It is a shame.

• (1400)

The Acting Speaker (Mr. Barry Devolin): Order, please. My apologies to the hon. member but I must interrupt him at this time. The hon. member for Nickel Belt will have four minutes remaining when the House returns to this matter.

STATEMENTS BY MEMBERS

[English]

NATIONAL SENIORS DAY

Mr. Brad Butt (Mississauga—Streetsville, CPC): Mr. Speaker, on Saturday, we celebrated the first National Seniors Day in Canada.

Like many members of this House, I was pleased to host a Coffee and Tea with the MP event at the Meadowvale Community Centre for seniors in my riding. Representatives of both the River Grove

and Meadowvale seniors' social clubs were there sharing their stories of the very important programs and services they provide in our community. These clubs are designed to keep seniors active and provide support services to them.

Our government continues to invest in our seniors. We have recently brought in the largest increase to the guaranteed income supplement in 25 years. We brought in income splitting for pensioners and have made a large increase in funding to the new horizons for seniors program.

I am proud to be part of a government that puts seniors first.

* * *

[Translation]

SENIORS

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, October 1 was International Day of Older Persons, as well as National Seniors Day in Canada.

On this occasion, I would like to commend the work of municipalities, community organizations, volunteers and all other institutions that work with and for seniors.

Elder abuse, financial insecurity and poverty, affordable and adapted housing, home care and support for caregivers: indeed, there is still a lot to be done.

The percentage of seniors will increase considerably in Canada in the coming years. What is in store for them? What will be their quality of life? It is high time to take a more serious look at these questions.

National Seniors Day in Canada is also an occasion to point out the important contribution seniors make to our society. Together, we must ensure that seniors have the place they deserve in our country.

* * *

[English]

HUMAN TRAFFICKING

Mr. Terence Young (Oakville, CPC): Mr. Speaker, I stand to recognize the work of 27-year-old Shae Invidiata from my riding of Oakville. Shae has worked tirelessly, both in Canada and abroad, to raise awareness and fight the practice of human sex trafficking.

At present, there are more than 27 million people enslaved by human trafficking worldwide; 80% are women and children, of which 70% are trapped within the sex trade. The average age of a girl in this dark situation is just 13 years old.

Shae Invidiata has taken action and has helped to raise over \$25,000 through public speaking and events, such as the annual Freedom Walk in Toronto, to fight this abhorrent practice. She is also the founder of Free-Them, a not-for-profit organization that partners with organizations and businesses to fight human trafficking all over the world.

Statements by Members

This dedicated young woman is committed to raising awareness and supporting the fight against global human trafficking.

I ask the House to join me in recognizing and congratulating the hard work of this remarkable young woman who is leading others of all ages to help expose and eliminate human trafficking.

* * *

NATIONAL SENIORS DAY

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, Saturday was National Seniors Day and I will take this opportunity to pay tribute to Canadian seniors.

Seniors made this country great and it is our responsibility to ensure they can live their lives in dignity. After a lifetime of hard work, seniors deserve the assurance that our universal health care system will be there for them and that they will be financially secure when they retire.

As our fastest growing demographic, we face challenges in ensuring seniors can maintain the quality of life they have earned. Seniors have the right to the quality public health care that they need whenever they should need it. Seniors also deserve financial security. They deserve a strong Canadian pension plan and they deserve a government that is not only committed to protecting the CPP but is dedicated to improving its benefits. Sadly, that is not currently the case.

On behalf of the Liberal caucus, I thank our seniors for their contributions to Canada. They can be assured that the Liberals are committed to working on behalf of seniors all across Canada.

* * *

RELIGIOUS FREEDOM

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, since the 1979 revolution, authorities in Tehran have condemned Iran's 300,000 Baha'is as apostates.

Twenty years ago, the Ayatollah drew up a secret blueprint to destroy the Baha'i by expelling its followers from universities and denying them employment. That led Baha'i leaders to create their own university, the Institute for Higher Education, which teaches young Iranians who are otherwise deprived of tertiary instruction.

In May, the government arrested dozens of those educational leaders, and many remain imprisoned to this day.

Meanwhile, authorities have recently sentenced seven Baha'i followers to 20 years in prison for ill-defined and unproven allegations. They join at least 100 Iranian Baha'is jailed for their faith.

Canada calls upon the authorities in Tehran to end this odious persecution, release innocent Baha'i prisoners and leave Iranians to enjoy the freedom of religion that is their birthright.

●(1405)

[Translation]

MENTAL ILLNESS AWARENESS WEEK

Mr. Dany Morin (Chicoutimi—Le Fjord, NDP): Mr. Speaker, I am proud to rise in the House today in support of Mental Illness Awareness Week, which runs from October 2 to 8 in Canada this year.

Mental Illness Awareness Week was established nearly 20 years ago in order to highlight the challenges and successes of the roughly one in five Canadians who are living with or have had a mental illness. This is also an opportunity for me to join the thousands of Canadians who are calling on this government to implement measures to deal with this issue that costs the Canadian economy close to \$14 billion annually.

In 2003, health agencies in Canada joined forces to call for a national plan of action on mental health. Some eight years later, we are still waiting. During this Mental Illness Awareness Week, I am calling on the Canadian government to show its commitment and dedication to all affected Canadians, their doctors and their families by coming up with an effective, comprehensive mental health action plan.

* * *

[English]

HARVEST FOR HUNGER

Mr. Gary Schellenberger (Perth—Wellington, CPC): Mr. Speaker, this week, in Perth—Wellington, 120 combines will harvest 160 acres of soy beans in less than 10 minutes. If all goes as planned, not only will the participants break a world record, but they will also raise over \$200,000 for the Canadian Foodgrains Bank. What is more, CIDA will match these funds four to one, making this Harvest for Hunger event worth close to \$1 million.

As hon. members know, the Canadian Foodgrains Bank is a partnership of Canadian churches and church-based agencies working to end hunger in developing countries.

I am very proud of the hard work that the Harvest for Hunger organizers have put into this event. This is a fun and exciting example of government, community organizations and individual Canadians partnering together to change the world.

* * *

WOMEN'S HISTORY MONTH

Ms. Michelle Rempel (Calgary Centre-North, CPC): Mr. Speaker, October is Women's History Month in Canada. This year's theme is "Women in Canadian Military Forces: A Proud Legacy".

Canadian women have a long history of excellence in military history. We are proud of their individual and collective achievement, as well as their extraordinary dedication.

Statements by Members

This year, we celebrate the full range of women's contributions to the military. Whether as members of the armed forces or as civilians providing support roles, women have worked on every front: on the battlefield, in the air and on the sea as pilots, navy commanders and peacekeepers, nurses and physicians, war artists, war correspondents and engineers.

We dedicate Women's History Month 2011 to them.

* * *

[Translation]

FRAPRU SOCIAL HOUSING ORGANIZATION

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, today on World Habitat Day, I would like to show my support for a remarkable initiative undertaken by Quebec's Front d'action populaire en réaménagement urbain, or FRAPRU. This morning, in Ottawa and Quebec City, two caravans made up of FRAPRU members and 35 people living in inadequate or social housing demonstrated in front of the offices of the federal and provincial finance departments, and called for 50,000 new social housing units. And that is just for starters.

From October 3 to 9, about 80 people will criss-cross Quebec and travel 3,200 kilometres demanding the right to housing. Artists such as Judi Richards, Webster, Johanne Fontaine and Yvon Deschamps are participating in the caravan for social housing. Next Saturday, in Longueuil, which is in my riding, the two caravans will meet up in St. Mark Park for a rally. The event will come to a close next Sunday in Montreal.

As we all know, the NDP has been proposing a national housing strategy for quite some time. Let us applaud the FRAPRU initiative calling for access to housing for all.

* * *

[English]

MENTAL HEALTH

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, this is Mental Illness Awareness Week and October 10 is World Mental Health Day.

Mental illness is a pervasive issue affecting the lives of many Canadians and their families. In Canada, it is estimated that one in five of us will experience a mental illness in our lifetime.

Canadians such as Dr. Austin Mardon, this year's winner of the Canadian Medical Association Medal of Honour, has demonstrated outstanding public commitment to raising awareness of mental health issues and diminishing the stigma and discrimination faced by Canadians living with mental illness.

I also invite members to acknowledge the many volunteers and donors who help support initiatives like the Kids Help Phone. In 2010, almost 30% of the calls made to the Kids Help Phone related to mental or emotional health struggles.

Our government is committed to improving the mental health and well-being of Canadians. In 2007, we invested \$130 million over 10 years to create the Mental Health Commission of Canada. In 2008,

we provided an additional \$110 million over five years to the commission for research in mental health and homelessness.

I urge my colleague in the House and all Canadians to support those affected by mental illness and to help promote understanding of this disease.

* * *

● (1410)

[Translation]

INTERNATIONAL SENIORS DAY

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, on Saturday, October 1, I had the opportunity to celebrate International Seniors Day in my riding of Brome—Missisquoi with the Memphrémagog branch of the Association québécoise de défense des droits des personnes retraitées et préretraitées.

International Seniors Day coincides with the UN's International Day of Older Persons, an initiative designed to recognize the great contribution seniors make to society. This initiative encourages governments to implement policies that meet the needs of seniors.

International Seniors Day was an opportunity to recognize how important seniors are to Quebec and Canada and to acknowledge their contribution, whether it be in the home, the community or the business world.

It is essential that seniors be able to fully participate in Quebec and Canadian society under optimal conditions.

* * *

SALES TAX HARMONIZATION

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, we have kept our promise.

Last Friday, our Prime Minister and the Premier of Quebec, Jean Charest, announced the conclusion of a memorandum of agreement regarding the harmonization of the Quebec sales tax with the federal goods and services tax.

This is excellent news for Quebec, which has been calling for this for a long time.

Our government delivered on a promise that it made in the Speech from the Throne. With this agreement, Quebecers will no longer have to pay QST on the GST—no more “tax on tax”.

Our Conservative government has proven that it is committed to working closely with the provinces and territories on their priorities, and this is an excellent example of how open federalism should work.

With this historic agreement, our Prime Minister has shown everyone that he is a friend of Quebec.

Oral Questions

[English]

BRAS D'OR LAKES

Hon. Mark Eyking (Sydney—Victoria, Lib.): Mr. Speaker, I rise in the House today to recognize the beautiful Bras d'Or Lakes in Cape Breton, a body of water that forms a true inland sea, which is special to many of us. This unique lake covers over 1,000 square kilometres.

In Dresden, Germany, on July 29, an international committee designated the Bras d'Or Lakes as the 16th UNESCO biosphere reserve in Canada. This designation results from the tireless efforts of many that started back in 2005. I, along with the member for Cape Breton—Canso, would like to send out a special recognition to the Bras d'Or Lake Biosphere Reserve Association, whose passion and dedication was a big part of bringing this all together.

Celebrations were held at various communities on the weekend of September 17, featuring ceremonies and performances that represented the four leading cultures of the Bras d'Or Lakes: Mi'kmaq, Scottish, French and English. It was a great weekend, one in which I was proud to take part.

Congratulations to all who made this designation possible.

* * *

DEMOCRATIC REFORM

Mr. Rodney Weston (Saint John, CPC): Mr. Speaker, Premier David Alward announced this past weekend that his government intends to proceed with legislation giving New Brunswickers real input into choosing who represents their province in the Senate. As the member of Parliament for Saint John, I can say that this is good news for democracy and good news for my province.

As it stands, the Senate status quo is unacceptable. The Senate's legitimacy and effectiveness will be enhanced when senators have a democratic mandate from Canadians and can no longer serve terms as long as 45 years. It is our Conservative government's long-standing commitment to strengthen and enhance our democratic institutions so Canadians can be better represented by their government. That is why we introduced the Senate reform act.

As an Atlantic Canadian, the Senate could play an important role in giving us a greater voice in our democratic institutions if reasonable and achievable reform is made. Unfortunately, it seems that the opposition would rather support the Senate status quo than work with us to encourage other provinces to follow New Brunswick's lead.

* * *

● (1415)

NANCY RICHE

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, I rise today to pay tribute to Newfoundlander Nancy Riche, a champion of feminism, a giant of the union movement and fighter for social democracy.

Nancy rose from humble beginnings as a clerk in St. John's to become a key voice in Canadian labour during the 1980s and 1990s, rising to the position of secretary treasurer of the Canadian Labour Congress. Nancy Riche was a feminist, socialist, activist and trade

unionist. Nancy was probably best known in Newfoundland and Labrador for her work with the provincial New Democrats. The NDP are on the verge of a historic breakthrough in my home province and it is due in large part to her work.

What was Nancy like? Nancy was admitted to hospital late last week after suffering a heart attack. She was waiting for surgery and demanded—demanded—to carry out a telephone poll from her hospital bed. She was a tireless worker, adviser and friend to everyone.

Nancy passed away on Saturday at the age of 66. I would ask Nancy to please make sure she says hello to Jack.

* * *

NEW DEMOCRATIC PARTY OF CANADA

Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC): Mr. Speaker, the NDP claims it stands up for workers, but its actions tell a different story.

While NDP MPs found time to support a few dozen radical activists protesting against the Keystone XL pipeline, not a single NDP MP bothered to show up to support Canada's building trade unions at their event on Thursday night. Nine NDP MPs confirmed their attendance, but none showed up. Apparently the NDP support for union workers does not extend to those working in Canada's oil sands.

Forty percent of these workers are actively engaged in the oil and gas industry. Canada's oil sands directly employ 132,000 people and provide hundreds of thousands of indirect jobs across Canada. With Keystone XL and other projects, it is projected that Canada's oil sands will employ over 600,000 workers, directly and indirectly in the future.

The union official hosting the event Thursday said that the NDP would be very bad for workers and the entire Canadian economy. I could not agree more.

ORAL QUESTIONS

[English]

THE ECONOMY

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, the Prime Minister may not see how big the problems of Canada's economy are. Unemployment is going up. Stock markets are going down. The IMF says that the worst is yet to come.

The NDP has put forward an action plan. The House will vote on it today. Will the Conservatives join the NDP to promote job creation, strengthen pensions, improve aging infrastructure and maintain the public sector contribution to the economy?

Oral Questions

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, contrary to what was just said by the NDP, we are actually doing relatively well in Canada.

When we look at the facts, Canada has the best fiscal position in the G7, lowest net debt in the G7 and among the lowest deficits in the G7. We have created nearly 600,000 new jobs since July 2009, which is the strongest job creation record in the G7.

However, the global economic recovery remains fragile. We need the NDP to just hold on and wait for it. The next phase of the economic action plan is on its way to create more jobs and continue on this path of success.

[*Translation*]

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, during the last election, the NDP introduced a job creation plan.

The NDP proposed to reduce the small business tax rate from 11% to 9% in order to help this sector of our economy, which creates almost half of all new jobs.

Why does the Prime Minister not choose to help small businesses rather than giving billions of dollars in tax breaks to large, profitable corporations?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, what we understand from the NDP's promises is that they would increase the tax burden by about \$10 billion a year. That is unacceptable; it would kill the economy.

I would like to remind the hon. member that Quebec just received good news in this regard on Friday. A tax harmonization agreement was reached that will put \$2.2 billion in Quebec's coffers. That is the type of action people expect.

• (1420)

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, if the Prime Minister were serious, he would table a real job creation plan rather than half measures. The NDP proposed the introduction of a job creation tax credit of up to \$4,500 for all employers for each new job created.

Rather than giving tax breaks to large, profitable corporations that do not create jobs, why not reward all those who do?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, we know that low taxes boost the economy. That is what allows the economy to grow and how jobs can be created.

The results speak for themselves. A total of 600,000 net new jobs have been created in Canada since 2009. That is action and that is what Canadians expect.

We hope that, in the future, the NDP will support the measures we announced in our platform and in the budget—tax assistance measures for small and medium-sized businesses that include hiring credits.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, the problem with this government is that it is always ready to shower

tax giveaways on profitable oil companies while putting real job creators last.

A well thought-out economic policy would reward companies that create jobs.

We have repeatedly proposed practical measures such as a \$4,500 tax credit for each job created and an additional \$1,000 for each job that is protected for one year.

Does the government support this reasonable suggestion?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, we agree that Canadians pay far too much in taxes. We must continue to move forward with our plan. It is working well and it is creating jobs. The government feels that taxes should remain low, but we also believe that all businesses and Canadians should be paying their fair share of taxes. That is why, since 2006, we have taken tough measures to close more than 40 tax loopholes. And how did the NDP vote on this issue? They voted against our measures. That is unfortunate.

[*English*]

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, that shows how out of touch those members are.

In the last election we laid out a practical plan to create jobs. In addition to a tax credit for new hires, we proposed lowering small business tax rate by two percentage points, from 11% to 9%. This would help grow our economy and create new jobs in all communities.

Why are the Conservatives rewarding the most profitable companies with big tax giveaways and refusing to lower the tax rate for small businesses? Why are they doing that?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, this government has reduced taxes for small business in a number of ways. In fact, the CFIB's president has said repeatedly that this government has done many things to help small businesses to flourish.

When we talk about creating jobs, we have a plan to support job creation and to support the fact that small businesses need to flourish by having fewer taxes. They need to be able to hire the people who can help their businesses grow. Unfortunately, the NDP votes against those measures time and time again, like flowing \$1 billion in federal funding to provinces and territories for infrastructure, like the accelerated capital cost—

The Speaker: Order. The hon. member for Toronto Centre.

* * *

TAXATION

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the parliamentary secretary referred to the fact that there are taxes that are a real burden on Canadians and I think everyone could agree. The issue that really arises right now is the question of taxes on employment. It is the question of the proposal by the government to increase taxation on employment by \$1.2 billion starting January 1, 2012.

Oral Questions

I ask the Minister of Human Resources, does the government not understand that this is a killer of jobs, a direct attack on employment and is going to further hurtle us toward a recession?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, let us take a look at our record through our economic action plan. We have created almost 600,000 net new jobs since the worst of the recession. That is a record unparalleled in the developed world. We did that in a number of ways including putting a freeze on EI premiums. We had to do that to make sure that companies were encouraged or at least were not prevented from employing people. We also have to strike a balance and make sure that the EI fund is balanced. That was our commitment to Canadians, that we would not create a \$53 billion EI surplus like the Liberals did.

* * *

●(1425)

CANADA-U.S. RELATIONS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I wonder if the Minister of Foreign Affairs can explain why the Government of Canada is actively planning to conclude an agreement with the United States on perimeter security. It is doing this just at the time when the administration is pushing for buy America which will directly discriminate against Canadian jobs, and just at a time when the Federal Maritime Commission in Washington is holding hearings on imposing yet another set of tariffs, another set of costs on Canadian ports and on Canadian businesses.

Where is the coherence in the government's strategy? Why pursue the perimeter security when we are being nailed with discriminatory actions in Washington?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, it was not so long ago that members opposite were fighting greater trade opportunities south of the border with the United States with NAFTA and now they have come to embrace trade. We are working very closely with the Obama administration to try to make our economies more competitive. There are some proposals out there with which we take great issue and we will continue to fight for Canadian interests every day of the week. We believe in de-thickening the border as the best way to ensure future prosperity for people on both sides of the border.

* * *

[Translation]

JUDICIAL INDEPENDENCE

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, a House committee that is dominated by the Conservatives made the extraordinary decision to call a judge before a parliamentary committee.

I have a question for the Minister of Justice. How can the minister explain this total lack of respect for judicial independence and the separation of powers?

[English]

Mr. Dean Del Mastro (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC): Mr. Speaker, the Standing Committee on Access to

Information, Privacy and Ethics did invite a justice to appear before the committee, but let us be clear. We are going to introduce the judge's ruling as evidence before that committee and I hope that all members will review the good work that has been done by the justice in this regard. In fact, we will continue to push forward with inviting Canadians to come before our committee.

* * *

[Translation]

THE ECONOMY

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, this is the third week of the fall session and this government, which claims that the economy and job creation are its main priority, has yet to accomplish anything. Not one thing. There has been no economic initiative, no real initiative. However, the government plans to reduce corporate taxes again on December 31.

Does the government really believe that \$22 billion, including \$11 billion in bonuses for executives, is not enough for the chartered banks?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, as I said before, we have taken a number of steps to adjust corporate and personal taxes throughout the country. Canada has weathered the global economic upheaval better than other countries as a result of its plan to reduce the tax burden. Since forming the government in 2006, we have put an average of \$3,000 in the pockets of Canadian families. We also leave more money in the hands of entrepreneurs and businesses so they can grow and employ more Canadians. Our plan is working.

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, at this time the Conservatives are saddling future generations with the biggest environmental, economic and social debt in our history. Since coming to power, they have gutted the manufacturing sector and destabilized our previously balanced economy, which Canada has built up since the second world war. There is a great void—except for tax reductions for the banks that make \$22 billion profits.

When will they invest in good quality jobs for young people, who will have to foot the bill?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, let us stick to the facts. Our low tax plan has resulted in the creation of 600,000 net new jobs since 2009. Canada's economic leadership is recognized internationally. What we do know is that the NDP is pushing a plan that would increase our tax burden by \$10 billion a year. We know that it would kill the economy and that is definitely not the direction that this government will take.

•(1430)

[English]

EMPLOYMENT

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, in the last federal election New Democrats put forward a solid proposal to support small businesses, the real job creators in our economy. This plan applied to all employers and gave them room to hire and retain more staff. The government could have enacted it immediately, thus supporting Canadian businesses and staving off rising unemployment numbers.

Why does the government prefer to blow billions on corporate tax cuts with no guarantee a single job will be created?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I will repeat one more time that 600,000 jobs have been created.

As far as we compare to the rest of the world, Canada's GDP and employment have both recovered to pre-crisis levels, outperforming all of the G7 countries. We are proud of that. We are proud of the measures we have put forward with our economic action plan, and wait for it, the next phase is about to come.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, we know that we have not recovered the jobs from that recession.

We know that the New Democrat job creation plan makes more sense than shipping jobs overseas, more sense than across-the-board corporate tax cuts, and more sense than rewarding already profitable corporations.

When will the government implement this practical, affordable, hiring credit to kickstart job creation and get our economy moving again? Why will it not do this?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I am so glad to hear NDP members talk about a hiring credit, because in fact, that is coming in the next phase of Canada's economic action plan.

We recognize the vital role of small businesses, and that is important, because they play a very important role in the economy and job creation. That is why we have lowered their tax bill in many ways. We reduced the small business tax rate from 12% to 11%, but the NDP voted against it. We increased the amount of income eligible for the lower small business tax rate from \$300,000 to \$500,000, and the—

The Speaker: Order. The hon. member for Saint-Jean.

* * *

AFGHANISTAN

Mr. Tarik Brahmi (Saint-Jean, NDP): Mr. Speaker, according to a release by Canadian Press, the defence minister was kept out of key decisions about Canada's role in the Afghan war.

This was a top defence priority, yet the Prime Minister was calling all the shots. The Prime Minister could have used some advice. Most agree our efforts should have focused more on peace talks and diplomacy.

Oral Questions

Is Prime Minister still making foreign policy and defence decisions on his own, or does he now let his cabinet in the room?

[Translation]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, we have always worked closely with the Prime Minister and with cabinet.

[English]

However, it is interesting to hear the hon. member talk about somehow reaching out to the Taliban or improving coordination inside Afghanistan. Even the Afghanistan government and the president himself have said that as a result of the assassination of Rabbani, it is back to business as usual. This unfortunately belays the fact that we cannot work with a terrorist organization that does not respect human rights, that does not respect women and that refuses to disarm.

I will take no advice from the member opposite.

[Translation]

Mr. Tarik Brahmi (Saint-Jean, NDP): Mr. Speaker, the Prime Minister's Office wants to control public opinion so much that it kept even the Minister of National Defence in the dark about the mission in Afghanistan. However, Canadians wanted a different approach. They wanted an approach like the one proposed by the NDP. This government only cares about its own interests, which are not those of the Canadian people.

Conservative ministers do not even know what is going on in their own departments. So how can Canadians expect any transparency from this government?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, once again, that is false.

[English]

I am very proud of the efforts the Canadian Forces have put forward in Afghanistan in conjunction with our other government departments. CIDA and the Department of Foreign Affairs have created an environment where there are now seven million Afghan children going to school. We are immunizing children. We are working with all of our international partners and the Afghanistan government. However, the New Democratic Party opposite has consistently voted against those efforts.

* * *

•(1435)

ETHICS

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, the Department of National Defence continues to spring leaks about the minister's misuse of DND assets. By now we have all heard that the minister takes government jets like most Canadians take the bus. Now we find out that the Prime Minister personally kept the Minister of National Defence out of the loop on the Afghan war.

Oral Questions

Why is the Prime Minister defending a minister that he himself has so little confidence in?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, as I and the Prime Minister have said, we use government assets for government business. That is exactly what has happened.

With respect to Afghanistan, we have made a magnificent effort on behalf of Canadians. They can be very proud of the work our men and women in uniform and our professional public servants have put forth in Afghanistan. As a government we have supported them. We have given them the resources. Unfortunately, the member's party opposite cannot say the same thing.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, the Conservatives' use of the repatriation of fallen Canadian soldiers to cover the Minister of National Defence's abuse of government jets is appalling. Using fallen military men and women for political damage control tarnishes their sacrifice. It is an insult to the families of those soldiers.

When will the minister take responsibility for his own decisions and stop using fallen soldiers as an excuse for his abuse of government jets?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, the hon. member has it wrong. His feigned indignation once again brings shame to his party. In my four and one-half years as Minister of National Defence, I have made every effort to be at every repatriation of any fallen soldier, to be there to support the families and all the men and women in uniform who stand in harm's way on behalf of our country. I will continue to do that.

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, is it true that the Minister of National Defence broke the rules regarding the use of government aircraft? I would like to quote an expert in the field who said, "The short answer is yes". That is how the Parliamentary Secretary to the Minister of National Defence replied yesterday when asked the question.

Does the Minister of National Defence agree with his colleague, friend and parliamentary secretary regarding the fact that he broke the rules regarding the use of government aircraft?

[*English*]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, as the member knows full well, and he should be intellectually honest, I have always complied with government rules and those published guidelines.

While I am on my feet, I want to correct the member and the network that he is quoting because they have since recounted. In fact, they said that they were wrong in the information they had on their website. While I am on my feet, they have also publicly disclosed that the cost of flights by the Department of National Defence are less than a third of the figures that CTV have been using.

* * *

THE ENVIRONMENT

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, the scientific journal *Nature* has just announced the discovery of an

Arctic ozone hole. Co-authors on the study include scientists at Environment Canada who recently received letters saying that their jobs are in jeopardy.

When will these scientists have their letters rescinded so that they can continue their important work, and when will the government allow the scientists the freedom to discuss their discovery?

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, Canadians can indeed be proud of the great contribution that Environment Canada scientists make to international studies like this one on the arctic ozone hole. The findings are troubling, and that is why Environment Canada will continue to monitor the ozone. That is why the World Ozone and Ultraviolet Radiation Data Centre will continue to provide world-class services.

Finally, Environment Canada scientists regularly talk to the media.

[*Translation*]

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, does the minister really understand the scope of the problem? Does he understand the science?

For the first time, a large hole has been discovered in the ozone layer over the Arctic. This is a very serious problem and it is believed that climate change might be a factor.

Even if he does not understand the science, does the minister realize that muzzling our scientists—and even worse, laying them off—would be very foolish, especially when their research has never been more crucial?

• (1440)

[*English*]

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, let me say again that we are not muzzling scientists. They speak to the responsible media all the time, and they speak to and will brief environment critics on the other side of the House.

As my colleague should know, Canada has banned ozone-depleting chemicals like chlorofluorocarbons. I was proud today to announce, with my colleague the Minister of Health, the renewal and the refunding of Canada's world-renowned chemicals management plan.

* * *

ETHICS

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, at a time of belt-tightening, the arrogance of Conservative ministers is downright audacious.

The defence minister took a \$16,000 taxi ride in a helicopter, while search and rescue resources are at the breaking point, and the Treasury Board minister blew \$50 million on gazebos and gravy, so it is not surprising that the foreign affairs minister would buy 10,000 gold-embossed business cards.

However, why would the Treasury Board minister allow him to remove the word "Canada" from his cards?

Oral Questions

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, I can correct the member opposite in three categories. One, I did not order 10,000 business cards. Two, there is no gold on my business card; it is not real gold. Three, the word “Canada” is on my business card.

* * *

G8 SUMMIT

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, it is now 116 days and counting since the President of the Treasury Board went AWOL, and he still has not explained how he broke all the rules for spending, which leads us to the project in the Lake of Bays.

He actually showed up in town with a cheque for \$4.5 million, despite having no signed deal and no business plan. No wonder the town councillors told him they did not want to have anything to do with him. We cannot hand out taxpayers' money from the trunk of a car.

Would the minister stand in this House and explain such tawdry behaviour?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, the tone of that question is deeply disappointing, especially from that member. The minister did no such thing.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, it is those kinds of answers that show the government's contempt for Canadians and accountability, and it is the Lake of Bays project that shows the minister's irresponsible attitude toward taxpayer spending.

He promoted a scheme that had no business plan, no viability study, no idea of costs or even a construction plan, yet he was willing to throw millions at a project that even the town did not want to have anything to do with.

Why did the Muskoka minister use taxpayers' money to feather his own political bed? Would he stand in this House and explain himself?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, let us put some facts on the record: no funding was given to the project that the member opposite speaks of.

* * *

[*Translation*]

PUBLIC SAFETY

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, the Franklin border crossing in my riding has been closed since April. Yet the Americans have increased patrols on their side of the border. The government claims that the economy is a priority, but cuts at the crossing in Franklin show the complete opposite. In addition to customs officers and business people, workers have also lost their jobs. As a result, the local economy and the security of neighbouring communities are in jeopardy.

Will the government rethink its decision and invest in security and people's jobs?

[*English*]

Ms. Candice Hooppner (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, we share border concerns with the U.S. and we collaborate with the U.S. We want to ensure that we have a safe and secure border to make sure that criminals are not coming in but that fair trade and the movement of individuals and businesses is happening.

We are watching taxpayers' dollars when it comes to the amalgamation of administration. We are very proud of two things: the way we watch over our borders as well as taxpayers' dollars.

* * *

[*Translation*]

G8 SUMMIT

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, instead of watching over our borders, this government wasted \$50 million, and now we know what that money was used for. It went towards building a media centre that the media themselves never used. It went towards building a university campus that still has no students. All the towns had to do was go to the minister's constituency office and fill out a form. The President of the Treasury Board does not seem to understand that value for money is not defined as getting himself re-elected.

Will he rise and explain this wasteful spending?

● (1445)

[*English*]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, later on today we will be voting on a resolution put forward by the NDP calling for greater investment in municipal infrastructure. Thirty-two projects received funding. That was to repave the runway of an airport in North Bay, far from the member opposite's constituency, repaving provincial highways and supporting a municipal public works project. Each of these created jobs and each of these came in on time and on budget, or even under budget, and is going to support local infrastructure in that region.

I would think the member opposite would want to be supportive of these types of important investments.

* * *

ST. LAURENCE SEAWAY

Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC): Mr. Speaker, constituents of Stormont, Dundas and South Glengarry and all Canadians are concerned about the possibility of a work stoppage on the St. Lawrence Seaway. The effects of a shutdown could be devastating to our economic recovery.

Because the seaway plays such a vital role in the economic stability of Canada, could the Minister of Labour give the House an update on the status of the current labour negotiations at the St. Lawrence Seaway?

Oral Questions

Hon. Lisa Raitt (Minister of Labour, CPC): Mr. Speaker, our government remains focused on the economic recovery and, of course, financial security for all Canadians.

The best deal that the parties can come to on their own is the best one that they will get. That is why I am very pleased to tell Canadians in the House today that the St. Lawrence Seaway Management Corporation and the National Automobile, Aerospace, Transportation and General Workers Union of Canada have signed a tentative agreement.

* * *

[Translation]

STATUS OF WOMEN

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, last week, a Conservative member of Parliament said that his government was in the process of successfully modifying its approach to the abortion issue. On Friday, another Conservative MP said exactly the same thing.

Is this government changing women's rights against their will or is the Prime Minister unable to control his caucus?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, we will admit that this issue stirs up passions. Nevertheless, the government is not reopening the debate.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I am not exactly reassured by the minister's response. Three Conservative MPs are trying in a roundabout way to reopen the debate on abortion. In Canada, abortion has been legal for decades. Clearly, some Conservative MPs do not accept that, even though a majority of Canadians do.

Can the Prime Minister assure us that he will not allow a private member's bill on abortion to be introduced?

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, the position of this government is clear. While there are understandable passions and feelings on all sides of the House on all sides of the issue, our government's position is clear: we will not be reopening this issue.

* * *

JUSTICE

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, once again the government just cannot get its story straight. Last week the justice minister stood in the House and pretended to know nothing about a Conservative bill repealing the speech provisions in the Canadian Human Rights Act, but on Friday the Conservative member for Westlock—St. Paul introduced such a bill.

Either the government is opposed to laws banning hate speech or the Prime Minister has lost control of his caucus. Which is it?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, all members are entitled to enter private members' bills, and they will be debated and looked at by all members of the House. If the NDP has a different rule, let us hear what it is.

We have been very clear. I was asked about the government's priorities and I indicated very clearly that we were going to go after drug dealers, the people who bring drugs into this country, and we are going after those individuals who sexually molest children. I would hope that for once this would get the support of the NDP.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, while families struggle and Canada slides back into recession, the government is becoming distracted by its own caucus members.

First it was abortion and now it is hate speech. What other out-of-touch issues does the government have up its sleeve?

Why is the government pushing divisive and extreme private members' bills? Is it that the Prime Minister cannot control the extremist members of his caucus, or is it that he is encouraging them?

● (1450)

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, our government's priorities have been quite clear. Our focus is on the economy. In fact, later today the members opposite will have an opportunity to support our low-tax plan for jobs and growth by voting in favour of a ways and means motion that is going to help advance that economic agenda.

It is not surprising that Conservative members on their own would bring forward private members' bills that would combat crime, take on criminals, seek to help the economy and remove barriers to trade. Those are all sensible things for Conservatives to do.

We hope that the opposition will see the wisdom in fighting crime and helping our economy as well.

* * *

SEARCH AND RESCUE

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, Canada's search and rescue response time is one of the worst in the world.

The government's lack of funding is to blame. Response time between the hours of 8 a.m. and 4 p.m. is 30 minutes, but if a vessel is in trouble outside of banker's hours, it must wait up to two hours before search and rescue is off the ground. Seconds equal lives.

Clearly the government has again confused the sprawling oceans with the Ottawa River.

Why does the Minister of National Defence refuse to address this issue and describe the substandard service as "optimal and effective"?

Oral Questions

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, let me describe Canada's search and rescue territory. It actually covers 18 million square kilometres of land and sea, an area greater than the size of continental Europe.

Here are a few facts for the member. Each year the Canadian Forces and the Coast Guard respond to over 8,000 incidents, tasking military aircraft or ships for 1,100 cases, saving on average 1,200 lives annually and assisting some 20,000 people.

Search and rescue is a no-fail mission. I am very proud of our SAR techs, members of the Canadian Forces who each and every day perform heroics on behalf of Canadians.

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, while the Minister of National Defence treats our search and rescue as his personal limousine service, inadequate funding to search and rescue has resulted in one of the slowest response times in the world.

The government closed Maritime rescue centres in St. John's and Quebec, and it claims that its increase to military funding will make up for it. Last time I checked, an overpriced stealth fighter jet was not useful for rescues at sea.

Why does the government believe that only three Cormorant search and rescue helicopters are sufficient to patrol an area the size of Europe?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, the hon. member's inflamed and insulting rhetoric does nothing to elevate the debate on this subject. Everyone feels the loss when individuals find themselves in peril.

A lot of factors come into play. In 2010, 103 Squadron, based in Gander, had an average response time of under 20 minutes during the 30-minute posture and under 51 minutes when it came to the evening posture. They work hard each and every day to save lives.

We support them in their work. We support them with their equipment. The member opposite should—

The Speaker: Order. The hon. member for Rivière-des-Mille-Îles.

* * *

THE ENVIRONMENT

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, a hole in the ozone layer twice the size of Ontario has developed over the Arctic this spring, exposing northern Canadians to dangerous levels of radiation.

It was thanks to the research of Canadian scientists that we discovered the serious extent of this problem, but instead of taking action, the government has actually chosen to cut the ozone monitoring and research program.

With such a serious threat looming over Canada, will Conservatives finally commit to fully fund ozone research?

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, we have been around this any number of times in the past couple of weeks.

Environment Canada has indeed contributed magnificently to this study. As I said earlier, the results are troubling. Canada banned

ozone-depleting chemicals some years ago, but they remain in the atmosphere and in the stratosphere for many years. They will continue to negatively impact ozone for years to come.

[*Translation*]

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, it is only through the foreign media that Canadians are becoming aware of the threats to their health and their environment.

David Tarasick conducted a study for Environment Canada which revealed the presence of a hole in the ozone layer, but this government is preventing him from talking to the media.

Is the government trying to hide scientific data or trying to cover up its error in cutting the budget for monitoring the ozone layer?

• (1455)

[*English*]

Hon. Peter Kent (Minister of the Environment, CPC): Mr. Speaker, the government, Environment Canada, and all Canadians should be very proud of Dr. Tarasick's contribution to this study. As I have said, the results are troubling and that is why Environment Canada will continue to monitor ozone in the troposphere and stratosphere. That is why the World Ozone and Ultraviolet Radiation Data Centre will continue to deliver world-class services.

* * *

TAXATION

Mr. John Williamson (New Brunswick Southwest, CPC): Mr. Speaker, many of my constituents in New Brunswick Southwest have contacted me to say they are deeply concerned about the new U.S. tax reporting requirements. This affects many Canadians throughout the country. The vast majority of people being targeted by the IRS are honest, hard-working and law-abiding. They have obediently paid their Canadian taxes. Their only transgression has been failing to file IRS paperwork they were unaware that they were required to file. Many people face huge penalties for failing to file, even though they do not owe any U.S. tax.

Could the Parliamentary Secretary to the Minister of Finance please update the House on the latest developments on this issue and what steps our government is taking to protect Canadian taxpayers?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I want to thank my colleague for this very important question. We share this concern and raised this issue directly with the U.S. government. We have also been very clear: any penalties imposed by the IRS under FBAR will not be collected by Canada. As such, we have called, and will continue to call, on the U.S. government to look upon them with leniency.

Oral Questions

We are also happy to report some progress as the IRS has released a statement that says:

The IRS recognizes that many Canadians face complex tax situations because of dual citizenship—

It goes on to say:

Recent publicity about the issue has spotlighted a number of areas that the IRS will consider in our continuing effort to strike the right balance in administering the U.S. tax laws.

* * *

HEALTH

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, the Supreme Court's unanimous ruling on Vancouver's Insite and its proven lifesaving services engages section 7 of the charter on life and security of the person of the IV drug users who use the facility. The public health officers of 17 Canadian cities wish to set up similar safe injection sites.

Will the Government of Canada respect the intent and effect of the court's ruling, and grant further exemptions for cities to replicate Insite's success?

Hon. Leona Aglukkaq (Minister of Health and Minister of the Canadian Northern Economic Development Agency, CPC): Mr. Speaker, as I stated on Friday, we are disappointed with the Supreme Court of Canada's decision, but we will comply with it. We also believe that the system should be focused on preventing people from becoming drug addicts in the first place. Our government believes that spending money on treatment to support and help people stay off drugs is the best investment we can make.

* * *

SENIORS

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, on Seniors Day, the government boasted about tax measures that would help seniors. The reality is that over 0.25 million—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. member for London—Fanshawe.

Ms. Irene Mathyssen: Mr. Speaker, I am glad to see they are so busy patting themselves on the back but with over 0.25 million seniors living in poverty, tax measures are not the solution. Many seniors are so poor they do not even pay taxes.

When will the minister take action to address the real problems facing our seniors by boosting access to home care, eliminating seniors poverty and supporting caregivers?

Hon. Alice Wong (Minister of State (Seniors), CPC): Mr. Speaker, our government was given a strong mandate. It is doing more for seniors than under any other government. It was our government that introduced pension income splitting and doubled the pension income credit. We lowered taxes and removed 380,000 seniors from the tax rolls completely. We also raised the guaranteed income supplement exemption, putting more money in the pockets of 1.6 million more seniors. What did the opposition do? It voted against all of these measures.

RELIGIOUS FREEDOM

Mr. Merv Tweed (Brandon—Souris, CPC): Mr. Speaker, the right to one's religion and to practise that religion are fundamental human freedoms. I know our government used these as key elements of Canadian foreign policy.

Could the foreign affairs minister please update the House on Canada's efforts in this regard?

• (1500)

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, let me thank the member for Brandon—Souris for his leadership in this regard. Protecting and promoting religious freedom is an important part of Canada's principled foreign policy. We are speaking up around the world, at the United Nations, and every other corner of the world for religious freedoms. Whenever there are more religious freedoms, there are better human rights, and more freedoms which we strongly believe are important.

I was pleased to see more than 100 people of different faiths come to Ottawa to offer their advice and suggestions on the establishment of an office of religious freedom, something we committed to do in the Speech from the Throne. We will listen and then we will act on a path to religious freedom.

* * *

SALES TAX HARMONIZATION

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, perhaps the finance minister was unaware before he decided to endorse him, but the Ontario PC leader is actually running against one of the Prime Minister's key economic policies, the HST. Mr. Hudak called the HST a bad deal, a punishing tax grab that will kill jobs and hurt families.

Will the Conservatives help out their good buddy Mr. Hudak, acknowledge the HST was an unfair tax grab, and finally agree to exempt hydro and home heating from the HST?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, as we have said many times in this place, provincial taxation is a provincial responsibility and changes to provincial taxation are exclusive decisions of the provincial government. Provinces have full independence to make decisions on sales tax matters and out of respect for the elected provincial legislatures or assemblies, and we are going to hear about those in the next couple of days, Parliament has agreed to facilitate such provincial decisions.

Routine Proceedings

[Translation]

FLOODING IN MONTRÉGIE

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, on June 6, the Prime Minister went to Montérégie himself and promised a new mitigation plan to help flooding victims. This plan will also help victims of the high tides in the Gaspé. But so far, the people of Montérégie and the Gaspé have not seen any semblance of a mitigation plan or a single penny of the money promised by this government. People cannot wait any longer.

Can the Prime Minister tell us when and how he plans to give financial aid to the victims through the new measures he has promised?

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, I would like to make a correction. The Prime Minister stated how important it was that the government respect provincial jurisdictions. When something happens in a province, it is first up to the province to compensate the people, and then the federal government reimburses the province. The mitigation plan is for the entire country, in order to protect the entire area surrounding the flood zone. It is not, as the member stated, an aid program.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, pursuant to Standing Orders 104 and 114 I have the honour to present, in both official languages, the third report of the Standing Committee on Procedure and House Affairs regarding the membership of committees of the House. If the House gives its consent, I intend to move concurrence in the third report later today.

* * *

[Translation]

CANADA LABOUR CODE

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP) moved for leave to introduce Bill C-307, An Act to amend the Canada Labour Code (pregnant or nursing employees).

He said: Mr. Speaker, it is with great joy and pride that I rise today in this House to introduce a bill that meets the needs of the workers' movement across the country and responds to the demands of many women's groups. The purpose of this bill, which is completely reasonable, is to correct a great injustice—the differential treatment of female workers subject to the Quebec Labour Code or other provincial labour codes and those working in organizations under federal jurisdiction, who are subject to the Canada Labour Code.

The Canada Labour Code does not include the true right to preventive withdrawal for pregnant or nursing women. This bill seeks to correct this injustice and give all female workers across the

country access to the compensation provided for in the provincial legislation so that they can withdraw in health if their work threatens their health and safety or that of their unborn child.

The Canada Labour Code currently provides only for unpaid leave. In other words, it puts the health and safety of certain women or certain fetuses at risk by forcing women to stay at work too long because they do not have the financial means to withdraw in order to protect their health and safety and that of their child.

Since I trust that all members of this House care about the health of women and their unborn children and that they want to stand up for families, I expect nothing less than unanimous support for this bill.

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

* * *

● (1505)

[English]

**NEWFOUNDLAND AND LABRADOR FISHERY
REBUILDING ACT**

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP) moved for leave to introduce Bill C-308, An Act respecting a Commission of Inquiry into the development and implementation of a national fishery rebuilding strategy for fish stocks off the coast of Newfoundland and Labrador.

He said: Mr. Speaker, I am proud today to present my private member's bill to the House of Commons. The bill's short title is the Newfoundland and Labrador fishery rebuilding act. It has been almost 20 years since John Crosbie, then federal minister of fisheries and oceans, shut down the northern cod fishery off Newfoundland's northeast coast and Labrador. It is 19 years and 4 months later and the commercial groundfish fisheries off Newfoundland and Labrador have seen little, if any, recovery. Most fisheries are in desperate shape.

Five years after Confederation in 1954, we handed over responsibility of our fisheries to the Government of Canada. I would describe our fisheries as Confederation's greatest failure, a national embarrassment, a national shame. A commission of inquiry is not about pointing fingers of blame, but pointing the way forward with a recovery plan, with a blueprint for the future.

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

* * *

**PREVENTING PERSONS FROM CONCEALING THEIR
IDENTITY DURING RIOTS AND UNLAWFUL
ASSEMBLIES ACT**

Mr. Blake Richards (Wild Rose, CPC) moved for leave to introduce Bill C-309, An Act to amend the Criminal code (concealment of identity).

Routine Proceedings

He said: Mr. Speaker, it is a pleasure to rise today in the House to introduce my private member's bill, the preventing persons from concealing their identity during riots and unlawful assemblies act. This act would amend the Criminal Code to make it an offence to wear a mask or other disguise to conceal one's identity while taking part in a riot or unlawful assembly.

This would give the tool to police to first, hopefully prevent these kinds of things from getting out of hand; and, second, if and when they do, it would give them another tool to punish those who were involved in these kinds of things and ensure they do not get too far out of hand.

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

* * *

CRIMINAL CODE

Mrs. Joy Smith (Kildonan—St. Paul, CPC) moved for leave to introduce Bill C-310, An Act to amend the Criminal Code (trafficking in persons).

She said: Mr. Speaker, I am very pleased to introduce another bill that would support my last bill, Bill C-268, a human trafficking bill. If trafficking is committed by a person outside Canada, by a Canadian or a permanent resident, they can be prosecuted in Canada.

Also, the second amendment would enhance the current definition of exploitation in the trafficking in persons offence, giving specific examples.

The rising crime of human trafficking is still very much something about which to be concerned. I know 10 years ago when my son was in the ICE unit, he taught me a lot about what happened with the trafficking of victims. I began working with victims.

It is imperative that all members on this side of the House support this kind of private member's bill that would do something to help the victims of the heinous crime.

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

* * *

• (1510)

IMPORTATION OF INTOXICATING LIQUORS ACT

Mr. Dan Albas (Okanagan—Coquihalla, CPC) moved for leave to introduce Bill C-311, An Act to amend the Importation of Intoxicating Liquors Act (interprovincial importation of wine for personal use).

He said: Mr. Speaker, in the year 1928 a prohibition era law was passed and to this day makes it illegal to bring a bottle of wine from one province to another.

Canadians are a law-abiding people who like to follow the law and many share a passion for our great Canadian wines. This passion for wine, along with the hard work of many Canadian families, have resulted in wineries now being located in every province across our great nation.

My bill proposes an amendment to the Importation of Intoxicating Liquors Act. This amendment would create a personal exemption from the act. This personal exemption would allow individuals to either directly import, send, take, or transport or cause

to be imported, sent, taken or transported wine only for personal consumption. This is not for resale or for other commercial use in quantities as permitted by the province in question.

I would like to recognize the member for Kelowna—Lake Country for his ongoing work on this subject. I would also like to thank the many small wineries in my riding of Okanagan—Coquihalla for their invaluable assistance in bringing this matter forward.

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

* * *

[*Translation*]

DEMOCRATIC REPRESENTATION ACT

Mr. Jean Rousseau (Compton—Stanstead, NDP) moved for leave to introduce Bill C-312, An Act to amend the Constitution Act, 1867 (democratic representation).

He said: Mr. Speaker, I am very proud to introduce my bill, which would amend the rules in the Constitution Act, 1867, for readjusting the number of members of the House of Commons and the representation of the provinces in that House. For decades, the provinces of British Columbia, Ontario and Alberta have been growing quickly, and therefore they are seriously under-represented in the House. This could be the case for a long time if nothing is done. However, despite repeated promises to restore democratic fairness in the country, the Conservatives are dragging their feet. During the last parliament, Bill C-12 was never called for debate by the government. When the government refuses to take action, the New Democrat official opposition rises to the occasion.

In doing so, the NDP is giving a real meaning to the formal recognition of the Quebec nation by the House on November 27, 2006, by proposing protection for Quebec's political weight, as unanimously called for by the Quebec National Assembly. My bill provides for a minimum representation with respect to the number of members for the province of Quebec.

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

* * *

[*English*]

FOOD AND DRUGS ACT

Mrs. Patricia Davidson (Sarnia—Lambton, CPC) moved for leave to introduce Bill C-313, An Act to amend the Food and Drugs Act (non-corrective cosmetic contact lenses).

She said: Mr. Speaker, I am pleased to rise today to introduce my bill, an act to amend the Food and Drugs Act. I also want to thank my colleague, the member for Scarborough Centre, for seconding this bill.

Routine Proceedings

The bill would deem non-corrective contact lenses to be a class II medical device. Those who were in the House prior to this session will know that my Motion No. 409 started this work. The bill would continue that work. I look forward to the same unanimous consent as in the last sitting.

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

* * *

BREAST DENSITY AWARENESS ACT

Mr. Patrick Brown (Barrie, CPC) moved for leave to introduce Bill C-314, An Act respecting the awareness of screening among women with dense breast tissue.

He said: Mr. Speaker, this enactment would require the Government of Canada to encourage the use of existing initiatives in order to increase the awareness of women about the implications of dense breast tissue for breast cancer screening and to assist health care providers in making well-informed decisions regarding screening.

According to the Canadian Cancer Society, in 2011 it is expected that over 23,000 Canadian females will be diagnosed with breast cancer, of which, regrettably, over 5,000 will pass away.

The Government of Canada can certainly play an effective role in the adoption of effective early detection screening practices. Targeting dense tissue is one of the means by which we can make a tangible difference.

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

* * *

● (1515)

[*Translation*]

CANADA LABOUR CODE

Mr. Robert Aubin (Trois-Rivières, NDP) moved for leave to introduce Bill C-315, An Act to amend the Canada Labour Code (French language).

He said: Mr. Speaker, it is with great pleasure that I rise today to introduce a private member's bill to harmonize the language requirements that apply to federal businesses operating in Quebec with those in force in that province.

Although we must admit that the Conservatives were the ones to recognize Quebec as a nation, there is no denying that this concept has turned out to be nothing more than an empty gesture. This bill, however, would recognize the culture, language and rights of thousands of workers in Quebec on a daily basis.

This bill represents a step towards tangible recognition of Quebec as a nation within Canada, without taking anything away from the country's other provinces and territories. This clearly demonstrates the NDP's approach and its desire to move Canada forward by implementing asymmetrical federalism in which everyone feels that they have a voice and are being respected.

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

[*English*]

EMPLOYMENT INSURANCE ACT

Mr. Richard Harris (Cariboo—Prince George, CPC) moved for leave to introduce Bill C-316, An Act to amend the Employment Insurance Act (incarceration).

He said: Mr. Speaker, I would like to thank the hon. member for Barrie for his support and seconding this bill, my Ottawa staff for help they provided in putting this together and my wife, Annie, for the support she gives me and, indeed, on this private member's bill.

I believe that most Canadians, maybe as high as 99%, maybe a vast majority of members of Parliament and maybe yourself, Mr. Speaker, do not know that going to prison could allow someone to double the amount of time they can apply for and receive in employment insurance benefits. Sections 8 and 10 of the Employment Insurance Act currently allow for prisoners to receive the same level of opportunity as hard-working Canadians who are in need of employment insurance. My bill would repeal those provisions in the Employment Insurance Act so prisoners would no longer be able to apply for an extension to their employment insurance benefits simply because they were in jail.

Why should criminals receive the same level of treatment as hard-working Canadians who are pregnant, or suffer illnesses or injuries? As an example, a mother in Quebec was denied employment insurance after her place of employment went out of business because she had just returned from maternity leave and had not worked enough hours in the previous year. If she had been in prison, however, instead of on maternity leave, she would have been able to receive the extended benefit. This is crazy.

Thus, quite simply, the bill would change the EI Act so that those who serving time for crime no longer would be able to receive preferential treatment over hard-working Canadians, who deserve and need this kind of help. This bill is all about fairness for hard-working Canadians.

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

* * *

INCOME TAX ACT

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC) moved for leave to introduce Bill C-317, An Act to amend the Income Tax Act (labour organizations).

He said: Mr. Speaker, it is my privilege to introduce a bill to amend the Income Tax Act for labour organizations. I would like to thank the member for New Brunswick Southwest for seconding the bill.

Labour organizations play a valuable role in Canadian society, representing and defending the rights of workers to health and safety on the job and ensuring good compensation for the work that they do.

Routine Proceedings

The bill would require a public disclosure of the finances of labour unions. This is in line with the increased transparency we have introduced for government departments, agencies and native reserves. Public disclosure is strongly supported by the Canadian public and even more so by union members themselves.

The basic premise of the bill is that every labour union in Canada would file a standard set of financials, which would then be publicly posted on the CRA website, much like charities already are required to do. The public would be empowered to gauge the effectiveness, financial integrity and the health of any union. Using electronic filing, the expense incurred by unions and by the federal government should be negligible.

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

* * *

● (1520)

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, if the House gives its consent, I move that the third report of the Standing Committee on Procedure and House Affairs presented to the House earlier today be concurred in.

The Speaker: Does the hon. member have the unanimous consent of the House for this motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

PETITIONS

ABORIGINAL AFFAIRS

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I have two petitions to present.

The first petition is to do with the Stolen Sisters. The petitioners indicate that the Native Women's Association of Canada, through its Sisters in Spirit campaign, has identified 520 missing and murdered aboriginal women, whose cases go back to the 1970s.

The petitioners call upon the Parliament of Canada to ensure that the Native Women's Association receives sufficient funding to continue its important work of protecting women through its Sister in Spirit initiative and to invest in initiatives recommended by NWAC to help prevent more women from disappearing.

CHILD CARE

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, in the second petition, the petitioners indicate that child care is not accessible or affordable for Canadian families and is often of uncertain quality for young children. They state that child care creates jobs, makes Canada more competitive, helps achieve women's equality, builds local economies and is a recognized human right.

The petitioners call upon the House of Commons to legislate the right to universal access to child care and to provide multi-year funding to provincial and territorial governments to build a national

system of affordable, high quality, public and not-for-profit early childhood education and care accessible to all children. They say that the federal government must establish spending criteria and reporting mechanisms that ensure accountability to how the provinces and territories use federal funding to ensure quality, accessibility, universality and accountability and that acknowledge Quebec's right to develop social programs with adequate compensation from the federal government.

THE ENVIRONMENT

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I have a petition from a number of citizens of Canada who are opposed to the proposed mega-quarry in Melancthon Township in Dufferin County in Ontario, which will be the largest open-pit quarry in Canada at over 2,300 acres.

The petitioners are specifically concerned that this mega-quarry will threaten freshwater fish species, particularly in the Pine River, and will further harm freshwater fish species and their regeneration, affecting Georgian Bay and Lake Huron.

The petitioners ask that the Government of Canada conduct an environmental assessment under the authority of the Canadian Environmental Assessment Act on the proposed Highland Companies' megaquarry development.

HIV-AIDS

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, I am pleased to present two petitions on behalf of my constituents.

In the first petition, the petitioners ask the government to fix Canada's Access to Medicine Regime so that low-cost generic drugs can start flowing to developing countries. They say that 2.9 million people across the world died as a result of AIDS this year alone.

The petitioners call on the government to increase funding to fight HIV-AIDS globally and to support the creation of an international women's agency at the UN.

EMPLOYMENT INSURANCE

Ms. Denise Savoie (Victoria, NDP): Mr. Speaker, I have a second petition on behalf of my constituents, who urge Parliament to introduce employment insurance emergency measures to respond to the economic crisis.

The petitioners ask the government to expand the eligibility criteria and the benefits.

HEALTH CARE

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am delighted to present a number of petitions today from people in my riding of Hamilton Mountain, all of which address the urgent need for a national pharmacare program in our country.

Government Orders

The petitioners point out that our goal ought to be to have a national drug plan that would enable all Canadians to enjoy equitable access to medicines while, at the same time, controlling the rising cost of drugs.

They are keenly aware of a report released by the Canadian Centre for Policy Alternatives, which concluded that the existing patchwork of private and public plans in Canada is inequitable, inefficient and costly. The report found that Canada was the third most expensive country for brand-name drugs because it deliberately inflates drug prices in order to attract pharmaceutical investments.

Instead of tackling the issue head on, the government is talking about privatization and user fees. Those are hardly the answers for an aging population that is already finding it difficult to make ends meet and whose retirement savings are again put at risk by yet another economic downturn.

The request by petitioners is as straightforward as it is urgent. They simply want the government to acknowledge that there is a sound economic case to be made for universal public medicare and then to get on with the job of developing and implementing a national pharmacare program.

While I know that the rules of the House do not allow me to endorse a petition, I will conclude by commending the Congress of Union Retirees of Canada for their timely leadership on this important issue.

● (1525)

ASBESTOS

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am proud today to introduce a petition signed by literally thousands of Canadians from all across Canada who call upon Parliament to take note that asbestos is the greatest industrial killer that the world has ever known.

The petitioners point out that more Canadians now die from asbestos than all other industrial or occupational causes combined and yet Canada is still one of the largest producers and exporters of asbestos, dumping nearly 200,000 tonnes of this product per year into underdeveloped and third world countries. They also point out that Canada spends 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 introduce a just transition program for asbestos workers and the communities in which they live. They call upon the government to end all subsidies of asbestos both in Canada and abroad and to stop blocking international health and safety conventions designed to protect workers from asbestos, such as the Rotterdam Convention.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

Ms. Chris Charlton: Mr. Speaker, I wonder if you might seek unanimous consent to revert to the introduction of private members' bills.

The Speaker: Is there unanimous consent to revert to the introduction of private members' bills?

Some hon. members: Agreed.

* * *

OLD AGE SECURITY ACT

Ms. Chris Charlton (Hamilton Mountain, NDP) moved for leave to introduce Bill C-318, An Act to amend the Old Age Security Act (Canada Pension Plan payments).

She said: Mr. Speaker, I will begin by thanking my colleague, the member for London—Fanshawe, and our party's tireless seniors' advocate for seconding this bill.

Saturday was National Seniors' Day but, sadly, that was in name only. There has not been a single new initiative from the Conservative government to help the most vulnerable seniors. A quarter of a million seniors live in poverty in our country today and many more are at risk of falling into poverty as the retirement savings plummet in this continuing economic downturn.

The one thing many can count on is the cost of living increase on their CPP. However, as it turns out, even that is not always theirs to keep. Often, even this marginal increase triggers a commensurate clawback of their GIS, leaving them no further ahead. That simply is not right.

The bill that I am introducing in the House today would prohibit any reduction in the guaranteed income supplement if the only change to one's income is as a result of CPP indexing.

While I know this bill is not enough to fix the larger imperative of lifting all seniors out of poverty, it would at least allow their net income to keep pace with the rising cost of inflation. If the government is serious about honouring the spirit of National Seniors' Day, it will immediately adopt this bill into law.

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

GOVERNMENT ORDERS

[English]

PREVENTING HUMAN SMUGGLERS FROM ABUSING CANADA'S IMMIGRATION SYSTEM ACT

The House resumed from September 30 consideration of the motion that Bill C-4, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act, be read the second time and referred to a committee, and of the amendment

Government Orders

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I stand today to participate in the debate on Bill C-4, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act.

Coming from a riding with a large number of immigrants and refugees, I certainly concur that there are many reforms that need to be made to our immigration and refugee system. I will give a few examples.

We need to increase resources to reduce the backlog in immigration applications, establish targets for on-time completion of family-class and spousal sponsorships, implement the NDP's once in a lifetime bill to expedite sponsorship of one family member, eliminate landing fees for new immigrants and processing fees for refugees, develop appeal processes for potential visitors to Canada, establish a refugee appeal division and streamline and accelerate the recognition of foreign credentials.

However, sadly, none of those essential reforms are found in the bill that is before us today. In fact, the bill would not even achieve what it purports it would, according to its short title, which is, "preventing human smugglers from abusing Canada's immigration system".

I am certain that no one in this House, or indeed in this country, would be opposed to preventing human smuggling and human trafficking. I certainly would not be. However, the bill would target the people who pay money to human smugglers to gain entry into Canada and would be completely ineffective in dealing with the smugglers themselves. It is not the smugglers who make the voyage by boat. They simply collect the money and put those who pay on the ship.

The same is true for human traffickers and others involved in organized crime. The bill barely mentions them. Why is that? It is because the bill has nothing to do with its stated intent of preventing human smuggling and everything to do with covering up for the government's mishandling of some recent high profile cases where a large number of people arrived in Canada by boat to claim refugee status. One example was the arrival of the *Ocean Lady* in 2009, and the more recent example was the arrival of the *Sun Sea* in August 2010. In both cases, the government was caught completely flat-footed. It simply failed to marshal the necessary resources to deal appropriately with the arrival of an influx of refugee claimants.

What was the government's response? Instead of dealing with the real issues at hand and instead of implementing evidence-based policies to deal fairly and responsibly with refugee claimants, the Conservatives have introduced legislation that would simply throw everyone in jail, and I do mean everyone. The bill clearly spells out that even children would be jailed for a year with no chance of being reunified with their families in the interim.

This is unconscionable. Detaining children, many of whom have escaped horrific conditions in their countries, is nothing short of immoral.

Studies from the U.K. show us what happens to incarcerated children. After just a few weeks of detention, profound behavioural changes are evident. Children begin to wet their beds, some become mute and many stop learning. They become withdrawn, under-

nourished and they lose weight. The psychological scars are real, lasting and well-documented.

However, the bill before us ignores all of that and would impose mandatory detention for an entire year and, perhaps most shamefully, the government has the gall to suggest that the bill is necessary to "protect" children. Nothing could be further from the truth. This legislation would further victimize children who have already suffered more dreadfully than most of us could even imagine.

Once again, it is clear that this is a government that thinks "evidence" is a dirty word. In fact, the government's dogged determination to renounce facts and evidence in favour of ideological posturing and wedge politics has become its hallmark. We saw it with the elimination of the long form census and we saw it again with the omnibus crime legislation that clearly flies in the face of all evidence and basic common sense.

The legislation before us today, too, underlines the government's complete disregard for reasoned, sensible, fact-based policy making.

The government is cynically playing to Canadians' fears, instead of acknowledging that the vast majority of Canadians are fair-minded people who want Canada to live up to its international obligations.

When Canadians see television coverage of United Nations' refugee camps around the world, they open up their hearts and often their wallets to assist children who are victims of civil wars, women who are raped and beaten in war-torn countries, and men who are escaping death threats and political persecution.

We are a compassionate society and we want to reach out to provide humanitarian assistance to the best of our abilities. We expect our government to do the same. In fact, the government is bound to do so, not just a representative of its citizenry, but because Canada is a signatory to the UN Convention on the Status of Refugees.

● (1530)

Article 31 of that convention states:

The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

Government Orders

Instead of living up to the letter or the spirit of that convention, the Conservative government is now proposing to do the exact opposite. It imposes penalties on refugees who are fleeing persecution. What is worse, it is doing so simply on the basis of the mode of transportation with which they arrive in Canada. Specifically targeted are people who arrive by boat. Why? Are people who arrive by boat any more dangerous to our national security than people who arrive by plane? Of course not. However, the government is not interested in creating well thought-out, evidence-based public policy. It is simply looking for a band-aid to paper over a public relations disaster of its own making when 478 people arrived by boat in Vancouver last summer to seek refuge from the civil war in Sri Lanka. Refugees will pay the price.

I am not saying that the government does not need to do due diligence, of course it does, but let us not demonize everyone who arrives in Canada by boat. In fact, we need to remind ourselves of the outpouring of support in our country for the 50,000-60,000 Vietnamese refugees who came to Canada in the late 1970s and early 1980s. We called them “the boat people”. Support for them crossed all party lines and, yes, in an economic downturn. Here in Ottawa, it was Marion Dewar, the former mayor, member of Parliament and mother of the current member of Parliament for Ottawa Centre, who took a leadership role in assisting Vietnamese refugees to settle in our country. In my hometown of Hamilton, it was the former Conservative MPP and cabinet minister, John Smith, who championed their cause.

Studies have since been done to track the success of those members of the Vietnamese community who arrived in 1979. The studies found that within 10 years the unemployment rate among the Vietnamese boat people was 2.3% lower than the average unemployment rate in Canada. One in five had started businesses and 99% of them had successfully applied to become Canadian citizens. This is the kind of success that compassion brings. This is the kind of success on which our nation is built.

We also know what happens when we fail to act with compassion. An event from our less distinguished past is the Canadian government's refusal to admit a boat carrying Jewish people fleeing Hitler's Germany, a refusal that forced the MS *St. Louis* back to Europe where many of its passengers perished in the Holocaust.

The Minister of Citizenship, Immigration and Multiculturalism himself has expressed a sense of our country's responsibility for those passengers and spoke of a fundamental ethical obligation to help people in desperate situations fleeing for their lives. In the minister's words at the unveiling of the monument to commemorate the MS *St. Louis*, the monument was described as a “concrete perpetual expression of regret”. The minister concluded by saying that “Canada will never close its doors to legitimate refugees who need our protection and who are fleeing persecution”.

That is precisely the position that I wish were reflected in the bill that is before us today. The definition of a refugee is clear. Refugees must demonstrate that there is a well-founded fear of persecution, that there is a risk of death, injury, torture or some other unacceptable conduct or treatment that violates the common norms of civilized society. Such people need our help and we must establish fair rules to adjudicate such claims.

However, fairness is not what we find in the bill that is before us today. On the contrary, Bill C-4 very likely violates the Canadian Charter of Rights and Freedoms and both the UN's refugee convention and the Convention on the Rights of the Child. It discriminates by creating two classes of refugees based on their mode of arrival. It imposes arbitrary detention without review. It denies the right to equal access to justice and it denies consideration of the best interests of a child.

The bill would not crack down on human smugglers. Rather, it would target legitimate refugees and the people who try to help them. It would punish vulnerable women, men and children. It would establish processes that are unclear, arbitrary, discriminatory and inhumane.

This legislation is neither fair nor balanced. Therefore, it is legislation that I simply cannot support.

• (1535)

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I listened with interest to my colleague speak about Bill C-4. It is unfortunate that at different times throughout her speech she mixed various aspects of history in an attempt to equate this with the turning back of the *St. Louis*. We are not talking about turning ships back. We are talking about implementing a fair and transparent system that will allow our public safety officials to ensure that these people are fleeing persecution, not prosecution.

Another difficulty I have is the innuendo that somehow the Conservatives are not compassionate. I assure the member that many of us on this side of the House have been personally involved in helping “the boat people”, as she has referred to them. Many of us have had refugees stay in our homes. We have walked with them through those early days, weeks and months as they have adjusted to life here in Canada. There is no intention on our part to minimize the needs of legitimate refugees. Our intent is to ensure there is a fair and transparent system.

Does the hon. member not think it is important that our public safety officials have the tools at their disposal to ensure that these people are legitimate refugees and are not taking the place of legitimate refugees and would otherwise be kept out?

• (1540)

Ms. Chris Charlton: Mr. Speaker, I agree. I want to see a fair and transparent system for dealing with refugees. However, we have neither in the bill before us. It is not fair nor transparent.

First, we are talking about detention without any kind of mechanism for appeal. I spoke to that at length in my speech. How is that fair or transparent?

Second, the bill actually allows the minister to designate people retroactive to 2009. How is that fair and transparent?

Government Orders

I was delighted to hear the member for Kitchener—Conestoga say it is imperative that we allow public servants to do their job. Therefore, I hope the member would agree that what is required for a fair and transparent refugee system to effectively deal with refugee claimants is adequate human resources. Otherwise, we will find more situations, as has often been the case for some in my riding of Hamilton Mountain, where the government has been unable to investigate some people's claims until they have been in the country for eight or nine years and this is the only home their children have ever known.

I agree that we need more resources. We must treat refugees with fairness using a system that is transparent and accountable.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, I was struck by the point the hon. member made that Canadians are compassionate and have a history of reaching out and wanting to help those who are less fortunate around the world. She also commented on the fact that she finds it strange that we would single out a class of people arriving as refugees by a certain mode of transportation, people who represent only a small fraction of the total number of refugees.

I ask the hon. member to comment on whether she thinks that is fair.

Ms. Chris Charlton: Mr. Speaker, I obviously do not think that is fair. To suggest that a person's mode of transportation to Canada determines whether he or she is a legitimate refugee claimant is mind-boggling. This bill does not go quite as far as suggesting that, but it comes close. It primarily targets those people who would be arriving by boat. That clearly sets out two classes of refugees. That is not a fair nor a transparent system.

As I stated at the outset, the bill purports to help put an end to human smuggling. However, it is very light on dealing with human smugglers, human traffickers or people involved in organized crime. Rather, it puts the onus almost entirely on those who are seeking refugee status.

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I welcome the opportunity to speak to Bill C-4, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act.

I have listened with great interest to the debate on Bill C-4. The Conservatives claim that the bill will crack down on human smugglers. Unfortunately, Bill C-4 will not do anything to deter human smugglers. Rather, it will unfairly target legitimate refugees desperately seeking asylum.

The true Conservative agenda to crassly capitalize on the worst stereotypes related to immigrants and refugees through this bill has been constantly displayed in this debate.

The bill before the House fails to achieve its intended goal of stopping human smuggling. However, it will succeed in violating international law and the Charter of Rights and Freedoms.

Audrey Macklin, professor at the Faculty of Law and Centre for Ethics at the University of Toronto, and Sean Rehaag, professor at York University, Osgoode Hall Law School and Centre for Refugee Studies have said that provisions such as those contained within the bill:

...flagrantly violates the Canadian Charter of Rights and Canada's international legal obligations.

[...]

It is inconceivable that the government was not advised that key elements...were unlawful. It is more likely that the government did not care.

The Conservative government claims that Bill C-4 will entrust the Minister of Public Safety with the power to designate the arrival of a group of individuals as a "human smuggling event" if the manner in which they enter the country is deemed contrary to Canada's immigration laws.

However, nothing in this legislation actually addresses a human smuggling event. Rather, the legislation deals with a designation of an "irregular arrival". Under this particular designation, all groups of two or more people could be designated under either of the two very broad criteria, which could in fact apply to the vast majority of refugee claimants.

Under the provisions of Bill C-4, individuals arbitrarily designated by the Minister of Public Safety would be prevented from appealing to the new refugee appeal division that was agreed to last spring. This process would provide all refugee claimants the opportunity to appeal for status.

Furthermore, legitimate refugees travelling aboard a vessel that is arbitrarily designated by the government as an irregular arrival will be prohibited for five years from applying for other forms of residence such as those on humanitarian and compassionate grounds. This measure unfairly and punitively punishes the victim.

Canada has an international obligation to protect legitimate refugees. However, because of the manner by which they arrive, the legislation unfairly targets legitimate refugees through its punitive and broad punishments in an effort to keep them from obtaining residency and protection.

How does the government expect those refugees who have suffered persecution and risked their lives to get to Canada? Not everyone can travel like the Minister of National Defence on Challenger jets and search and rescue helicopters.

Additionally, this legislation allows for individuals who are deemed legitimate refugees to be shipped back to their country of origin five years after their refugee status has been granted if the government decides they no longer need protection. Not only does this measure violate international law, it is cruel and seeks to disrupt any semblance of life they have made in Canada after fleeing persecution and could also put them back in danger.

The right to assimilation and naturalization are rights that are given to refugees under the United Nations Convention Relating to the Status of Refugees. Article 43 states:

The Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.

Government Orders

• (1545)

This bill not only ignores Canada's international obligations to protect legitimate refugees seeking asylum but also seeks to further victimize their already difficult experiences. Bill C-4 would not hold human smugglers responsible for their illegal and heinous abuse of refugees. This draconian and backward piece of legislation is dangerous and attempts to criminalize the refugee instead of the smuggler. Once again the blind partnership of the Conservatives is masked in the name of public safety.

I would hope that if a bully beat up a victim the government would have the sense to understand that further punishing the victim would not dissuade the bully from abusing other victims. Similarly, when the government declares that human smugglers must be stopped and then goes on to introduce legislation that only inhumanely punishes refugees, human smugglers will not be dissuaded from smuggling more refugees. Unlike the government, Liberals are interested in pragmatic and evidence-based solutions to human smuggling that target the real criminals.

In this debate I have repeatedly heard Conservative members refer to refugees seeking asylum as "queue jumpers". Let me make it clear that refugees are not queue jumpers. They are not economic immigrants. There is already a system to distinguish economic immigrants from legitimate refugees.

Last, they are not criminals. As the United Nations High Commissioner for Refugees states, it is "important to recognize that...refugees are a distinct group with critical protection needs...It is not a crime to seek asylum".

Central to any debate concerning refugees is a clear understanding of what it means to be a refugee. In 1967, Canada ratified the 1951 Convention relating to the Status of Refugees to the 1967 protocol. International legal protection revolves around the convention's important, clear and concise criteria for who constitutes a refugee. Unfortunately, it has become obvious while listening to this debate that many on the government side have not read this convention.

Article 1A(2) of the Convention relating to the Status of Refugees defines a refugee as anyone who:

As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

In the case of a person who has more than one nationality, the term "the country of his nationality" shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

The government continues to ignore logic and evidence. Instead, it proclaims prison to be the cure for any activity it does not support. Does the government seriously think that threatening legitimate refugees with illegal detention will prevent refugees who are fleeing persecution and often death in their countries of origin from escaping to Canada?

Not only does this bill violate international law, it likely violates Canadian law. In the 1985 Supreme Court decision in *Singh*, the

highest Canadian court ruled that the Charter of Rights and Freedoms applies not only to Canadians but to anyone who steps foot in Canada whether or not the person arrives legally. In Bill C-4 are provisions that enable the government to arbitrarily name refugee groups as designated foreign nationals and permit the illegal and unjust detention of said groups for up to 12 months regardless of whether they are legitimate refugees or not.

• (1550)

Section 9 of the Charter of Rights and Freedoms, under the heading of "Legal Rights", ensures that everyone has the right not to be arbitrarily detained or imprisoned. Section 11, under the same heading, states that any person charged with an offence has a right to be tried within a reasonable time.

We know from the Supreme Court that the Charter of Rights and Freedoms applies to everyone on Canadian soil, whether here legally or not.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I want to thank my colleague for her very clear and articulate expression of the major concerns with this legislation.

The bill purports to address human trafficking and human smuggling, yet we know that in Canada we already have the highest penalty that our courts could possibly give to those who engage in human trafficking and human smuggling, and that is a life sentence.

The question to my colleague is this: how does she feel this bill would address the legitimate needs of those who are fleeing from very dangerous grounds to seek refuge in a country like Canada?

• (1555)

Ms. Judy Foote: Mr. Speaker, clearly Bill C-4 would do nothing to help those who are seeking refuge. That is my concern with the bill.

There are legitimate concerns. People are being persecuted, and they need to look to a country like Canada to deal with their concerns and to be there when they are looking for a place of refuge and safety.

I am concerned that the bill would take that avenue away from them. It would take away the opportunity to find a place of refuge in a country where people understand that they are being persecuted and know only too well how important it is to respond to the needs of people around the world who understand that Canada is a good place to live.

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, this very much seems like an issue of ideology and punishment, despite the government's statements that it is interested in targeting the human smugglers who are clearly exploiting very vulnerable people. I would like to hear some comments from my hon. colleague on that.

Ms. Judy Foote: Mr. Speaker, I think my colleague is absolutely right with respect to this piece of legislation. It is very much in keeping with the ideology that has been put forward by the government on other pieces of legislation.

Government Orders

We are talking about not treating people with respect. We are talking about sending people back to a country where we know they will be persecuted further. We are talking about not reaching out and making sure that we are doing everything we can as a country to help people in these situations, knowing full well that if they are returned to their country, they may even risk death.

My concern here is that we are going down the same path as we are with the crime legislation, through which everyone would be thrown in jail, no matter how small the crime or whether it is a first-time mistake. We would build megaprisons to accommodate Canadians when instead we should be looking at prevention. We should be trying to help Canadians avoid going to prison.

We are going down the same path with Bill C-4. We are not looking out for the best interests of Canadians in the case of the megaprisons and the crime legislation, nor of those who are looking to us to help in terms of their safety and who want to come to Canada.

They are reaching out to us. We should be open and receptive to them instead of looking at them and sending them back and treating them like victims.

This bill would do nothing to help deal with human smuggling and human smugglers. Instead, we would be making victims again of those coming to us looking for refuge.

[*Translation*]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, before I begin, I would like to congratulate and thank the hon. Liberal member who just spoke about Bill C-4. A large part of what she said is similar to what I wish to say.

To continue along that route, I would like to say that since May 2—the day I was elected to Parliament—and since we started sitting, I have been saddened by the fact that the legislation tabled by those on the other side sometimes contains good things, but more often than not, unfortunately, it simply divides those here. We can all support a bill that protects refugees against human trafficking; we can all work together to ensure that a pedophile never touches another child; we can all agree that someone who has committed a very serious crime should spend a long time in jail and should not easily receive a pardon, and so on.

However, all of these bills before us simply divide us: we are either for or against human trafficking, for or against the government. And we must not try to make any changes. I call this government the “photo-op government”—splashy headlines in the paper, big in-your-face news to show that the government is working for us. But, really, none of this is going to have the desired effect.

We must not forget that a similar bill, Bill C-49, was introduced during the last parliament. And that is one issue I have with us as politicians—it seems that things only get moving once an event is picked up by the media. If it is not in the news, we do not talk about it or deal with it. This bill was drafted following a media event.

I just got out of a meeting that I had to cut short with women who are part of the Sisters In Spirit, which has lost its funding. These are mothers who have lost a child, whose children have disappeared, and we are not taking care of them. They are not asking for the moon.

They are asking for peanuts so that they can continue their searches. But unfortunately, that does not make the headlines in the *Globe and Mail* or the *Toronto Star*. However, big ships like the *MV Ocean Lady* and the *MV Sun Sea* that arrived on the shores of British Columbia in 2009 and 2010 made the news. It was in our face. Everyone said that something had to be done and that a bill needed to be introduced, but they did not take the consequences into consideration, nor did they ensure that the bill would achieve the desired effect.

That is the problem in general with this government. Of course it was shocking to watch the news and see 500 Tamils arriving, as well as the *MV Ocean Lady*, which had 76 on board. I had a television show and I remember people talking to us about it. It was terrible. Rumours were swirling all around. It is incredible, but I am still responding to people who ask me how it is possible that, in Canada, a refugee makes more money than a retired Canadian. I wonder how they come up with that. Then I realize that people have been misled for years and years. In fact, some people in Canada honestly believe that every refugee arriving here in Canada receives around \$1,900 a month. Come on. A person would receive \$1,900 just for arriving in Canada as a refugee? We would give refugees that much while our seniors and many other people are having a hard time making ends meet? It almost makes you want to go to another country just to come back as a refugee.

That is not the reality for refugees. Refugees are people who leave their countries because their lives are in danger. These are not people who decide to come to Canada on vacation. They come here for their safety and because we have a reputation—poor us—as a supposedly welcoming, fair and open country that encourages differences and wants people to have more. Canada is a country that ensures that the people who come here are not starving, although I sometimes have doubts about this when I see the number of children living below the poverty line and the number of seniors who are abused or who cannot make ends meet.

• (1600)

As a legislator and with my background as a lawyer, I wonder about the purpose of this bill. The government wants to wipe out human trafficking and we all agree with that. Let them stop claiming otherwise. No one is in favour of human trafficking. I do not think any of my colleagues would support human trafficking. Would anyone in the House support it? If so, I would ask them to please raise their hands. Why? Because we definitely disagree. Do we want someone who is not a real refugee, someone whose life is not in danger, who does not meet the criteria of the existing legislation, to come to Canada to take advantage of our extremely generous system? We do not want that either. I would ask you, Mr. Speaker, to ask those in favour of that to raise their hands. No one wants that.

The government said that it was concerned that many of these people had ties to the Tamil Tigers, a group on the list of terrorist organizations. I said to myself that our friends opposite were introducing their next buzzword: terrorist. This word scares everyone. Anyone who reads the bill will think that the government is protecting their safety, ensuring that people with ties to terrorists do not sneak into our country under the Immigration and Refugee Protection Act.

Government Orders

Why is nothing done when people arrive in great numbers at airports? Is there anything more dramatic than watching refugees arriving by boat on television? But that is not the case for refugees who arrive at an airport chock full of passengers from all over. Someone told me that thousands of refugees arrive at Canadian airports. The number of refugees who arrive by boat is smaller. This bill, once again, attempts to mask the reality and give a false impression. It gives even great powers to the Minister of Immigration under the guise of public safety.

What struck me when they introduced Bill C-4, the former Bill C-49—this is not the first time that our Conservative friends have tried to introduce such a bill—is that it was introduced by the Minister of Public Safety. Why? Because they are trying to send a message that our security is at stake, that terrorists are streaming into Canada. I do not say this flippantly, as though I could not care less about terrorism. That is not at all the case. But let us call a spade a spade, and identify the true terrorists. The trouble is that, in real life, when you cry wolf too often, people stop believing and will not pay attention when there is a real terrorist threat. That worries me. They are trying to portray all refugees as potential terrorists. Unfortunately, that is more or less the general impression.

I hosted a public affairs show on television and radio before I came here. In my practice as a lawyer, I still have frequent contact with the general public, at least in my region, the national capital region. I can say that people were automatically making the equation that a refugee is a terrorist. If someone is hiding, it is because they are running from something. People forget to consider that there is more to it.

The bill may contain some clauses that are worthy of being examined, but, as always, the government is using a sledgehammer to kill a fly. As a lawyer, my primary concern is that this will end up before the courts some day. I had the same concern about Bill C-10. If the government wanted to use its bills to make improvements, protect Canadians better, eliminate human trafficking and ensure that criminals receive punishments that suit their crimes, that would be good. The danger is that with bills like this, it is the opposite, and there will be never-ending cases before the courts. In the end, the answer will be that this violates existing treaties and the charter. The government had better not respond that it intends to abolish the charter one day. I do not think so. I think that Canadians are extremely happy with the charter. If a government adopts unconstitutional legislation, it will be contested.

• (1605)

At some point, the House will end up debating this issue again, since we will be back at square one and the problem of human trafficking will not have been resolved.

[*English*]

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, the point I want to make is that Canada has a very proud history of being welcoming and very inclusive, not only to new immigrants, but to those who arrive here as refugees. As Canadians we value that image the world holds of us as being very compassionate and caring.

One key concern I have with this legislation is this sends a message that Canada is prepared not only to break some of its own

laws but to break some UN conventions. How does the member think this legislation is going to impact the image Canada has abroad?

• (1610)

[*Translation*]

Ms. Françoise Boivin: Mr. Speaker, the hon. member has asked an excellent question.

As I was saying, further to the legal analysis of this bill, my biggest concern is that there will be many court challenges related either to the charter or to the UN's Convention Relating to the Status of Refugees. Any challenges related to the UN's Convention Relating to the Status of Refugees, which we have signed, would threaten Canada's image.

Our government speaks on our behalf. The government is not just the Conservatives. The government is all Canadians from coast to coast to coast, not just the small 39% of 61% of the vote in the last election represented by the Conservatives.

It is clear that the image of Canada will suffer.

[*English*]

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, it strikes me as ironic that the Conservative government seems to care a lot about finances, but it does not seem to want to talk about the cost of its legislation. It seems to me this legislation, being unconstitutional, would just result in a lot of court challenges and a lot of work at the Supreme Court, and at the end of the day a lot of very smart people working a long time with the end result of no change.

I wonder if the member would care to comment about that.

Ms. Françoise Boivin: Mr. Speaker, I love my colleague's lawyers, but they will not love what I am going to say right now. I wish they would not have that much work, but my sneaking suspicion is that because of the government, they will have so much work, especially those constitutionalists and all those specialists on international conventions. Definitely, they cannot just lie there and do absolutely nothing when we see so many inequities that are created through this piece of legislation. I am sad.

[*Translation*]

When I was a labour lawyer, I often joked with the employers that I represented that, if I did my job well when establishing a collective agreement between the two parties, they would never need me again because the terms would be so clear and precise. I can say that the parties involved in all the collective agreements that I helped to draft rarely needed my help to interpret those agreements later because we found the words to say what the parties wanted to say at the negotiating table. However, when we draft bills such as this one, unfortunately, it leaves a lot of room for interpretation and inequality. We are going to find ourselves before the courts more often than not and it will cost the government a fortune.

Government Orders

[English]

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, a couple of times today there has been the innuendo that somehow we are cutting back on the number of asylum seekers and refugees that we accept. I want to remind Canadians who are watching that the Balanced Refugee Reform Act that was passed recently adds 20% or 2,500 refugees per year, so we are up to 14,500 refugees per year that we are accepting.

I am wondering if my hon. colleague would correct the record. In terms of Canada's reputation in the world, it is quite strong. We receive many refugees and the Canadian population needs to be reminded of that.

Ms. Françoise Boivin: Mr. Speaker, it is so easy, but I will not make fun of the comment because Bill C-4 does not exist yet. So, in a sense it is going to be interesting to see how it unfolds after and what type of challenges it is going to bring on.

[Translation]

The point here is not the number of refugees. What saddens me is that there are such problems in some countries, where people fear for their lives and need to find a host country like Canada.

My concern about Bill C-4 does not have to do with the number of refugees. If someone is a legitimate refugee, I would hope that we would not prevent them from entering our country.

[English]

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, I rise today to voice my strong opposition to Bill C-4. The bill violates the Canadian Charter of Rights and Freedoms, as well as Canada's international obligations, such as the UN Convention Relating to the Status of Refugees.

The Conservatives are well aware that the bill is unlikely to stand up to a legal challenge if it is enacted.

However, the government feels the need to push the bill through the House of Commons, wasting the opportunity to ensure that Canada's immigration system really protects refugees and ensures fairness, and taking up time on the parliamentary calendar while Canada's economy stalls.

The bill would concentrate far too much power in the hands of the Minister of Citizenship, Immigration and Multiculturalism. He would be able to designate refugees as irregular arrivals, which would subject them to new rules, creating a second, lower class of refugees. These irregular arrivals would then be subject to mandatory detention, with no review for a year, except for at the discretion of the minister.

In effect, the minister would become judge and jury for any group of refugees which he designates.

Are there problems with human smuggling in Canada? Certainly. However, the problem lies with traffickers and smugglers, those people who profit off of people's suffering.

However, this bill would ignore those people and, instead, would target legitimate refugees, people who, by definition, have left their country of residence for fear of persecution, people who have given up everything because they fear for their lives, people who believe

Canada has not only a legal obligation but a moral obligation to protect. Are these the people who the government really wants to victimize?

As I said, there are problems with human smuggling and trafficking in Canada. However, the major problem that we have with human smuggling has nothing to do with inadequate legislation, but with support and funding of the RCMP. If the government wants to address the issue of human smuggling, we should ensure that people on the front lines have all the resources they need to do their job.

Current legislation already allows for life sentences for individuals convicted of human smuggling. New legislation is not needed. What we need are the tools for better implementation of existing laws, not additional draconian legislation.

Perhaps the most disturbing provision of the bill would be the ability to arrest and detain any permanent resident or foreign national on suspicion of serious crime, criminality or organized crime.

Think carefully about what this would mean. This provision would mean that any person in Canada who is not a citizen can become detained on the mere suspicion of criminality, with no need for proof or evidence. Simple suspicion would become enough to not only arrest but to also indefinitely detain people.

The rule of law in a democracy is founded on the principle that the police's powers of arrest and detention are only legitimate if there are reasonable grounds for arrest; specifically, the notion of reasonable grounds means that there must be an objective component to the notion of suspicion. This objective component is met by evidence. Suspicion alone is subjective. There would be no way to prove whether that suspicion is warranted or not, and this would leave the system open to abuse.

While Canadian citizens would not be affected by this provision, this would set a worrying precedent. I am reminded of the famous quote by Martin Niemöller, which ends:

—they came for me—

and there was no one left to speak out for me.

Once we accept that arrest and detention without an objective reason is justified for foreign nationals and permanent residents, what is to stop the same government extending the provisions to include Canadian citizens?

We cannot turn a blind eye now and hope that these disturbing changes are never applied to us. If we believe that arrest and detention without objective evidence is unacceptable when applied to ourselves, our friends and our families, then surely it is unacceptable when applied to people who immigrated, either permanently or temporarily, to Canada.

How would our government react to news that a Canadian citizen was arrested and detained abroad simply on the suspicion of criminality?

Government Orders

•(1615)

I believe that the government, rightly, would be outraged and would call on the foreign government to provide evidence of any wrongdoing or release the person in question immediately. Canada should be a world leader in human rights and freedom, not a laggard whose legislation we could criticize in other states.

The NDP is not alone in opposing this legislation. Amnesty International has said that the bill:

—falls far short of Canada's international human rights and refugee protection obligations and will result in serious violations of the rights of refugees and migrants.

The Canadian Bar Association, the voice of the legal profession in Canada, has stated that the previous version of this bill, introduced in the previous Parliament:

—violates Charter protections against arbitrary detention and prompt review of detention, as well as Canada's international obligations respecting the treatment of persons seeking protection.

The bill is opposed to the UN Convention Relating to the Status of Refugees which states:

The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

It is clear that the government is on the wrong side, both on its legal obligations to the Charter of Rights and Freedoms and various international treaties, as well as its moral obligations to the people fleeing persecution.

Should this law pass, the government would undoubtedly face years and years of expensive legal battles in the Supreme Court. Now is the time for the government to realize that this bill is flawed and to invest in the policing resources which will crack down on human smugglers and protect vulnerable refugees.

•(1620)

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I congratulate my colleague on his speech.

My question for him has to do with the international consequences this bill would have for our country, particularly with respect to its unconstitutional nature.

[*English*]

Mr. Glenn Thibeault: Mr. Speaker, there are many things that could come to play with this type of legislation out there already. We could look at some of the organizations that are already commenting on this legislation. For example, the Canadian Council for Refugees has called for this bill to be scrapped entirely. Noa Mendelsohn Aviv, the equality program director with the Canadian Civil Liberties Association, has issued a scathing attack on the government's attitude toward refugees generally, and on Bill C-4, in particular, stating that there is no need for the draconian measures contemplated.

As mentioned earlier in my speech, the Canadian Bar Association stated that it did not support this legislation in its previous form in Bill C-49 as it violated the charter protections against arbitrary

detention and prompt review of detention as well as Canada's international obligations respecting the treatment of persons seeking protection. So there are many organizations out there that are talking about the impact this would have on Canada's reputation.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, one could wonder why the government would have brought in Bill C-4 in the first place. I go back to the ship, the *Ocean Lady*. It comes to port and then on the back of the ship we see the Prime Minister of Canada saying that we are upset at these profiteers and smugglers.

I have had the opportunity to read the bill as I am sure the member has, and I am convinced that the number of profiteers who will be penalized and become victims of this bill is probably pretty close to zero, if not at zero, and that the real victims here will be the individuals who are genuine refugees seeking asylum in order to protect their lives and continue to live. They look to Canada as a caring, compassionate country, and even the government member himself tried to say that there is value to refugees. There is more than just value to refugees. They are a part of what has made Canada what it is today.

I would look to my colleague and ask him how many profiteers he feels will actually get persecuted or be a victim of this particular legislation. I do not see any profiteers. Does he see who will be the victims? Will it be the profiteers or will it be the refugees themselves?

•(1625)

Mr. Glenn Thibeault: Mr. Speaker, the hon. member raised a very good point as to who would be affected the most by this legislation. I believe it would be the refugees who would be detained for a year. What would happen if there were children involved? What if the refugees came here in a plane rather than a boat? Would they be fine?

There are many things we can talk about in relation to this, but the member also brought up the point that we already have legislation in place. A smuggler who is caught will go to jail for life. What are we doing? We are not giving the RCMP the necessary resources to go after and capture the smugglers. The RCMP officers are fantastic. They can do their job phenomenally if we actually give them the resources to do their job. However, this legislation makes sure that when refugees come here they will be detained for a year and will be treated like criminals, when they were probably fleeing a situation that was very similar to that.

[*Translation*]

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, last summer, a small cargo ship entered Canadian waters off the coast of British Columbia, where it was intercepted by the RCMP. There were 492 Tamils crammed on board, including women and children. This is the particular case the government is talking about, since no other cases apply to its Bill C-4. The government claims to be concerned about the origin of the passengers seeking asylum when arriving by boat. It is worried that among these legitimate refugees are Tamil Tigers, members of a terrorist organization that has been banned in Canada.

Government Orders

The summer before that, a ship carrying 66 Tamils was intercepted on the shores of Vancouver. The government arrested them all and detained them for months, alleging that a third of them were Tamil Tigers sent to infiltrate Canada. Unfortunately for the Conservatives, their concerns were unfounded and they had to release the refugees. This is the example the government is using to justify its bill. This bill is based on unfounded concerns. Bill C-4 is based on a prejudice that has been refuted.

The public is not sympathetic to the reality facing refugees. Surveys show that 46% of Canadians believe that immigration has a negative effect on the country. When asked specifically about Tamils, closer to 50% of people want them deported back to Sri Lanka. The Conservative government knows these statistics. And this populist bill proves that the government is not afraid to divide the public on the basis of false perceptions. It also demonstrates that it prefers to increase fear among those who are afraid of the unknown instead of informing and educating the public and ensuring that Canadians live in harmony with one another.

This attitude is surprising for Canada. More than 20% of Canadians are immigrants. There are countless descendants of immigrants. Approximately 20,000 Sri Lankans have immigrated to Canada because of the devastation of a 25-year civil war and the 2004 tsunami. Last year, more than 280,000 immigrants received their permanent resident status in Canada. Bill C-4 is aimed at the 492 Tamils who arrived by boat, simply because the government believes that two of them had ties to a terrorist organization. We are talking about two people out of 280,000 immigrants that year. And the government thinks that justifies its ideological laws.

The saddest part is that this is all it takes for the public to continue fearing all other immigrants. Because their government is so afraid of refugees that it locks them up, Canadians have every reason not to trust newcomers. Bill C-4 does not fix anything, but it is still important because it is a very powerful symbol. It widens the gap between Canadians and certain classes of immigrants. It contradicts the open-mindedness of the majority of Canadians by siding with their more radical compatriots. Those 492 refugees suffered through exile and a horrific voyage, and then they were imprisoned because two of them posed a threat. Because they were cheated by a smuggler, they were treated as criminals. And if that were not enough, the government is forcing dishonour upon more than 6 million Canadian immigrants by reinforcing this idea that it is reasonable to have doubts when it comes to immigrants.

An article published in *The Walrus* magazine, which we all received in our offices in June 2011, reminds the government that this anti-immigration trend is similar to other sad initiatives like the Chinese head tax during the construction of the railway and the internment of Germans, Turks, Bulgarians and Japanese Canadians during the two world wars in the 20th century. The government's new approach recalls two other particularly ugly moments in Canadian history. In 1914, a Japanese plane carrying 400 passengers from India landed in Vancouver, but the refugees were denied entry to Canada and were deported to India. Twenty of them were killed upon their return.

● (1630)

Twenty-five years later, a ship carrying over 900 Jews fleeing the Nazis was turned away, forcing the refugees back to Europe, where over a third of them would die in the Holocaust.

These communities, whether South Asian or Jewish, which are now considered pillars of Canadian society, have experienced their share of discrimination and stigmatization. It is inconceivable in 2011, when Canada is not at war or threatened by mass immigration, that the government would propose new measures that amount to profiling and discrimination. It is even less conceivable that these initiatives would be considered urgent, in contrast to Canada's values and commitments when it comes to respecting and promoting every individual's rights and freedoms.

Such abuses seem to come about every time Canadian society is threatened by a crisis. Immigrants become scapegoats. The popular belief, which is unfortunately confirmed by this government's unjustifiable actions, is that immigrants steal jobs and ruin the standard of living in our neighbourhoods.

Nearly half the population believes the common perception that immigration increases the crime rate. Although many Canadians realize that immigration is a powerful tool for developing our society, the government chooses to fuel fear and pit classes of people against one another. Instead of promoting openness and education, the government chooses to fuel division and isolation.

In fact, every known indicator paints an entirely different picture. In fact, the mass arrival of Europeans since the 1970s has been accompanied with a notable decline in the crime rate. In Toronto, immigrants make up more than half the population and the crime rate has dropped by 50% since 1991. The crime rates in that city are also lower than the national average. A study conducted by the University of Toronto over a period of more than 30 years found that with increased immigration comes a decrease in the crime rate. These observations were made in every immigrant group, regardless of where they came from.

But the Conservative government prefers to govern based on public opinion polls rather than on facts. It prefers to spread prejudice by discriminating against certain immigrant groups, in this case the Sri Lankans who arrived by boat, over championing truth and fairness among Canadian citizens.

The Conservative government is trying to present certain groups of immigrants as acceptable and others as a threat. Such is the nature of Bill C-4, legislation that makes misinformation the norm and stigmatization a rule.

Government Orders

Studies by Statistics Canada go even further. They show that in the Montreal and Toronto regions, the crime rates are inversely proportional to the immigration rates. In other words, immigration acts as a safety net against crime. Researchers have all been encouraged by these observations that refute old perceptions. However, these same researchers question the government's attempts to perpetuate these myths about immigration. Immigrants are motivated by a great determination to integrate into Canadian society and by their desire to understand their host society.

The Conservative government claims that it must take this action to denounce the abuses committed by these smugglers, the real criminals behind all this. It is not by putting the only witnesses behind bars and acting as a torturer that the government will ensure fairness in the immigration process and it is certainly no way to ensure the safety of Canadians.

• (1635)

[*English*]

Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC): Mr. Speaker, the member talks about targeting smugglers. We are targeting smugglers because of the abuse of Canada's immigration system and how it has been undermined by human smugglers. Her statistics do not tell how generous our program for the refugee resettlement is and she distorts our policies.

Our resettlement program is one of the most generous ones in the developed world. Each year we resettle 10,000-12,000 refugees through government assisted privately sponsored refugee programs. Globally, countries with resettlement programs resettle about 100,000 refugees, which means we take one out of every ten refugees resettled. These refugees often spend many years, sometimes decades, in squalid refugee camps or urban slums.

To suggest that we are not being generous with our immigration and our refugee system is false and very misleading. We are trying to ensure there are no queue jumpers. I would like the member to be more generous in how our refugee system is one of the best in the world.

[*Translation*]

Ms. Paulina Ayala: Mr. Speaker, indeed, we must continue on that course: we must be generous in welcoming those who suffer and not criminalize those who suffer even more. We must punish those who take advantage of the suffering of others. I therefore agree with my dear colleague who spoke earlier. We must be even more generous because people are suffering in other parts of the world, and when they come to live here they will contribute to our society and enrich it.

I am an immigrant, as are several of my colleagues in this House. What we are saying is that the seeds of prejudice are sown when there is a crisis that affects the country. Scapegoats are sought and, instead of the smugglers being punished, it is the people they have smuggled who are punished—the ones who were living in miserable conditions and left their country in distress.

This bill does not attack the real offenders.

[*English*]

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, it strikes me that Bill C-4 is an example of legislation by news headline. I wonder if the government would really want to bother to go through the work of introducing the bill only to have it struck down by a court challenge if they did not get to have any photo ops on the beach in front of ships. It reminds me how the news tends to focus on airplane crashes when on an average day probably more people starve to death in this world than die from airplane crashes.

Would the member care to comment on that?

• (1640)

[*Translation*]

Ms. Paulina Ayala: Mr. Speaker, I understand what my colleague is saying. We are talking about the suffering of people who will take very serious risks. They leave on a ship in conditions that none of us would be able to tolerate. They even bring their children because there is too much suffering.

Canada has signed certain international conventions on human rights and we have the ability to accept these people and to give them a chance in life. That is our role as a country. We are a model country and we should not tarnish our reputation. It is part of our history. We must protect and develop our reputation.

I do not believe that any thought has been put into this bill. I put myself in the place of someone who has faith. How can those who have faith support this type of bill when we are morally bound to accept those who suffer and to have compassion for others? It is a complete contradiction. It does not correspond to our views on life, love for our neighbours and so forth. That proves that we must attack this type of bill that lacks compassion.

The Acting Speaker (Mr. Barry Devolin): It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Chambly—Borduas, Flooding in Montérégie; the hon. member for Nanaimo—Cowichan, Child Care; the hon. member for Halifax West, G8 Summit.

Mr. François Choquette (Drummond, NDP): Mr. Speaker, I am happy to speak about Bill C-4, the Preventing Human Smugglers from Abusing Canada's Immigration System Act. My explanation will show Canadians that there are very clear differences in the approach to governance taken by the Conservative government and that taken by the official opposition.

First, Bill C-4 purports to prevent human smugglers from taking advantage of the Canadian immigration system. How ironic. In reality, the bill almost exclusively targets refugee claimants arriving in Canada. This bill clearly shows this government's approach, which is designed to create fear in our society and exploit the misery of certain foreign nationals for political gain. The government is introducing knee-jerk legislation that is not based on fact, law or reason.

Government Orders

The incredible number of organizations working to assist refugees that are denouncing this bill provides indisputable evidence that the bill is not at all logical. I would like to mention a few of these organizations.

First, the Canadian Council for Refugees asked that this bill be withdrawn. Amnesty International—these are very prestigious organizations involved in the protection of people and refugees—has stated that Bill C-4 falls far short of Canada's international human rights and refugee and immigrant protection obligations. A program director for the Canadian Civil Liberties Association severely criticized the Conservative government's attitude with regard to refugees in general and Bill C-4 in particular, stating that this bill is draconian. He clearly said "draconian". I am not the one who said it, but I agree.

All these objections would be sufficient to change the mind of any person of good faith. However, that is not all. There are still other groups that oppose the negative impact that this bill would have.

The Canadian Bar Association has also spoken out against this bill and the previous one, stating that it did not support the legislation in its previous form because it violated the charter protection against arbitrary detention and denied the prompt review of detention. We cannot just imprison people without reasonable grounds, without incontrovertible evidence. The bill also violates Canada's international obligations respecting the treatment of persons seeking protection. In addition, a group of experts from the Centre for Refugee Studies has described this bill as draconian. Yes, that word again.

As we can see, many organizations that come from various walks of life have spoken out against the measure being proposed by the Conservative government.

I would like to take a look at some of the key aspects of the bill so that Canadians can see for themselves the negative side of Bill C-4. This bill would give the Minister of Immigration the power to designate, at his sole discretion—imagine that, his sole discretion—a group of refugees in Canada as irregular arrivals. What is more, he could do that based on mere suspicion, as I said earlier, and based on a definition of "group" that is not specified in the bill.

Does this not give far too much power to just one individual? This measure presents a serious risk of abuse. If this bill passes, such discretionary power could lead to abuses for which the Conservative government would be solely responsible.

Once designated foreign nationals receive that title, they are then subject to all kinds of special rules, some of which are discriminatory. To begin, I will focus on a few such rules.

Once designated as irregular arrivals, all designated foreign nationals, including children—everyone heard me correctly, including children—will be mandatorily detained on arrival or upon designation for up to one year. Is that any way to treat the victims of smugglers? The real criminals here are the smugglers. Again, is that any way to treat victims—to throw the entire family, including children, in jail for a year? How shameful. What a black mark on our international reputation as a humane, welcoming society.

In addition, the Canadian Immigration and Refugee Board would not even review their detention for one year. Designated foreign nationals cannot be released during that time.

And that is not all. When they are released, designated foreign nationals will still have their right to apply for permanent residence suspended.

• (1645)

Also, designated foreign nationals cannot file a humanitarian and compassionate application or apply for a temporary resident permit for five years. Furthermore, designated foreign nationals cannot receive refugee travel documents, which means that they cannot travel outside of Canada for at least five years after being accepted as a refugee. And that is very serious.

To sum up, this means that all designated refugee claimants will be separated from their families and unable to travel to see them for at least five years. It is unbelievable. Six years is even worse. Is that how important family is to this Conservative government? Is this any way to demonstrate our family values? I do not think so.

The Conservative government seems to have a troubling tendency to diminish the importance of the family values that Canadians hold dear. Let me give an example. Since this government came to power in 2006, we have seen a marked decrease in the number of family-class visas that have been issued. There has also been a dramatic drop in the number of refugee visas issued by the government.

To conclude, I will go over some of the main problems with Bill C-4. It penalizes refugees. It was presented as legislation to target smugglers, but most of these provisions punish refugees instead of smugglers. I already said that refugees, including children, would be detained for one year without any possibility of an independent review. Under Bill C-4, refugees would be victims three times over: first, when they are persecuted in their home country, second, by the smugglers, and lastly, by Canada. That makes no sense.

I also spoke about the fact that Bill C-4 creates challenges for family reunification, which is the main objective announced by the government. It denies refugees the right to apply for permanent residence for five years, thus preventing them from reuniting with their families, including their children. This is a violation of the right to family guaranteed in the Convention on the Rights of the Child, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

The government must restore Canada's international reputation, not only by ensuring the proper treatment of refugees who come to this country, but also by improving its system to allow a greater number of refugees to settle in Canada. There are millions of people in refugee camps and in dangerous situations around the world. We must help more of them by giving them shelter and providing security.

Canada needs fair and balanced refugee legislation. This legislation is neither fair nor balanced, and the official opposition will work hard to amend or defeat it. The Conservatives should focus on enforcing Canada's already existing legislation against human smuggling. The government should give law enforcement agencies and the Immigration and Refugee Board the resources they need to address human trafficking and human smuggling. That is what we need. We should be focusing on enforcing the existing legislation.

Those are the solutions proposed by the New Democrats: fair and balanced solutions that attack the real problems, the real criminals—the smugglers—and not the victims.

• (1650)

[English]

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, our government received a strong mandate from Canadians to take fair, reasonable and tough action to prevent the abuse of Canada's immigration system by human smugglers.

Canada always opens its doors to those who work hard and play by the rules. However, we must crack down on those who seek to take advantage of our generosity and often for financial gain. The preventing human smugglers from abusing Canada's immigration system act would send a clear message to individuals overseas thinking about smuggling people that they should not to do it.

I encourage the NDP to listen to Canadians and support this important legislation.

[Translation]

Mr. François Choquette: Mr. Speaker, I want to thank the hon. member for her question and comments. Under current legislation, human smuggling is already punishable by life in prison. That is what needs to be worked on. Resources need to be given to existing agencies to enforce the legislation properly.

What is more, Bill C-4 might violate section 15 of the charter on equality before the law. Bill C-4 would create a new category of second-class refugees who would be denied permanent resident status and a temporary resident permit and would not be accepted on humanitarian grounds or have the right to apply for permanent residence.

We must focus our energy on existing legislation, under which human smuggling is already punishable by life in prison.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I find it amazing that a Conservative member of Parliament would stand, read a statement and then sit down and it is supposed to be a question. It is the Conservative line. The Conservatives know what it is they want to say. They know what it is they want to tell Canadians in terms of the props. I would suggest what they are really doing is promoting prejudiced attitudes to the detriment of our society as a whole especially going forward.

There is nothing wrong with refugees. The message the government is trying to give to a selected percentage of the population is that Canadians should have this fear factor about refugees. If this bill had been in place three or four years ago, would

Government Orders

it have made a difference? This legislation would not have made one ounce of difference. What it does is it plays upon people's fear.

The member spoke so well with regard to Bill C-4. Would he agree that the legislation fuels prejudice more than it attacks the profiteers and human smugglers?

[Translation]

Mr. François Choquette: Mr. Speaker, I want to thank the hon. member for his very astute comments and his question. Unfortunately, all this bill does is attack the wrong people. Obviously there are problems, as hon. members have already mentioned. In addition to being exploited by smugglers, the refugees are already victims in their own countries, where they suffer persecution. As a result of this legislation, when they arrive in Canada they will suffer again because of the mistreatment and categorization by the Conservative government. That is very bad.

Refugees need to be seen as victims and they need to be helped. We have to stop seeing them as criminals, which they are not. They are victims. Many agencies and groups agree with the NDP that this bill makes no sense. Allow me to name a few: the Canadian Council for Refugees, Amnesty International Canada, the Canadian Civil Liberties Association, the Canadian Bar Association. I find it hard to believe that all those people do not know what they are talking about.

• (1655)

[English]

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, in standing to speak to the bill, once again I come up against a problem that we have in Parliament. I find it difficult to understand the motivation of the government moving forward with legislation. The parroted answers government members give to questions and their very carefully controlled speeches do not provide us with much of their motivation. In many cases we end up trying to find the motivation of the government in this endeavour.

We have good legislation that could be applied to human smugglers. We know how to deal with them. What is it that the government is trying to accomplish with Bill C-4?

I have a list of 80 organizations that deal with immigrants in Canada and they are all opposed to the bill. I have not seen the government come up with a list of organizations that support it in its efforts. Why not?

Mr. Scott Armstrong: Every poll supports it.

Mr. Dennis Bevington: They say that millions of Canadians are supporting them. Millions of Canadians do not understand the Conservatives' motivation either, and the people who attempt to understand their motivation tend to understand that the bill is not a good idea and it should not be supported. Why is that?

Canada has a great reputation with regard to immigration. We bring in lots of people, but we have a point system that very clearly sets certain standards for people who come into this country. We have decided that we want the best the world has to offer in terms of the people who come to this country.

Government Orders

Lately we have not received many refugees. Refugees do not come under the point system in the same sense that immigrants do. We have a system which in the past has allowed quite a number of refugees into Canada. Canada has been a haven for refugees from around the world. This is good, but what will happen with this legislation that has been put forward by the Conservatives?

When the world's population understands what this new legislation that governs how refugees are treated in Canada, what will that do for the perception of individuals in a war-torn country who have to make a choice about where they should apply for refugee status? What will that do? It will send a message to those refugees that they had better watch out if they come to Canada, because if they do anything wrong to get here, anything we can interpret as illegal, they will be under severe distress. There will be no recourse. They will be in trouble.

I am the son of a refugee. My mother was brought to Canada by my grandmother from Russia, after the Russian revolution. All the family my grandmother had in Russia was wiped out. She escaped. After her death I found a birth certificate. We think it was forged. She used a forged birth certificate to come to Canada because she had no alternative. She had to get through what was a very difficult time in this world.

If that had happened today and my mother was a child of that refugee who came to Canada with papers that were forged, under illegal circumstances, they would be put into detention.

What did happen under the old system is that they settled in western Canada and became great members of our society, pillars of the community, good people with a grandson in Parliament who is able to speak up for that type of person, who is able to stand here and talk about that kind of person.

• (1700)

What are we doing here? We are going to limit refugees coming to our country by their understanding of our laws passed here in Bill C-4. This is going to change the way refugees view Canada in a serious way. We will turn our backs on many people in the years to come.

We will continue to bring in the immigrants we want, the ones who meet our classification, the ones who are the cream of the crop, the ones we think will do well for our economy and our society, and that is great. That is wonderful.

However, for those who are escaping from war-torn countries and have to do whatever it is they have to do to get into another country are going to be under some duress. If they are poor and if they have to rely on others to assist them in doing this, if they have to get on a boat with 50 other people, they will be putting themselves in distress by Canadian law. That is a pity.

It is shocking that Canada is going to turn in this direction under the Conservative government. Eighty groups say not to do this. Where is the support of learned Canadian society for what the Conservatives are doing here? It does not exist because Canadians by and large are compassionate and understanding. The learned ones are that way, too. We have a situation where the learned are not on side. The Conservatives say that Canadians are on side but there is no evidence of this at all, none at all; it is simply made up.

Operating by emotion alone, the Conservatives are making decisions about the future of this country and how we deal with issues. That is the wrong way to govern. We have seen this two or three times already since Parliament reassembled with the new majority. We do not have the ability that we did in the last Parliament to stop some of this stuff. We will have to rely on public opinion to change it.

An hon. member: Public opinion is on side with exactly what we are doing.

An hon. member: The poll was on May 2.

Mr. Dennis Bevington: Mr. Speaker, the Conservatives say that we are going to lose this one. No, we will not. The Conservatives will lose one four years from now because of the things they are doing. The things they are doing now will come home to roost in four years. It will all add up and Canadians will understand what is going on here with this type of government action.

I do not have much more to say about this bill. My colleagues have laid out the conditions of this bill in good fashion. The Conservatives should think hard about what they are doing to the nature of this country, the country in which my grandmother and mother found refuge. Unfortunately, that refuge will not be as available for others.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, in this speech from the NDP opposition again we heard the innuendo that somehow Canada is losing its place of respect on the international stage in how it deals with refugees.

The member asked what message we are sending and what is going to happen now. I remind the member and indeed all Canadians that the Balanced Refugee Reform Act, which a previous colleague of his implied has not come into law, came into law in June. It received royal assent on June 29 at 5 p.m. That act actually increases the number of refugees Canada receives each year by 2,500.

This is the kind of message the international scene is receiving. This government is standing up for refugees. We want refugees to be welcomed into this country, but we want to be sure that the refugees, the asylum seekers we are accepting are actually refugees.

What is so wrong with having public safety officials determine that the people who are seeking refugee here are in fact legitimate refugees?

• (1705)

Mr. Dennis Bevington: Mr. Speaker, in response to that I would like to quote from the UN Convention Relating to the Status of Refugees:

The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom is threatened in the sense of article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

There is what an international body, the United Nations, has said should be the case for refugees. This bill is contrary to that sentiment and that law. By that nature, it will cause refugees to take a hard look at Canada when they are looking at where they can go for refuge.

Government Orders

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, in my short time in this chamber, I have heard many times the Conservative government, in response to a question about an important issue, make the statement that it has done a little thing, which turns out to be a little band-aid and it usually starts out with, “We thank the Auditor General for her report”, and then continues.

It seems to me that this is another example of that where we take a small part of the overall refugee system, which is under some strain, and then the government proposes to deal with it in a kind of a sledgehammer way, not really thinking about the lack of resources that seems to be the real source of the problem.

I wonder if the member would care to comment about the fact that the number of people arriving in boats where there is a nice opportunity for a photo opportunity is actually a small percentage of the overall number of refugees coming into this country.

Mr. Dennis Bevington: Mr. Speaker, I am sorry but I cannot give my colleague a precise answer.

However, I do feel that, yes, this problem is a minor problem. We have the laws in place to deal with human smuggling, so that is not the issue.

As I said before, my desire is to understand the government's motivation in putting forward this kind of draconian legislation to deal with a problem that is not of significance to a country as grand and powerful as Canada. It just does not make sense to me and I cannot make sense of it.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I will begin by acknowledging the work of the member for Trinity—Spadina. In fact, when I speak to Bill C-4, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act, I will quote from the speech that the member for Trinity—Spadina gave in response to this legislation.

In her summary she said:

...this bill is not designed to prevent human smuggling because we already have laws that do that. It is designed to distract the public and put the blame for the long wait list that immigrants now have to endure in order to bring their loved ones to Canada on people who are desperately trying to leave a dangerous situation.

I think that sums up very adequately the NDP opposition to the bill. We know that many potential immigrants are currently facing very long delays in having their applications considered.

I will turn to the legislative summary of Bill C-4. I will not read every aspect of the act but there are a couple of pieces I want to touch on. Under the background piece, it states:

Specifically, the bill:

creates the new category of “designated foreign national” for any member of a group which the Minister has designated as an “irregular arrival” to Canada, with the resultant creation of a mandatory detention regime; mandatory conditions on release from detention; restrictions on the issuance of refugee travel documents; and restrictions on certain immigration applications, applicable only to “designated foreign national”;

does not allow “designated foreign nationals” any right to appeal to the Refugee Appeal Division...;

amends the MTSA to increase the penalties for individuals and corporations who contravene existing laws, and creates new penalties to be imposed specifically on vessels involved in contraventions of the MTSA.

For people who are listening, the MTSA is the Marine Transportation Security Act.

I want to touch briefly on the Marine Transportation Security Act and members will see why in a minute. There are increased penalties for contravening ministerial direction. Section 16 of the MTSA provides the Minister of Transport with the discretion to direct any vessel not to enter Canada, to leave Canada or to travel to another area in Canadian waters in accordance with any instructions the minister may give regarding the route or manner of proceeding. Ministerial directions to vessels may be made where there are reasonable grounds to believe the vessel is a threat to the security of any person or thing, including any goods, vessel or marine facility.

Clause 27 of Bill C-4 would amend section 17 of the MTSA which sets out the penalties imposed on operators of vessels that contravene ministerial directions and significantly increases the maximum fines for individuals or corporations and the maximum period of incarceration for individuals. In addition, clause 27 would create a new distinction between a first contravention and subsequent contraventions imposing higher penalties for second or subsequent contraventions of ministerial discretion.

I have a reason for mentioning that particular clause of Bill C-4. On Friday, September 30, a headline in the *Nanaimo Daily News* read, “Derelict Ship Will Stay in Nanaimo for Six Months”. It goes on to state:

The MV *Sun Sea*, a derelict ship used to transport ethnic Tamil migrants to Canada, will remain tied up at the Nanaimo Shipyard for at least another six-month term.

...that has been tied up at the shipyard for almost a year, stay in Nanaimo until at least March 2012.

The rusting 193-foot ship was intercepted by federal authorities on Aug. 13, 2010, off B.C.'s coast after three months at sea.

There are a couple of pieces to this.

First, there are smugglers and, as the member for Trinity—Spadina pointed out, there is already adequate legislation in place to deal with the smugglers. Therefore, why are we using Bill C-4 to punish the refugees? These smugglers put refugees at high risk in dangerous transport. We really need a refugee system that is more able to deal with people who are in fairly desperate situations and want to come to our country.

The other piece, as we see with the MV *Sun Sea*, is that once these vessels arrive in Canada and become derelict, it remains to the community to attempt to deal with them. Although the Nanaimo Shipyard is monitoring the vessel daily to ensure there is no environmental danger to local waters, we now have a derelict vessel sitting in a Nanaimo Shipyard. In fact, the taxpayers are actually footing the bill for this. What we really need is meaningful legislation to deal with derelict vessels, which is a little aside to this. Once again, I call up on the government to support Bill C-231.

Government Orders

• (1710)

When it comes to people arriving by sea, other countries have tried similar laws. I have a note here that states that similar laws in Australia have met with opposition from Amnesty International, which has started a campaign to tackle the same misinformation surrounding refugees who arrive by boat. The rethink refugees campaign highlights the fact that it is legal under international law to arrive by boat and that the vast majority of those who do are in fact legitimate claimants.

We have heard the New Democrats speak in the House about the Canadian experience with the Vietnamese refugees, the boat people. We know that the Vietnamese people were accepted as refugees and became a very important part of many of our communities.

In the time I have left I will talk about a couple of other problems with the bill. In analyzing Bill C-4, one of the problems is designated claimants. The minister would be able to designate a group of refugees as an irregular arrival if he or she believes that an examination cannot be conducted in a timely manner, or if it is suspected that people are being smuggled for profit or a criminal organization or terrorist groups are involved in the smuggling. Designated claimants would then be subject to all kinds of special rules. One of the concerns with that particular aspect of the bill is that it would create two classes of refugee claimants.

With regard to detention, designated claimants, including children, would be mandatorily detained on arrival or on designation. There would be no review by the Immigration and Refugee Board on their detention for a year. Release would only be possible if they are found to be a refugee, if the IRB orders their release or he minister decides that there are exceptional circumstances. However, I have a note indicating that the IRB cannot release a person if the government says that the person's identity has not been established. Even then, the IRB cannot intervene.

The concerns are that there are clear violations of the charter. The Supreme Court has already struck down mandatory detention without review on security certificates. It would imply indefinite detention on the basis of identity with no possibility of release until the minister decides that the identity is established. Arbitrary detention is also a violation of a number of international treaties.

There are a number of other clauses but I want to touch on the appeal aspect. Decisions on claims by designated persons could not be appealed to the Refugee Appeal Division. This is a discriminatory practice and risks violating provisions in the refugee convention, similar to the government's attempt to exclude nationals from designated countries from the appeal in previous legislation.

The next concern is the humanitarian compassion applications. Designated persons could not make humanitarian compassion applications or apply for temporary resident permits for five years. The concern with this particular aspect is that this would be an undue barrier for humanitarian and compassionate claims. It may be a violation of the Convention on the Rights of the Child since there would be no opportunity to consider the best interests of the child.

Another concern is the retroactive designations. The minister has been able to make retroactive designations for arrivals in Canada since March 31, 2009. For example, people on the *Sun Sea*, which I

mentioned, could be designated. It makes no sense that someone can go back retroactively and impose that kind of penalty on people.

The New Democrats are not alone in raising concerns around this legislation. A news article in *Embassy* highlights a group of lawyers and others who have come together to highlight the problems with this legislation. This article in *Embassy* states:

The group wants to act "as a strong counter balance" to "current policy trends seeking to limit refugee rights in Canada,"... "More than ever, lawyers and academics across Canada must coordinate their efforts to protect human rights, preserve the Charter, and defend asylum seekers,"....

The article goes on to talk about the definitions around human smuggling and the fact that human smuggling has already been covered in other parts of the legislation.

I urge members of the House to vote against this bill and take a serious look at the real problems with our immigration system.

• (1715)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I thank the member for her comments, although I would like to point out that most, if not all, of what she said is inaccurate.

I will point out a couple of examples. She spoke about the Vietnamese boat people as somehow being analogous to smuggled illegal migrants coming to Canada. That is an insult to the Vietnamese boat people, who fled Communist persecution in Vietnam, went to regional processing centres established by the United Nations High Commissioner for Refugees in Southeast Asia, submitted their claims for assessment, were determined to be convention refugees by the UNHCR and were then referred for resettlement by the UNHCR to countries like Canada, which invited them to come here in an orderly fashion.

That is how the international refugee protection system is supposed to work. It does not work by paying smugglers up to \$50,000 to bypass the system, in this case often going from Tamil Nadu in India to Thailand or Malaysia and then to Canada, bypassing 24 other countries and multiple regional protection opportunities—and by the way, where is the persecution in Thailand?

She also mentions the charter. All it requires is that an oral hearing on credibility be granted before a decision-maker by the asylum claimant, which in the bill is a right that would be afforded to all, even to smuggled migrants.

Finally, it does nothing to violate the refugee convention because it fully respects our obligations of non-refoulement under the convention. We would not return anyone who has been deemed by our legal system to face danger or persecution.

Government Orders

• (1720)

Ms. Jean Crowder: Mr. Speaker, the reason I raised the issue around the Vietnamese refugees who arrived by boat was in the context of the campaign Amnesty International has started in Australia, where it has a Rethink Refugees campaign that is taking the approach that it is legal by international law to arrive by boat. I understand that the circumstances are different from the MV *Sun Sea*, but we have had a history in the past of people arriving by boat and becoming productive, contributing, important members of our communities.

The plea here is to take a look at the desperate situation that many refugees are in when they try to come to Canada. We truly are a land of opportunity, and it is a chance for us to provide that opportunity for refugees.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, seeing the Minister of Citizenship, Immigration and Multiculturalism across the floor, I would like to ask the hon. member if she would care to comment about the minister's argument that the purpose of the bill is to influence the economic decisions of people who undertake this very dangerous journey across the ocean and to influence the price point.

I am wondering if she thinks any of the people coming across the ocean on very dangerous voyages are really thinking about price points.

Ms. Jean Crowder: Mr. Speaker, I am not sure I can actually say that it will influence the price point for people who are making that kind of decision. Often people are in desperate situations, and I am not sure they will actually sit down and read Bill C-4 before they make the decision to hand across money. Many of them are fleeing for their lives, as my colleague rightly points out.

I know this is a different circumstance, but we have had people apply for refugee status from Colombia, for example, and given the desperation they are facing in terms of what is happening to some of their family members who are still in Colombia, those potential refugee claimants are not going to read Bill C-4 before they make the decision to flee their country. That argument is just not going to wash.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am glad to have the opportunity to enter into the debate on Bill C-4, Preventing Human Smugglers from Abusing Canada's Immigration System Act.

Let me begin by saying that immigration and refugee issues are top of mind for the people and the community I represent in the inner city of Winnipeg. We are happy to welcome many newcomers. Some came here voluntarily to better themselves, while some were forced to come here to flee persecution in other countries.

My area is a low-income part of Winnipeg and has the most affordable housing, so most new arrivals to the province of Manitoba actually land in my jurisdiction of Winnipeg Centre. It is both a pleasure and a challenge in that, as is the case with many members here, our MP offices become de facto immigration offices. New arrivals do not seem to be able to find the settlement services they need to integrate seamlessly through the immigration system. More often than not, it seems, they wind up in our offices in some level of

crisis. Many need our services, and we are happy to be able to provide them when we can.

By way of prefacing my remarks, I should also recognize and pay tribute to the International Centre in Winnipeg, which offers settlement services to new arrivals, both immigrants and refugees.

On my own staff, Vân Nguyen is a woman of Vietnamese descent who was herself a refugee who arrived in Canada as one of the waves of what we called "boat people" at the time. Vân Nguyen worked for Immigration Canada for many years. I am proud to say she is now on my staff and provides necessary services to a great many new arrivals.

Speaking of boat people, I think this debate has become too narrow. As I have watched the debate develop and evolve in the House over the last number of days, we seem to be focusing on boat people as if there is some fear that we are going to be overrun by people landing on our shores in rusty boats and setting foot on our soil and therefore, by the same decision, cluttering up our immigration and refugee system with massive numbers of arrivals coming in this fashion.

That is not really true. I think the minister would be able to verify that a lot more arrivals land at Toronto Pearson International Airport and claim refugee status than arrive by washing up on our shores in boats.

I remember when I was the immigration critic for the NDP in a previous Parliament. It was around the time Chinese boat people were arriving on the west coast of British Columbia after being smuggled by snakeheads. It was a problem, granted, as there were hundreds of people at a time, and it cluttered and clogged our system.

The minister at the time, Elinor Caplan, actually took an all-party delegation of us to China, to the very place that these particular groups of economic migrants came from. They were not refugees seeking a better life in Canada, which we cannot fault them for, but by no means did they really meet the definition of refugees.

However, we went on a fact-finding mission to the very ports where these people were coming from. We even met some people who planned on joining the next wave that was on its way to Canada. We did not meet them in a rice paddy or some kind of peasant's hut; we met them in the revolving discotheque on the top of a high-rise in the village of Fuzhou, which turned out to be a city of five million people.

There are many types of people who seek to arrive here by non-conventional means. It is very hard to adjudicate and triage these people to determine who are legitimate refugees and who are economic migrants who were smuggled here by paying \$50,000 to some snakehead, so I am sympathetic to the problem.

What I am critical of is the politics of fear that I believe are being employed as a *modus operandi* and as a theme, not just to deal with this particular issue but as a motif. It is almost a pattern or a hallmark of this government.

Government Orders

●(1725)

Bill C-10 is probably a good example, or analogous at least, in that in spite of overwhelming evidence that crime is actually being reduced in almost every category and is at its lowest level since 1973, the government of the day would have us believe that we are in such danger of being murdered in the night by some junkie that we have to vote for the Conservatives to protect us from the straw man that they have built up and that they are the only ones who can knock this straw man down.

That seems to be the tone of the debate that is developing here as we deal with refugees: that we are under such danger of being overwhelmed by these hordes of people trying to break through our system and jump the queue and by phony refugees claiming to be legitimate refugees that there is some emergency here and that draconian, drastic action is necessary.

Elinor Caplan took us to China to find out the root of the problem there. I use this as an example of a mature way of investigating and dealing with a problem, and that is what it was: it was not an emergency then, it was a problem, and it is not an emergency now. It is a problem that might be straining our immigration system.

On the same trip, we stopped in Sydney, Australia, and met with the minister of immigration of Australia, who had a much different way of dealing with it. The Australians had no 1985 Singh decision to guide them or inform their policies. They would just simply lock people up.

Everybody who arrived on their shores without any documentation would be held in a pen, essentially, until such time as they could determine what to do with them. More often than not, they put them on the first boat back where they came from, without a whole lot of consideration, I might add, as to what might befall those people at the other end.

That was under Johnny Howard in Australia. Immigration was a tough-love policy, and refugees were not treated with anywhere near the sensitivity we have toward our obligations under UN conventions regarding refugees.

I know the Singh decision has posed challenges for Canada. This notion, and the Supreme Court ruling, is that once people set foot on Canadian soil, they are essentially entitled to the due process of the immigration system in its entirety. They are not detained unless there is some justification to do so and are free to move freely through Canadian society until such time as their status can be determined.

I put it to the minister that there is a much bigger problem with undocumented refugees arriving at Pearson airport. They obviously had papers when they got on a plane. How is it that they do not have any papers when they get off the plane? People are not allowed to get on an airplane without documents. Did they tear them up in the washroom and flush them down the toilet, over the ocean on their way here? Because when they land, they do not seem to have any papers. They are undocumented. Then they are in the system, and then we know this takes years.

That is a problem. That is a legitimate problem.

However, that is not an emergency or a crisis either. It would be disingenuous to try to convince the Canadian people that there is

some immigration crisis going on here where, as I say, massive waves of refugees are trying to break through and cut their way through the line.

We only have about, and the minister can correct me, 11,000 or so refugees a year. Or was it 25,000? I cannot remember. I would be happy to have this clarified.

Not enough of them come from refugee camps is what I am getting at. A majority of the refugees who come to Canada do not come to us through conventional channels of waiting in a UN-sponsored refugee camp until their turn comes up and then coming here as per the process. Most refugees do arrive in some unconventional means; they find their own way here. They flee the situation they are in and they arrive in Canada, and we have to deal with them.

However, it is disingenuous and it is, again, that politics of fear that would have us believe we are in some crisis situation that calls for and justifies legislation that has been called draconian.

●(1730)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I always know when I am winning a debate and that is when my opponents completely mischaracterize my arguments as the member for Winnipeg Centre has just done.

Neither I nor any spokesman of the government have ever said that Canada is being flooded by massive waves of ships and unfounded refugee claimants. That is a complete mischaracterization of what we have said.

What we have said is that it is critical that we maintain the fairness and integrity of our immigration system and that large-scale human smuggling does represent a threat to the integrity and fairness of our system. It is a commercial transaction where people pay criminal gangs, that is what the smuggling syndicates are, large sums of money, committing in this case up to \$50,000, to come to Canada ahead of the normal immigration queue.

Friends in the opposition say that there is no immigration queue. That is not true. The member just pointed out the fact that millions of people are waiting patiently for resettlement opportunities, who are designated convention refugees that at UNHCR camps around the world, some 12,000 of whom we accept.

The member has said that we are getting 11,000 refugee claimants per year. That is not so. Last year we got about 29,000 asylum claimants. Two years ago it was 38,000 asylum claimants. We are always in the top three industrialized countries in terms of the number of asylum claims filed, about 62% of which are determined to be unfounded.

I am just bringing some facts to the debate.

Does the member not agree that we should take reasonable measures that respect the charter and respect the UN convention on refugees that disincentivize people from paying smugglers to come here in this dangerous and illegal way?

Government Orders

Mr. Pat Martin: Mr. Speaker, I thank the minister for clarifying the numbers of refugees. I think the minister is aware, as members should be, that sometimes as many as 500 people in a single day get off airplanes at Pearson Airport and claim refugee status. If there is a problem anywhere, it is the undocumented refugees who arrive by air, one at a time. It is not those group sailings that seem to be the focus of the minister's efforts to date. He said that it is a potential problem, but it is not a daily issue that a boatful of people is smuggled into Canada.

The government is overreacting with this legislation because in fact legislation already exists. There can be a sentence of life imprisonment for human smuggling already. The government is introducing mandatory minimum sentences again. It is introducing measures that experts in the field find abhorrent and unnecessary. It is going over the top.

• (1735)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the member for Winnipeg Centre has a way to express how he really feels on issues.

I feel fairly passionate, as I am sure he does, as many members do about Bill C-4 and how we have the refugees being the victims. We are talking about victims twice over.

In fact, the on the ship on which the minister and the Prime Minister were standing, I believe there were 75, 76 individuals who were seeking asylum. I believe they have all been granted that asylum. That image—

Hon. Jason Kenney: No, none have.

Mr. Kevin Lamoureux: The minister says that none have. We will have to wait and see.

Does the member believe that the proposed desired impact of the minister is to get at the profiteers? Does he believe that this legislation will do what the minister wants it to do, and that is to get at the profiteers, or will it cause our refugees to be victims twice?

Mr. Pat Martin: Mr. Speaker, I thank my colleague from Winnipeg North who I know deals with at least as many immigration cases on a daily basis as my overworked office does.

First, I do not understand the government's priorities, that in the first session of the 41st Parliament one of the most top-of-mind paramount issues is cracking down on a problem that by the minister's own admission is only an occasional issue.

There are far more immigration problems associated with, for instance, crooked immigration consultants domestically, charging \$3,000 to get a form that is available free of charge at the post office or charging \$500 to some poor person, saying that they can get them into the MP and get a letter. That kind of crooked behaviour is rampant through the immigration consultants in our country.

Honestly, our energies would be better used addressing some of those domestic problems.

[Translation]

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, it is important for me to speak today about the bill to prevent human smugglers from abusing Canada's immigration system.

Bill C-4 is not only an unacceptable affront to the human dignity of thousands of men, women and children, but it is also a threat to the Canadian values that we hold in trust, a heritage reaching back thousands of years that we cannot betray without serious consequences. Let me explain.

Section 7 of the Canadian Charter of Rights and Freedoms is the embodiment of this heritage. It reads:

Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

In 1985, in *Singh v. Minister of Employment and Immigration*, the Supreme Court found that section 7 extends to every human being who is physically present in Canada. It protects all men, women and children against the arbitrary power of the state or a minister.

As a result, the long-term detention without charge or trial that would be imposed under Bill C-4 is a denial of this fundamental Canadian value embodied by section 7 of the charter.

Why does section 7 of the charter exist? As I said earlier, we are the custodians of a heritage reaching back thousands of years. Our institutions, inspired by Britain's, are the result of a long and difficult process. Many direct threats could have destroyed our institutions and put us all under an arbitrary regime, which is the opposite of Canada's current situation. The prohibition of arbitrary detention without trial is a part of this heritage, which is a basis for our common values. The principle of habeas corpus was established by English barons in the Magna Carta, which was forced on King John in 1215. The protection that it offered to some British subjects at that time has since been extended to all human beings both in international treaties and in the fundamental national laws of many countries.

We must not forget that since those ancient days, women, children, persons of colour, people of all backgrounds and faiths, and the aboriginal peoples of this country have been protected by this principle of justice adopted long ago as a Canadian value. So why is the minister proposing that we go back in time? How can he justify superseding the courts and acting as both judge and jury in deciding the fate of men, women and children, and thus violating both the letter and the spirit of the charter?

Have we forgotten so quickly the lessons learned from the detention camps where Canadian citizens of Japanese origin languished during World War II? Are we to conclude that it was wrong to generously welcome the Vietnamese boat people a few decades ago? We must remember that the principles in the Magna Carta were established at a time when fear was more pervasive than it is today. Despite the fear evoked by the sovereign's sword, the English barons had the courage to demand and obtain, for themselves as well as for a large number of His Majesty's subjects, principles of justice so fundamental that we cannot deny them without denying all that we are.

Government Orders

The dark days that followed the invocation of the War Measures Act in the October crisis of 1970 remind us of the fragility of these fundamental principles when we are governed by fear. Hundreds of people were arbitrarily detained by the authorities at that time. Yet it has never been proven that the use of these exceptional measures gave the police a definite advantage in countering the criminal actions of the FLQ.

● (1740)

On the contrary, it now seems as though the ordinary Criminal Code provisions that were in place at that time would have been enough to take action against that group. At that time, Tommy Douglas rose in the House to vehemently denounce the government's intention of using these extraordinary measures in our country. And history has proven him right. A young man by the name of Jack Layton found inspiration in this courageous act by our party's first leader, and it gave him the desire to defend these principles and values that are so deeply rooted in Canada.

And our charter also says that "Canada is founded upon principles that recognize the supremacy of God and the rule of law". The Judeo-Christian principles that form the foundation of our country are the key to understanding our heritage and the resulting consequences on our collective life.

I would like to refer to the gospels. A woman was brought before Christ by her accusers. She was accused of adultery and was to be stoned. The accusers insisted on questioning Christ about the legitimacy of stoning her to death. He said, "If any one of you is without sin, let him be the first to throw a stone at her." Obviously, no one dared. And when the accusers dispersed, Christ asked the woman, "Woman, where are they? Has no one condemned you?" She replied that no one was left, and Christ said to her, "Then neither do I condemn you. Go now and leave your life of sin."

This teaching does not preclude the existence of a justice system and the enforcement of a legal code, but it reminds us that we need to be extremely careful about judging the actions of others.

Our justice system is set up with guarantees to protect our rights as individuals. As I said earlier, every man, woman and child who is on Canadian soil is entitled to the basic protection provided under the spirit of habeas corpus. How can the minister come before this House and challenge such a fundamental Canadian value?

Are we but minions so crushed by fear that we will, like cowards, betray the legacy left to us by the great political giants of Canadian history, the founding fathers of our country, the first venerable pioneers of this legacy, the courageous English barons of the 13th century?

Fear is a bad adviser and all too often it makes us lose sight of reality. The arrival of the MV *Sun Sea* with 492 Tamils on board, including 60 women and 55 children, was a convenient pretext for this government to introduce its initial bill. Bill C-4 is merely another attempt to exploit people's fear of massive arrivals of refugees by sea. This public relations stunt is not based on any real problem. One recent case even proves that the existing legislation is sufficient. The only thing missing is the means to enforce it.

The case of the MV *Ocean Lady* is an excellent example. The 76 Tamil refugees were detained for an investigation in October 2009.

In January 2010, they were all released after the government admitted that there was no evidence that they belonged to a terrorist organization or had any criminal ties. Only four Sri Lankans have been arrested in 2011 for trying to enter Canada illegally. Would detaining them unnecessarily any longer have changed any of the conclusions? Nothing could be less certain.

Will we allow this government attempt to jeopardize our fundamental rights like this? Once these Canadian values are undermined, what will the government target next?

● (1745)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I want to thank the hon. member for his comments.

He spoke at length about the detention of illegal immigrants under the bill. He suggested that it was a violation of rights to have immigration-related detentions. Having the option to detain illegal immigrants has always been an aspect of Canada's immigration law. I must say that the proposed measures in Bill C-4 are far more modest than the current practices, the real practices, applied in the vast majority of the western democracies.

I note for example the United Kingdom, France and other western European countries. The European Union requires almost all asylum seekers to be detained until the determination of their status. The same goes for Australia and the United States. All these countries are acting in accordance with international conventions on human rights that recognize that it is a right, a responsibility of the state, to regulate immigration in a legal and normal fashion.

In closing, I must point out that under the new asylum system, which will come into force next June, asylum seekers will be granted refugee status within three months, the same length of time as those who arrived as part of a human smuggling operation will be released from detention. It is not necessarily a one-year time frame for true refugees. They would be released from detention within three months.

Mr. Raymond Côté: Mr. Speaker, I thank the hon. minister for his comments and his long speech.

I have an observation to make, both as a historian and as a Canadian citizen. I remind this House that since the beginning of the 20th century, and particularly since the second world war, Canada has been a leader in defending and advancing human rights, both in Canada and abroad. So I do not think it is a viable argument to compare our situation to that of other countries. I would ask the minister to explain to us how implementing these measures, according to the objectives of this bill, will allow for the arrest of a single person. I really do not see how that could happen.

● (1750)

[English]

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, I am reminded that the rights we enjoy are affirmed when they are applied to the lowest in our society. I am also reminded of something that I personally believe, along with many others of different faiths, which is that we should have a preference for the poor. It is an opinion that many Canadians share.

Government Orders

When I talk to people about this legislation, there is a lot of fear about refugees coming to our country. I respectfully disagree with my colleagues on the other side of the House that this bill focuses on what a small, very visible stream of refugees coming to this country does with respect to what the members opposite would claim. It preys on the fear that people have that Canada is being overwhelmed by refugees. I would ask the member to comment on that.

[*Translation*]

Mr. Raymond Côté: Mr. Speaker, I thank my colleague for his comments.

I will take this opportunity to remind the House that one of the principles of our justice system is to protect an innocent person from an unfair conviction, even if the result is that an accused is unfortunately not convicted or is declared innocent. Which is better? Is it better that the rights of 100 innocent people are protected at the cost of a single guilty person going free?

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, I am pleased to speak today about Bill C-4 on human trafficking.

I would first like to remind the hon. members that this bill is similar to Bill C-49, which was hastily introduced by the Conservative government in the last Parliament. Bill C-49 was the government's response to the arrival on the coast of British Columbia of two ships carrying Tamil migrants.

At the time, all the opposition parties opposed Bill C-49 because of the large amount of power it would bestow upon the minister and because it appeared to violate Canadian and international law. We still have these same concerns with Bill C-4.

Given the Conservatives' mistrust of newcomers and their tendency toward repression, I am not certain that more discretion should be given to the government, particularly to this Conservative government. The main problem with the bill is that it is arbitrary and discriminatory. It is discriminatory because it creates two categories of refugees depending on the method of transportation these individuals used to enter the country. The bill limits the rights of legitimate refugees who arrive in Canada in a group that was smuggled across the border.

The bill grants the minister the power to arbitrarily designate a group's arrival in Canada as irregular if the minister is of the opinion that examinations relating to the identity of the refugees cannot be conducted in a timely manner or if he suspects that the arrival involves organized human smuggling activity for profit, or in support of a criminal organization or terrorist group.

Designated claimants would then be subject to a host of special rules that do not apply to other newcomers. For example, the bill stipulates that designated claimants, including children, will be automatically detained upon their arrival or at the moment they are so designated. In a state with ordinary rules, individuals are judged on case-by-case basis according to their individual circumstances. It is appalling that an administrative decision with such serious consequences could be made on the basis of an individual's belonging to a certain group. Nevertheless, that is what the Conservatives' Bill C-4 is proposing.

Once again, the Conservatives are using the refugee issue for political purposes, as they are also doing with the whole crime issue.

Their way of doing things is well known. They use any random news item as a pretext for amending legislation and showing off their might. Ultimately, the problems remain unresolved and the government would be better off using the existing legislation. It would certainly be less spectacular, but it would be much more effective.

In the case of smuggling, for example, there already are laws against human trafficking. Why not enforce them? A few months ago, Parliament passed new strong, balanced legislation regarding refugees. What we need now is better enforcement of that law. Instead of playing political games, the government should also provide the RCMP with the resources it needs to do its work effectively. The Conservatives are saying that this bill will cut down on human trafficking. But in reality this bill, as it stands, concentrates too much power in the hands of the Minister of Immigration and unfairly penalizes refugees.

By contrast, the NDP wants to directly penalize the criminals: the traffickers and the smugglers. As currently drafted, Bill C-4 punishes legitimate refugees and the people who try to help them. The proposed process is neither clear nor transparent and, in addition to being arbitrary, it is ultimately quite discriminatory. We feel that Bill C-4 may break Canadian laws and contravene Canada's international commitments. Bill C-4 may violate section 15 of the charter, which guarantees equality before the law.

For the benefit of the Conservative members, I would like to read part of section 15 of the charter:

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law...

How can anyone claim that this will not create two classes of refugees? Depending on the mode of transportation they use to enter the country, certain refugees could be denied permanent residence, a temporary residence permit, and the right to apply for permanent residence based on humanitarian grounds.

● (1755)

The bill appears to create inequality before the law among refugees. Bill C-4 may also violate section 9 of the charter, which says, "Everyone has the right not to be arbitrarily detained or imprisoned." Bill C-4 provides precisely for the arbitrary detention of foreign nationals "designated" by the Minister for 12 months.

Bill C-4 also clearly contravenes article 31 of the United Nations Convention Relating to the Status of Refugees by which Canada has undertaken not to impose penalties on refugees who come from a territory where their life or freedom was threatened. We believe the government is failing in its responsibilities in respect of refugee protection and human rights.

A number of civil rights associations have spoken out against Bill C-49 and Bill C-4. For example, Amnesty International says the bill "falls far short of Canada's human rights and refugee protection obligations and will result in serious violations of the rights of refugees and migrants".

Government Orders

As well, the Canadian Bar Association has argued that Bill C-49 “violates Charter protections against arbitrary detention and prompt review of detention, as well as Canada’s international obligations respecting the treatment of persons seeking protection”.

The Refugee Lawyers’ Association of Ontario has “expressed its profound regret over the decision of the [Conservative government] to re-introduce Bill C-49”. The association has described the bill as a “human rights travesty”.

The Canadian Civil Liberties Association has spoken out against “the creation of a new class of ‘designated foreign nationals’.” This class is defined extremely broadly so as to potentially apply to most people fleeing persecution, torture or death in their countries of origin. In effect, the bill creates a two-tier system, with numerous restrictions and negative consequences for those who fall into the designated class.

The NDP is mindful of its responsibility to refugees, unlike the Conservatives who have adopted an approach that damages our reputation in the international community and violates our commitments under the Convention Relating to the Status of Refugees and the Convention on the Rights of the Child. The proposed process is arbitrary and extremely discriminatory. It also does not provide the means to put an end to human trafficking.

We believe that the Conservatives should ensure that existing laws against human trafficking are properly enforced, and we are opposed to this bill.

• (1800)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I congratulate the honourable member on her comments.

She has reiterated the opposition’s argument that detaining illegal immigrants for a certain period of time is a violation of international human rights conventions, which is completely false. It is completely false.

I would point out that almost all other liberal democracies in the world have much more severe detention measures for illegal immigrants than those proposed in Bill C-4. For example, the vast majority of the democracies in the European Union, which are signatories to the UN conventions on refugees and European conventions on human rights, keep asylum seekers in detention until their status is established. The process is often much longer than the 12-month maximum proposed by this bill.

Why is it a violation for Canada to place illegal immigrants in detention in certain limited cases when it is quite all right for all other democracies to use the same tool?

Ms. Laurin Liu: Mr. Speaker, earlier my colleague cited the example of Australia. However, we know that similar measures in Australia met with opposition from Amnesty International, which has announced a campaign to condemn the misinformation surrounding refugees who arrive by boat.

Furthermore, we know that the bill blatantly violates the charter, because it would result in indefinite detentions based on identity issues with no possibility of release until the minister determines that identity has been established.

Arbitrary detention is also a violation of a number of international treaties and we believe that it is outrageous for children to also be detained in such an arbitrary manner.

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, in our discussions, we have talked about this bill which, unfortunately, does nothing to address the issue of smugglers or human trafficking. We have also said—and this is unfortunate—that the ideology behind the bill plays on the fears of our constituents. That is completely unacceptable.

I would like to ask my colleague if she can tell us why this bill is ineffective and useless.

Ms. Laurin Liu: Mr. Speaker, I would like to thank the hon. member for her question.

It is clear that this bill will not put an end to refugee smuggling. It targets refugees as opposed to the real criminals. We also feel that this bill is discriminatory because it creates two classes of designated claimants. There is the likelihood of violating equality rights as set out in the charter and in the Convention Relating to the Status of Refugees, which prohibits a government from imposing penalties on refugees for illegal presence or entry.

We believe that the Conservative government needs to stop using refugees as a political tool and that it must respect human rights.

• (1805)

[*English*]

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, the hon. member mentioned in her speech that the RCMP would have more powers with regard to these types of incidents. I would like her to explain and elaborate on that because I do not believe that the RCMP would have more powers. They only act as immigration officers when there is no immigration officer available.

Ms. Laurin Liu: Mr. Speaker, we believe that the government should give RCMP officers the tools that they need to enforce the laws that are in place now rather than create new discriminatory regulations that would actually discriminate against legitimate refugees. We believe that the government needs to enforce the laws in place now that protect the rights of refugees facing persecution in their home countries.

[*Translation*]

Mr. François Lapointe (Montmagny—L’Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, the American economy is stagnant. A large proportion of the small business owners I have met in the last month are facing the same problem: they have orders, but only for a month or two, when generally, at this time of year, they have orders for the next five, six, seven or eight months. Where I live, there are lumber yards with very productive sawmills that are not doing any stock rotation. This is very serious. We are on the eve of a possible recession. Local indicators like the analyses by the big banks remind us of this.

But what have we been doing in this House for two weeks? We have been piling up public safety bills. While people are about to be looking at a rising unemployment rate, we are talking to them about public safety. I do not see the logic in this, unless our Conservative friends have decided that having more inmates might make up for natural resources or opening plants. I cannot see what has prompted us to spend two weeks piling up public safety bills when we are in this kind of economic situation. None of my constituents are talking to me about public safety problems today. No one is telling me there have been more break-ins or whatever that would justify our Parliament spending weeks on public safety issues when there is a recession around the corner.

The bad news, as a result of this kind of behaviour, is that terrorism and crime may increase. If no clear action is taken to slow down or stop a potential recession, at a time when people, particularly young people, are unemployed, crime will increase. When developing countries hit an economic downturn and thousands of people earning low wages lose their jobs, more people may get involved with brutal ideologies and become potential terrorists. When the real solution, to avoid all these problems, is to find a way to stimulate the economy in the short term again, instead we are piling up public safety bills. This is absurd.

Something else is absurd. One of the reasons given by our friends in the government is that refugees arriving in groups by boat might cause a rise in terrorism in Canada. Let us think about that for a minute. Terrorist groups are well financed and unfortunately, in their own way, intelligent. Unfortunately, because they set about causing harm and destroying the democratic structures of developed countries or others that are less developed. Unfortunately, these are people who are well financed, organized and intelligent. They are going to spend months or years radicalizing young people, training them, and then they are going to put them in a boat for three months where they have a three in 10 chance of starving to death. They are going to bring them to a developing country as boat people in a container where their entire investment could literally die of starvation during transport. I would like to see a hint of a shadow of a study showing that refugees who arrive in groups by boat are more likely to be terrorists. I am convinced that a study that looked into this would show us the exact opposite. It is absurd and illogical.

Once again we are presented with a public safety bill, even though this is not what my constituents are talking to me about every day. They are talking to me about the declining numbers of jobs and orders to fill. And on top of that, we are still facing the same problem. The Canadian Bar Association, not the NDP, has reminded us that it did not support the earlier version of the bill.

• (1810)

According to representatives from the bar, this bill violates the provisions of the charter against arbitrary detention, it violates the guarantees in the charter for the prompt review of detentions and violates Canada's international obligations regarding the treatment of persons seeking protection.

This is not someone from the NDP saying so; it is the Canadian Bar Association. Once again, as with Bill C-10, it is clear that the government has no regard for the expertise of professionals in the field. Lawyers and judges have said that the current system is

Government Orders

reliable and that we do not need even more public safety, as though there were cause for concern and as though we had been seeing widespread crime in Canada for years. That is untrue.

For my remaining time, I have a little exercise. Often enough, our colleagues from the party in power ask us whether we have read the bill. I have news for them: I do read the bills. Oh yes, I will sit down with the text of the bill and will ask questions that occur to me, even in the summary.

At the very beginning, it reads:

(a) authorize the Minister, in certain circumstances, to designate as an irregular arrival the arrival in Canada of a group of persons [all of a sudden they are no longer refugees, but a group of persons], the result of which is that some of the foreign nationals [a new label appears here: "foreign nationals". Their status is no longer refugee, but "foreign national" as soon as they set foot here] in the group [specifically] become designated foreign nationals;

Basically, the government is doing away with the idea of refugees. Thirty years ago, when Southeast Asia was having problems, Laotians and others were arriving in Canada and were welcomed openly, particularly by Quebec families. These were people who needed help and now, all of a sudden, they are designated foreign nationals. Who decides whether a group is designated or not? The minister. Could it be any more arbitrary?

I noted some questions. For example, who decides who makes up a group? A little further on, we can see that a group can be more than 10 people but it can also be fewer than 10 people. If a mother who is already a Canadian citizen accompanies her son who is not and who, for humanitarian reasons, decides to stay in Canada after a trip, do they constitute a group?

I also noted this paragraph:

The officer may refuse to consider an application for permanent residence made under subsection (1) if

(a) the designated foreign national fails, without reasonable excuse, to comply...

I read the bill to see what constituted a reasonable excuse. Is there a definition? What constitutes a reasonable excuse? What does not? I looked. I turned the pages—all of the pages. I read the bill and I still did not find a definition for reasonable excuse. We are talking about human life and dignity. We are talking about people who, for the most part, are not primarily economic refugees. They are afraid that they will starve to death if they return to their country, or face an even worse situation in terms of human rights that involves a direct threat to their safety. Yet, we do not know what constitutes a reasonable excuse. An officer or minister can say whether the excuse is reasonable or whether it is not a good excuse and therefore unreasonable.

The Minister may, by order, having regard to the public interest [it is the minister who determines what the public interest is], designate as an irregular arrival the arrival in Canada of a group of persons if he or she...

A little further down it says:

...any investigations concerning persons in the group — cannot be conducted in a timely manner...

Government Orders

We are talking about an investigation being conducted in a timely manner for people who arrive by boat, starving to death, with only a few items of clothing. We are going to ask them to provide documentation in a timely manner? These people are starving to death and we are going to ask them to provide their documentation in, for example, two days or tell them that they did not provide it in a timely manner?

•(1815)

I would like to know how the government can violate human dignity in this manner.

[*English*]

Hon. Lynne Yelich (Minister of State (Western Economic Diversification), CPC): Mr. Speaker, I would like to ask the member to comment about the intent of the bill, which is to introduce measures to deter criminal activity of human smuggling. It is about human smuggling, trying to protect Canadians and creating disincentives, so that in the future people do not take risks in getting involved and participating in human smuggling.

What about the fairness of this legislation and deterring criminal activity in human smuggling, which is really what the bill is about? That is what I would like the member to comment on.

[*Translation*]

Mr. François Lapointe: Mr. Speaker, if the government were to introduce a bill that gives the RCMP and other law enforcement agencies greater power to catch people who engage in the trafficking of immigrants, in human trafficking, I would be the first to support it. I can see they are not really interested in my answer. Like Bill C-10, the vast majority of these documents have to do with denying status, with creating a designated foreign national status. If the government really wanted to solve this problem, it would introduce a bill to do so.

Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP): Mr. Speaker, it is very interesting to note that the government members like to compare Canada to the rest of the world when it comes to the economy, as though Canada were the best. However, when they talk about human rights, they tell us that other places are doing this and they do not see why we should not do it here. Why should we in Canada be able to violate the rights of a group of people?

I wonder if the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup could share his thoughts on the fact that the minister would have the right to designate an arrival as irregular and refuse to consider an application for permanent residence.

Mr. François Lapointe: Mr. Speaker, I thank my hon. colleague for his question. Like him, I think that when we compare ourselves to others, we must do so in all things, not only when it suits us to make one specific point.

In November 2010, the High Court of Australia found in favour of two Sri Lankan refugees who alleged that the laws preventing them from appealing their cases before Australian courts were unfair. Other countries that have tried to impose extremely strict laws on refugees have been told by their legal systems that they cannot do so.

So, yes, we know that other countries' attempts to do the same thing have failed.

•(1820)

[*English*]

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, I want to remind members opposite that human smuggling is a criminal enterprise that spans not only Canada but the globe. Human smugglers facilitate for a profit individuals reaching Canada illegally. By charging people large sums of money for their transportation, human smugglers have made a lucrative business out of facilitating illegal migration, often by counselling smuggled persons to claim asylum in the country to which they are smuggled.

In particular, the human smuggling networks in Southeast Asia are large and growing. Human smuggling undermines Canada's security and large-scale arrivals make it difficult to properly investigate whether those who arrive, including the smugglers themselves, pose risks to Canada on the basis of either criminality or national security. They ignore the fact that human smuggling is not just a profitable business but dangerous and puts the lives of those smuggled in jeopardy.

[*Translation*]

Mr. François Lapointe: Mr. Speaker, I am trying to figure out the question. I only heard a very long statement. I am surprised that the hon. member elaborated on the same issue as the first member from the governing party. I will give the same answer.

I would be prepared to discuss and support a bill that contained every possible means to attack someone who has defrauded people and put them in a container. However, I cannot support a bill that unfairly treats people who tried to flee an extremely difficult situation and suffered abuse. I invite the government to do the same thing it should have done with Bill C-10, in other words, something concrete to address this serious problem—

The Acting Speaker (Mr. Bruce Stanton): Order. Unfortunately, the time has expired. Members never have enough time for questions.

Resuming debate. The member for Shefford has the floor, but I will have to interrupt him at 6:30.

Mr. Réjean Genest (Shefford, NDP): Mr. Speaker, I am a Canadian living in the 21st century, and I am proud to be recognized as a citizen of a host country. Yes, Canada is a host country. I have had the opportunity to travel in my lifetime and this has allowed me to discover three things, among others.

First, my Canadian identity is highly regarded, which is not a surprise. A number of young people came to my riding office this summer to pick up some Canadian flag stickers to put on their backpacks to ensure that they would be treated well wherever they went and as a symbol of pride. Second, in other places I have been able to visit, such as Colombia, people do not have the same opportunities. Families are evicted from their land and violence is ever-present.

The third is existential in nature. While I am addressing you in this chamber, there are mothers and fathers who are hoping to give peace and joy to their families and to be able to feed them. They are hoping to come to Canada and build a better world with us. They are hoping to go to sleep at night knowing that all their children are asleep in their beds and that none of them have stepped on a mine. How many parents here are thinking of that?

Yes, there are other peace-loving people like you and me, Mr. Speaker, who want a good life. That is the hope of every human being. What is our duty? Is it to shut the door, to tell them that it is not our problem? In my riding of Shefford I have the opportunity to represent immigrants from 104 countries. That is right, 104 countries. You have no idea how pleased I am, as an MP, to be able to help them. I did not start this wonderful resettlement work. We have an organization known as SERY, or Solidarité ethnique régionale de la Yamaska. SERY does great work. It helps all manner of immigrants who have been in Canada for less than five years: refugees, independents, asylum seekers, caregivers, work permit holders—

Some hon. members: Oh,oh!

• (1825)

The Acting Speaker (Mr. Bruce Stanton): Order, please. There is a lot of noise in the House. Hon. members are arriving for the upcoming vote. I ask them to take their seats.

The hon. member for Shefford.

Mr. Réjean Genest: Mr. Speaker, these newcomers make an important contribution in my community. There are professionals, agricultural workers and students. They have high hopes for their future, and that future is bright.

Why is this government trying so hard to change our Canadian identity? Our identity has been established. We are happy to live together and we want to continue building together. Why is this government trying so hard to have us believe that immigration is a threat? Why does this government not know how to appreciate this human wealth?

I am lucky to have an excellent doctor who immigrated to Canada. His expertise has been extraordinarily beneficial to me in these past few weeks.

I invite my colleagues to think back to January 2010, when Haiti was struck by an earthquake. The government had announced that it would facilitate the arrival of Haitians in Canada, including through the family reunification program. While family reunification claims can take up to three years to be processed under normal circumstances, the fast-tracked files could be settled within weeks, or in two or three months at most.

Remember that the Immigration Canada offices in Haiti were inaccessible; the Canadian Embassy building in Port-au-Prince had been evacuated for safety reasons.

“Accepting of any kind of additional applications or actual coordination on the ground in Haiti at the moment is extremely difficult,” said the Prime Minister during a press conference.

Business of Supply

“It is impossible to recover the files that are in Port-au-Prince,” added the Minister of Citizenship, Immigration and Multiculturalism.

“We think it will take a couple weeks before we can start processing immigration applications from Haiti again,” explained the minister. “Some of the paperwork can be filled out and processed here in Canada,” he added.

Two facts should have been taken into account at the time: the entire world was tuned into this sad event and the government was in a minority position. Is this government acting out of partisanship or for the sake of democracy?

In closing, how do university professors define Canadian identity? In two words: multiculturalism and bilingualism. This is our identity and we want to preserve it.

I am asking this government to stop insisting on changing our perception of ourselves. We live and want to continue living in trust, not in mistrust.

* * *

BUSINESS OF SUPPLY

OPPOSITION MOTION—CANADIAN ECONOMY

The House resumed from September 29 consideration of the motion.

The Acting Speaker (Mr. Bruce Stanton): Order, please. It being 6:30 p.m., pursuant to order made Thursday, September 29, 2011, the House will now proceed to the taking of the deferred recorded division on the motion of the hon. member for Parkdale—High Park.

Call in the members.

• (1855)

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

(Division No. 35)

YEAS

Members

Ablonczy	Adams
Aglukkaq	Albas
Albrecht	Alexander
Allen (Welland)	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Andrews
Angus	Armstrong
Ashfield	Aspin
Atamanenko	Aubin
Ayala	Baird
Bateman	Bélanger
Bellavance	Bennett
Benoit	Benskin
Bernier	Bevington
Bezan	Blanchette
Blanchette-Lamothe	Blaney
Block	Boivin
Borg	Boughen
Boulerice	Boutin-Sweet
Brahmi	Braid
Breitkreuz	Brosseau
Brown (Newmarket—Aurora)	Brown (Barrie)
Brunoogoe	Butt
Byrne	Calandra

Government Orders

Calkins
Carmichael
Carrie
Chicoine
Chisu
Choquette
Clarke
Clement
Comartin
Cotler
Cullen
Daniel
Davies (Vancouver Kingsway)
Day
Del Mastro
Dionne Labelle
Doré Lefebvre
Dubé
Duncan (Etobicoke North)
Dusseau
Eyking
Finley (Haldimand—Norfolk)
Foote
Freeman
Galipeau
Garrison
Genest-Jourdain
Godin
Goodale
Gosal
Gravelle
Grogue
Harris (Scarborough Southwest)
Hassainia
Hayes
Hillyer
Holder
Jacob
Julian
Karygiannis
Kellway
Kent
Komarnicki
Lake
Lapointe
Latendresse
Lebel
Leef
Lemieux
Liu
Lobb
Lunney
MacKenzie
Masse
Mayes
McColeman
Menegakis
Michaud
Moore (Abitibi—Témiscamingue)
Moore (Fundy Royal)
Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Saint-Hyacinthe—Bagot)
Murray
Nash
Nicholson
Nunez-Melo
O'Neill Gordon
Opitz
Paradis
Payne
Penashue
Pilon
Poilievre
Quach
Rafferty
Rathgeber
Raynault
Reid
Richards
Rickford
Rousseau
Savoie
Scarpaleggia
Seebach

Cannan
Caron
Charlton
Chisholm
Chong
Christopherson
Cleary
Coderre
Côté
Crowder
Cuzner
Davidson
Davies (Vancouver East)
Dechert
Devolin
Donnelly
Dreesen
Duncan (Vancouver Island North)
Duncan (Edmonton—Strathcona)
Dykstra
Findlay (Delta—Richmond East)
Fletcher
Fortin
Fry
Gallant
Genest
Gill
Goldring
Goodyear
Gourde
Grewal
Harper
Harris (Cariboo—Prince George)
Hawn
Hiebert
Hoepfner
Hsu
James
Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)
Kerr
Kramp (Prince Edward—Hastings)
Lamoureux
Larose
Lauzon
LeBlanc (LaSalle—Émard)
Leitch
Leung
Lizon
Lukiwski
MacKay (Central Nova)
Martin
Mathysen
McCallum
McKay (Scarborough—Guildwood)
Merrifield
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Morin (Chicoutimi—Le Fjord)
Morin (Laurentides—Labelle)
Mulcair
Nantel
Nicholls
Norlock
O'Connor
Oda
Papillon
Patry
Péclet
Perreault
Plamondon
Preston
Rae
Raitt
Ravignat
Regan
Rempel
Richardson
Ritz
Sandhu
Saxton
Schellenberger
Sellah

Sgro
Shiple
Sims (Newton—North Delta)
Smith
Sorenson
Stanton
Stoffer
Strahl
Sweet
Tilson
Toews
Tremblay
Trotter
Truppe
Tweed
Valcourt
Van Loan
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)
Wilks
Wong
Yelich
Young (Vancouver South)

Shea
Shory
Sitsabaiesan
Sopuck
St-Denis
Stewart
Storseth
Sullivan
Thibeault
Toet
Toone
Trost
Trudeau
Turnel
Uppal
Valeriot
Vellacott
Warawa
Watson
Williamson
Woodworth
Young (Oakville)
Zimmer — 266

NAYS

Nil

PAIRED

Nil

The Speaker: I declare the motion carried.

* * *

WAYS AND MEANS

MOTION NO. 5

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC) moved that a ways and means motion to implement certain provisions of the 2011 budget as updated on June 6, 2011 and other measures be concurred in.

The Speaker: Pursuant to order made Wednesday, September 28, 2011, the House will now proceed to the taking of the deferred recorded division on Motion No. 5 under ways and means.

[*English*]

Hon. Gordon O'Connor: Mr. Speaker, if you seek it, I believe you would find agreement to apply the vote from the previous motion to the current motion, with the Conservatives voting yes.

The Speaker: Is there unanimous consent to proceed in this fashion?

Some hon. members: Agreed.

Ms. Chris Charlton: Mr. Speaker, the NDP members will be voting no.

Ms. Judy Foote: Mr. Speaker, the Liberals will be voting no.

[*Translation*]

Mr. Louis Plamondon: Mr. Speaker, the Bloc Québécois members will be voting in favour of this motion.

● (1900)

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

Adjournment Proceedings

(Division No. 36)

YEAS

Members

Ablonczy	Adams
Aglukkaq	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Bellavance
Benoit	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Newmarket—Aurora)	Brown (Barrie)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Fortin	Galipeau
Gallant	Gill
Goldring	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoepfner
Holder	James
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kennedy (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
Menegakis	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Oda
Opitz	Paradis
Payne	Penashue
Plamondon	Poilievre
Preston	Raitt
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	Truppe
Tweed	Uppal
Valcourt	Van Loan
Vellacott	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 153	

NAYS

Members

Allen (Welland)	Andrews
Angus	Atamanenko
Aubin	Ayala
Bélangier	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulerice	Boutin-Sweet
Brahmi	Brousseau
Byrne	Caron
Charlton	Chicoine
Chisholm	Choquette
Christopherson	Cleary
Coderre	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseau	Eyking
Foote	Freeman
Fry	Garrison
Genest	Genest-Jourdain
Godin	Goodale
Gravelle	Groghé
Harris (Scarborough Southwest)	Hassainia
Hsu	Jacob
Julian	Karygiannis
Kellway	Lamoureux
Lapointe	Larose
Latendresse	LeBlanc (LaSalle—Émard)
Liu	Martin
Masse	Mathysen
McCallum	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mulcair	Murray
Nantel	Nash
Nicholls	Nunez-Melo
Papillon	Patry
Pécllet	Perreault
Pilon	Quach
Rae	Rafferty
Ravignat	Raynault
Regan	Rousseau
Sandhu	Savoie
Scarpaleggia	Sellah
Sgro	Sims (Newton—North Delta)
Sitsabaiesan	St-Denis
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Trudeau	Turmel
Valeriote— 113	

PAIRED

Nil

The Speaker: I declare the motion carried.

(Motion agreed to)

[English]

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

Adjournment Proceedings

[Translation]

FLOODING IN MONTRÉGIE

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I am very honoured to continue on with the question regarding the flooding that affected my region so much back in May and June.

The question being asked at the time was whether our soldiers would help us with the cleanup. I would like to point out that the people of Chambly—Borduas, including myself, owe a debt of gratitude to the soldiers who helped us. The soldiers helped the flood victims a great deal during the crisis. The problem has nothing to do with their work or their dedication, but rather with the mandate this government refused to give them.

When we were talking about the cleanup required after the flooding, one of the greatest unanswered questions was whether the soldiers would be allowed to stay to help flood victims with the cleanup. Many people in my riding told me that the biggest problem was not the crisis itself, but rather what was going to happen when the crisis was over. The government members told us that once the water level dropped, the crisis would be over. But that was far from true.

I will give examples of the psychological effects that can persist and of the help that our citizens needed. Gontran Courtois, from Saint-Mathias-sur-Richelieu, had to evacuate from his house because his basement was flooded with 38 inches of water. He said it was clear that they had to leave their home and that if they could have fought, they would have. People were prepared to fight for their homes and to stay there to clean up the mess. Unfortunately, they were not able to do so. They did not have the equipment or the manpower needed. The army could have provided that manpower if the government had given it the mandate. Once again, I am not criticizing the work of our soldiers, but the mandate that the government should have given them.

The Minister of Public Safety said that the army did not assist the flood victims to avoid competing with the private sector. I think that is unacceptable. In reality, the private sector did not come to assist the flood victims and help with the cleanup. It was the public sector. In articles about the big cleanup, which I participated in myself, it is clear that our fire departments and our blue-collar municipal workers are the ones who came to help. There is no reason that the municipalities should have to foot the bill. For example, in Saint-Basile-le-Grand, the cleanup cost reached a total of \$150,000, and municipal employees were loaned to help with the cleanup. Meanwhile, the government had resources that could have helped these people, people who stood together and were prepared to help each other out, as we saw during the big cleanups.

I repeat: some soldiers came to help and we are very appreciative of that, but unfortunately, the government did not help.

• (1905)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I would like to thank the hon. member for Chambly—Borduas for this important question that gives us an opportunity to set the record straight on this issue.

To begin, I must say that I heard him offer some criticism of our soldiers. I would like to assure him that the mandate given to the

members of the Canadian Forces serving in Montérégie this spring was identical to the mandate given to those serving in other places dealing with flooding. Our soldiers took on the challenge in Montérégie with the same degree of professionalism and the same level of commitment as they do elsewhere and they put a lot of heart into their service. Our soldiers are not indifferent. They are never indifferent to the plight of their fellow Canadians, particularly in times of emergency or natural disaster when the homes and property of families, vulnerable individuals and seniors are in jeopardy.

Over the course of my speech, I would like to remind the hon. member just how hard the Canadian Forces worked to take on the challenge of the flooding in Montérégie. They were extremely flexible and demonstrated an unmatched level of professionalism for which they are very well known both in Quebec and in the other provinces of Canada.

The request was made by the Province of Quebec on May 4. The Canadian Forces began arriving in Montérégie within 8 hours. The advance guard of the contingent that was mobilized to deal with this situation arrived very quickly. The next day, May 5, there were 500 members of the Canadian Forces on site. These individuals were mobilized by the operations group for eastern Canada, which the hon. member knows is based in Montreal.

As the hon. member is surely aware, the water reached peak levels on May 6, 7 and 8 when the Canadian Forces also reached the height of their mobilization at 844 members on site in Montérégie to deal with the devastating flooding.

[English]

We are very sympathetic with the plight of those affected by floods in Quebec, but let us also keep in mind that this was an exceptional year with two rounds of flooding in Manitoba and forest fires in Ontario, Saskatchewan and Alberta.

Every response by Canada's armed forces needs to be seen in the context of the national obligations that they have, and this year they were really unprecedented, for reasons that we all know.

In the past year, the Canadian forces supported the people of Newfoundland and Labrador in the aftermath of hurricane Igor, rescued stranded motorists after a violent snowstorm in Ontario, provided security at the Vancouver Olympics and Paralympics, as well as the G8 and G20 summits.

In replying to the member a second time, I would be very happy just to go over some of the details of the intervention that our forces undertook in Montérégie which saved hundreds of homes from further damage and which really prevented a difficult situation, a situation of exceptionally historical high floods from being much worse.

Adjournment Proceedings

• (1910)

[Translation]

Mr. Matthew Dubé: Mr. Speaker, I would quickly like to remind my colleague that we did not intend to criticize the Canadian armed forces. The first mayor I spoke with after the election was the mayor of Saint-Basile-le-Grand, Mr. Bernard Gagnon. He reiterated some points, with which I was very much in agreement, such as the fact that members of the Canadian armed forces did an exceptional job helping the victims.

I would remind my hon. colleague that the question was whether the government would send the Canadian Forces to help with the cleanup, and that was not done. I will again repeat the comments of the Minister of Public Safety, who said that the Canadian armed forces would not help the victims clean up because he did not want the Canadian Forces to compete with the private sector. The people who came were not from the private sector. Our own people mobilized. They were from the public sector, the firefighters and blue-collar workers. It was our municipalities that rallied around us. Unfortunately, the government was unable to provide the assistance required.

Mr. Chris Alexander: Mr. Speaker, our hon. colleague should know that the Canadian Forces—our army, navy and air force—are there to respond to emergency situations. They evacuated residents from the disaster areas; they protected infrastructure and hundreds of homes; they kept major roads passable; they filled and distributed thousands of sand bags—as many as 224,000 sand bags were distributed; and they spent 1,100 hours helping the community and doing check visits.

The contribution of the Canadian armed forces was very tangible. They were called out to an emergency. The waters returned and reached new heights, which resulted in the redeployment of the Canadian armed forces toward the end of May. That is the usual response to an emergency situation and we are very proud of their efforts.

[English]

CHILD CARE

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I am once again raising in the House the question of where the plan is to make child care affordable for all Canadians. I raise it in the context that it is not only about social policy but is also good economic sense.

The group of organizations called A Living Wage for Families put out a public policy document that talks about how much good economic sense this is. It indicated that:

In 2007, over 75% of Canadian mothers participated in the labour force, yet, there were only child care spaces for 20.3% of children under age six in Canada. Moreover child care costs are on average 22% of the net family income for Canadians, well above other developed countries which average at 13%. Parents cannot work or take training without affordable, high quality, secure child care.

The article gives an example:

A publicly funded child care system in BC, similar to the one in Quebec, would reduce monthly child care costs to \$280.00, or from 19.9% to 6.3% of the overall budget. This results in the hourly living rate decreasing to \$14.72 an hour, a reduction of \$4.09.

Of course, there are two things about this.

One is that quality, licensed, regulated, publicly funded child care actually contributes to the economic bottom line because it allows mothers and fathers to go to work and be assured that their children are well looked after.

Second, the submission to the finance committee 2012 pre-budget consultation by First Call: BC Child and Youth Advocacy Coalition makes a recommendation that Canada place a high priority on increasing Canada's annual investment in early childhood care and early learning from our current 0.25% of GDP to the recommended UNICEF benchmark of 1% of GDP. We can see that we have a long way to go on that.

In addition, although this is provincial, here is the impact of what is happening in my riding of Nanaimo—Cowichan. The Kaatza child care in Lake Cowichan is closing its doors as a result of a provincial government announcement around subsidized funding, and in the last six months, the following child care programs in my region have closed: Footsteps Preschool, Serenity Cove Children's Centre, Jitterbugs Childcare, Majestic Cedars Child Care, Just Like Home Family Child Care, and Tree Tops Daycare.

An article today in one of the Nanaimo papers said that adjustments to child care subsidies worry parents. It talked about the fact that Nanaimo's poorest families are pulling their children out of after-school care because they can no longer afford the fees.

The bottom line result is that children under the age of six, five-year-old children in kindergarten, are sometimes being given a key and sent home to look after themselves because their parents simply cannot afford the after-school child care for their kids and they cannot afford to quite their jobs. Surely in this day and age we should be looking at the consequences that will have for children and their families.

In the same article, the owner of an after-school care facility says, "Parents have been put between a rock and a hard place. I'm seeing them choose between paying for daycare or putting food on the table...and if they choose food on the table, what happens to their children while they're at work?"

It goes on to say that parents have said they are working fewer hours to be home with their children after school, or they're sending their five-year-old home for a few hours with a house key, as I mentioned.

The NDP MLA, Leonard Krog, said that the new policy rules are forcing families to make poor choices that could potentially put children at risk.

My question to the parliamentary secretary is this: where is the plan for a national child care strategy?

• (1915)

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I am pleased to tell the House about our government's child care policies.

Adjournment Proceedings

Our government recognizes that families are the building blocks of our society and that getting the best possible start in life is crucial to ensuring that children reach their full potential. That is why this government is investing in the well-being of all families, including those with young children.

Our approach to child care, the universal child care plan, respects the role of parents in determining how best to care for their children and recognizes the responsibility of the provincial and territorial governments for the delivery of child care services. Our plan puts choice in the hands of parents and helps them choose the child care option that suits their families' needs, whether they work in the paid labour force or stay at home with their children, whether they live in a small town, rural community or urban area.

In 2011-12, the federal government is providing \$6 billion in support of early childhood development and child care through transfers to the provinces and territories. In addition, we are providing direct support through the universal child care benefit and tax measure,s such as the child care expense deduction and the child tax credit. This is the largest investment in the history of Canada.

[Translation]

In the 2010 budget, we reaffirmed our commitment to offering Canadian parents a reasonable choice with regard to child care.

[English]

We improved the taxation of the universal child care benefit to ensure that single parent families are treated fairly. We enhanced the delivery of child benefits for parents with joint custody. The child tax credit introduced in 2007 complements this benefit by providing up to \$300 of tax relief annually to more than three million Canadian families with children.

[Translation]

Our government also invested in child care spaces to help parents find a better balance between child care and career responsibilities.

[English]

Our approach has been providing tangible results for Canadians. A growing body of Canadian and international research suggests that the provision of cash benefits is an effective way to improve child outcomes, especially for younger children in low-income families. Our government provides \$250 million per year to the provinces and territories through the Canada social transfer to help support the creation of new child care spaces across the country.

Since 2007, many provinces and territories have announced plans for the creation of new child care spaces, over 102,000 so far. Others are investing in enhancing the quality of these spaces and their affordability.

The family is the building block of our society and our government will continue to support Canadian families. We believe Canadian parents know what is best for their children. A one-size-fits-all model does not work for Canada's diverse families. We are providing choice in child care by putting more money in the pockets of parents to choose the child care of their choice.

● (1920)

Ms. Jean Crowder: Mr. Speaker, clearly, there is no choice in child care when there are spaces for only 20.3% of children under the age of six.

I will come back to the prebudget submission, First Call: BC Child and Youth Advocacy Coalition stated:

Canada's failure to properly support young children and their families...is resulting in high rates of vulnerability in children. This vulnerability translates into weakened educational outcomes, health inequities and long-term loss of productive potential. This is a recipe for unsustainability and rising social costs.

I have a quote from the Canadian Coalition for the Rights of Children, which states:

Developing the full potential of every child in Canada is a good economic investment, in the context of an aging population, as well as the right thing to do.

Currently, the government plan amounts to \$3 a day for child care. When will the government admit that it has a role in developing and implementing a national child care strategy?

Ms. Kellie Leitch: Mr. Speaker, our government is making a number of other investments to support families with children, such as: the Canada child tax benefit, which includes the national child benefit supplement for low-income families; the children's fitness tax credit and the child arts tax credit; employment insurance maternal and paternal benefits; and the Canada pension plan survivor benefit for dependent children of a contributor who is deceased or disabled. Together, with almost \$6 billion in support for early childhood development and early learning and child care, these measures represent a total investment in children and their families of \$19 billion in 2011-12.

The family is the building block of our society and our government will continue to support Canadian families. We believe Canadian parents know what is best for their kids. A one-size-fits-all model does not work for Canadian families. We are providing choice in child care by putting more money in the pockets of parents to choose the child care of their choice.

Due to our actions, average Canadian families have \$3,000 more in their pockets, money that they can spend on their children and families.

G8 SUMMIT

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, may I say at the outset it is a pleasure to speak in the House when the members are on such good behaviour and I can be assured of the full attention of the House.

Adjournment Proceedings

When the Conservatives formed government, they rode into town on a horse called “accountability”. The Conservatives promised to be an accountable government but there have been many examples where they have failed to meet the standard they promised. As a good example of this lack of accountability, since the fall session started the Treasury Board president has reportedly been asked over 30 questions about his role in doling out \$50 million in G8 funds in his own riding, one of the most extravagant pork-barrel schemes in Canadian history as a matter of fact.

The minister's slush fund stonewalling has not gone unnoticed. When we consider that this is a government that brought forward an accountability act, that said it was going to be answerable, that it would pay attention to Parliament and so forth, it is remarkable that there is a minister who will not even stand and answer questions. One pundit recently had a particularly harsh assessment and noted that the mute minister's deafening silence made a mockery of the government's promise to be open and accountable. He added that the minister “has become a figure of ridicule as he sits silently in his seat each day, like a child banished to the corner for a timeout”.

That is a pretty frank and harsh assessment. I would think that a minister would be embarrassed by that. I would think that a minister would be determined to get up in the House and defend his record. For some reason, on more than 30 questions the minister has refused to do that. It is worrisome that a government that talks about accountability as much as the present one has would refuse to be accountable at all to people who are elected by Canadians to hold it accountable, people who are elected to come here and ask questions and try to ensure that the taxpayers' dollars are being properly spent.

One question, among others, is: Why will he not explain how he convinced his cabinet colleagues to approve a \$50 million fund that was supposedly for border security? According to all the documents, including the budget and all the estimates, the \$50 million was for border security.

The Treasury Board president's riding is a long way from the border. It is clear that what he did instead was take that money and spend it on pork-barrel projects in his riding.

Municipal records from Bracebridge and Gravenhurst paint a damning portrait. The minutes of a December 5, 2008 meeting of a group including the minister and some of the mayors are marked as confidential. They show that this fund was being run out of the Treasury Board minister's riding office, not out of some department. It was not being overseen by officials. It was being run out of his own office. Under the heading “Review of Project Summary Submissions to Date”, it says, “It was noted that all submissions are to be sent to” the minister's “Huntsville constituency Office and would there be distributed electronically to all committee members”.

Why will he not explain how it is that with this fund for border security he sat in the back room of his office with his pals and personally decided on which pork-barrel projects he would bestow his blessing?

● (1925)

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, let me pleasantly surprise the hon. member by informing him that the Auditor General reported that all 32 projects met the program's conditions and that the Minister of Transport approved all projects.

Every dollar was spent on eligible costs of approved projects. All the dollars spent resulted in public infrastructure and all were identified by municipalities and the province as priorities. Every single dollar is accounted for. None of the dollars were misspent. No one profited illicitly. These seem to be the criteria for determining a successful execution of public administration.

Hon. Geoff Regan: Mr. Speaker, this is one of those cases where the spokesperson on behalf of the government takes a question from the opposition side and answers a different one. It is as if I did not ask the question I asked or did not raise the issue I did at all.

The fact that after the President of the Treasury Board and his pals decided how the money should be spent it was rubber-stamped by the Minister of Transport and met some criteria that was totally unrelated to border security, for which this money was supposed to be spent, is totally irrelevant.

Is my hon. colleague actually suggesting that he could have a \$50 million fund for his riding, or that there could be one for my riding? Is he suggesting that money could be transferred from another fund to every MP in the House? That is a ridiculous notion.

I challenge my hon. colleague to suggest to me that he could have the same kind of access to funds as the President of the Treasury Board had to spend in his riding. It is an outrageous statement.

Mr. Pierre Poilievre: Mr. Speaker, it is a long distance to the seat of the member of the third party, so perhaps he did not hear me. The good news is that all 32 projects met the program's conditions and the Minister of Transport was involved in approving every single one of them.

There is more good news for my hon. colleague. All of the eligible costs for the project were approved. As well, all of the money was spent on public infrastructure. Every dollar has been accounted for and no one profited illicitly. These are all facts confirmed by the Auditor General.

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:29 p.m.)

CONTENTS

Monday, October 3, 2011

Ways and Means

Notice of Motion

Mr. Van Loan	1727
Division deemed demanded and deferred	1727

GOVERNMENT ORDERS

Senate Reform Act

Bill C-7. Second reading	1727
Ms. Leitch	1727
Mr. Stewart	1728
Mr. Coderre	1728
Mr. Butt	1728
Mr. Garrison	1729
Mr. Hsu	1729
Mr. Shipley	1729
Mr. Bevington	1729
Mr. Tremblay	1731
Mr. Butt	1731
Ms. Latendresse	1731
Ms. Leitch	1732
Mr. Stewart	1732
Mr. Lukiwski	1732
Ms. Boivin	1734
Mr. Hsu	1735
Mr. Allen (Tobique—Mactaquac)	1735
Mr. Stewart	1735
Ms. Latendresse	1736
Ms. Crowder	1736
Mr. Gravelle	1739
Mr. Butt	1739
Mr. Garrison	1739
Mr. Albrecht	1739
Ms. Latendresse	1740
Mr. Calkins	1740
Mr. Bevington	1743
Mr. Dion	1743
Mr. Bezan	1744
Mr. Garrison	1744
Mr. Del Mastro	1744
Mr. Bevington	1747
Mr. Dion	1748
Mr. Cannan	1748
Mr. Stewart	1749
Mr. Gravelle	1749

STATEMENTS BY MEMBERS

National Seniors Day

Mr. Butt	1751
----------------	------

Seniors

Ms. Blanchette-Lamothe	1751
------------------------------	------

Human Trafficking

Mr. Young (Oakville)	1751
----------------------------	------

National Seniors Day

Ms. Sgro	1752
----------------	------

Religious Freedom

Mr. Poilievre	1752
---------------------	------

Mental Illness Awareness Week

Mr. Morin (Chicoutimi—Le Fjord)	1752
---------------------------------------	------

Harvest for Hunger

Mr. Schellenberger	1752
--------------------------	------

Women's History Month

Ms. Rempel	1752
------------------	------

FRAPRU Social Housing Organization

Mr. Nantel	1753
------------------	------

Mental Health

Mr. Calkins	1753
-------------------	------

International Seniors Day

Mr. Jacob	1753
-----------------	------

Sales Tax Harmonization

Mr. Gourde	1753
------------------	------

Bras d'Or Lakes

Mr. Eyking	1754
------------------	------

Democratic Reform

Mr. Weston (Saint John)	1754
-------------------------------	------

Nancy Riche

Mr. Cleary	1754
------------------	------

New Democratic Party of Canada

Mr. Strahl	1754
------------------	------

ORAL QUESTIONS

The Economy

Mrs. Turmel	1754
Mrs. Glover	1755
Mrs. Turmel	1755
Mr. Paradis	1755
Mrs. Turmel	1755
Mr. Paradis	1755
Ms. Nash	1755
Mrs. Glover	1755
Ms. Nash	1755
Mrs. Glover	1755

Taxation

Mr. Rae	1755
Ms. Finley	1756

Canada-U.S. Relations

Mr. Rae	1756
Mr. Baird	1756

Judicial Independence

Mr. Rae	1756
Mr. Del Mastro	1756

The Economy

Mr. Mulcair	1756
Mrs. Glover	1756
Mr. Mulcair	1756
Mr. Paradis	1756

Employment

Ms. Davies (Vancouver East)	1757
Mrs. Glover	1757
Ms. Davies (Vancouver East)	1757
Mrs. Glover	1757

Afghanistan

Mr. Brahmi	1757
Mr. MacKay	1757
Mr. Brahmi	1757
Mr. MacKay	1757

Ethics

Mr. Kellway	1757
Mr. MacKay	1758
Mr. Kellway	1758
Mr. MacKay	1758
Mr. Dusseault	1758
Mr. MacKay	1758

The Environment

Ms. Duncan (Etobicoke North)	1758
Mr. Kent	1758
Mr. Garneau	1758
Mr. Kent	1758

Ethics

Mr. Regan	1758
Mr. Baird	1759

G8 Summit

Mr. Angus	1759
Mr. Baird	1759
Mr. Angus	1759
Mr. Baird	1759

Public Safety

Ms. Quach	1759
Ms. Hoepfner	1759

G8 Summit

Mr. Boulerice	1759
Mr. Baird	1759

St. Lawrence Seaway

Mr. Lauzon	1759
Ms. Raitt	1760

Status of Women

Ms. Boivin	1760
Mr. Van Loan	1760
Ms. Boivin	1760
Mr. Van Loan	1760

Justice

Ms. Sims	1760
Mr. Nicholson	1760
Ms. Sims	1760
Mr. Van Loan	1760

Search and Rescue

Ms. Foote	1760
Mr. MacKay	1761
Ms. Foote	1761
Mr. MacKay	1761

The Environment

Ms. Liu	1761
Mr. Kent	1761
Ms. Liu	1761
Mr. Kent	1761

Taxation

Mr. Williamson	1761
Mrs. Glover	1761

Health

Ms. Fry	1762
Mrs. Aglukkaq	1762

Seniors

Ms. Mathysen	1762
Mrs. Wong	1762

Religious Freedom

Mr. Tweed	1762
Mr. Baird	1762

Sales Tax harmonization

Ms. Charlton	1762
Mrs. Glover	1762

Flooding in Montérégie

Mr. Fortin	1763
Mr. Lebel	1763

ROUTINE PROCEEDINGS**Committees of the House****Procedure and House Affairs**

Mr. Preston	1763
-------------------	------

Canada Labour Code

Mr. Boulerice	1763
Bill C-307. Introduction and first reading	1763
(Motions deemed adopted, bill read the first time and printed)	1763

Newfoundland and Labrador Fishery Rebuilding Act

Mr. Cleary	1763
Bill C-308. Introduction and first reading	1763
(Motions deemed adopted, bill read the first time and printed)	1763

Preventing Persons from Concealing Their Identity during Riots and Unlawful Assemblies Act

Mr. Richards	1763
Bill C-309. Introduction and first reading	1763
(Motions deemed adopted, bill read the first time and printed)	1764

Mr. Genest	1790
Business of Supply	
Opposition motion—Canadian Economy	
Motion	1791
Motion agreed to	1792
Ways and Means	
Motion No. 5	
Mr. Van Loan	1792
Motion for concurrence	1792
(Motion agreed to)	1793

ADJOURNMENT PROCEEDINGS

Flooding in Montérégie	
Mr. Dubé	1794
Mr. Alexander	1794
Child Care	
Ms. Crowder	1795
Ms. Leitch	1795
G8 Summit	
Mr. Regan	1796
Mr. Poilievre	1797

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:

Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5

En cas de non-livraison,

retourner cette COUVERTURE SEULEMENT à :
Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Additional copies may be obtained from: Publishing and
Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5
Telephone: 613-941-5995 or 1-800-635-7943
Fax: 613-954-5779 or 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Also available on the Parliament of Canada Web Site at the
following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

On peut obtenir des copies supplémentaires en écrivant à : Les
Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5
Téléphone : 613-941-5995 ou 1-800-635-7943
Télécopieur : 613-954-5779 ou 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Aussi disponible sur le site Web du Parlement du Canada à
l'adresse suivante : <http://www.parl.gc.ca>