



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 146 • NUMBER 259 • 1st SESSION • 41st PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Thursday, May 30, 2013
(Part A)

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Thursday, May 30, 2013

The House met at 10 a.m.

[*Translation*]

Prayers

ROUTINE PROCEEDINGS

• (1000)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

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

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COMMITTEES OF THE HOUSE

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Aboriginal Affairs and Northern Development, entitled Bill S-8, An Act respecting the safety of drinking water on First Nation lands.

The committee has studied the bill and has decided to report the bill back to the House with amendments.

FINANCE

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, I have the honour to present, in both official languages, the 20th report of the Standing Committee on Finance in relation to Bill C-462, An Act restricting the fees charged by promoters of the disability tax credit and making consequential amendments to the Tax Court of Canada Act.

The committee has studied the bill and has decided to report the bill back to the House with amendments.

PETITIONS

MILLENNIUM GOALS

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I have the honour of presenting a petition reminding the government of its duty to meet the millennium goals, which it committed to in 2008. What makes this petition even more impressive is that a young constituent in my riding, Charlotte Côté, collected more than 5,000 signatures from across Canada. I am so pleased to see that kind of drive from youth in my riding, and I am honoured to present her work here in the House. I want to congratulate her, and I hope that she will always be this engaged.

HEALTH

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I too am fiercely proud of my constituents' activism, particularly regarding my campaign promise to improve our health care system and ensure that the federal government is more proactive so that health care remains public and universal.

That is what this petition is about. It has been signed by many people in my riding who, each week, share with me their concerns on this subject.

[*English*]

CANADA POST

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, I have a petition to present from a number of individuals regarding post offices.

The petitioners are concerned that as post offices are closed, that the community is made aware and that they consult with the public and their elected representatives, postal unions and other major stakeholders before that happens.

THE ENVIRONMENT

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am proud to stand and bring forth this petition to the Minister of Natural Resources and the Minister of Fisheries and Oceans in regard to the situation of declining water levels in the Great Lakes Basin, particularly in the Lake Michigan, Georgian Bay, North Channel region.

Since 1999, water levels in Lake Huron have dropped pretty much five feet with no sign of rebounding 13 years later.

The petitioners are asking the government to examine this and to find ways to reverse the declining water levels in the Great Lakes.

Routine Proceedings

●(1005)

CHIEF FIREARMS OFFICERS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, I am presenting a petition from people in British Columbia who wish to have the chief firearms officers replaced across the country with a single civilian agency that would administer the law equally across the country.

[Translation]

PRIVACY

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, today I am presenting a petition from people in my riding who support my bill, Bill C-475, which is designed to better protect the personal information that Canadians put online.

Those who signed the petition lament the fact that the laws protecting our personal information online have not been updated since the first-generation iPod was released. They would like to see my bill passed in the House.

NATIONAL CAPITAL COMMISSION

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I would like to present another petition signed by Ottawans who are opposed to the interprovincial bridge proposed by consultants hired by the National Capital Commission. They believe that the best option is to invest in public transit, not fund this bridge.

I have the honour of informing the House that similar petitions will follow.

[English]

SEX SELECTION

Hon. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, I am honoured to rise this morning to table a series of petitions from Canadians across this great country who are calling on the House to condemn discrimination against females occurring through sex-selective pregnancy termination.

[Translation]

EMPLOYMENT INSURANCE

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, on behalf of myself and the other members from eastern Quebec, I am pleased to table a petition with over 11,000 signatures. The petition is an initiative of Carrefour 50 + du Québec, an association of 154 affiliated groups. Its mission is to recognize and support those aged 50 and over and to focus on intergenerational networking to help redefine society's collective relationships with a view to intergenerational equality.

The people of eastern Quebec are extremely concerned about the changes made to employment insurance and call on the government to cancel its EI reform, since it is devastating for eastern Quebec.

In addition, Carrefour 50 + is specifically concerned that caregivers will be driven out of the area by EI reform. Caregivers are essential to the lives of people aged 50 and over in the region. I am therefore pleased to table this 11,000-name petition.

[English]

CONFLICT MINERALS

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I table today a petition from students who go to school in Winnipeg's north end and they are dismayed to learn of the harsh and degrading conditions under which many people work in extracting resources in other parts of the world. They are asking that minerals being imported into Canada must be certified as being from conflict-free areas.

[Translation]

41ST GENERAL ELECTION

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to table two petitions.

The first petition relates to the ongoing public demand for an inquiry into what occurred during the election, namely specific events that took place over at least one day. I am talking about calls that were made to voters to deliberately direct them to the wrong polling places. These are the facts, according to a court decision.

The petitioners are now demanding that the Prime Minister establish an independent inquiry to find out the truth, determine who did what during the last election, and find the person or persons responsible.

[English]

FOREIGN INVESTMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is primarily from residents of my own riding, from Salt Spring Island, from Mayne Island, from the Saanich Peninsula and from Victoria, calling on the government to refuse to ratify the Canada-China investment treaty as it threatens the sovereignty of Canada and the passage of laws municipally, provincially and federally.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, the following question will be answered today: No. 1319.

[Text]

Question No. 1319—**Ms. Hélène Laverdière:**

With regard to the Canadian International Development Agency, what is the total amount of funding lapsed for the 2012-2013 fiscal year?

Hon. Julian Fantino (Minister of International Cooperation, CPC): Mr. Speaker, the final expenditure amount for the 2012-13 fiscal year for the Canadian International Development Agency, CIDA, has not yet been finalized. Pursuant to the Public Accounts process, all financial information is subject to audit and validation. Once these processes are concluded, the final financial results for CIDA will be reported in the 2013 Public Accounts.

Points of Order

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, furthermore, if Questions Nos. 1301 and 1303 could be made orders for return, these returns would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 1301—**Mr. Philip Toone:**

With regard to funding for national parks: (a) how much did the government allocate to national parks between 2000 and 2012, inclusive, broken down by year and by park; and (b) how much does the government expect to allocate to national parks between 2013 and 2017, inclusive, broken down by year and by park?

(Return tabled)

Question No. 1303—**Mr. Philip Toone:**

With regard to the libraries at the Maurice Lamontagne Institute and the St. Andrews Biological Station: (a) what were the operating costs for these two libraries over the last 10 years, broken down by year and library; (b) what were the projected operating costs for these two libraries over the next five years, broken down by year and library; (c) what are the costs, including the actual and projected costs, associated with closing these two libraries, broken down by year and library; (d) what studies show that closing these two libraries will allow the government to save money, and what are the results of these studies; and (e) how is the government planning to replace the French-language services offered by the Maurice Lamontagne Institute library?

(Return tabled)

[English]

Mr. Tom Lukiwski: Mr. Speaker, finally, I ask that the remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

The Speaker: The Chair has notice that the hon. member for Saanich—Gulf Islands would like to make a further contribution to the point of order raised yesterday.

* * *

● (1010)

POINTS OF ORDER

STANDING COMMITTEE ON FINANCE

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am grateful to the hon. House leader of the official opposition for raising this point of order yesterday, objecting to the unusual procedures that were accepted within the Standing Committee on Finance, in relation to the clause-by-clause treatment of Bill C-60, the 2013 omnibus budget bill.

Prior to his point of order, I was struggling with a dilemma: I was certain there was an effort to undermine my rights as an individual member of Parliament and yet there had been no formal challenge. I was not sure how to approach this, Mr. Speaker, and to put before you the ways in which I found that procedure unacceptable. I really very much appreciate that the official opposition saw fit to raise its

concerns that those procedures and the procedures adopted—novel procedures, mind you—before the Standing Committee on Finance did not comport to parliamentary rules and practice and went beyond the mandate of the committee.

I agree with all the points made by the hon. House leader of the official opposition and by the member for Winnipeg North, on behalf of the Liberal Party.

Before getting down to the particulars of the current situation, I wish to review some fundamental principles related to the matter before you, Mr. Speaker.

In essence, what you are asked to adjudicate here is an effort by a powerful government party with the majority of seats in this place to eliminate what few rights exist to influence legislation in the hands of only eight members of Parliament belonging to two recognized national parties, myself, on behalf of the Green Party, and members here for the Bloc Québécois, plus two members currently sitting as independents.

Within this group, the government party's efforts are aimed only at the Green Party and the Bloc Québécois. We are the only members to have submitted amendments at report stage in the 41st Parliament.

The appropriate balance between the majority and the minority in proceedings of the House is, as Speaker Milliken noted, a fundamental issue.

Mr. Speaker, I am going to be providing the written copy of this presentation to you so that I will not have to read out loud all the citations.

The following passage is very apt. Although Speaker Milliken was dealing with a situation with a minority Parliament, the issues before him of balancing the rights of the minority and the majority are the same. I quote from Speaker Milliken's ruling of March 29, 2007:

At the present time, the chair occupants, like our counterparts in House committees, daily face the challenge of dealing with the pressures of a minority government, but neither the political realities of the moment nor the sheer force of numbers should force us to set aside the values inherent in the parliamentary conventions and procedures by which we govern our deliberations.

Continuing:

Unlike the situation faced by committee chairs, a Speaker's decision is not subject to appeal. All the more reason then for the Chair to exercise its awesome responsibility carefully and to ensure that the House does not, in the heat of the moment, veer dangerously off course.

The Speaker must remain ever mindful of the first principles of our great parliamentary tradition, principles best described by John George Bourinot, Clerk of this House from 1890 to 1902, who described these principles thus:

To protect the minority and restrain the improvidence and tyranny of the majority, to secure the transaction of public business in a decent and orderly manner, to enable every member to express his opinions within those limits necessary to preserve decorum and prevent an unnecessary waste of time, to give full opportunity for the consideration of every measure, and to prevent any legislative action being taken heedlessly and upon sudden impulse.

As I noted yesterday, in particular, in your ruling related to the member for Langley's question of privilege, you said:

...[an] unquestionable duty of the Speaker [is] to act as the guardian of the rights and privileges of members and of the House as an institution.

Points of Order

And you cited, with approval, these words from former speaker Fraser:

...we are a parliamentary democracy, not a so-called executive democracy, nor a so-called administrative democracy.

● (1015)

The last quote is from your ruling of December 12, 2012, which bears directly on the matter at hand. In that ruling, Mr. Speaker, you dealt with an objection raised by the hon. Leader of the Government in the House of Commons to, *inter alia*, my presentation of amendments at report stage. The hon. government House leader presented a proposal that all my amendments at report stage should be grouped and one motion selected as a “test motion”, and only if the test motion was adopted would any of the other amendments be put to the House.

Your ruling was clear, Mr. Speaker. You cited *House of Commons Procedure and Practice* at page 250, which states:

[I]t remains true that parliamentary procedure is intended to ensure that there is a balance between the government's need to get its business through the House, and the opposition's responsibility to debate that business without completely immobilizing the proceedings of the House.

And you added:

The underlying principles these citations express are the cornerstones of our parliamentary system. They enshrine the ancient democratic tradition of allowing the minority to voice its views and opinions in the public square and, in counterpoint, of allowing the majority to put its legislative program before Parliament and have it voted upon.

You ruled then, Mr. Speaker, that my amendments at report stage on Bill C-45 could stand and be put to a vote in the House. You also set out some circumstances that would provide a potential procedure to provide me and other members in my position with a fair and satisfactory alternative to amendments at report stage.

In my view, the government House leader is now attempting to do indirectly that which he could not do directly. It puts me in mind of the finding of Mr. Justice Dickson in that landmark Supreme Court case of *Amax Potash*, in which Mr. Dickson said:

To allow moneys collected under compulsion, pursuant to an ultra vires statute, to be retained would be tantamount to allowing the provincial Legislature to do indirectly what it could not do directly, and by covert means to impose illegal burdens.

I again underline that as the hon. House leader of the official opposition has put before us, the actions of the finance committee were ultra vires, and the whole effort here is to do indirectly what it could not do directly. I am speaking of the Conservative Party's efforts to suppress the rights of minority members.

It offends principles of fairness to use the superior clout and power of a majority government to crush the few procedures found within our rules and traditions to which I, as an individual member, have a right to recourse. It is clear that the effort being made by the finance committee on Bill C-60 is a continuation of the strategy-by-stealth of the government House leader's to foreclose the democratic rights of members, which was attempted in November of last year.

For the remainder of my argument, I would like to canvass two areas of facts that are relevant to the specifics of the question before you, Mr. Speaker. First, was the procedure adopted by the finance committee in conformity with your ruling of December 12, 2012? Second, have the amendments I have put forward in the 41st

Parliament offended the rules by failing the tests of “repetition, frivolity, vexatiousness and unnecessary prolongation of report stage”?

Dealing with the second point first, I have moved amendments at report stage on the following bills, and I will state how many amendments per bill: Bill C-10, 36 amendments; Bill C-11, 11 amendments; Bill C-13, one amendment; Bill C-18, three amendments; Bill C-19, three amendments; Bill C-31, 23 amendments; Bill C-316, five amendments; Bill C-38, 320 amendments; Bill C-37, one amendment; Bill C-43, 21 amendments; and Bill C-45, 82 amendments.

What is immediately obvious is that the number of my amendments was directly proportionate to the legislation proposed by the government. Only on the two omnibus budget bills, Bill C-45 and Bill C-38, and the omnibus crime bill, Bill C-10, did I propose a relatively large number of amendments. There were many amendments, because the omnibus bills involved changes to multiple laws in a dramatic and transformative fashion. The amendments I proposed were all serious; none were frivolous. They were not of the kind, for example, put forward by the opposition of the day on the Nisga'a treaty, in which multiple amendments were mere changes of punctuation with the goal being slowing passage of the Nisga'a treaty.

● (1020)

The amendments I have put forward have even gained favourable commentary from some government members. On Bill C-31, the hon. Minister of Citizenship, Immigration and Multiculturalism said, “I appreciate the member's evident concern”, speaking of me as the member for Saanich—Gulf Islands, “and the fact that she takes the deliberative legislative process very seriously”.

On Bill C-11, the copyright modernization act, the hon. Minister of Canadian Heritage and Official Languages said, “I compliment her for her substantive approach to this legislation”.

On Bill C-43, the Minister of Citizenship, Immigration and Multiculturalism stated:

I commend the hon. member for Saanich—Gulf Islands for her constant due diligence. I know it is a particular challenge to effectively be an independent member and yet participate in an informed way in debates on virtually all bills in the House. We all admire her for that even if I do not agree with the substance of her intervention here.

Points of Order

In summary, the amendments I have put forward in the 41st Parliament have never been frivolous. Were they designed to slow passage? Not at all. Even on the day we began the marathon session of votes on the amendments to Bill C-38, I approached the Prime Minister personally and asked if any compromise were possible. I told him I would be at his disposal, that if one or two amendments might pass, perhaps the rest could be withdrawn, and that I was open to suggestion.

My goal throughout was serious and grounded in principle. My constituents care about these issues and these bills. I am working tirelessly in their interest. I have never engaged in preparing and presenting amendments for the sake of, as the government House leader has suggested, political games or delay for the sake of delay.

Having worked in the Mulroney government and in public policy work in Ottawa dealing with federal governments, federal ministers and federal laws since 1978, I have personal experience with what used to be the normal approach to legislating in the Parliament of Canada. This particular administration is the only one in our history to enforce rigid discipline on its members in legislative committees. It is the first administration in Canadian history to resist any changes in its legislative proposals from first reading to royal assent. Even the errors that are discovered prior to passage are protected from amendment until subsequent bills correct earlier drafting errors.

Worsening this abuse of democratic process, virtually every bill in the 41st Parliament has been subject to time allocation. If time allocation were not applied, in the normal round of debates, eventually members in my situation, who are seen as independent for my rights and privileges, although I sit here as a Green Party member, would be recognized and would participate in the debates. However, due to time allocation, there is never an opportunity to speak at second reading, report stage or third reading. With time allocation, there is never an opportunity for members in my position to make a speech unless another party cedes a speaking slot.

As a matter of practical reality, the only way to have a speaking opportunity in such time-constrained circumstances is to have amendments tabled at report stage. This approach of the current Conservative administration of rejecting any and all amendments, while simultaneously abbreviating debate opportunities, is a perversion of Westminster parliamentary tradition. It is a new and hyper-partisan approach to the legislative process.

As a member of Parliament, I believe it is my duty to work to resist this new, contemptuous approach to legislating. The ability to table amendments at report stage and to offer the entire House an opportunity to improve bills before third reading is even more critical when the legislative committee process has ceased to function as it did in all the time of all the speakers before you.

Now I turn to the question, Mr. Speaker, of how the finance committee applied the suggestions contained in your ruling of December 12, 2012. I note that the chair of the finance committee is never anything but personally fair, and I mean nothing personal against all members of the finance committee. I assume that this entire stratagem emerged elsewhere than from the members of the finance committee themselves.

I note that you suggested, Mr. Speaker, that there are “opportunities and mechanisms that are at the House’s disposal to resolve these issues to the satisfaction of all members” in a “manner that would balance the rights of all members” and that “...members need only to remember that there are several precedents where independent members were made members of standing committees”. Those are all quotes from your ruling in December.

Finally, you suggested this:

Were a satisfactory mechanism found that would afford independent members an opportunity to move motions to move bills in committee, the Chair has no doubt that its report stage selection process would adapt to the new reality.

• (1025)

From these comments it is clear that your direction suggests that an effort might be made to engage members with rights of independents to enter into a discussion about how arrangements could be reached that would be, in fact, satisfactory. To be “to the satisfaction of all members”, your ruling implicitly requires that the suggested opportunities and mechanisms be discussed and accepted by all concerned. Further, you suggested that temporary membership was possible and that members should be able to “move motions”.

None of that occurred. I am attaching a written copy of all the correspondence between me and the chair of the Standing Committee on Finance, which I will provide to the table. As you will see, there was no discussion or offer of co-operation. The “invitation” contained in a letter of May 7, 2013 left no room for discussion. The attached motion of the committee was supported only by the Conservative members of the finance committee but not by the official opposition or the Liberal Party members.

The letter, and particularly the motion itself, had the tone of a unilateral ultimatum. My response was to ask for temporary committee membership for the duration of clause-by-clause review. This request was rejected in the letter of May 24, 2013.

As the various sections of Bill C-60 had been distributed among several committees, I attempted to attend all the hearings relative to my amendments. However, committees were meeting at the same time in different locations throughout the parliamentary precinct making it impossible to get to each one of them. I did attend meetings of the industry, finance and the foreign affairs committees prior to clause-by-clause study. I asked for permission to ask witnesses questions and was denied in the finance and foreign affairs committees. I was allowed a three-minute opportunity to pose questions in the industry committee. To be blunt, my opportunities were not close to equivalent to the members of those committees.

On Monday, May 27, 2013 as requested by the finance committee, I complied with the committee and attempted to co-operate. I submitted my amendments and attended clause-by-clause study throughout the meeting of the committee on Tuesday, May 28. I asked for time to present my amendments. There were 11 in total. I was given half as much time as my colleague from the Bloc Québécois. I was allowed one minute per amendment. He was allowed two minutes per amendment. I have attached copies of the *Hansard* from all of these discussions to abbreviate the recitation of the facts.

Government Orders

I prefaced my presentation of amendments with a statement that I had not asked for this opportunity nor invitation and that while I was attempting to co-operate, it was without prejudice to my rights to submit amendments at report stage. Each time I was given the floor for 60 seconds, I repeated that my participation was without prejudice to my rights to present amendments at report stage, when I had the right to move my own amendments, speak to my own amendments, and answer questions about my amendments. At report stage, I have the right to vote on my amendments.

I also supported the point made by the hon. member for Parkdale—High Park that inviting independent members to committee, in her words, “does not conform with parliamentary procedure in that only the House of Commons can appoint committee members”.

I noted that I did not have an equal opportunity to present my amendments. This observation was compounded as we went through clause-by-clause study.

On two occasions, members of the committee suggested amendments to my amendments. I was not allowed to comment on those suggestions. On one occasion, a member of the government benches disagreed with a point I made, but I was not allowed to reply. On another occasion, the NDP members misunderstood the impact of my amendment, but I was not allowed to explain. I was not allowed to move my amendments. The motions were deemed moved. I was not allowed to vote on my amendments. As noted, I was not allowed even the ability to participate in discussions about my amendments.

There is no way the word “satisfactory” can be so twisted of meaning as to apply to the set of circumstances to which I was required to submit. It is a principle of fairness and natural justice that an opportunity that cannot be used is no opportunity at all.

● (1030)

When one considers the circumstances in which speakers have ruled that members did not have an adequate opportunity to submit their amendments, it is clear that this imposed process before the Standing Committee on Finance falls far short of the mark.

For example, in 2001, Speaker Milliken ruled that where a member was on two committees and had difficulty getting to the meeting, he could move amendments at report stage. Speaker Milliken wrote that:

...because...the member maintains that he sits on two committees, both of which were seized with bills at the same time, and therefore had difficulty in moving his amendments, the Chair will give the benefit of the doubt to the member on this occasion.

In a situation where a member of a recognized parliamentary party attended the clause-by-clause consideration at the committee but was not an official member of the committee, Speaker Milliken allowed that member's amendments to be presented at report stage. He noted:

Of course, the Chair recognizes that our parliamentary system is party driven and the positions of the parties are brought forward to committees through its officially designated members. The Chair also recognizes that some members may want to act on their own.

Underscoring this, what an example: a member of a recognized party with rights to participate in standing committees chose to be in the meetings, in clause-by-clause study, and could have handed that member's amendments to another member of his party and ask that

they be submitted, but the Speaker of the House supported the right of that member to amendments at report stage because he was not a committee member. I was a long, long way from the rights of that member of a recognized political party sitting in that committee back in 2003 when Speaker Milliken allowed that member's amendments at report stage.

The right of a member to actually move the amendments at committee cannot be perverted through the expedient measure, imposed by a majority party, of demanding all amendments of an independent member be submitted, denying that member the right to move the amendment, speak to the amendment, other than in an inadequate perfunctory fashion, debate or defend the amendment, giving that member no opportunity to speak to other amendments and denying the member any chance to vote on his or her motion.

There may well be some way to accommodate members of Parliament in my position, but clearly, this experiment on Bill C-60 at clause-by-clause consideration in the finance committee was not acceptable. To accept it now, and disallow rights of members of Parliament in the position of independents to submit amendments at report stage, will be to create a precedent that fundamentally abuses our foundational principles of Westminster parliamentary democracy.

Mr. Speaker, I urge you to find in favour of the point of order put forward by the hon. House leader for the official opposition and to set aside the treatment of me and the member from the Bloc Québécois and allow us to submit amendments, move amendments, debate our amendments and vote on them on Bill C-60 at report stage.

GOVERNMENT ORDERS

[*English*]

SAFER WITNESSES ACT

BILL C-51—TIME ALLOCATION

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

That, in relation to Bill C-51, An Act to amend the Witness Protection Program Act and to make a consequential amendment to another Act, not more than one further sitting day shall be allotted to the consideration of the third reading stage of the Bill; and that, 15 minutes before the expiry of the time provided for Government Orders on the day allotted to the consideration at third reading stage of the said Bill, any proceedings before the House shall be interrupted, if required for the purpose of this Order, and, in turn, every question necessary for the disposal of the said stage of the Bill shall be put forthwith and successively, without further debate or amendment.

The Deputy Speaker: Pursuant to Standing Order 67(1), there will now be a 30-minute question period.

● (1035)

[*Translation*]

I invite all hon. members who wish to ask questions to rise in their places so the Chair has some idea of the number of members who wish to participate.

Government Orders

[English]

Questions and comments. The hon. member for Gatineau.

[Translation]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, what a surprise to arrive here this Thursday morning to find another time allocation motion. I have lost track of how many there have been. That will be part of my question for the Minister of Public Safety because we have lost count.

This has become a habit. This is the fifth time allocation motion on as many bills that the government has moved and tried to ram down our throats.

I would like to read something to the minister. One of his former colleagues said:

[English]

A columnist wrote something interesting today. He wrote that in his view the decision to invoke closure on the bill represented in some ways the death of the true meaning of parliament. Parliament is the ability to gather together as elected representatives to talk, discuss, debate and hopefully do things that can enrich the lives and in this case the safety and security of Canadians. The federal Liberal government has failed Canadians.

That was Stockwell Day in the House of Commons on November 28, 2001.

I wonder what has changed with the guys in front of me. They seem to have forgotten all of the basic rules of democracy. The fact is that a party might support a bill that is, by the way, long overdue. I am sure the minister will use that fact to say that if it is long overdue, we should adopt it quickly. Just because they have suddenly realized the urgency or the need of something does not mean that they have to shortcut democracy.

Does he not feel a bit ashamed to say to the people of Gatineau, let us say, or Sherbrooke or people from the Conservative side that he is not interested in hearing examples that we have concerning the witness protection program? We have crimes that cannot be solved. We have situations because we cannot have access because it is not funded enough. The bill is not perfect.

Maybe the minister needs to hear these things, but no. They shut down debate. If it was not urgent in 2006, 2007, 2008, 2009, 2010, 2011, 2012 or 2013, why is it urgent now? At what number are we on those closure issues?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, I am not aware of the amendments the member is talking about, which she is concerned have not been brought forward.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I am not too sure exactly what it is that could be said that would be a little bit different in regard to commenting on time allocation, for the simple reason that I have now stood in my place more than 30 times to talk about the issue of time allocation.

If we think about it, the government has invoked time allocation more than any other government before it, in a very short window. Ever since it has had a majority Conservative government, it has had a new attitude. It is an attitude that is shameful in regard to what takes place inside the House of Commons. It is very anti-democratic.

We have spent more time on invoking time allocation than we have on the bills for which time allocation has been invoked. We are quickly approaching 40 hours of time allocation.

I recognize that I put my question to the Leader of the Government in the House of Commons, but he is so predictable now that we know he will not even answer the questions I am going to pose. Therefore, I recognize that it will be a different minister standing up to answer my question.

I reflect on the days of Clayton Manness, Jim Ernst and Jim McCrae, individuals with whom I negotiated in my former life as a member of the Manitoba Legislature. There was a sense of House leaders getting together and working on a legislative House agenda to try to pass things through in a normal fashion, so that closure would not have to be introduced.

My question is for the Leader of the Government in the House of Commons, of course, and I would love to see him actually address the issue. He is the one who is responsible for time allocation. It is he who ultimately has to defend the government.

My question to the Leader of the Government in the House of Commons is: Does he feel it is appropriate to make time allocation a part of normal procedure? That is quite the opposite of what they used to argue for in the days when they were in the opposition.

• (1040)

Hon. Vic Toews: Mr. Speaker, let me just summarize the facts that relate to the procedural aspects of this particular bill, as I understand them.

The NDP and the Liberals have supported the legislation at all stages. More important, no amendments were proposed. It was studied at five public safety committee meetings. This is the fourth day of debate. There are no amendments to debate. There has been support at all stages.

I think it is very clear to Canadians what is happening here. The opposition is simply being obstructive.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I noted a tone of defensiveness in my hon. colleague—

Mr. Kevin Sorenson: What? Back and forth on that side. Is that the way we are doing this?

Mr. Speaker, I rise on a point of order. I would like to understand how the person who is debating will be going.

The Deputy Speaker: I have the point of order by the member for Crowfoot. The standing practice in the House is that the opposition parties get the priority of time almost exclusively for this 30 minutes of debate. That is the practice. That has been the tradition in the House for many years. One or two members get recognized from the government side, and that has been the pattern by both the current Speaker and chair occupants and the previous number of Speakers going back 20 years at least.

The hon. member for Timmins—James Bay.

Government Orders

Mr. Charlie Angus: Mr. Speaker, that is a very important thing to point out. I see the defensiveness of my colleagues on the other side. Not only do they want to shut down debate, and it was their decision to shut down debate, but they want to dominate what little time is left of the opposition's opportunity.

Canadians know what is going on here. The government is mired up to its neck in scandal. The Conservatives appointed Arthur Porter, a criminal, and then because he gave them money, they appointed him to oversee the spy agency of Canada. The justice minister seemed to think Arthur Porter was a great guy when he was giving money. We have the same situation in the Senate.

The Conservatives are doing everything they can to get out of town as quickly as they can and hide out at their cottages for the summer and hope this issue will go away—

The Deputy Speaker: The hon. member for Crowfoot has a point of order.

Mr. Kevin Sorenson: Mr. Speaker, I rise on a point of order. I accept your response in regard to the almost exclusive number of questions, but I would ask that they remain relevant.

What we are debating is time allocation on Bill C-51. On one hand, the NDP wants to talk about certain methods of moving it through when they want to expedite it and, on the other hand, now we are hearing about everything other than Bill C-51.

If we are going to have questions, then they should be questions in regard to the debate and to the bill we are discussing.

• (1045)

The Deputy Speaker: Let me make the determination. The debate that is going on at this point is not exclusively about the bill that is before the House. It is also about the procedure that is being used, the time allocation motion. That is primarily what this debate is supposed to be about. The comments by the member for Timmins—James Bay are in fact very relevant to that part.

The hon. member for Timmins—James Bay.

Mr. Charlie Angus: Mr. Speaker, I would like it to be also noted that this is an attempt to walk the clock down and I think that every time the government interferes with our right to speak, the clock should be stopped, because this is an attempt to intimidate members of the House.

I will go back to the issue. The issue here is not the bill, because those members do not want to debate the bill. The issue here is their decision for the 37th or 38th time to shut down debate in the House of Commons. The Conservative government does not believe in accountability. The Conservative government will use the tools of power to undermine basic democratic processes. The government will take convicted fraud artists and put them right into the heart of the Prime Minister's Office and use them for advice.

The government is again shutting down the democratic right of the House. The government spies on people like Cindy Blackstock. The government has shut down numerous independent bodies. Whatever happened to the party that promised accountability, that told us that people like Stockwell Day and Deborah Grey represented accountability? Now we have the member for Nepean—Carleton; that is the government's idea of accountability. Now we have Patrick Brazeau;

that is their idea of accountability. Now we have Pamela Wallin and Mike Duffy. The government promised to Canadians that it would bring a standard back to government. The government made a promise to Canadians and it broke it.

Mr. Kevin Sorenson: What about your revenue critic?

Mr. Charlie Angus: I hear their defensiveness, Mr. Speaker. They sound almost crazed over there. I know they want to get home, but they are accountable and they cannot shut the House down again to escape accountability.

Hon. Vic Toews: Mr. Speaker, I think all of us want to get home at some time or another, but the point is that I was here until one o'clock this morning. I was here prepared to debate the bills and speak to matters. In fact, I asked questions last night.

Ms. Françoise Boivin: Which one?

Hon. Vic Toews: The member across the way is chirping, as she usually does, but what I would like to say with regard to the issue of accountability is that the member who just spoke promised his constituents that he would vote to abolish the long gun registry. He promised every one of them whenever he could, because he realized it was a contentious matter. However, when he came back to Ottawa he changed his mind, so I do not need any lessons from that individual about accountability.

Let us get to the issue of this particular bill itself.

The Liberals and the New Democrats have supported this legislation at every stage. They have not proposed one amendment, not even a technical amendment. What they want to do is drag out the clock. Then when we say we should add 20 hours of debate to the week, what is their response? No.

[*Translation*]

Mr. Jean-François Larose (Repentigny, NDP): Mr. Speaker, becoming a member of Parliament was a very proud moment for me.

From the time I was child, I had watched the Hill operate as part of a democratic system. I did not always agree with the debates, but there was certainly a process that commanded a great deal of respect. Since I have been here as a member of Parliament, I must say that I am truly ashamed. I am ashamed to see how things work. I am ashamed of the process. I do not understand.

My question for the minister is quite simple. When did he lose faith in debate and decide it was not important? He is talking about a motion. He has some nerve.

When do the Conservatives ever make any sort of effort? When they decide to control the situation, then things go their way. As far as we are concerned, we want to have an ongoing, constructive debate. We are always prepared to work with the government. Unfortunately, they do not listen to anyone. They cut off debate and rhyme off all sorts of excuses every chance they get.

I would like to understand where the minister is coming from because I no longer understand the government. Personally, I think some therapy is in order—for the government, I should say.

Government Orders

• (1050)

[English]

Hon. Vic Toews: Mr. Speaker, I can see how sensitive the members are on the other side. If they will not listen to me, let us listen to the member for Esquimalt—Juan de Fuca. What did he say about the bill?

Mr. Kevin Sorenson: He is their lead critic.

Hon. Vic Toews: He is their lead critic, as the member for Crowfoot points out.

He said:

Also, of course, we have committed to expediting its passage through the House. We believe it's important legislation. It's something we've been interested in since the time of the Air India inquiry...

They have been on this since the time of the Air India inquiry. What has their response been? Zero amendments.

Mr. Chris Warkentin (Peace River, CPC): Mr. Speaker, the hon. member across the way talked about faith. Something I have faith in is the police forces of our country.

I have a quote from Tom Stamatakis, the president of the Canadian Police Association. He said:

The Canadian Police Association strongly believes that this proposed legislation will enhance the safety and security of front-line law enforcement personnel who are engaged in protective duties.

Unfortunately, the disclosure of identifying details can present a real danger to police personnel themselves as well as their families, and we appreciate the steps being taken today by the government of Canada to address those concerns

He added:

On behalf of over 50,000 law enforcement personnel that we represent across Canada, we ask Parliament to quickly move to adopt this bill.

I wonder if the minister could respond to the necessity. I think there has been a plea. There is agreement in the House that we should pass this bill, but more importantly, there is agreement among the 50,000 law enforcement officers across the country to move this bill forward. It is not because they have something to gain from this, other than their own personal safety and the safety of their families.

I wonder if the minister could speak to the necessity of moving this bill forward quickly so that we can protect the interests, the lives and the safety of over 50,000 law enforcement personnel, as well as their 50,000 families.

Hon. Vic Toews: Mr. Speaker, while I appreciate the comments, I am not going to get into the specifics of the bill because that is not really the purpose of this discussion.

However, I would note the comments of the Canadian Police Association, which has been very supportive of the initiatives we brought forward as a government. In fact, many of the initiatives we brought forward have been inspired by consultations with the Canadian Police Association and the chiefs of police. We want to thank them very much for that.

Getting back to the comments of the member for Esquimalt—Juan de Fuca, he indicated that he had been interested in this file since June 2010, when the Air India commission of inquiry released its report. For three years the member for Esquimalt—Juan de Fuca and his colleagues have been working on this file. They have committed

to expedite it. They have said that it is very important and it should be expedited. The government has said, "Fine". The police also want to move this bill quickly. However, the question that comes to me is this: what substantive changes need to be made, while still respecting the principle of expediency that the NDP is advancing here?

There have been zero amendments proposed by the NDP.

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, here we are debating a motion for closure just after a very passionate presentation by the member for Saanich—Gulf Islands with respect to how these motions for time allocation impact on individual members.

I am a new member of Parliament here, but in my previous career I had occasion to work with the hon. minister when he was general counsel with an insurance company. Back then, one of the principles by which he guided his career was that a negotiated resolution was always better than one imposed.

Given the minister's previous work history, my question for the minister is this: what measures were taken to try to come to a negotiated resolution and try to come to a compromise in terms of debate limits before this draconian measure was imposed yet again?

• (1055)

Hon. Vic Toews: Mr. Speaker, I think that is an important question and one that was very well put.

It is indeed a principle that I have always accepted. We should negotiate when there are differences of opinion in respect to a bill. Mr. Speaker, I think you, as legal counsel, understand the importance of that approach as well.

However, one of the things I found out is that if one side is negotiating and advancing a position and the other side has zero response in terms of objections, it is difficult to negotiate. We can state our position, but when everybody on the other side says that is a great position, then that is the end of the negotiation.

We are not against negotiations, but there has been nothing to negotiate with. There have been no amendments put forward. This is not an issue of the government saying that it does not want to negotiate; this is the other side saying that since 2010 it has wanted this measure to be passed on an expedited basis.

We have waited patiently, but there has been no sound coming from the other side in any substantive amendments. Therefore, we are left with the unsettling feeling that this is not about bona fide negotiations but just an attempt to drag this matter out.

That is my concern here.

[Translation]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, it saddens me to speak to a time allocation motion yet again. Earlier, my colleague from Gatineau asked how many of these motions we have had to date. It seems that this the 38th.

Government Orders

The minister is interested in debating this particular bill that we are now studying, but we have to keep in mind that this is the 38th time that the Conservatives have cut debate short in order to give members, on both the opposition and government sides, as little time as possible to discuss the bill before voting. As legislators, the least we can do is be conscientious and effective. The Conservatives do not need to cut debate short every time so that as few people as possible can participate.

I was wondering why the government is using this strategy to limit debate for a 38th time, as though everything were urgent? In some of those 38 cases, there was no urgency.

[*English*]

Hon. Vic Toews: Mr. Speaker, it is not the government itself that has said this is an urgent matter, but the members across the way.

If the members across the way are saying that this is an urgent matter, then the questions become, “What issues need to be determined in the context of this urgency? What needs to be clarified? What needs to be fixed?”

The response of the opposition is a deafening silence. There is nothing in respect of this bill.

I cannot comment on the other times that closure has been invoked in this House, but from my point of view, when I stand up to respond to arguments being made, there has to be some kind of substantive argument. In this case, zero amendments have been proposed.

I have to take the member for Esquimalt—Juan de Fuca at his word that the opposition members want to expedite this, yet everything that I hear them say says they want to drag their feet. They have to explain to the people of Canada that they want to have a vigorous debate about nothing.

● (1100)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, as this is not a discussion on Bill C-51 but on yet another time allocation, I have been doing research.

I cannot find any time in the history of the Parliament of Canada when time allocation was used as it was this week, twice in one day. The government is setting a new record, not only for time allocation in general but for the number of times in one week that time allocation has been used on bills in the history of the Parliament of Canada.

I wonder if that is a record of which the hon. minister is proud.

Hon. Vic Toews: Mr. Speaker, let us talk about this specific bill, because that is the one I am focused on.

The people of Canada expect that I will justify why this process is being utilized in this particular case. I have commented very clearly about why it is justified in this case, noting that there has been vigorous debate over no amendments for a long period of time. This bill has been brought forward in committee, and it has resulted in absolutely no amendments.

I know the member for Saanich—Gulf Islands is concerned that as an independent member she does not get enough time to speak from time to time. I dispute that. I think the government has brought more to the floor for independence than any government has.

Be that as it may, why would that member want to see a debate over nothing prolonged, knowing that it will have an impact on her future ability to speak in this House?

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, the minister talks about what Canadians expect. What the people from Surrey North expect is the opportunity for me to represent them here.

I came to Ottawa two years ago. We learn throughout our lives, and one of the terms I learned under the government is “time allocation”. It took me a few times to figure out what it was. I want Canadians to know that basically it shuts down the ability of the members of Parliament from all across Canada to represent their views.

I see a number of members in here who are from western Canada. I remember when they used to talk about how they were going to bring transparency and accountability to Ottawa. What I see here is exactly the reverse.

I see a government that wants to run away. The Conservatives are fearful today. They want to run away back to their ridings so they do not have to face the scandals that are plaguing them here, the scandals of the Senate, the CSIS scandals and other scandals that are taking place.

My question to the hon. Minister of Public Safety is this: what are they afraid of? Why are you afraid of debating this in the House of Commons and of giving members of Parliament opportunities for debate?

The Deputy Speaker: I would direct members to direct their questions and comments to the Chair, not to each other.

The hon. Minister of Public Safety.

Hon. Vic Toews: Mr. Speaker, I have a lot of respect for the member. What I fail to understand is that he indicates somehow that expanding debate by 20 hours a week is somehow running away from an issue. Twenty hours a week is a substantive amount of time that I might point out members opposite voted against.

I am not exactly sure what he means by saying we are running away from debate. Debate on what? I appeared in front of the committee. I responded to every objection that was raised. At the end of the day, the NDP raised no amendments. New Democrats were obviously satisfied with the position that our government had taken, that my presence at committee and the comments of my colleagues in the House had satisfied them that the bill was as good as it could possibly get.

An hon. member: Oh, oh!

Hon. Vic Toews: The member across the way is chirping because she does not have anything substantive to say on the record, but the issue is I just do not understand, how do I respond to zero amendments, an admission by the opposition that the bill is a good bill? It needs to be expedited, but members want to stand in the way.

● (1105)

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

[Translation]

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

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And five or more members having risen:

The Deputy Speaker: Call in the members.

• (1145)

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

(Division No. 707)

YEAS

Members

Ablonczy
 Aglukkaq
 Albrecht
 Allen (Tobique—Mactaquac)
 Ambler
 Anders
 Armstrong
 Aspin
 Benoit
 Bezan
 Block
 Braid
 Brown (Leeds—Grenville)
 Brown (Barrie)
 Calandra
 Cannan
 Carrie
 Chong
 Clement
 Daniel
 Dechert
 Devolin
 Duncan (Vancouver Island North)
 Fletcher
 Gallant
 Goguen
 Gosal
 Grewal
 Hawn
 Hiebert
 Holder
 Jean
 Keddy (South Shore—St. Margaret's)
 Kent
 Komarnicki
 Lake
 Lebel
 Lemieux
 Lobb
 Lunney
 Mayes
 McLeod
 Merrifield
 Moore (Port Moody—Westwood—Port Coquitlam)
 Moore (Fundy Royal)

Adler
 Albas
 Alexander
 Allison
 Ambrose
 Anderson
 Ashfield
 Bateman
 Bernier
 Blaney
 Boughen
 Breitzkreuz
 Brown (Newmarket—Aurora)
 Butt
 Calkins
 Carmichael
 Chisu
 Clarke
 Crockatt
 Davidson
 Del Mastro
 Dreeschen
 Findlay (Delta—Richmond East)
 Galipeau
 Glover
 Goodyear
 Gourde
 Harris (Cariboo—Prince George)
 Hayes
 Hoback
 James
 Kamp (Pitt Meadows—Maple Ridge—Mission)
 Kenney (Calgary Southeast)
 Kerr
 Kramp (Prince Edward—Hastings)
 Lauzon
 Leitch
 Leung
 Lukiwski
 MacKenzie
 McColeman
 Menegakis
 Miller

Nicholson
 Obhrai
 O'Neill Gordon
 O'Toole
 Payne
 Preston
 Rajotte
 Reid
 Richards
 Ritz
 Schellenberger
 Shipley
 Smith
 Sorenson
 Storseth
 Sweet
 Toet
 Trost
 Truppe
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 Van Kesteren
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 Sky Country)
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Norlock
 O'Connor
 Opitz
 Paradis
 Poilievre
 Raitt
 Rathgeber
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 Rickford
 Saxton
 Seeback
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 Stanton
 Strahl
 Tilson
 Toews
 Trotter
 Tweed
 Valcourt
 Van Loan
 Wallace
 Warkentin
 Weston (West Vancouver—Sunshine Coast—Sea to
 Skye)
 Wilks
 Wong
 Yelich
 Young (Vancouver South)

NAYS

Members

Allen (Welland)
 Angus
 Atamanenko
 Ayala
 Bellavance
 Bevington
 Blanchette-Lamothe
 Borg
 Boutin-Sweet
 Byrne
 Casey
 Charlton
 Choquette
 Christopherson
 Côté
 Cullen
 Davies (Vancouver Kingsway)
 Dewar
 Dionne Labelle
 Dubé
 Duncan (Edmonton—Strathcona)
 Eyking
 Fortin
 Fry
 Genest
 Goodale
 Harris (Scarborough Southwest)
 Hsu
 Hyer
 Karygiannis
 Lapointe
 Latendresse
 LeBlanc (LaSalle—Émard)
 Liu
 Mai
 Masse
 May
 McGuinty
 Michaud
 Morin (Notre-Dame-de-Grâce—Lachine)
 Nash
 Nunez-Melo
 Papillon
 Pécelet
 Pilon
 Rankin
 Raynault
 Saganash
 Scott

Andrews
 Ashton
 Aubin
 Bélanger
 Bennett
 Blanchette
 Boivin
 Boulerice
 Brosseau
 Caron
 Cash
 Chicoine
 Chow
 Cleary
 Crowder
 Cuzner
 Day
 Dion
 Doré Lefebvre
 Duncan (Etobicoke North)
 Dusseault
 Foote
 Freeman
 Garrison
 Giguère
 Gravelle
 Harris (St. John's East)
 Hughes
 Jacob
 Lamoureux
 Larose
 Laverdière
 Leslie
 MacAulay
 Martin
 Mathyssen
 McCallum
 McKay (Scarborough—Guildwood)
 Morin (Chicoutimi—Le Fjord)
 Morin (Laurentides—Labelle)
 Nicholls
 Pacetti
 Patry
 Perreault
 Quach
 Ravignat
 Regan
 Sandhu
 Sellah

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Sgro sor)	Simms (Bonavista—Gander—Grand Falls—Wind-
Sims (Newton—North Delta)	Stewart
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PAIRED

Nil

The Deputy Speaker: I declare the motion carried.

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

• (1150)

[*English*]

THIRD READING

The House resumed from May 23 consideration of the motion that Bill C-51, An Act to amend the Witness Protection Program Act and to make a consequential amendment to another Act, be read the third time and passed.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, it is a pleasure today to rise and speak in support of Bill C-51, An Act to amend the Witness Protection Program Act and to make a consequential amendment to another Act.

Before I get going with my speech today, I want to recognize the stellar work done by my colleague from Esquimalt—Juan de Fuca, the critic for public safety. He is such an impressive member of Parliament and does incredible hard work out in his riding, but also right here. When it has come to public safety, he has been on the job, working with the government where he can or where they let us, and then being the best advocate he can be to build strong, safe communities right across Canada.

That is our primary aim and our goal. We are committed as a caucus to building strong, safe communities right across this country for everyone. It was for that reason, when time allocation was moved at committee, that our committee members on this bill actually co-operated. To hear them being smacked in the House today was a bit rich. It seems that when we try to co-operate we get smacked around anyway. That is really unfortunate, when we have a parliamentarian who works incredibly hard to build bridges and work together with others to put forward the public safety agenda. Also, I do not know if it is coincidence, but I notice that out of all the times for the witnesses, the NDP witnesses were left to the end, right before the report was written.

Once again, I fail to understand why these games get played in this Parliament. It is to that end that I find it quite astounding that here we are again today, moments before I started to speak, having to vote on another time allocation motion, number 38, and number 5 within a week. We really have to wonder what the Conservatives have to hide. What do they have against parliamentary democracy? What do they have against parliamentarians from right across this country, from every single party? I am talking about all parliamentarians. What do they have against parliamentarians' right to represent their communities and speak to legislation? That is a key concern.

If I were not sitting in these hallowed halls of Parliament, and I were outside trying to teach people about parliamentary democracy, this would be a classic case of a government that is trying to shut down the democratic processes. It gives me great concern. What kind of a model are we setting for our youth? What are we saying to them? That our Parliament is not where people go to *parler*, not where they go to speak and debate and discuss issues, but that Parliament is now a place where a majority can use a hammer to silence the voices of members of Parliament. That is a shame, and a damning comment on the current government at this time.

However, getting into the piece of legislation before us, once again we are here to talk to a bill that we support. Because we support it, we are still very concerned about MPs I know on this side of the House who want to speak to this issue and raise concerns from their riding. They want to share with other members of Parliament how constituents in their riding feel about this legislation and how this is a step in the right direction, but more needs to be done. Once again, what we have is the hammer being used by a majority government to silence duly elected members of Parliament.

• (1155)

It is no surprise that even on this bill the Conservatives are late to the game. The NDP has been working on this file for years. We have been one of the critics of the eligibility criteria for witness protection, the poor coordination with provincial programs and the low numbers of witnesses admitted into the program. As an example, in 2012, out of 108 applications considered only 30 were accepted. That is what we need to debate, discuss and address.

The witness protection program was passed in 1996. Both the Liberal and Conservative governments have done little to respond to the criticisms of the system and the program. Some bills have been presented in the House of Commons and the NDP has supported them, especially those in 1999 relating to domestic violence. However, the Liberal government helped to defeat them.

Therefore, what has yet to be addressed is the overarching issues of eligibility, coordination and funding. The NDP is on record of repeatedly asking the government to address the three key issues I have identified. I am not making that up.

In November 2012, the NDP member of Parliament for Trinity—Spadina called for more support for the federal witness protection program, pointing to the difficulty the Toronto police faced in convincing witnesses to the shooting that summer at a block party on Danzig Street to come forward, because without protection people are scared. They are scared for themselves and their families. We really need to address these issues.

We are pleased to see that this legislation, Bill C-51, does expand the eligibility criteria for the witness protection program to include witnesses recommended by CSIS and the Department of National Defence. It would also extend the period of emergency protection and clear up some technical problems with respect to coordinating with provincial programs. That coordination does not go far enough. There is far more that could be done.

Government Orders

When we look back on our history, there is a lot we can learn. It pains me every time I bring up the Air India disaster, one of the worst terrorist acts to take place against Canadians. Thousands of families were impacted and are still finding it very difficult to come to terms with the fact that the people responsible for that tragedy and heinous act of terrorism are still out there. I can still remember the artistic portrayal and a poem written about the bodies and body parts that were discovered. Whole families were wiped out. A husband lost not only his wife but both his children. A brother lost his sister and her whole family. There are many such stories and many of those constituents live in my riding. Recently, I had the privilege of meeting one of the victims of that tragedy at a committee meeting. The words he said really haunt me even now. He said that it hurts today as though it were yesterday and that the biggest hurt of all was that the country he lives in has still not been able to mete out justice. Finding and punishing the people who did that heinous crime will not bring back those who have passed away. However, it will give people some peace. That story has a direct link to the witness protection program.

● (1200)

After that tragedy, people were very unwilling to come forward and be witnesses. Even those who gave testimony then withdrew it. As a result, we have very little resolution, despite a very intense inquiry with pages and pages of recommendations.

One of the most hurtful things for those surviving members, and for us as Canadians, is that many of the recommendations from that inquiry, which I have heard both the government and others parties say were laudable, are not part of this report. We are very sorry that they are not here, but in order to expedite this particular piece of legislation and to get this part through where we have at least some expansion of the criteria, we co-operated. However, it was with a heavy heart that we did so.

I look back at Mr. Tara Hayer, a distinguished gentleman who lived in my riding and who was shot. He was shot because he gave an affidavit and was willing to be a witness in the Air India trial. We can imagine that after his tragic murder, there was an even further reluctance for anybody in the community to speak up. It is because of this that we have to have this expansion of criteria and a way to extend emergency protection, even if it is not everything we were looking for.

The key thing here is that it is easy for us to pass bills that look good on paper. We get moved by emotions at times and we can pass bills for those reasons as well, but one of the things that I have learned is that unless we provide the resources, it is very difficult to see how the already stretched authorities will be able to fulfill this new mandate.

We have an amazing RCMP and it will do whatever it is asked to do with the resources it is given. This is not a criticism of our RCMP. It is a criticism of us as parliamentarians, who have not built additional resources into the bill or the budget because we are expanding the criteria and we are expanding a certain level of co-operation with the provinces. We have to make sure that we do not download more of these costs onto the provinces, which I would say are already stretched.

We as a party are very committed to building safer communities. One way to do that is through an improved witness protection program and improving its criteria. The other way is to give the police additional tools to fight street gangs and organized crime. This is a huge issue in my riding and many ridings across the country. One of the key things we need if we want to get into prevention and proactive programs is to ensure that our front-line service providers have the tools they need. If they do not have the tools they need, we know that there are some serious struggles to be had.

There have been validators of our position and the RCMP. In late 2009 and early 2010, the federal government actually consulted the provinces and territories on the program and a number of provinces expressed concerns. Several provinces have their own witness protection program, but they often only provide short-term assistance. There is a need out there. Allowing street gang witnesses into the protection program has been a long-standing recommendation of those working to combat street gangs, in addition to a recent RCMP request to the government. The RCMP has also advocated for intensive psychological examination of potential protectees.

To finish off, we are going to support this bill. We are very strong supporters of strong, safe communities. To that end, we are expediting this piece of legislation through the House.

● (1205)

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, one of the frustrations the police have with regard to the witness protection program is that, from time to time, witnesses do not realize their obligations under the act as well. Some of those obligations are that they must sever their ties with everyone they have known. It is a difficult process. As a result of that, sometimes there is a compulsion to go back to meet a friend or a family member. At the time, they do not think it will cause any problems, but it can.

Would the hon. member agree that the witness protection program does, for the most part, work very well, but there is also a requirement for the witnesses to fulfill their obligation?

Ms. Jinny Jogindera Sims: Mr. Speaker, I absolutely agree that responsibilities and rights go both ways. This is where the request by the police for additional funding or resources to look at the psychological impact and to provide counselling and support really becomes critical. When we are removing people and putting them into protection, we are protecting their lives and doing it for very good reasons. However, once witnesses are cut off from their support system, it can lead to a huge vacuum and all kinds of psychological problems as well. We absolutely need to educate the witnesses and provide them with support as they adjust to being in the protection program.

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Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I want to emphasize the benefits of the witness protection program in delivering results and making our communities a safer place to live. In certain areas of our country there is a very high level of gang activity, for example. To break into organized gangs to cause the destruction of them, we likely will have to go to individuals within those gangs to get the type of prosecutions necessary to break them up.

If we are successful at doing that in certain regions of our country, it will make the communities much better. To get that informant, we need to have a healthy, confident witness protection program so we can hopefully be more effective at destroying gangs from coast to coast to coast.

Could the member comment on the potential of the destruction of gangs by having an effective witness protection program?

Ms. Jinny Jogindera Sims: Mr. Speaker, the impact of gangs in our communities is a concern to all of us no matter where we sit in the House. We need a multi-faceted approach. We need education. We need a proactive rehabilitation. Part of that rehabilitation and also trying to insert ourselves into gangs and trying to break up some of them has to be a witness program for young people, although gangs can have people of all ages, who have faith and believe they truly will be protected. If there is any doubt or any question to our ability, then there will be that fear again.

It all goes back to resourcing. It is not enough to remove people from a certain environment, give them new IDs and put them into other locations. It is about the kind of psychological aspects, like looking for a job, education and counselling support we provide for those people to settle into their new lives and live productive lives in different environments.

• (1210)

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I thank the member for Surrey North for her very kind comments about my role as public safety critic. Her speech illustrates the importance of representation in Parliament. She represents a riding in which witness protection and the lack thereof have played a very critical role in something which is very much a deeply felt issue in the community, and that is the Air India tragedy.

I want to take this opportunity to thank her for reminding us how we were unable, as a justice system, to address the concerns of the community and to bring people to justice who caused such great harm in their communities.

The minister in his comments earlier today implied that we did not have anything to say on this. In her opinion, does the bill make enough improvements on the question of dealing with things like the Air India tragedy?

Ms. Jinny Jogindera Sims: Mr. Speaker, this is definitely a movement in the right direction. It does expand the criteria. However, it does not set up an independent advisory board, which we will have to look at in the long run. Otherwise, the RCMP will be questioning itself and that puts it in a terrible position.

The member is absolutely right. I live in a riding where it is not unusual to have guns fired every week. People are scared and very

concerned about their safety. For us, it is very important to have a robust and well-resourced witness protection program.

My big concern with the legislation is the lack of resources, as well as the independent panel that we hoped would be established.

Notwithstanding all of that, we support this because it does expand the criteria. That expansion of the criteria is enough to get the NDP support. We have been pushing for this for a long time. I am so pleased to see the government has come to that conclusion as well.

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, I want to thank all those who have spoken to the bill.

I have the privilege of chairing the public safety and national security committee. Our committee did the study and research on Bill C-51, which is why I am pleased to rise today and speak to the safer witness act.

If members would indulge me for a moment, I would like to paint a picture of what I believe most Canadians, indeed most people across North America, think the witness protection program is about and how it works. For that, we can thank Hollywood with the movies it puts out, TV shows, reality shows, cop shows and shows about crime. To a certain degree, the image of witness protection has almost been glamorized.

For example, in a typical movie, the underappreciated subordinates in some gangs or crime rings decide they will step away from their gangs and go to the police to spill the beans about the gangs' criminal undertakings and talk about the bosses of the crime rings. The movie shows the informants receiving false IDs and law enforcement taking them to new cities where they begin new lives as a different people. They are given new jobs and acquaintances who hopefully will become their friends, and that is where they now live their new lives.

Being a Hollywood movie, their real identities are eventually discovered by the old crime gangs and they pull out all the stops to silence them before they get to trial. Indeed, if they do get to trial and spill the beans, then the gang finds them and they get some payback for the testimony they gave against their former colleagues.

Thankfully, that is not reality. Quite frankly, the Hollywood version is oversimplified. It certainly makes for a good movie, but it is not the way the witness plan works.

In real life, being part of a witness protection program does not mean a life of bodyguards stationed outside one's door or home, or being drawn into wild action scenes such as being followed while running down the street, avoiding gunshots and, thankfully getting back to the safe hiding place. That is not the way it is. However, this is not to say that protecting witnesses is not important or dangerous. After all, there is a reason why witnesses need protection and the police understand that. I think Canadians also understand it.

Government Orders

These individuals have generally agreed to help law enforcement or provide testimony on criminal matters with the end goal of removing criminal elements from the streets and making our communities safer. The inside knowledge they have agreed to provide to authorities may be invaluable, but could place their lives at risk.

Witness protection is recognized around the world as one of the most important tools that law enforcement may use and should at least have at its disposal to combat criminal activity. If we cannot provide adequate protection in our country to those individuals who agree to come forward, despite the danger they face, we lose a very critical source of information in getting to the bottom of the criminal charges and crime.

● (1215)

In the case of organized crime in particular, these witnesses are often the key components in achieving convictions. To ensure a fair and effective response to organized crime, terrorism and other serious crimes, government and police agencies must provide protection to informants and witnesses who can face intimidation, violence, reprisals and indeed, the loss of their own lives. Offering protection to these informants and witnesses allows law enforcement to obtain and sustain their collaboration. For this reason, we must ensure that we have the best system in place to protect these individuals.

Here in Canada, we have two separate witness protection programs. We have the programs run by the provinces and the federal witness protection program. While informal witness protection has been practised since 1970 in Canada, the federal witness protection program was officially established only in 1996. It is administered by our national police force, the RCMP. The provincial programs, found in Quebec, Ontario, Manitoba, Alberta and Saskatchewan, typically provide shorter-term protection and could include relocating the person temporarily or providing limited financial support.

In cases where provincial protectees require secure identity changes, they must be transferred to the federal program. At the federal level, the Witness Protection Program Act provides a range of emergency protections to witnesses under threat, from temporary protection to permanent relocation to, in some cases, complete identity changes.

As members have heard over the last several years, extensive consultations and studies of the federal witness protection program indicated a clear need to modernize the current legislation and to improve how the federal and provincial programs intersect. The safer witnesses act contains a number of amendments to the Witness Protection Program Act that do just that. They fall within five broad areas.

First, the bill would enable the provinces to have their respective programs designated under the federal act, thereby allowing their witnesses to receive secure identity changes without having to be admitted into the federal program. This measure would cut back on duplication. It would mean that they could continue without beginning the program and then having to move to the federal program. They would now be part of their own provincial plans.

In stakeholder consultations, some provinces indicated that having to transfer their protectees to the federal program for identity changes can be cumbersome and time-consuming. Bill C-51 addresses these calls for change. Any time we have duplication and cumbersome, time-consuming regulations for an act, it costs money. The provinces have recognized this and have asked for this part of the enablement to be done through the provincial program.

Second, the federal organization would be required to help the RCMP obtain secure identity changes for witnesses in both the federal program and designated provincial programs. It would give the federal organizations or departments the requirement that they will help provide these for the provincial plans. The RCMP would continue to act as the liaison between the provincial and federal programs.

Third, Bill C-51 would broaden the prohibition against disclosure, ensuring the protection of provincial witnesses and information about both the federal and provincial programs. This measure addresses calls by the provinces, again, to ensure that witnesses in their programs are protected from the disclosure of prohibited information throughout Canada.

Fourth, the legislation proposes changes that would expand which entities could refer individuals to the federal program. Currently, only law enforcement agencies and the international criminal tribunals can make referrals to the witness protection program.

● (1220)

Under Bill C-51, it would be broadened to include other organizations, such as national security, defence and public safety organizations. They would be able to refer witnesses to the federal program. When we heard witnesses, all parties said that it should not just be the RCMP. Indeed, in some cases, it needs to be the Department of National Defence or CSIS that steps forward. We are just broadening the groups that can refer to this program.

Fifth, the bill addresses a number of other concerns from federal and provincial stakeholders, such as allowing for voluntary termination from the federal program and extending emergency protection to a maximum of 180 days. I think it is currently 90 days. This says that in this day and age, temporary emergency protection timelines may have to be doubled.

Together, the proposed changes would serve to strengthen the current Witness Protection Program Act, making the federal program more effective and secure for both the witnesses and for those who provide the protection.

The crux of the program is to keep those involved and their information safe and secure. Our committee was taken with this. As we heard this morning, already five meetings have been held, because there is a need to extend protection.

Mr. Speaker, I know that the parliamentary secretary, in her speech, highlighted these points, but as this is a matter of importance to front-line police officers and witnesses, I would like to turn your attention to the proposed changes to disclosure prohibitions.

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Currently, the act prohibits the disclosure of information about such things as the location or change of identity of a current or former federal protectee. A concern was brought forward that these disclosures be extended to include information about provincial witnesses and about the provincial witness programs and those they protect.

The safer witnesses act addresses this concern with changes that broaden the prohibition on disclosing information in a number of areas. First, and maybe most important, it prohibits the disclosure of information related to the individuals who are protected under the designated provincial program.

Second, it prohibits disclosure of any means or methods of protection that could endanger the protected individuals or the integrity of the programs themselves. This includes information about the methods used to provide protection or support. It also includes information about the methods used to record or exchange confidential information as well as data about the location of secure facilities.

Third, it prohibits the disclosure of any information on the identity or role of persons who provide or assist in providing protection to the witnesses. Not only is the witness going to be protected, but the person who organizes providing the secure identity and location and so on will be protected. This would broaden the prohibition to include not being able to disclose information about those involved in changing identities.

Further, the bill clarifies language in the current act to ensure that these measures apply to situations in which a person directly or indirectly discloses information. The bill also specifies that one must knowingly reveal this information for it to be an offence. *Mens rea* applies. It has to be willing disclosure. That would become prohibited.

Bill C-51 includes changes that would further strengthen the legislation in this regard. For example, as stated in the current act, the protectee or former protectee can disclose information about him or herself, as long as it does not endanger the life of another protectee or former protectee and does not compromise the integrity of the program itself.

• (1225)

Under Bill C-51, this wording would be changed to remove the reference to the integrity of the program and would clarify that the protected person could disclose information if it would not lead to substantial harm to another protected person.

The current act also allows for disclosure of prohibited information by the RCMP commissioner for a variety of reasons, such as if the protected person gives his or her consent or if the protectee or former protectee has already disclosed the information or acted in a manner that resulted in the disclosure. If the disclosure is essential to the public interest for a purpose such as investigations or for the prevention of a serious crime, national security or national defence, the Commissioner of the RCMP may be able to disclose it. Most people understand that in those cases, under certain conditions, the RCMP commissioner may have the ability to disclose if that disclosure is going to protect our society. In criminal proceedings where the disclosure is necessary to establish the innocence of a

person, again, the RCMP commissioner may be able to disclose under certain conditions.

Under the safer witness act, the wording would be changed as it relates to the RCMP commissioner disclosing prohibited information for the “public interest”. As such, under Bill C-51, he or she could only disclose this information when it was essential to the administration of justice. I think all parties recognize that reasonable grounds include disclosure to uphold justice.

Furthermore, we propose to change the wording for national security purposes. Under Bill C-51, the commissioner could disclose prohibited information if he or she had “reasonable grounds to believe that the disclosure is essential for...security or national defence”.

Along the same vein, Bill C-51 contains several proposed changes that would authorize the RCMP commissioner to disclose information in specific situations. For example, he or she should disclose information about both federal and designated program protected persons for the purpose of providing assistance to federal or provincial protectees in need of secure identity changes. The commissioner would also be able to disclose information about federal and designated program protectees in situations where a protected person either agreed to the disclosure or had previously disclosed information. For example, the protected person may have revealed his or her change of identity to family or friends.

According to the bill, the commissioner would be authorized to disclose information about the actual federal program and methods of protection and about the role of a person who provided protection under the program. This would only be done when the commissioner felt there were reasonable grounds to believe that the disclosure was critical for the administration of justice or for national security, national defence or public safety.

Other changes relate to the disclosure of information about protectees under the provincial designated programs and to issues related to the disclosure of information by an official of a designated provincial program. The RCMP commissioner does have some leeway here if it is for the protection of Canadian citizens.

This is a good overview of those elements in Bill C-51 that relate to safeguarding and disclosing information that could compromise the safety of protected witnesses.

To recap, the bill would broaden the prohibition on the disclosure of information beyond name and location of federal protectees to include protected persons in the designated provincial programs. It would also extend disclosure prohibitions to include information about all witness protection programs and the people who administer them. The bill would also provide exceptions to the disclosure of information to permit disclosure in certain circumstances, such as when it is in the interest of justice or public safety.

Government Orders

As I said at the outset, individuals who decide to become informants and to testify against crime organizations can face intimidation and danger. In his 2010 report entitled “A Review of Selected Witness Protection Programs”, Dr. Yvon Dandurand noted that the overwhelming majority of witnesses enrolled in witness protection programs are either involved in criminal activity or are somehow connected with criminal elements.

I see that my time is up. I thank all other parties for working with us on this. It was a good time going through this at committee. We appreciate the support of the House for the bill.

• (1230)

[*Translation*]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I thank my colleague for his speech on this very important bill. It has already been through several readings and will soon be examined by the Senate.

My question is very simple. I would like to know whether he thinks that the NDP and all the other parties worked together well as they debated this bill. In addition, why does he think it is important to pass this bill?

[*English*]

Mr. Kevin Sorenson: Mr. Speaker, it is an honour to chair a committee that really wants to accomplish some things. I give credit to both the NDP and Liberal members on this committee, as well as the government members. We worked well.

To be quite frank, there are times in committee, as here, that politics may want to be played, but there has to come a time, especially at committee, when we say we want to accomplish something. I do not know the constituency of the Liberal member who sits on the committee, but the member for Esquimalt—Juan de Fuca and others on the committee worked together with the government on this bill.

We heard from some very good witnesses. We heard different individuals ask us to move this bill forward as quickly as possible. We heard from the Royal Canadian Mounted Police and Assistant Commissioner Todd Shean. We also heard from Sergeant Abraham Townsend, who said, “On behalf of those I represent, I wish to thank the government for advancing Bill C-51, the safer witnesses act, which will in turn advance the public safety interests of all Canadians”. He said he wanted to thank “the government” for advancing Bill C-51, but I think we can look back and say he wanted to thank Parliament for advancing it, because we are moving it through quickly, and all of those involved in this very important legislation understand the importance of doing that.

• (1235)

Mr. Scott Andrews (Avalon, Lib.): Mr. Speaker, it sounds as though the committee he chairs has done a lot of hard work and has had a lot of input.

During his speech, he mentioned that this bill would also help protect individuals who are protecting those getting new identities, in other words, the members of the RCMP who find people new identities and work in that field. I think I heard that in his speech and I was wondering if he could elaborate a little on how this bill would protect officers who are helping people get new identities.

Mr. Kevin Sorenson: Mr. Speaker, obviously the member was listening to my speech, and I appreciate that.

Yes, that was one of the pieces of information that came out. We have a very specialized police force, and its members are very professional. There are many on this side of the House who have served in the RCMP and other police forces. They all say that individuals within the departments, the RCMP, the Toronto metro police or any metropolitan or municipal police force all have their areas of expertise. All of a sudden, someone is renowned in the force as being one of the individuals in charge of the witness protection plan. These individuals have their connections, their people and their locations, and pretty soon they have a real expertise.

People come and go on the forces, and as the old saying goes, loose lips sink ships. It may not necessarily always occur in the police force; it may come from some of the witnesses who have been protected. All of a sudden the talk begins, “Constable X or Sergeant Y or so-and-so did a great job”, and now these folks become targets.

It is important for the law enforcement officers who help provide this major service to our justice system that we put a further stamp on the important jobs that they do and in legislation and statute say that they need to be protected even more.

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Mr. Speaker, I listened intently to the member's speech. He mentioned one of the changes, which was to move from 90 days to 180 days, and he suggested it was a good change.

Since he is on the committee and heard from these expert witnesses, does he see any other changes that would be beneficial to these people and would be necessary to ensure that they are protected and kept safe in particular instances involving organized crime, et cetera? Would he suggest anything further we could do to keep them safe?

Mr. Kevin Sorenson: Mr. Speaker, that is one of the things that I am not certain was expanded on in committee, the extension from 80 days, I think, to 180 days.

Basically, what the different witnesses talked about when they came forward were the provincial requests. The provincial requests were about the length of time it took to move from the provincial program, which a number of our provinces have, into the federal program or the federal department in order to secure identities. The main thrust of what the provinces were pushing for was streamlining. I think they felt it would help save money and time for the provinces and for the police forces if we could have this type of thing streamlined. That was one of the big ones.

Another was disclosure. Most witnesses brought forward the idea that we should toughen up on those who would disclose who they were or where they were hiding or were relocated to. Those were some of the issues.

Government Orders

It was good legislation before, and it is better now. It has evolved to this point. It has taken a few years from both governments, but we have taken all the things that needed to be done that had been brought forward and included them in this bill. There are no gaping holes. That there were no other amendments attests to that. We worked well together with the other political parties.

• (1240)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, some of the issues and questions that are coming up in dealing with witness protection, particularly given the complexity of crime all across Canada, are about the need to expand the eligibility criteria, especially with the issues of youth gangs that we are dealing with now. Much of that is also under provincial jurisdiction.

I would like to ask my hon. colleague what steps are necessary to work with the provinces to ensure we have a better-integrated system. Do we need to expand the eligibility criteria for this program in order to deal with the issue of youth gang violence?

Mr. Kevin Sorenson: Mr. Speaker, all groups are included in this program. Youth are also included in the program.

The problem with the witness protection program, as far as youth are concerned, is that in most cases we are now not talking about the relocation of one young individual. We very well could be talking about the entire family.

Although youth are included in this, I think we asked the RCMP if anyone had been not permitted into the program because they were youth. The answer was no. The RCMP said that anyone who needs to be in this program gets into it.

In a few cases when witnesses understand the severity of what the program would entail, they do not always want to then move into that program. Not everyone who is bringing forward testimony against crime wants to give up the life they have now, their circle of friends and in some cases their family. They do not necessarily want to be in this program. However, for the most extreme measures, even for a short term, there is a need enter the program.

To relocate an entire family becomes difficult, but if that is what is needed, I think the answer is that it would happen.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, it is with great pleasure that I rise to speak on this bill today, and with a lot of relief, in that the government seems to be in an even greater rush to pass this bill and has trampled right over our co-operation in this case.

I want to review the timing that we are dealing with. This legislation was introduced on December 11, 2012, just before the Christmas break, so unfortunately it could not be dealt with at second reading until we came back.

It was dealt with at second reading on February 12, 2013. Then it was sent to committee. At committee, the government moved a motion suggesting that we should deal with the committee and hear our witnesses within four weeks.

We in the NDP agreed to that motion. We accepted a motion to limit our time in committee and to bring this back to the House in a timely fashion, so it came back here on March 26.

The first day of debate was less than a week ago. What we intended to do on this side of the House was to point out our concerns about the bill, but not to hold up this bill unnecessarily.

What we got was two speakers on the bill before the government decided it was time for time allocation. No one had threatened to put up every single member on the opposition side to speak, but we did have members who wished to speak on the bill.

I did hear some of the minister's comments on the imposition of time allocation, and I frankly cannot understand them. He was saying that we did not move any amendments at committee and that therefore we must have nothing to say.

At committee, we agreed to a number of witnesses so that we could bring this bill back in good time, have the debate and pass it in a timely fashion. In a way, what I heard the minister saying is that when we try to co-operate on the bill, he is going to punish us for that as well by restricting debate in the House. The comments from the Minister of Public Safety were nonsensical.

The member for Crowfoot, the chair of the public safety committee, acknowledged in his very good speech that we worked together in committee to talk about the problems with the bill but that we had agreed that the bill had taken too long to get here. The NDP has been calling for action on the witness protection program since 2007.

We agreed not to go into an extensive process of disagreement over amendments and call a lot of other witnesses. We agreed to get this back here because we on this side of the House do believe that there are improvements in this bill sufficient to allow it to proceed.

It is hard for me to understand how the minister could say we have nothing to say when he has not heard us yet. It is one of those odd comments: "The opposition must have nothing to say about this bill; therefore, we will not let them speak."

Before the session this morning, I was very privileged to speak to a group of young, very politically active gay students, organized by Jer's Vision. There were two members of Parliament there, and we were explaining to them that we would have to leave and come to the House in order to discuss and vote on a motion.

They asked what the motion was, and I have to say it was embarrassing to say to these students who are very involved in learning about politics and democracy that we were going to vote on cutting off debate for the 38th time.

The response from those students was, "But is it not your job as a representative to go there and speak? How can they suggest you should not have the right to go there and speak? Is it not your job to bring up criticism to the government? How can they say you should not have the opportunity to do that?"

It was clear that even those who are very new to the political process seem to have a basic understanding of what we are doing here in debates in the House of Commons, which is representing our constituents and bringing forward alternative points of view. It is not always about the technicalities of a piece of legislation. It is not always about amendments.

Government Orders

We heard the member for Newton—North Delta talking about the concerns in her riding, both with the Air India tragedy and with youth gangs and youth violence. She has a very important perspective to bring forward on this bill. It is not about amending the bill; it is about getting the public to understand the importance of the bill and the fact that on this side of the House we think there are further things we could do in this area.

Bill C-51 is not the be-all and end-all for witness protection; it is the beginning of some reforms that we need to make.

Again, it is very difficult to face, 38 times, a government that seems addicted to shortcuts. We have seen how taking those shortcuts has got the government into trouble on other things. Examples are the chief of staff to the Prime Minister and the Senate. It is not always a good idea to adopt the shortcuts.

However, here we are again. To me, that is what closure is, an attempt to shortcut the process and shortcut democracy. The government is saying, "We have a majority. We know what is best. We are just going to do it anyway, so you on the opposition side should be quiet, get out of the way and let us go." The government does this even when we are co-operating to get the bill through this House of Commons in the best form possible.

It does not make any sense to me.

● (1245)

I do not mean to belittle or diminish the importance of the word "addiction", because I know many people in our society have severe addiction problems, but it does seem like an addiction when it happens 38 times, 5 times in one week, and this week it even happened twice in one day. It seems like a solution in search of a problem. Everything that comes up has that same solution.

I have heard other members use that old adage, that when all one has is a hammer everything looks like a nail. However, it is not true in this House that the only thing the government has is closure. The Conservatives could actually come in and engage in debates and represent their constituents, and we could still get the public's business done in good time. So I am very disappointed that we have time allocation on this.

As the critic, I was travelling with the public safety committee last week. I almost did not get a chance to speak to the bill, and I am supposed to be the NDP's spokesperson on it. Only two speakers spoke. We had less than an hour and a half of debate in this chamber before time allocation was used again, for the 38th time.

Turning to the substance of the bill, I will talk first about why the NDP is supporting this bill, and then I will talk about what we see as the deficiencies in the bill.

First, as many members have noted, probably the easiest thing to understand is that the witness protection program, as it exists, has very narrow criteria for its admission, and it left out the important areas of national security. In an age when we are faced with the threat of terrorism and we are trying to combat that threat, being unable to offer witness protection to those in national security matters is an important gap in our legislation. Therefore, we on this side do support Bill C-51 because it would take that important step to allow the Department of National Defence and CSIS to

recommend people to the witness protection program. This may be a very useful tool for those investigating and prosecuting terrorism cases. The other area in which I believe the criteria would be expanded is that it would explicitly allow the use of witness protection for those involved with gangs. Some members on the other side insist that this was always possible, but it certainly was not explicit. This legislation would provide that reassurance that we can use the witness protection program, which may be essential in cracking some gang activity.

The second aspect which is very positive and which has received much less attention is that it would provide better protection for those staff who are involved in the witness protection program in providing things like new identities. In particular, if witness protection is used, as it often is, in the case of organized crime, if members of organized crime are trying to find out what has happened to that witness, they may attempt, and have attempted, to learn who provided the new documents, and then place pressure on that public servant or that public servant's family in order to get access to the new name that was provided to someone and find out where he or she is. Therefore, this bill very clearly would provide additional protection to those other staff members outside the police who often facilitate the witness protection program, and that would be a very important improvement.

Third, one of the things we in the NDP have always been calling for is better co-operation and coordination of witness protection with the provinces. This bill would make it very clear and would remove some of those legal hurdles that made it difficult for the provinces to make use of witness protection. In particular, it made it difficult for those who, at the provincial level, wanted to use witness protection to get new documents quickly for those who needed a new identity for their protection. This bill would do a very good job in setting up the ability to designate provincial programs and would remove a lot of that red tape for co-operation between the two programs.

The fourth reason that I believe this bill is worth supporting is that it would extend the period provided for emergency protection for those who may need witness protection. This a formal program where people are assessed and their lives are completely reorganized. However, quite often there is an intervening period before they are formally in the program, when people may not even have yet given their testimony, when they need this protection. That originally was 90 days but it would now be 180 days. Given the delays in our justice system, it is very important that we expand the ability to have this emergency protection.

● (1250)

Why is the NDP providing support to a bill that it does not think is perfect? I have given four reasons at this point. They are the expanded criteria, the broader protection of staff working in witness protection, better coordination and the extended emergency period. We think that is enough to proceed with this bill and on that basis, we did agree to expedite the bill. We co-operated at committee and said yes, we can make our points in five meetings of the committee and we will do that.

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However, we did not expect, in return for that co-operation, to have our ability to comment on the bill cut off at third reading through time allocation. If I had been dealing directly with the minister, I would have said it was a case of bad faith. However, I was dealing with the parliamentary secretary and the committee chair. I think they entered into that co-operation on good faith and they may, in fact, be as surprised as I am to find that time allocation was needed for a bill on which the opposition was co-operating.

What do we think is remaining that could have been in this bill? There are two things that I want to focus on. One of those was raised by the member for Newton—North Delta, and that was the recommendations of the Air India inquiry. At the end of the inquiry, Mr. Justice Major pointed to the very obvious thing that had happened, which was that one of his key witnesses in the inquiry had been assassinated. He was killed. Obviously, he could have been able to make use of the witness protection program, although knowing Mr. Hayer as I did, he was a very brave individual and I doubt he would have gone into the witness protection program. He had been threatened many times. He had also actually been physically harmed many times before he was eventually killed.

However, there were other witnesses, as Mr. Justice Major said, who would have gone into the witness protection program had it been available. This bill took that first step by expanding the criteria. What it did not do, which Mr. Justice Major recommended, was establish an independent authority, perhaps in the Ministry of Justice, but somewhere outside the RCMP, to determine the eligibility for entry into the witness protection program.

If we think for a minute, most people can figure out the problem here. The RCMP is doing the investigating of these cases. At the same time, it is the group that decides whether a person gets into the witness protection program. It creates an obvious conflict of interest when the investigators can dangle or hold out the acceptance or rejection from the witness protection program in front of the witness. Therefore, Mr. Justice Major's recommendation was that there be some independent agency within government, but not within the RCMP, that would make those decisions on witness protection. It did not have to be some completely separate agency.

We did not move amendments in that case, as we said, to expedite the bill, but also for a second reason. The RCMP recognized the spirit of that recommendation and it has now separated the decision of witness protection from the investigators. It is not a perfect solution, and we will see how it works, but going forward, the investigators will not make the decisions on the investigations. There will be a separate office within the RCMP Commissioner's office, which will make the decisions on acceptance into witness protection.

It is a step forward, but on this side, we think that when someone as distinguished as Mr. Justice Major makes a recommendation in a very critical area, we probably should have pursued it.

There are several other things that I could talk about, but I will only focus on a second one. That is the question of funding. This is not a budget bill, so we are not saying on the question of funding that the bill should have allocated x dollars to the witness protection program. However, I want to quote from the minister's statement when he introduced the bill, because it did raise a very big red flag. He said:

It is important to note that it is not anticipated that there would be any need for additional funding to accommodate this change. The program is currently funded by the RCMP from existing operational resources, and that will remain the same under Bill C-51.

That would be okay, except that it ignores one very large problem, which is that he is only talking about the witness protection program operated by the RCMP. When any other police force in the country uses the witness protection program, it is billed back for the entire cost of the program. If the provincial police in Quebec or Ontario or a municipal police force uses the witness protection program, it is going to get a bill.

Therefore, the witnesses we heard before committee were the RCMP's, saying that they did not have a problem with the budget and that they have never denied anyone using this program. However, we had some other witnesses, who the government ignored. I want to take a bit of time to mention one of those: the RCMP.

● (1255)

The RCMP website states, "There are instances when the costs of witness protection may impede investigations, particularly for smaller law enforcement agencies." The minister said that we have no problem with funding. The RCMP states that while it does not, other police forces do have problems with funding of the witness protection program.

We had a very persuasive witness who is the vice-chair of the Halifax Board of Police Commissioners. Her name is Micki Ruth. I want to take a moment to tell members what she had to say about this funding question. It is an extensive quote. I do not normally read extensive quotes in my speeches, but this is worth listening to.

Commissioner Ruth stated:

Like many issues facing government today, funding is one of the biggest and toughest ones to find solutions for. The problems identified back in 2007 with the adequacy of funding for the current witness protection program are not addressed in Bill C-51. Unfortunately, we see problems with the ability of municipality police [forces] to adequately access witness protection because they lack the resources.

I want to emphasize that while we [the Canadian Association of Police Boards] support the intent of Bill C-51, CAPB has a duty to its members to ensure that legislation passed by the government does not result in a downloading of additional costs to the municipal police services that we represent. This is an important element of our work on the economics of policing, a subject with which you are already very familiar.

Therefore we urge you to appreciate our position that unless the issue of adequate funding is addressed, the legislation will not produce the result that is intended.

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That important testimony that we heard at committee contradicts what the minister had to say when he introduced the legislation. It draws attention to the fact that not just small police forces but police forces in Halifax, Toronto or Victoria, my own community, do often face this tough question. Could they make progress in a very serious investigation by using the witness protection program? We would need a big bill. Can they really afford to take on organized crime and gang crime in their community if they would get several hundred thousand dollars billed back? There is no mistake about it. The witness protection program is not a one-time cost. It is an ongoing cost for those police departments. They do not just get one bill. As long as those witnesses are in witness protection, they will get bills for any of the costs associated with that. The initial costs are high and the ongoing costs are lower. Nevertheless, it is something they have to think about when making a decision on what kind of crimes they can successfully investigate in their community.

When the minister, in imposing time allocation, said that we had nothing to say, I am afraid what he meant was that he was afraid of what we might say if we had the chance to debate the bill.

The minister said at committee that no concerns were raised. With due respect, the minister was not present at all the committee sessions and seems to have a faulty memory because when he did appear at committee we did ask him about these concerns. These concerns were raised at committee. Therefore, if he does not have a faulty memory, then perhaps he has a selective memory about what happened in committee with respect to this bill.

It is frustrating for the opposition when we say to the government that we are prepared to work with it and try to get a bill through in an expeditious manner to then have the minister stand up in the House and say that somehow we are dragging our feet and that we are ragging the puck on the bill when what we want to do is make the public aware of the issues that remain outstanding.

We will be supporting the bill and will work to move it through Parliament, not instantly and not without debate but in an expeditious manner. The bill will have been passed in very few months. Had the government introduced it earlier in the term it would already be enacted. However, for some reason, even though it was aware of the concerns from 2007, it only brought the legislation forward just before the Christmas break of 2012. Therefore, if anyone is responsible for delays in getting this bill passed and getting these important improvements made to the witness protection program, unfortunately it is the government that will have to take responsibility for that.

• (1300)

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, I thank the member for Esquimalt—Juan de Fuca for his very good speech and his very good work on the public safety committee. You were just speaking of downloading with regard to municipal forces, and it is of interest to me because from the perspective of the witness protection program, the witnesses do not just come out of the blue. That is now how it works. I have worked with several witness protection program cases, and most of these people are cultivated by the police to ensure they have a good result at a trial. That is normally what happens. So the police go in wide open, understanding that there is going to be a cost involved.

From the perspective of municipal police forces, whether it is Victoria, Vancouver, Toronto, Montreal or you name it, they recognize what is going to come down the pipe should they use the opportunity of the witness protection plan.

Do you not think that municipal police forces recognize this is a tool, so when they do take it, they also accept the responsibility that comes with it? Part of the responsibility is understanding that the cost is going to be quite significant, but also the reward will be immense, should that witness come through for them in court.

The Acting Speaker (Mr. Barry Devolin): I want to remind all hon. members to direct their questions and comments to the Chair rather than to their colleagues.

The hon. member for Esquimalt—Juan de Fuca.

Mr. Randall Garrison: Mr. Speaker, the member for Kootenay—Columbia was an RCMP officer, and I know he knows a lot about this on the ground. There is a sense in which I agree with the comment he just made, and it is in fact reinforcing our point. That is what we heard from police services at the municipal level. They do understand there is going to be a cost. However, what they also said is that it sometimes makes them make decisions based on that cost factor. This is what they told us. The member can shake his head, but this is what they said in testimony before the committee, that they are sometimes constrained. Even the RCMP website on the witness protection program has a statement saying that for smaller police agencies, costs often impose constraints.

There is a sense that police understand that when they are taking on the witness protection program there is a cost, but sometimes it affects their decisions. When the benefits come, they come to society as a whole for breaking down gangs. They do not just come perhaps to the Victoria police force, in my case, but maybe to everybody who lives on Vancouver Island, yet they have to make the decision to shoulder those costs themselves.

• (1305)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I believe it is understood and widely accepted that there is a need for a witness protection program, and there is no selling job required. People can appreciate how important it is as a tool to acquire prosecutions. By doing that, we are able to not only stop crimes, hopefully, but prevent crimes from taking place.

In one of the areas of support, the member made reference to how the legislation would provide additional support for those who are responsible for the administration of the program, which is an important element of the legislation. I wonder if you might want to provide further comment on that aspect.

The Acting Speaker (Mr. Barry Devolin): Once again, I will not provide further comment on that, but possibly the hon. member for Esquimalt—Juan de Fuca could.

Mr. Randall Garrison: Mr. Speaker, I thank the member for Winnipeg North for his frequent questions.

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We often forget that there are many people other than police involved in policing. It is not always just the uniformed officers who are helping us build safer communities. There are often a lot of civilian staff of the RCMP, in particular, but also civilian staff of municipal police forces. In the case of witness protection, oddly enough, it is those who often work in the vital statistics offices who get involved in helping provide this new protection.

It is quite important that the bill recognize that there needs to be protection not just for the witnesses but also against disclosing the identity of those who would come under pressure for having assisted in the witness protection program.

Mr. Jean-François Larose (Repentigny, NDP): Mr. Speaker, I have a couple of comments. I thank the committee members for all the work they have done. Being a former police officer and corrections officer myself, I have seen a lot of the problems we have, and I find the dynamic they had to open their hearts and look at all the tools and what needs to be brought forward was excellent.

That being said, I have seen so many opportunities and so many situations where we ended up having the tools, but because we did not have the budget, we could not actually use those tools. Time and time again, be it training, be it powers of arrest, even the equipment, the uniforms and so on, it is stacked up. It is not being used.

The fact is that we have municipalities saying they want the tools, they need the tools, but there is a problem concerning the finances. I have seen in this House where even the Criminal Code was amended and we have given more tools to police officers, but when it came to transfers to help those professional divisions, they were not there.

I do not think the fact that we are supporting this but saying, “What about the money?” is bad. I think it is an excellent point. We need to listen to the professionals who need that help.

Mr. Randall Garrison: Mr. Speaker, I thank the hon. member for his intervention, because I think he is reinforcing what we heard literally from across the country. We heard it from one end of the country to the other. All the municipal police forces and the Association of Police Boards said the same thing. It is very difficult to dismiss that when we hear it everywhere.

If there was only one police force that came forward and said that it had one case where it could not afford this, that is not a problem, probably. However what we heard universally from all of them and from the Association of Police Boards was that this is a problem for the municipal police forces.

Therefore, it behooves the government to pay attention to that if it actually wants to build safer communities. If that is actually its goal and that is what this tool is supposed to help us do, then we need to pay attention to that problem.

Mr. David Wilks: Mr. Speaker, duplication between the provincial and federal programs had been mentioned in committee.

I wonder if the hon. member could speak upon what he spoke to at committee and what was mentioned by the chair of the committee as well: the importance of limiting the duplication, not only for the safety of the witness but also for the continuity by police and their overseeing of the witness.

I wonder if you could talk for a bit on duplication.

●(1310)

The Acting Speaker (Mr. Barry Devolin): Once again, I will not comment on that, but I presume the hon. member for Esquimalt—Juan de Fuca will.

Mr. Randall Garrison: Mr. Speaker, given the topics before the House this week, I think duplication in general is a topic about which I would love to speak.

We have another House that seems to duplicate what we do and spends a lot of public money in its duplication, and perhaps even misspends public money in its duplication.

However, that is not the question from the hon. member, and I do think that one of the positives of Bill C-51 is that, by allowing a designation of provincial programs as recognized witness protection programs, it would eliminate a lot of the back and forth and to and fro between the two programs and eliminate the possibility—and the member is quite right that it might endanger the safety of witnesses. However, it would make a much more efficient use of resources. I think that is one of the positives of Bill C-51.

[Translation]

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I have a question for my colleague about something that I remember talking about during previous readings of the bill, which is the fact that these measures could create additional costs for police forces.

Does the government plan on helping police forces at all levels do their jobs? I would also like to know whether there will be any additional costs.

[English]

Mr. Randall Garrison: Mr. Speaker, I thank the member for Sherbrooke for his question, but I actually want to jump back to the question he asked the member for Crowfoot, because I think he put his finger on something very important in that question when he asked about co-operation in the committee.

Again, I want to pay tribute to the member for Crowfoot as the chair of the public safety committee, because he has been a very fair and accommodating chair who has worked very hard to make sure we can make progress on things like the bill.

It seems as if our problems only come when the PMO extends its tentacles into the committee and starts trying to interfere or direct the Conservatives in the way things ought to go.

It seems in the bill we made great progress in co-operation until we came to this sudden decision that we need some kind of restriction on the amount of debate we can have, which came out of nowhere. It did not come from the chair of the committee. It did not come from a parliamentary secretary. It blew in with the minister on some kind of strange wind this morning.

I think the member for Sherbrooke was right in his question about the importance of co-operation in committee.

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, I am very pleased today to add my voice to the discussion on the safer witnesses act.

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It is encouraging to see support for the bill coming from all quarters. We have heard the merits of the legislation and how it would strengthen the federal witness protection program.

Thanks to television and the movies, people in our country often think they know all about what is going on with witness protection programs. The concept seems straightforward. However, when a witness is offered protection in order to secure his or her help in investigating and prosecuting a criminal act, sometimes it is just a truly innocent witness to a crime, who has agreed to come forward to help the courts convict the offenders, and sometimes a witness may have formerly been involved in criminal activity, and in fact, it may surprise some people to learn that these are the vast majority of witnesses who require protection.

The range of protection can vary from a secure hotel room during a trial, for example, to a secure identity change. For the more serious cases that require providing witnesses with a secure change of identity to avoid retaliation from criminal organizations, witnesses must leave their communities, friends and jobs and essentially make a complete change in their life circumstances. It is, therefore, critical to have a robust program in place for those witnesses to feel safe in coming forward.

Witness protection is recognized by experts across the globe as one of the most critical tools that law enforcement has to combat terrorism and organized crime. We continue to see the benefit of the witness protection program in supporting national priorities, including the dismantling of organized crime groups here in Canada. Indeed, one of the prime purposes of the federal witness protection program is to enhance public safety by protecting persons who, as a result of providing assistance to law enforcement or providing testimony in criminal matters, are deemed to be at risk.

The federal program is used not only by the RCMP but also by law enforcement agencies across Canada. There are also provisions within the current act to allow for protection of foreign witnesses in cases where they can no longer be protected in their own country.

As we have heard, the Witness Protection Program Act was introduced to improve accountability and consistency in the protection practices at the time, but it is time to modernize that legislation.

The commissioner of the RCMP is the administrator of the program. Certain responsibilities for various processes, such as admission and termination from the program, are delegated to the assistant commissioner of federal and international operations. Furthermore, there are specifically trained witness protection coordinators who operate at arm's length, as we have heard, from investigative teams. This separation helps to ensure that a standardized and objective approach is used when assessing an individual's suitability to become a federal protectee.

There are a number of factors outlined in the act that must be considered to determine if a witness should be entered into the program. These include the degree of risk to the witness, the degree of danger posed to the community, the nature of the inquiry and the importance of the witness, the value of the information or evidence that law enforcement believes would be given by the witness, the likelihood that the witness would be able to adjust to the program,

the estimated cost required to protect the witness, consideration of alternate methods of protection and other factors deemed to be relevant to the RCMP commissioner.

It is interesting to note that there is no specific list of offences for which witness protection is offered. In fact, each case is considered on an individual basis depending on the nature of the inquiry and the investigation or the prosecution. If there is a real threat to the life or safety of a witness as a result of his or her involvement with law enforcement or the justice system, a request can be made by the police force of jurisdiction for the witness. In other words, a provincial or municipal police force might decide that a witness needed a secure change of identity. That leads me to the legislation before us.

• (1315)

One of the key benefits of this legislation is to address the need for better streamlining of federal and provincial programs.

Let me turn now to Bill C-51 to examine this and the other proposed improvements to the current Witness Protection Act.

As we have heard in the debate, the legislation would make the federal witness program more effective and secure. It would improve interaction between federal programs and designated provincial and municipal programs. It would better protect those individuals who put their lives on the line to provide testimony against criminal activity.

The changes proposed in the legislation fall within five broad areas. First and foremost, the bill will address the issue I just mentioned. It will promote streamlining between federal and provincial programs by allowing provinces to have their programs designated. A province will make its request to the Minister of Public Safety and then be designated by the Governor in Council.

Currently, the only way for the RCMP to provide documents for a secure identity change for provincial or municipal protectees is through a process where the provincial witnesses requiring federal documents for secure identity changes are temporarily admitted into the federal program. This process has been widely panned by provinces as it means their witnesses will have to meet federal criteria to receive federal documents. As well, it can add further red tape and delays to the process. In consultations with the provinces, this government heard that it was cumbersome and inefficient.

The proposed solution is to have these programs designated so provincial witnesses do not have to be transferred into the federal witness protection program in order to receive a secure identity change. Under this framework, once the program is designated, an official can contact the RCMP, which is now required to assist in obtaining secure federal documents for these witnesses. Through this new process the bill would create a more efficient and secure process for obtaining these documents by identifying a single point of contact, namely, the RCMP.

The next proposed change under Bill C-51 is to put in law an obligation for other federal organizations to help the RCMP in obtaining secure identity changes for these witnesses both in the federal program and the designated provincial programs. The RCMP will act as liaison between the provincial and federal programs.

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Let me turn now to the third element of Bill C-51, which relates to the broadening prohibition of disclosures. In other words, the changes would ensure a more robust protection of provincial witnesses and information at both the federal and provincial levels. It would also protect officials involved in the process.

Permit me to delve into this third section a bit more in-depth as a critical part of the legislation. As it stands currently, the Witness Protection Program Act prohibits disclosure of information about location or change of identity of federal protectees only, both those currently in the program and former protectees. The proposed changes will extend the disclosure prohibitions to be broader and include information about those providing protection and how they provide it, as well as information about designated provincial witness programs.

Bill C-51 would do this in a number of ways, including prohibiting the disclosure of information related to the protectees who are under the federal protection designated provincial programs, prohibiting the disclosure of the means and methods of protection information that could endanger the protectees or the programs themselves for both the federal and designated programs and prohibiting disclosure of any information about persons who actually work in the federal or designated provincial programs.

The bill also proposes to amend the language found in the current act. To this end, it will make it clear that any measures apply to situations when a person either directly or indirectly discloses information. Furthermore, Bill C-51 would make it clear in order for a person to be charged with an offence, it must be proven that the person knowingly revealed this information.

Along with these enhancements, the bill would provide for exceptions to when protected information could be disclosed. The wording in the current legislation states that a current or former protectee has the right to disclose information about himself or herself as long as the information does not endanger the lives of other protectees or former protectees and as long as the disclosure of the information is not considered a risk to the integrity of the program itself.

● (1320)

The government proposed to change this wording in two critical ways. First, it would remove the reference to the “integrity of the program”. Second, it would clarify the protectee would be allowed by law to disclose information if it could not lead to “substantial harm” to any other protectee.

Further, the legislation before us outlines a variety of situations in which the Commissioner of the RCMP can disclose prohibited information. As the law reads today, the commissioner can currently disclose prohibited information in situations such as if the protected person has given the consent for the information to be disclosed, or if the current or former protectee has already disclosed the information or has acted in a way that has resulted in the information being disclosed if the RCMP commissioner determines that disclosing the information is essential to the public interest, such as instances where it could prevent a serious crime or have implications for national security or national defence. Finally, if during criminal proceedings, the disclosure is deemed necessary to establish the innocence of a person.

Bill C-51 proposes to change this wording as it relates to the commissioner disclosing prohibited information when it is seen as in the public interest. Under the legislation, the commissioner will only have the authorization to disclose prohibited information when there are reasonable grounds to believe the disclosure is essential for the purposes of the administration of justice.

Bill C-51 also proposes changes regarding disclosure of information for national security purposes. If the bill is passed into law, the commissioner will have the authority to disclose prohibited information if there are reasonable grounds to believe the disclosure is essential for national security or national defence.

Similarly, the legislation has a number of other proposed changes to the disclosure of information as it relates to specific situations. For example, in order to provide protection to federal protectees or allow for a secure change of identity for provincial protectees, the RCMP commissioner will be able to disclose information about both federal and designated program-protected persons. The commissioner will also be able to disclose information about federal and designated program protectees if the protected persons agree to the disclosure or have already disclosed the information themselves. This can include situations when a protectee has revealed his or her change of identity to family or friends.

Furthermore, the bill addresses situations in which the commissioner can disclose prohibited information when he or she believes the disclosure is essential for reasons of the administration of justice, national security, national defence or public safety. In any of these cases, if necessary, the commissioner can disclose information about the federal program itself, the methods and means of protection, as well as about the individuals who provide protection under the program. These measures will work together to provide a strong framework to ensure the information of protectees in designated provincial programs is equally protected.

Let me move on to the fourth main set of changes proposed under the safer witnesses act. The bill proposes to expand which organizations can refer individuals for consideration for admission to the federal witness protection program. As the law reads today, the only organizations that can refer an individual to the federal program are law enforcement agencies and international criminal tribunals.

Under Bill C-51, all federal organizations with a mandate related to national security, defence or public safety would be able to refer witnesses to the federal program. For example, CSIS and the Department of National Defence would now be authorized to refer individuals to the program.

Finally, Bill C-51 contains a number of measures that would improve the current program by allowing individuals to voluntarily leave the federal program by extending emergency protection from the current 90 days up to a maximum of 180 days.

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In summary, the changes detailed within the safer witnesses act will do a number of things. They will help make the federal program more effective and secure for both the witness and those who provide protection. They will streamline the interaction between provincial, municipal and federal programs. They will more clearly define when prohibited information must be safeguarded and when it may be needed to disclose for reasons of national or public security. In short, these changes will enhance the effectiveness and security of the witness protection system in Canada, ensuring it remains a critical law enforcement and criminal justice tool well into the future.

I hope all my colleagues on the other side of the House will support this common sense legislation to keep our streets and communities safe.

• (1325)

[*Translation*]

Mr. Jean-François Larose (Repentigny, NDP): Mr. Speaker, once again, I thank the committee, which did an excellent job of developing an absolutely necessary tool.

I am a former corrections officer and peace officer, so I quite often had the opportunity to see the tools at our disposal. However, there was no budget associated with these tools. Members of the House often have good intentions, but, unfortunately, the money is just not there.

There are plenty of witnesses we could have heard from. I hope that the Senate will do its job and that these witnesses will come talk about the problem.

What does my hon. colleague have to say about how the Conservatives plan to help local police services that do not have the money for this?

[*English*]

Mr. LaVar Payne: Mr. Speaker, I can talk about the assistant commissioner, Todd Shean, who was one of the witnesses. He said:

It's not a question of resources; it's a question of the assessment that's done. Once the assessment is completed...during the assessment process the person may decide that they do not want to enter into the program, they don't want to proceed on the route they're on, or we may assess that they're not suitable for the program.

It does not necessarily mean a total additional resource. It would all depend on whether the individuals needed the protection, wanted the protection or were actually suitable for protection under the witness protection program.

• (1330)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I would like to follow up on that question. Where there are other jurisdictions that have a witness program and they would like to work in co-operation with the national program, my understanding is there is a financial obligation that they would have to provide in order to get them into that federal program or to get that co-operation. Could the member comment as to whether that is the case and, if so, to what degree?

Mr. LaVar Payne: Mr. Speaker, I am not familiar with each municipal police force and what its funding requirements is, but it still comes down to the fact of whether the individuals need protection and whether they are suitable for it.

One thing another member indicated was that police might not proceed with it because it was too costly. My guess is the police would proceed if the witness needed protection. Otherwise, the police are probably not doing the job needed to protect the witnesses who in turn would help to reduce crime.

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, as I was reading about the bill, and Bill C-51 is clearly a very important bill, I found a quote from Tom Stamatakis, president of the Canadian Police Association and I would like to read it. He said:

The Canadian Police Association strongly believes that this proposed legislation will enhance the safety and security of front-line law enforcement personnel who are engaged in protective duties...Unfortunately, the disclosure of identifying details can present a real danger to police personnel themselves as well as their families, and we appreciate the steps being taken today by the government of Canada to address those concerns.

Would my colleague comment on this and whether he sees any further detail in this that he would share with the House?

Mr. LaVar Payne: Mr. Speaker, we did have a number of witnesses and Tom Stamatakis, the president of the Canadian Police Association, came forward and had high praise for the bill. He sees it as an opportunity to expand not only from the federal point of view of being able to add national defence and CSIS, but also provincially.

This is a really important step to enable our provincial and municipal police forces to enter the federal witness program with less rules, regulations and hassle. However, they would still have to go through the process of determining whether the individual was suitable for protection.

[*Translation*]

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, I found the speech given by my colleague from Medicine Hat very interesting. I have been fortunate to work with him for the past few weeks on the Standing Committee on Public Safety and National Security.

I want to come back to the issue of costs because I have not heard a satisfactory answer. My colleague said that even though there is no new money to accompany the new provisions in the bill, we will not necessarily see an increase in costs or service demands in the various police forces.

Yet, we already know that some municipalities spend 50% of their budgets on their police. This is huge. The police are short of resources. My colleague could see this as well as I did, in the work of the committee.

If we increase eligibility for these programs, there will be an increase in service. Can my colleague really tell the House that there is no need for new federal funding, just as police forces are undergoing massive cuts? I am specifically thinking of the elimination of the police officers recruitment fund, among other cuts.

In light of this situation, how can he continue saying that there is no need for new federal funding to help our police forces?

[*English*]

Mr. LaVar Payne: Mr. Speaker, my colleague and I did travel together on committee business, and it was an excellent trip.

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What I would like to say is that each municipal police force is responsible for its own budget. The provinces were consulted in this whole process. From that standpoint, the provinces were quite fine with the way the program was being laid out. They are on board. The municipal police forces, through their cities or municipalities, must provide the appropriate funding for police services.

It is not necessarily up to the federal government to provide funding for anyone other than federal agencies.

• (1335)

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, just to reiterate, the hon. member is quite correct.

I have been on the public safety and national security committee for a good seven years now in three different Parliaments. The member is quite right, police forces and provinces have been consulted, and they prefer to maintain their appropriate jurisdiction because provinces are responsible for policing.

Any time the federal government works in conjunction with them, of course they say they would like more money. There is never enough. I have been around this place for seven years, and I could probably count on one hand the times when people said they had enough money or did not want more.

This is a question for most police forces, that some changes were needed to the witness protection program. The committee heard from those various players in policing, including police associations, who lauded these improvements to the Witness Protection Act. Indeed, that is probably why the opposition is saying that they are reluctantly going along with this, because it has been universally accepted as the right thing to do.

I wonder if the member could comment further.

Mr. LaVar Payne: Mr. Speaker, I travelled on the trip with hon. member as well. It was a very productive trip.

Indeed, the member is correct. When we look at municipal police forces, their budgets have to be provided by those municipalities. The provinces were consulted, and the municipalities were consulted.

I have only been here for four and a half years, but I do not believe that there has been any occasion when someone has said that there is enough money, enough funding from the federal government. Everybody would like to have more money, but one has to remember that there is only one taxpayer.

[*Translation*]

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, first, I would like to indicate that I will be sharing my time with my wonderful colleague from Vancouver Kingsway.

I rise today to speak to Bill C-51, the purpose of which is to better protect witnesses who help the police in the fight against organized crime and terrorism.

For some time, the federal witness protection program has been criticized for its overly strict eligibility criteria, its poor coordination with federal programs and the low number of witnesses admitted to the program. Only 30 of the 108 applications examined were approved in 2012.

The NDP has been asking the government for years to broaden witness eligibility for protection programs in order to guarantee the safety of all Canadians at risk. The NDP has been insistently calling for better coordination of federal and provincial programs and improved overall program funding since 2007.

Although the Conservatives have taken their time in addressing this growing problem, we are pleased that the government has finally listened to our requests to expand the witness protection program.

That is why we are going to support the safer witnesses act. One consequence of this bill is that it will allow federal departments and agencies with a mandate related to national security, national defence and public safety to use this investigative tool.

Bill C-51 also proposes extending the amount of time for which emergency protection can be provided to witnesses while they are working with the police or testifying in court.

Finally, the bill also seeks to further limit the public dissemination of information that could compromise the safety of witnesses and informants. Some of these measures were recommended in 2010 by a House of Commons committee that examined the problems with the investigation and legal proceedings related to the 1985 Air India attack.

The Canadian Press obtained a detailed document from the RCMP dated May 2010 on the reform of the witness protection program. In that document, the RCMP indicates that, regardless of whether the provinces choose to go with their own program, the RCMP must still ensure that the witness protection program is able to better respond to current challenges, such as street gangs and violence. The RCMP also proposed broadening the program eligibility criteria in order to make it easier for potential witnesses to qualify.

The NDP believes that Bill C-51 does very little with regard to some changes that need to be made to the witness protection program. The NDP will continue to push the government to address a host of concerns. Bill C-51 is a step in the right direction.

However, the witness protection program, run by the Royal Canadian Mounted Police, costs around \$9 million a year. Even though more people could be eligible under the proposed changes, the RCMP will not receive any additional funding.

Although the NDP supports Bill C-51, it deplores the fact that the Conservative government has refused to allocate additional funding. We are also concerned that the Conservatives' requirement that the RCMP and local police services work within their existing budgets will prevent the program from improving. If the Conservatives really, truly, sincerely want to improve the witness protection program, they should also commit the money to make that happen.

Here is what Commissioner Micki Ruth, from the Canadian Association of Police Boards, had to say when she appeared before the Standing Committee on Public Safety and National Security:

Like many issues facing government today, funding is one of the biggest and toughest ones to find solutions for. The problems identified back in 2007 with the adequacy of funding for the current witness protection program are not addressed in Bill C-51. Unfortunately, we see problems with the ability of municipality police services to adequately access witness protection because they lack the resources.

Government Orders

Although we support the idea behind Bill C-51, we must ensure that the legislative measures being passed by the government do not burden municipal police services with additional costs.

• (1340)

In our opinion, the bill will not be effective unless the problem of adequate funding for the witness protection program is resolved.

We on this side of the House are also disappointed that this bill does not contain more of the recommendations from the Air India investigation, namely a more transparent and accountable eligibility process.

What is more, the bill contains no provisions allowing for an independent organization to administer the program, as recommended in the Air India investigation report. The RCMP will continue to bear the responsibility for the program, which will eventually place it in a conflict of interest, because it will be both the investigating body and the one to decide who benefits from protection.

We also hope that the government truly intends to work with the provinces in order to facilitate the administrative process for changing the identity of individuals in the witness protection program. In late 2009 and early 2010, the government consulted the provinces and territories about this program. A number of them expressed concerns. However, now that the Conservative government has a majority, it thinks it can do whatever it wants and, unfortunately, it does not often listen to its provincial counterparts.

Many provinces have their own witness protection programs, but they often provide only short-term assistance. What is more, they need to co-operate with the RCMP to get new identity documents for witnesses. That is why the NDP will keep pushing the federal government to continue working with the RCMP and the provinces to provide funding for the witness protection program so that local police forces can continue their important work.

The NDP is committed to building safer communities. One way of doing this is to improve the witness protection program to ensure that our streets are safe and to provide police forces with additional tools to combat street gangs and organized crime. Need we remind the government of all the spending scandals?

Three billion dollars earmarked for the fight against terrorism is missing. If the government had invested all that money in a program like this, things would be different now. We could perhaps move forward and assure our local police forces that the federal government supports them, not just in word but in deed, by providing them with funding. Perhaps that is the problem, because this government does not seem to understand the importance of adequate funding for this program.

That is what I have been trying to say throughout my speech. The people and experts actually doing the work are saying that Bill C-51 will allow us to move forward but that, unfortunately, the funding is not there. That is too bad.

To conclude my speech on this bill, I would like to talk about the police forces in my beautiful riding of Quebec City. The city is very safe and is a great place to live. That is likely because community

groups, such as Pech, which provides support and housing assistance, are doing such great work.

Pech also works with the Quebec City police service, which attends every event. That is what social and community involvement looks like. That is the kind of support they expect from the federal government. Many positive initiatives start at the grassroots level and are run by people who work on the front lines—police, volunteers and people working in community organizations, for example—and who tell us what they need.

It is our duty, at the federal level, to respond to the needs they express and see how we can help them. This bill is one example, but the funding needs to be there. Otherwise, it may completely miss the mark.

• (1345)

The government could end up implementing legislative measures without adequate funding.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, we need to recognize that the number of gangs in Canada has dramatically increased over the last number of years. In fact, gang membership in communities, for example in the province of Manitoba, is well into the thousands today. This is in comparison to the nineties, where gangs were virtually non-existent.

It is becoming more and more apparent that one of the ways we are going to have to deal with a lot of the street crime that has spread throughout many different communities from coast to coast to coast is to deal with the issue of gang violence. In dealing with that issue, I believe we will find that there are law enforcement officers who will reinforce the fact that quite often, in order to break into a gang, they have to get an informant who is a part of these gangs. To be able to do that, we need programs such as the witness protection program.

All members of the House will be supporting this bill, as I understand it. Would the member agree with the idea that there is a very strong correlation between making our streets safer by addressing the issue of gangs and the benefits of this particular piece of legislation in being able to assist the police and prosecution to make our streets safer?

[*Translation*]

Ms. Annick Papillon: Mr. Speaker, we will in fact be supporting this bill. All parties will because it is a necessary bill that is long overdue.

I think it is a shame that the government across the way has been in power for seven years and is only now realizing that it is time to introduce something like this. It claims to make public safety its personal business and its top priority. However, we are here today because it finally decided not just to deal with major terrorists, but also to take care of witnesses. That is what is important. It is time to protect the witnesses. Some questions remain to be answered and then we will have to think about funding for this program.

Government Orders

• (1350)

[English]

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, I will try and get this right. I am sure you will correct me if I am wrong and if I am speaking to the wrong person.

One of the interesting things that I hear from the opposition all the time is that we need more money. Municipalities fund themselves through municipal taxation. They do not get funding through the federal government. It is done individually through every community.

One of the things that is of real interest to me about the witness protection program or any witness, for that matter, is that the side opposite has not in any way supported any of our crime initiatives, mandatory minimums or anything to do with crime. Despite that, it wants to keep throwing money at things. The fact of the matter is that witnesses who are victims also want to be ensured that criminals stay in jail for a long time or have mandatory minimums.

Could she tell me that her party is going to start supporting our crime initiatives before we start throwing around more money that witnesses do not necessarily understand from the perspective of the witness protection program?

[Translation]

Ms. Annick Papillon: Mr. Speaker, that is a very Conservative attitude.

The NDP believes in a balanced approach. We listen to our provincial counterparts, local police forces and municipalities. By working together we can find programs that work and adequate funding. I am not talking about unrealistic funding, but adequate funding.

Unfortunately, the Conservatives believe, and will always believe, that they do not have to listen to anyone, that they are right and that they know what to do, whether or not there is funding. Sometimes they introduce legislation without providing the funding and, better yet, sometimes they spend \$3 billion to combat terrorism. How do I explain to Canadians that the government has wasted \$3 billion and does not know what happened to it? Three billion dollars. People working for minimum wage will never be able to earn that much in a lifetime. How do we explain that to them? Then the Conservatives say that the NDP is incapable of putting together a fair and decent budget. Quite frankly, they should be ashamed.

[English]

The Acting Speaker (Mr. Barry Devolin): Resuming debate.

There is seven minutes remaining in the time for government orders.

The hon. member for Vancouver Kingsway.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, I am pleased to stand to speak on Bill C-51 and to speak in support of the bill at third reading on behalf of the official opposition, the New Democratic Party.

The NDP has long called for the government to expand the eligibility of witnesses to enter protection programs to ensure the safety of all Canadians in potential danger and, more important, to

secure the participation and obligation of citizens of this country to co-operate and participate in the justice system. Since 2007, the New Democrats have specifically called for better coordination of federal and provincial programs and better overall funding for the witness protection program.

Contrary to what I hear from the Conservative side of the House, effective crime prevention and crime interdiction measures require resources; appropriate funding, not just spin, not just talk, not just rhetoric, but actually public resources put behind those words. New Democrats have long understood that connection. Our demands were repeated in 2009 and, again, by the NDP member of Parliament for Trinity—Spadina, in November last year.

Bill C-51 would expand the eligibility criteria of the witness protection program to include witnesses recommended by CSIS and National Defence. This is a positive development.

It would also extend the period for emergency protection and clear up some technical problems that have plagued witness protection programs, with respect to federal-provincial relations.

I think we should say that these are laudable achievements and the government deserves credit for bringing these forward.

Having said that, while the NDP supports Bill C-51 as it attempts to improve the witness protection program, we are concerned that the Conservative government has refused to commit any new funding for the system. We are concerned that the Conservatives' requirement that the RCMP and local police departments work within their existing budgets would hinder the improvement of the program.

I will pause here just to bring to all Canadians' attention the testimony that we heard before the public safety committee. We learned that the RCMP would administer the witness protection program at the request of municipal and provincial police forces and the RCMP would then bill them for those services.

So, while the RCMP does not perhaps need more resources to implement the provisions of the bill, local municipal and provincial police forces do need more resources because if they want to access the provisions of this program, they have to pay for them and the RCMP would bill them accordingly. We heard that from municipal police forces across this country.

The bill also would not include provisions for any independent agency to operate the program, as recommended by Justice Major in the Air India inquiry report.

The RCMP would continue to be responsible for the program. This would leave the RCMP in a precarious situation and a potential conflict of interest as they are often the agency both investigating the case and deciding who may or may not get protection.

As we have heard on all sides of this House, often the people who are requiring witness protection are people who have engaged in criminal acts themselves. They are often the subject of investigation at the same time they are co-operating with police in the prosecution of crimes, and so New Democrats believe that potential conflict should be addressed. Unfortunately, it has not been in the bill.

While some RCMP and public safety department witnesses at committee said that they did not see funding the program as an issue, once again, it was clear from other witnesses that funding is in fact a real problem for municipalities and police forces and that Bill C-51 would place an even heavier burden on them through downloaded costs.

I would like to now summarize a few key points.

While the Conservatives are late to respond to this growing issue, New Democrats are pleased to see the government listening to our requests to expand the witness program and the requests of police forces and provinces across this country.

Second, we want to emphasize that if the Conservatives truly want to improve the witness protection program, they must be prepared to commit funding and the resources to ensure that would happen.

New Democrats are committed to building safer communities. One way to do that would be through improved witness protection programs that would keep our streets safe by giving police the tools that they need to fight street gangs and organized crime.

• (1355)

I want to address the background of the bill. The federal witness protection program has long been criticized for its narrow eligibility criteria, for poor coordination with provincial programs and low numbers of witnesses actually admitted to the program.

Here are the real numbers. In 2012, only 30 out of 108 applications considered for witness protection were accepted. That is less than a third. Since the witness program passed in 1996, both the Liberal and Conservative governments have done little to respond to the criticisms of the system. While some bills have been presented in the House of Commons to address small components of the protection program, the overarching issues of eligibility, coordination and funding have not been addressed.

The NDP is on record repeatedly asking the government to address the three key issues in the witness protection program, that is, expanded criteria eligibility, co-operation with provinces and adequate funding. As late as last year we called for these very things in the House and we pointed to the difficulty that Toronto police were facing at that time in convincing witnesses to come forward in response to the summer's mass shooting at a block party on Danzig Street.

Similarly, in Vancouver, the city I am privileged to represent, organized crime and criminal gangs have long been a problem. Effective, efficient, accessible witness protection programs will be a key component in giving our British Columbia police forces the tools they need to apprehend those who are responsible for serious crime in our communities.

Mr. Speaker, I see you rising—

Statements by Members

The Acting Speaker (Mr. Barry Devolin): Yes. The time for government orders has expired. The hon. member for Vancouver Kingsway will have three minutes remaining when this matter returns before the House.

STATEMENTS BY MEMBERS

• (1400)

[*Translation*]

ST. LAWRENCE RIVER WEEK

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, on Monday, 22 partners working to raise awareness about the St. Lawrence River announced the first edition of Semaine du Saint-Laurent, which will be held from June 7 to 15.

This is a commendable initiative that deserves our support, as it is impossible to imagine Quebec without the St. Lawrence. Our majestic waterway is as big as a country. Given the growing number and complexity of the environmental, economic and social challenges facing this vital artery of the Quebec nation, the Bloc Québécois has made the St. Lawrence a priority.

In 2005, and then in 2010, we conducted two major consultations with all those living along the river, and we produced well-researched reports reflecting Quebec's vision, values and ways of doing things. The Bloc Québécois' 2010-15 report makes 31 recommendations.

During the Semaine du Saint-Laurent we will again stand with all those who are committed to defending and promoting our river. Hooray for the St. Lawrence.

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[*English*]

ENBRIDGE RIDE TO CONQUER CANCER

Mr. Kyle Seeback (Brampton West, CPC): Mr. Speaker, on June 8 and 9, I will join with thousands of other riders to ride over 200 kilometres to raise money for cancer research, in my third Enbridge Ride to Conquer Cancer.

This year I will ride in memory of both my mother Patricia and my father Donald, who both passed away from cancer.

The money raised from the Ride to Conquer Cancer will benefit the Campbell Family Cancer Research Institute at the Princess Margaret Cancer Centre, one of the top five cancer research hospitals in the world.

In 2012, the Ride to Conquer Cancer raised \$44.3 million, of which \$18.1 million was raised in Ontario.

As my own family has proven, two in five Canadians will be diagnosed with cancer in their lifetime. I want to thank everyone who has taken the time to support me on this ride.

Together we can conquer cancer in our lifetime.

*Statements by Members***CANADIAN FEDERATION OF STUDENTS**

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, the average student debt in this country, in terms of federal and provincial loans, stands at \$28,000. That is how Canadian students are expected to begin their careers. I say “expected” because if the debt is not bad enough, the unemployment rate for young Canadians is 14.5%, more than double other age groups.

This is the first generation of young Canadians who will not live as well as their parents. For example, pensions and benefits are under constant attack.

Canadian students have much to talk about, and they will get the chance to do that this week during the annual general meeting of the Canadian Federation of Students, Canada's oldest and largest student organization.

On behalf of New Democrats, I welcome student representatives from across the country and say to them that their fight, the fight for affordable and accessible education for all Canadians, is our fight.

* * *

CELLULAR TOWERS

Mr. Terence Young (Oakville, CPC): Mr. Speaker, Citizens for Safe Technology, C4ST, is calling for caution with respect to cellular tower antennas that emit radio frequency radiation.

The World Health Organization says RF radiation is “possibly carcinogenic”, and some people suffer physical symptoms from it, including the former head of the World Health Organization, Dr. Gro Brundtland.

The children at West Wind Montessori Junior High, in Oakville, have researched the issue. They know that children are more at risk to RF radiation and decided to take Wi-Fi out of their own school.

The Federation of Canadian Municipalities template for public consultation is voluntary and leaves a gaping loophole, which is the existing structures.

In Oakville, Bell Canada has by stealth placed multiple antennas just 11 metres from a child's bedroom. Its business is booming, and legally it does not have to care. However, ethically, how can Bell callously ignore the legitimate health concerns of Canadians, many of whom are its own customers?

Today I call on Bell Canada, for the second time in this House, to listen to the children and move the Bell antennas away from homes and schools.

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EMERGENCY MEDICAL SERVICES WEEK

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, this is Emergency Medical Services Week across Canada, and Canadian paramedics have a message that we should take to heart: defibrillators save lives. Every year, over 35,000 Canadians die of sudden cardiac arrest. Having quick access to a nearby defibrillator can help save them, and the chances of survival can go up by 75%.

The Government of Canada owns, operates or regulates a vast array of facilities. However, there is no consistent national policy on

defibrillators. Some departments and agencies have them, but about half do not. The RCMP cannot say how many it has, and neither can Public Works Canada.

Paramedic Chiefs of Canada asks that all federal facilities be properly equipped with defibrillators, and The Heart and Stroke Foundation agrees.

Cardiac arrest can happen to anyone at any time. The Government of Canada should be a role model, adopting one consistent national policy and putting life-saving defibrillators in every facility under federal jurisdiction.

* * *

● (1405)

IRAN

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, in the Islamic Republic of Iran, dissent has been horrifically suppressed. There are 2,600 political prisoners in Iran who are deprived of any form of due process. They are suffering through inhumane conditions. They are raped, tortured and secretly executed.

The member for Mount Royal has started the Iranian political prisoner global efficacy project, and I am speaking on behalf of Hamid Ghassemi-Shall. Hamid is an Iranian Canadian from Toronto, who was arrested in Iran in 2008. His brother, Alborz, was arrested just two weeks before. Hamid was sentenced to death in a show trial, on falsified charges of espionage. In prison, Hamid and Alborz were physically and psychologically tortured and spent 18 months in solitary confinement. Alborz eventually died.

There is no greater threat to international peace and security than the Iranian regime. We must not forget the daily atrocities going on inside Iran. This week is Iran accountability week, but it cannot stop here. We must hold the violent, sadistic and brutal leaders of Iran accountable on every single day of the year and continue to advocate for the release of all political prisoners, like Hamid Ghassemi-Shall.

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FAIRCHILD TV

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, I rise today to commemorate the 20th anniversary of the founding of Fairchild TV in Canada. Since 1993, Fairchild Television has been offering high-quality, Canadian-produced, Chinese-language programming across our nation.

Canada is a vibrant nation with people from every country in the globe. It is important that all Canadians are reflected in our institutions, including the media. Fairchild TV offers Chinese Canadians news and entertainment in the Chinese language, and it is a vital source of communication that allows many citizens to more fully participate in Canadian life.

For those who are still learning Canada's official languages, Fairchild helps newcomers learn about Canada. For second and subsequent generations, Fairchild is a valuable link to their heritage and keeps the Chinese language vibrant and alive. For all viewers, Fairchild provides professional and excellent journalism that makes our democracy stronger.

Congratulations to Fairchild TV, and best wishes for continued success in the next 20 years and beyond.

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INTERNATIONAL TRADE

Ms. Wai Young (Vancouver South, CPC): Mr. Speaker, I am pleased to rise on behalf of my constituents in Vancouver South who are proud to live in Canada's most Asian city. As such, Vancouver and B.C. are the gateway to the Asia-Pacific, where China is Canada's second-largest trading partner and where our Minister of International Trade has been working hard to expand trade with these growing economies.

Having been elected by my colleagues, I am honoured to represent Canada as the co-chair of the Canada-China Legislative Association. Recently, I met with my Chinese counterpart, Mr. Chi Wanchun, and travelled to a number of cities in China to identify opportunities and explore areas where both our countries can grow and prosper. It is a pleasure to witness the successes of Canadian companies working hard abroad, such as Vancouver-based Teekay Shipping, one of the world's largest marine energy transportation, storage and production companies.

Our government continues to build strong networks and economic ties in the Pacific sentry to benefit my constituents of Vancouver South as well as people across Canada.

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BILATERAL TRADE WITH CHILE

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, as chair of the Canadian section of ParlAmericas, I have had the honour of hosting a luncheon today for a delegation of Chilean *deputados*.

Canada has had a long-standing diplomatic relationship with Chile, since 1940. In 1997, the Canada-Chile free trade agreement came into force, eliminating tariffs on 75% of the goods traded between our two countries. This remains a historic moment, as it marked Canada's first bilateral free trade agreement in South America, and the first of many trade agreements for Chile.

Canada has maintained close diplomatic relations, as shown by the Prime Minister's two visits to Chile, the first of which was in 2007, when he announced the Canada-Chile partnership framework, and the most recent in 2012, to enhance Canada's Chile free trade agreement. The results are that bilateral trade has more than tripled, reaching almost \$3 billion in 2011. Between 2002 and 2011, Canada was the largest source of new investment for Chile.

With the signing of the most recent FTA, our government is proudly demonstrating its resolve to keep developing relations with like-minded partners in the hemisphere.

Statements by Members

WORLD OCEANS DAY

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, happy World Oceans Day. Our oceans play a hugely important role in keeping us healthy and happy, and they are vital to our economy, particularly for our coastal regions. World Oceans Day, originally proposed by Canada in 1992, will be celebrated this year on June 8, and preceded by a week of events.

Next week I hope the government will finally table a credible plan to protect our oceans. A credible plan would address the impacts of climate change, rising sea level and air pollutants; preventing ocean acidification and its impact on marine ecosystems; declining fish stocks, worth billions of dollars to Canada's economy; and the increase in Canada's marine-protected areas, from the current 1% to our international obligation of 10%. I am hopeful for this plan, but under the Conservatives with their track record on environment, I am not optimistic.

The reality is that climate change does not respect borders. Damage to our oceans has international repercussions. World Oceans Day offers the opportunity to reflect on how Canada can take that necessary leadership to effect positive change at the global level.

* * *

● (1410)

[Translation]

MEMBERS OF THE NEW DEMOCRATIC PARTY

Mr. Chris Alexander (Ajax—Pickering, CPC): Mr. Speaker, unpaid taxes hurt every honest worker and taxpayer. The Auditor General was clear: billions of dollars are slipping through our collective hands.

We thought that the NDP was on board. In fact, the hon. member for Brossard—La Prairie and former NDP revenue critic had this to say about the subject: "We are talking about revenue that Canada is losing through fraudulent means. I cannot see why we would not address these problems."

To the astonishment of Canadians, that same member and his colleague, the hon. member for Jeanne-Le Ber, owe tens of thousands of dollars in unpaid taxes.

If the NDP wants to lecture anyone on the importance of following the rules and paying one's fair share, then the Leader of the Opposition should start with his own caucus.

We stand united on this side in saying to our colleagues across the way: "Pay your taxes."

*Statements by Members***VOLUNTEERISM**

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, the city of Magog's 28th volunteer gala was held in my riding on May 25, and it was attended by 625 people representing 79 organizations.

We are proud to have such a large number of dedicated volunteers. Areas as diverse as sport, family support and the environment benefit from the contributions of volunteers, who are an essential part of the fabric of every community.

As the MP for Brome—Missisquoi, I would like to thank them for their dedication and the excellent work they do.

Brome—Missisquoi is a vibrant region thanks to the efforts of volunteers. I am proud to represent them in the House of Commons.

I would also like to draw members' attention to the presence of Jean Pierre Lefebvre, a filmmaker and resident of Brome—Missisquoi who has received the Governor General's Performing Arts Award.

Once again, congratulations and thank you.

* * *

[*English*]

LEADER OF THE LIBERAL PARTY OF CANADA

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, the leader of the Liberal Party has withheld for weeks that one of his senators, Senator Merchant, has millions of dollars in an offshore account. He still has not addressed the matter.

Clearly the Liberal leader is in over his head when it comes to tackling the Senate problems. In fact, he came out over the weekend saying he believes that the Senate should not change at all because as it stands now it benefits Quebec.

He also made it clear, time and time again, that he thinks some Canadians are better than others. Those who speak just one of our national languages, he called "lazy". He says our country is better served when Quebecers are in charge than Albertans. He even says he would separate our great nation if given the chance.

However, Canadians will not give him the chance to divide and destroy Canada's national interests. Canadians know it is our Conservative government that will defend the interests of all Canadians at home and abroad no matter what part of the country they are from.

The leader of the Liberal Party is in over his head when it comes to understanding the Senate and Canada's national interests.

* * *

GUELPH COLLEGIATE VOCATIONAL INSTITUTE

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, it was famously said, "if music be the food of love, play on; Give me excess of it...". In the creative capital of Guelph, no one goes hungry for good music.

After an outstanding second-place finish at Musicfest, Canada's national competition in Ottawa last year, Guelph Collegiate Vocational Institute's symphonic band came back home more determined than ever, and this year it brought home the gold.

Along with its conductor and GCVI teacher Dan Austin, the band blew away judges with its performances of *Gale Force*, *Grasp the Dream* and *A Scottish Ballade*, securing the top spot with its extraordinary musical display.

Everyone involved has my deepest admiration. It took a lot of practice, dedication, talent and much sacrifice to put together a first-place winning band.

On behalf of all members in the House, I would like to extend our sincerest congratulations to GCVI's symphonic band. We look forward to all of its future successes.

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● (1415)

DEMOCRATIC REFORM

Mr. David Wilks (Kootenay—Columbia, CPC): Mr. Speaker, we made a promise to Canadians to fix Senate expense rules, and we have delivered. The Senate adopted our Conservative government's 11 tough new rules governing Senate travel and expenses proposed by Conservative senators.

Our government is focused on reforming the Senate, including elections, term limits and tough spending oversight.

While we are ensuring that the Senate is more accountable to taxpayers, the Liberal leader is defending the status quo, demanding that the Senate remain unelected and unaccountable because it is an advantage for Quebec.

Furthermore, the Liberal leader has known for weeks that Liberal Senator Pana Merchant is hiding \$1.7 million in an offshore bank account. It is time for the Liberal leader to tell Canadians why she still sits in his caucus.

* * *

[*Translation*]

PRIME MINISTER OF CANADA

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, yesterday, the leader of the NDP asked the Prime Minister the following question: "...in a typical day, how many times does the Prime Minister speak with his chief of staff?" The question was simple. The Prime Minister could have said two times, three times, five times or 10 times, but no. The Prime Minister said, and I quote, "Mr. Speaker, I do not understand the question."

When a prime minister does not understand such a simple question—how many times did he meet with his chief of staff over the course of a day—we are in trouble. He is supposed to be running this country.

Canadians deserve better. They deserve a prime minister who is on top of things, a prime minister who knows what is going on in his own office, a prime minister who understands a simple question about how many times he met with his chief of staff.

Unfortunately, Canadians will have to wait, but in 2015 we will be there to put an end to this nonsense.

*Oral Questions**[English]***ETHICS**

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, it has been over a month since media revealed that a Liberal senator was the beneficiary of an offshore account set up in the South Pacific, yet this tax-evading senator refuses to answer questions and she remains a member of the Liberal caucus despite an ongoing investigation.

The Liberal leader here and the Liberal opposition leader in the Senate know the details, but they have done nothing to hold her to account. They even let her remain in their caucus despite the investigation. This do nothing, defend the status quo approach to the Senate is unacceptable.

Frankly, this poor judgment from the Liberal leader is not surprising. He is, after all, the same leader who said that the Senate should not change because it was set up to Quebec's advantage.

The Liberal leader and his Liberal senators should stop defending the Senate status quo and hold the senator to account. When will he stand and prove that he is not just in over his head?

ORAL QUESTIONS*[English]***ETHICS**

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the New Democrats have asked straightforward questions, but we have not received straight answers from the Prime Minister.

The Prime Minister went from full support of Mr. Wright to accepting his resignation. He declared Mr. Wright's actions honourable and then said that he should have told him sooner.

Could the Prime Minister now tell us why, in his opinion, Nigel Wright was wrong?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, indeed, it was inappropriate for Nigel Wright to do what he did, which is why he took sole responsibility for his actions and resigned. That is the view of the Prime Minister. It is the view I think of all Canadians.

What is equally the view of all Canadians is that the leader of the NDP come forward with what he knew about corruption in the city of Montreal. In 1994, he was offered a bribe. In 2010, he said that it did not happen. In 2011, he met with police. Just two weeks ago that he came clean and said that the whole affair happened.

What is it about corruption in Montreal that the NDP leader is trying to hide?

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the Conservatives are still refusing to answer questions about a possible cover-up directed by the PMO. They can spin all they want, but all they are showing is that they cannot answer basic questions.

[Translation]

This morning we learned that Senator Bert Brown claimed \$43,000 in travel expenses for the quarter in which the last federal

election was held. Do the Conservatives consider it appropriate for a senator to use taxpayers' money to travel during an election?

• (1420)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, the money used to pay for all Conservative campaign expenditures during the 2004, 2006, 2008 and 2011 elections was our money. No taxpayers' money was used. This was made very clear in all of our submissions to Elections Canada. That is the truth.

As the Prime Minister said on Tuesday, anyone who holds public office, whether in the House of Commons or the Senate, must respect taxpayers' money.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, does the government believe it is appropriate to pay severance to a disgraced employee who resigned from the Prime Minister's Office?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, Mr. Wright will receive only what is required by law and nothing more.

[English]

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, in October 2005, the current Prime Minister asked the Liberal government of the day about the severance package for David Dingwall. He said, "not a single expert has come forward to say that there is an entitlement to severance when one quits a job".

What made the Prime Minister change his mind?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as I just finished saying for the member for Halifax in French, Mr. Wright will receive only what is required by law and nothing more. It is quite simple.

What is equally required in our country for accountability and responsibility is again for the leader of the New Democratic Party to come forward on this issue of corruption in the city of Montreal. He met in 1994, and said that it did not happen 10 years later. In 2011, he met with police. Only two weeks ago he came clean about this.

What is it about corruption in Montreal that the NDP leader is trying to cover up and who is he trying to cover up for his advantage?

Mr. David Christopherson (Hamilton Centre, NDP): Mr. Speaker, also in October 2005, the Prime Minister said, "Why does the Prime Minister not just say no to David Dingwall's demand for more money?"

My question is very simple. Why will the Prime Minister not just say "no" to any money being paid out to his former chief of staff?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, again, Mr. Wright will receive only what the law requires and nothing more.

Oral Questions

However, equally, if the NDP members want to be so strident about accountability of people in public life, it would be great if they would find out from their leader, and if their leader would come clean with Canadians, who he is covering up for in Montreal, why did it take him so long to admit that he was offered a bribe and why will he not come clean with Canadian taxpayers after 17 years? He has a responsibility to come clean with what he knew about corruption in the city of Montreal.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, in a news conference from Peru, the Prime Minister made it clear that when Nigel Wright cut the \$90,000 deal for Mike Duffy, he was acting in his official capacity as chief of staff. That is exactly what the Prime Minister said. Therefore, all documentation, paper or electronic, is the property of the Government of Canada and not Mr. Wright.

There is the February 20 email, for example, outlining Duffy's expectations. There is Mr. Wright's transfer of funds and more. Canadians are entitled to see all of this. It is going on three weeks now. Will the government produce that paper trail?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, it was very clear that when Nigel Wright resigned, he took sole responsibility for this matter. That is exactly as it should be, because that is, frankly, exactly what happened.

Speaking of the question of responsibility that the member for Wascana raises, where is the responsibility and accountability in the Liberal Party for one of their Liberal senators, Senator Merchant, who is hiding \$1.7 million, that we know of, in an offshore account, avoiding paying taxes in our country.

If the Liberals believe, as they say, in accountability, responsibility and standing up for taxpayers, why will they not come clean on this \$1.7 million that are being hidden from Canadian taxpayers?

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, Duffy's reputation has been destroyed, but not his bank account. He remains \$90,000 better off. Duffy took taxpayers for that amount, but he did not pay it back. Nigel Wright paid it.

Duffy keeps the \$90,000, while the Receiver General gets \$90,000 from an illicit deal that was so wrong it cost Mr. Wright his job.

Will the government repudiate the dirty money and instead garnishee Duffy's wages and seize his assets so he pays for his wrongdoing, not some deal maker in the PMO?

•(1425)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as the member knows, this matter has been put forward to the RCMP and it will examine all these matters and appropriate action will be taken.

Speaking again of appropriate action, the member for Wascana used the word "repudiate". Will the Liberals repudiate a Liberal senator who is hiding \$1.7 million in an offshore account?

When Liberal senators take millions of dollars and hide them in an offshore account, it means that middle-class Canadians, who the new Liberal leader pretends to stand for, need to have a higher tax burden to make up for Liberal senators who are hiding their tax liabilities in offshore accounts.

When will the Liberals come clean on their senators hiding millions of dollars offshore?

[Translation]

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, the minister stubbornly refuses to answer any questions. I have a question for him that can be answered with a simple yes or no.

Yes, Nigel Wright's payment to Mike Duffy was illegal. No, it was not illegal. Which is it?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, the RCMP is looking into the answer to that question. This is precisely why we have an ethics commissioner and why the RCMP was called in to investigate this matter. The Liberal and Conservative parties examined this matter in the Senate.

What about Senator Merchant and her husband, who are hiding \$1.7 million in an offshore account? Is that illegal, yes or no?

[English]

I have a simple question for the Liberals. Hiding \$1.7 million from taxpayers, is it illegal, yes or no?

* * *

41ST GENERAL ELECTION

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, Canadians are now learning how Mike Duffy used taxpayer money to work on the Conservative election campaign of 2011, but he was not the only one.

Of the 15 senators who spent the most money during that election period, five were Conservatives and 10 were Liberals. These are extraordinary amounts of money we are talking about.

Does the government consider it appropriate for senators to use taxpayer money to work for the Conservative and Liberal Parties during elections?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, Senate expenses should be used for Senate duties.

As we have put forward very clearly in our submissions to Elections Canada, the Conservative campaign was financed by Conservative funds, straight up and that is very clear in the returns that we put forward to Elections Canada.

That is what taxpayers expect. That is what the law requires. We have obeyed the elections laws in our country.

* * *

ETHICS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I do not know if my hon. colleague has been checking out the audit in the Senate, but we will continue on.

Oral Questions

When the news of Nigel Wright's \$90,000 cheque was made public, the Prime Minister sent the member for Nepean—Carleton out to explain the Conservative government's position. He said that the cheque was issued "Because we didn't believe taxpayers should have to pay the cost and Mr. Duffy was not in a position to pay them himself".

Again, who is the "we" that was involved in the decision and how did they know Mike Duffy was claiming that he was unable to pay back the taxpayer?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, the Prime Minister answered that question specifically yesterday in the House of Commons. In his statement when he resigned as chief of staff, Nigel Wright took sole responsibility for this matter, which is as it should be, because that reflects the facts of the matter.

On this issue of payments and so on, it is interesting that New Democrats are so self-righteous, given that they had as their revenue critic somebody who disrespected taxpayers by not paying his taxes to the Canada Revenue Agency. For New Democrats to get up in the House and be so self-righteous about the interests of taxpayers while not paying their own taxes takes quite a bit of gall.

[Translation]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, here is another question the Prime Minister did not answer yesterday. Perhaps today will be our lucky day.

What changed between the time the Prime Minister said Nigel Wright had his full confidence and the moment he accepted Mr. Wright's resignation, just three days later?

• (1430)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as soon as the Prime Minister found out that Nigel Wright had been directly involved and had written a personal cheque for \$90,000, he made all of the information public and Nigel Wright resigned because he acted alone, of his own accord. That is what the Prime Minister said in the House of Commons.

Now, what we need to hear is what the NDP leader knew about corruption in Montreal. He hid that information for 17 years. He did not go to the RCMP, and now he is trying to hide behind this ruckus. He needs to tell the public what he knew about corruption in Laval.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, they can try to spin all they like, but they could not pass a lie detector test with those answers and fabrications. Canadians are not fools; they are not stupid.

What did the Prime Minister learn during the audit of Senator Wallin's expenses that forced her to leave the Conservative caucus?

[English]

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, she says that we are inventing things. It is a fact that in 1994 the leader of the NDP was offered a bribe, it is a fact that in 2010 he said that it did not happen, it is a fact that in 2011 he met with police, and it is a fact that only two weeks ago he confessed that all of this happened.

To not report the crime of a bribe is totally irresponsible. The City of Montreal is trying to get to the bottom of corruption through the Charbonneau commission, and Canadians deserve to know why it is that the NDP leader was hiding corruption in the city of Montreal.

[Translation]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, it seems that getting answers to our questions is going to be very difficult. The answers we are getting are ridiculous. I cannot believe this.

I will now ask a very simple question. Did Nigel Wright issue the \$90,000 cheque while employed by the Prime Minister's Office as his chief of staff? Who was the cheque made out to, Mike Duffy directly or a trust account?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, it is our understanding that it was a personal cheque. That is why the RCMP is looking into the matter, and so is the Conflict of Interest and Ethics Commissioner. That is why Nigel Wright took sole responsibility for his actions. He acted alone in writing that cheque.

* * *

[English]

JUSTICE

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, the question was not whether he wrote it, but who was the recipient.

Let me turn to another matter. Given that these activities may have been a breach of both parliamentary ethics rules and the criminal law, specifically what documentation has been handed over to independent authorities, the Senate Ethics Officer, the House Ethics Commissioner and the RCMP?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, these are independent bodies that will do their own independent examinations. They are arm's length, which is as it should be. That is what the Federal Accountability Act mandates, that is what the law for the Ethics Commissioner requires and that is how the RCMP operates, which is arm's length and independent. They will examine this matter, as they should and as taxpayers expect.

* * *

ETHICS

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, why should the kinds of documents being provided to authorities be at arm's length from Canadians?

Let us move on. Yesterday, when asked about when he started talking with the PMO about the Senate expenses scandal, the Prime Minister answered, "Obviously, we all spoke of this as soon as the story was in the news".

Could the government confirm that the conversations between the Prime Minister and folks in the PMO took place sometime late last year?

Oral Questions

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, on the important matter that the member raises in the beginning of his question, the Prime Minister made it very clear that our government will put forward any information that is required to get to the bottom of this.

Canadians do expect that members of Parliament and members of the Senate treat taxpayers' money responsibly. An independent examination is being done by the Ethics Commissioner and by the RCMP. They will do their work, and of course we will co-operate and work with them as much as they request, in the exact opposite of the way that the leader of the NDP failed to come forward on corruption in Laval in the city of Montreal.

• (1435)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, Conservatives would do well to realize that when they put themselves into a deep hole, maybe they should stop digging. These guys went out and bought themselves a bigger shovel.

[Translation]

I have another simple, straightforward question. Let us see if the Conservatives can give a clear answer for once.

Was anyone else in the Prime Minister's Office contacted by the police regarding the Nigel Wright and Mike Duffy matter?

[English]

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, there has been no such contact by the RCMP, as the Prime Minister said yesterday.

With regard to shovels and digging holes deeper, at least two New Democrat members of Parliament that we know of have not paid their taxes. What is really corrupt about their behaviour in this file is that an NDP member of Parliament did not pay his taxes and was taken to court because of a \$60,000 tax liability, and that same NDP member of Parliament comes to this place and tables a bill in Parliament to have income averaging for artists because he is an artist.

His first and only act in this Parliament legislatively is to try to pass a bill to absolve himself of his own tax liability. That is NDP corruption.

Some hon. members: Oh, oh!

The Speaker: Order, please. Order. This is taking up a lot of time.

The hon. member for Skeena—Bulkley Valley has a supplemental question.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I am sure the winners of the Governor General's awards, the artists who are watching here today, appreciate the minister's total disdain for artists working in our country.

Now that a cover-up orchestrated by the Prime Minister's own chief of staff has been exposed, maybe showing Canadians a little contrition would go a long way and stop the baseless attacks and sad attempts to try to change the channel on their own corruption.

The email from Mike Duffy said he would stay quiet on direct orders from the Prime Minister's Office. Let us be clear: that came with a \$90,000 cheque attached.

For 16 days Canadians have waited for answers. When are they going to get the answers they deserve?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, when it comes to the arts, I am very pleased to be the minister responsible for the arts and a member of this government, the only government in the G8 that increased funding for arts and culture during the recession. We are the only one, the only government.

We have increased funding for the Canada Council for the Arts and created three new national museums. We have created the Canada media fund. We have gone forward with the copyright protection act to protect our musicians. Our government has done more for arts and culture than any government in history.

What is appalling is New Democrats putting forward a bill of artists' resale rights and pretending to stand up for artists when all they are doing is standing up for their right to avoid paying taxes.—

Some hon. members: Oh, oh!

The Speaker: Order.

Order, please. The running commentary during questions and answers is not helping and it is certainly eating up a lot of time. I ask members to come to order.

The hon. member for Toronto Centre.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I thought the attack by the minister on the member for Jeanne-Le Ber was one of the nastiest attacks on an individual in the House that I have seen in my time. I have never seen anything like it—

Some hon. members: Oh, oh!

An hon. member: What a low blow.

• (1440)

Mr. Jamie Nicholls: That is unparliamentary.

Ms. Jean Crowder: Shame on you, James.

Hon. Bob Rae: Mr. Speaker, let me ask the minister this simple question: is it the position of the Government of Canada that it had just cause to fire Nigel Wright from his position? Is that its position?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, Nigel Wright resigned. He took sole responsibility, which is exactly appropriate, given the facts of the matter.

It was not an attack on any individual member of Parliament. This is an attack on members of Parliament who put forward legislation to avoid having to pay taxes themselves. That is what happened here. When it comes to defending—

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. Minister of Canadian Heritage and Official Languages has the floor. He has about 10 seconds left.

Oral Questions

Hon. James Moore: Mr. Speaker, again on the issue of defending the arts, I am very proud to be a member of this government, which has done more to defend and protect the interests of Canadian artists than any government before in this country's history. Increasing the funding for the Canada Council for the Arts, standing up for artists on the international—

The Speaker: The hon. member for Toronto Centre has the floor.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, through all the character assassination, the minister has not answered this simple question. It is a very important question because it applies to the question of what rights and entitlements Mr. Wright had as a result of his choosing to resign on Sunday after his misdemeanours were discovered on the Wednesday before. It took the government five days to make up its mind as to how it was going to handle it.

Let me ask the minister one more time and give him one more chance. Did the Government of Canada have cause to fire Mr. Wright, yes or no?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, as the Prime Minister said, he did not approve of this. He would not have approved of this. Indeed, Nigel Wright took sole responsibility because he acted alone. What he did was not in the interests of Canadian taxpayers and it was not a responsible decision. The Prime Minister did not support what he did and would not support what he had done. It was the wrong thing for him to do.

With regard to the legal questions, that is why independent authorities are looking at this, and they will get the answers that taxpayers deserve, just as we continue to seek the answers on Liberal senators taking \$1.7 million and hiding it from Revenue Canada. We deserve answers on that as well.

[Translation]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I would like the government to table all the documents related to Mr. Wright's appointment and the conditions of his employment, because otherwise, there can be no explanation for the government's position. It took the government five days to realize there was a problem. They did not have a moral problem, but rather a political problem, which is why they decided to allow Mr. Wright to resign. They did not fire Mr. Wright. That is the government's position at present—

The Speaker: The hon. Minister of Canadian Heritage.

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, it did not take five days. It happened as soon as the Prime Minister learned that Mr. Wright had written a personal cheque. The Prime Minister made that information public immediately. That is a fact.

However, that is not the case with the Liberal Party, considering that a Liberal senator is hiding \$1.7 million from taxpayers who have to pay their taxes. She is hiding that money in an offshore account. The Liberals need to be transparent about that money and need to be accountable to Canadian taxpayers.

[English]

GOVERNMENT EXPENDITURES

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, I have a question about yet another Deloitte audit into Conservative misuse of public funds. Former employees of Atomic Energy Canada are blowing the whistle on bid-rigging, inappropriate gifts and the misuse of public money. These whistle-blowers say evidence of wrongdoing provoked a major audit of AECL's procurement in 2008, but it appears that it was covered up.

Is it true that such an audit was conducted by Deloitte? If so, will the government now release it?

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, AECL is an independent crown corporation, and the board of AECL is responsible for dealing with these matters. It is my understanding that the matter is subject to an ongoing legal proceeding, so we cannot comment on it.

[Translation]

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, this is another example of this government's lack of transparency. It has put over \$1 billion into Atomic Energy of Canada Limited over the past few years, including \$362 million this year alone. If there is wrongdoing within this organization, then Canadians deserve to know.

Can the minister tell us when exactly he heard about the bid rigging at AECL and can he tell us why Canadians are just learning about this now?

● (1445)

[English]

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, as I said, these matters are the responsibility of the board of directors of AECL. AECL was an independent crown corporation. It has now been sold to the private sector, but it is my understanding that it is subject to an ongoing legal proceeding and we cannot comment on it.

* * *

[Translation]

GOVERNMENT APPOINTMENTS

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, while the Conservatives are making cuts to employment insurance and six in 10 unemployed workers are not receiving benefits, the Conservatives are handing out gifts to their friends. Enterprise Cape Breton Corporation and the Atlantic Canada Opportunities Agency are full of friends of the Minister of National Defence. Canadians are the ones paying the salaries of these friends and those same Canadians are having a hard time getting employment insurance benefits. They have the right to know the status of the investigation into these appointments.

Oral Questions

Will the minister update us on the status of the investigation into the hiring of the Minister of National Defence's friends?

[English]

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, Enterprise Cape Breton Corporation is an arm's-length crown corporation. Any questions concerning ECBC should be directed to Enterprise Cape Breton Corporation.

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, let us see. Aside from illegitimate hirings, subsequent dismissals and cover-up at ACOA, we now see scandal at Enterprise Cape Breton. The CEO, described as a close friend of the defence minister, has hired former ministerial staffers and failed Conservative candidates. Some have since returned to the defence minister's office. In case the minister forgot, these are taxpayer-funded regional government agencies, not Conservative job banks.

When will the minister take responsibility for the inappropriate interventions and hiring practices at ACOA?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, I completely reject the premise of that question. Here is what happened. What the hon. member is alleging is completely false, and he knows it. The Public Service Commission was very clear in its report. If the member had read the report, he would have seen that the report stated there was no interference from the minister or the political staff. The member should read the report.

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INTERNATIONAL TRADE

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, today the Prime Minister welcomes Sebastián Piñera, President of Chile, to Ottawa. Canada and Chile enjoy a close trade and investment relationship. In fact, our government is modernizing and broadening our free trade agreements to further benefit hard-working Canadians.

Today, Chile is Canada's third most important export destination in Latin America. Sadly, not only did the NDP members oppose Canada's trade agreement with Chile; they stood against Canada's exports by opposing other agreements in the area.

Could the parliamentary secretary please share with the House how our government, unlike the NDP, is standing up for Canada's exporters?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, the NDP's anti-trade record is no secret to anyone in the House. In fact, the member for British Columbia Southern Interior has even argued that trade agreements "threaten the very existence of our nation". So it is no surprise that the NDP has opposed every single free trade agreement Canada has signed with our partners in the Americas. Only our government recognizes that promoting free and open trade creates jobs and prosperity for hard-working Canadians. Canada's exporters can count on our government to seek out new opportunities

in fast-growing markets around the world, including in the Americas.

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INTERNATIONAL CO-OPERATION

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, it is now clear that the Minister of International Cooperation's office knew about partisan material being posted on CIDA's website in clear violation of Treasury Board rules. When I first asked the minister about this, he refused to take responsibility. He just blamed CIDA staff. Why did the minister blame bureaucrats when, in truth, his office was involved in violating Treasury Board rules?

Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC): Mr. Speaker, the story is wrong. The letters were posted in error, and the moment the minister was made aware, he directed that they be removed.

It was our government that created the open data portal so that Canadians could track our development dollars.

Unlike the opposition leader, who chose deliberately to hide information from the authorities for 17 years, we will continue to be open and transparent.

• (1450)

[Translation]

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, even the Privy Council Office and the Treasury Board were concerned about the involvement of the minister's office in the posting of partisan letters on the CIDA website.

Ministers are not to be using government resources for partisan purposes.

Why is the Minister of International Cooperation not taking his share of the blame? Why are there still no consequences when the rules are broken?

[English]

Ms. Lois Brown (Parliamentary Secretary to the Minister of International Cooperation, CPC): Mr. Speaker, I repeat, the story is wrong. These letters were posted in error. The moment the minister was made aware, he had them removed.

I repeat, we are open and transparent with our development dollars. Canadians can follow them on the open data portal.

We wish the Leader of the Opposition would come clean with why it was that, for 17 years, he chose deliberately to hide information from the authorities.

Our government will continue to be transparent.

Oral Questions

[Translation]

LABOUR

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, the NDP refuses to accept envelopes, whereas the Conservatives write cheques to senators who break the Senate rules. That is the difference.

The Privacy Commissioner, Jennifer Stoddart, said that Bill C-377 is a significant invasion of privacy.

I do not know if I need to remind them, but the members opposite are supposed to be libertarians rather than control freaks. It seems that they have forgotten all their principles since coming to power, and that is why today they resemble Liberals.

Will the Conservatives move forward with Bill C-377 despite the commissioner's objections concerning violations of privacy?

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, the NDP says that it refuses to accept envelopes, but did it not accept an envelope with \$300,00 in illegal union money? We should know that.

However, the only way to learn about such transactions is to have union transparency. According to Léger Marketing, 97% of Quebecers are in favour of this proposal.

Why is the NDP working with unelected Liberal senators to prevent union transparency? What do they have to hide?

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, a union is made up of workers. When you attack a union, you attack workers.

What do they have against workers?

Information provided by the Commissioner of Lobbying proves that Bill C-377 is actually a government bill disguised as a private member's bill.

The member for South Surrey—White Rock—Cloverdale met with none other than the Prime Minister's former chief of staff, the incomparable Nigel Wright, on this matter. That is not all, however. According to the Commissioner of Lobbying, representatives of Merit Canada also attended those meetings.

Why was the Prime Minister's former chief of staff interested in a private member's bill?

[English]

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): The hon. member talks about attacking workers, Mr. Speaker. According to Leger Marketing, the vast majority of workers, including unionized workers, strongly support union financial transparency.

Why is the NDP working against the will of 97% of Quebecers and the grand majority of Canadians, along with unelected senators, in order to block a bill that has been passed by this House and that workers and taxpayers are demanding?

Unions receive \$400 million in tax advantage at taxpayers' expense. We believe there should be accountability and transparency.

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GOVERNMENT APPOINTMENTS

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Speaker, the Minister for the Atlantic Canada Opportunities Agency covers for the Minister of National Defence, who covers for his former political staffer, Kevin MacAdam, who was a former provincial cabinet colleague of the Minister for the Atlantic Canada Opportunities Agency. That is pretty cozy.

MacAdam continues to receive \$130,000 a year in salary, even though he has never spent a day in P.E.I. since he was hired and has not learned a word of French since he moved to Ottawa at taxpayers' expense. What exactly is he being paid for? Je ne sais pas.

Will the minister drop the talking points and answer the following question: What is Kevin MacAdam being paid \$130,000 for?

● (1455)

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, here is another question on the same subject. It is absolute nonsense.

The reality is that if the hon. member had read the report, he would have seen that the report stated there was no interference from the ministers or their political staff. The member should read the report and then he should listen to the report.

Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.): Mr. Speaker, I guess we will have to get a talking book on that. However, I guess we will not be finding out any time soon why Kevin MacAdam earns \$130,000 a year.

Would the parliamentary secretary humour the House by referring to the report before it was whitewashed by the Minister of National Defence?

The Public Service Commission says a hiring scandal at ACOA was brought about by outside influences.

The president of ACOA was reprimanded for hiring Kevin MacAdam out of the defence minister's office.

Allan Murphy and Nancy Baker were hired by the president of ECBC out of the defence minister's office, and now it is before the Ethics Commissioner.

What do all of these have in common? Is it not the Minister of National Defence?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, when the hon. member engages in a fishing expedition, he should try better bait.

Oral Questions

The premise of his question is wrong; he does not understand the issue; and he is trying to twist it into a pretzel because he has himself moved into that position now—and pretzels are hard to make sense of because we cannot figure out the difference between the head and the tail.

* * *

JUSTICE

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, the Conservative government jumps on every opportunity it has to shut down debate. If it is not closure motions, it is letting bills die in the Senate.

Over a year ago, a private member's bill, Bill C-290, that would sustain and grow the largest sector of the entertainment industry in Canada was passed by the House of Commons and sent to the Senate.

As of now, the Senate has not passed the bill.

Why is this bill, which passed the House of Commons with no opposition from any member, languishing in the Senate?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, yes, it is before the Senate. I know it will be considered in due course.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is not right for the Senate to cherry-pick bills for consideration. This was passed unanimously in the House of Commons.

This bill would help create new jobs, allow law enforcement to crack down on organized crime and offshore betting, and give the provinces new opportunities to generate new revenues.

Conservative indifference is putting this all at risk.

Why are the Conservatives not doing more to ensure passage of a bill that has already passed?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, we work to expedite and assist in the passage of all bills. Certainly, government bills are, of course, our first priority. However, even NDP private members' bills will be analyzed and decided upon in due course.

* * *

• (1500)

NATURAL RESOURCES

Mr. John Williamson (New Brunswick Southwest, CPC): Mr. Speaker, our government supports the transmission of oil from west to east, as it would create high-paying jobs and spur growth, while reducing Canada's reliance on foreign oil.

We know the NDP is intent on halting economic development. The opposition leader has come out against reversing the flow of the line 9B pipeline, which is currently being reviewed by the National Energy Board.

Would the parliamentary secretary update the House on the status of this review?

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):

Mr. Speaker, our government has long supported moving oil from western Canada to eastern Canada if the economics exist. At committee we have heard support for this project from the west, Quebec and eastern Canada.

I am encouraged that a coalition of industry groups and labour unions has been created in support of this project.

Unfortunately, the NDP has once again changed its position and now it opposes it. When will the NDP stop its ideological hatred of resource development and resource communities and start standing up for Canadian jobs?

* * *

PRIVACY

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, this week the Privacy Commissioner released a damning report finding the government breached both the spirit and the letter of the Privacy Act by spying on first nations child advocate Cindy Blackstock. Just days before the report was released, aboriginal affairs told the media that the Privacy Commissioner would not be conducting an investigation.

My question is simple. Who in the minister's office or the PMO instructed the department to make this false statement, and will there be any disciplinary action?

Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, as I said earlier this week on the same topic, we take Canadians' right to privacy very seriously. I would like to make clear to the House and to all Canadians that all of the Privacy Commissioner's recommendations have been implemented by my department.

* * *

[Translation]

HOUSING

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, the Conservatives are planning to unilaterally amend the homelessness partnering strategy, the HPS, to change its orientation. A unanimous motion by the National Assembly has denounced this change because it would ultimately result in funding cuts to many important homelessness initiatives that address diverse needs and realities.

In Sherbrooke, losing this funding would cost 16 to 18 social work jobs that are directly related to the HPS.

Can the minister confirm today that this change will not affect jobs that involve fighting homelessness in Quebec and Sherbrooke?

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, the government is committed to helping vulnerable Canadians become independent and fully participate in the economy. Budget 2013 renewed the homelessness partnering strategy. In addition, the government renewed the affordable housing agreement and will provide new homes in the north.

Government Orders

[English]

We will be focused on making sure that we renew these projects.

* * *

FOOD SAFETY

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, earlier this month our government announced the safe foods for Canadians action plan. The plan lays out new rules for meat plants to deal with E. coli and makes labelling of mechanically tenderized meat mandatory.

Albert Chambers, executive director of the Canadian Supply Chain Food Safety Coalition, said that the proposals in Bill S-11 “will position Canada’s food safety regime well in the rapidly changing global regulatory environment”.

Could the Minister of Agriculture please tell the House what steps the government is taking to ensure that CFIA has adequate resources to keep food safe?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, I can assure my colleague from Medicine Hat that as the CFIA identified efficiencies over this past year it was also able to hire 43 new front-line food inspectors. That is good news.

As we on the government side continue to build the capacity of CFIA, unfortunately the opposition keeps voting down those initiatives. I wish the opposition would get on board with us in bolstering our food safety system in this great country.

* * *

MINING INDUSTRY

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, this week a delegation representing the citizens of northern Greece came to Canada to raise their opposition to the actions of the Canadian gold mining company Eldorado. The two projects this company is undertaking in Greece risk creating serious environmental degradation and have already led to major social unrest. Canada’s image and reputation in Greece is suffering.

Does the Conservative government believe that Canadian mining companies, especially those that receive government support, like Eldorado, should follow the same standards of corporate social responsibility abroad as we have here in Canada?

● (1505)

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, Canadian mining and oil and gas companies employ thousands of people abroad and create economic growth and development in countries where they operate. Our government is committed to working with our trading partners to pursue policies that support a responsible and sustainable investment environment. The reality is we provide jobs in Canada and we provide jobs abroad. Those are dollars in the pockets of workers in both countries.

The Canadian mining sector needs to take no advice from the NDP.

[Translation]

EMPLOYMENT INSURANCE

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, statistics show that the employment insurance system is leaving tens of thousands of Quebec workers, their families and their communities high and dry.

It is set out in black and white in the monitoring report that was quietly released by the government: 6 out of 10 workers are not entitled to benefits. The accessibility of the program has been called into question.

The Conservative reform, which penalizes seasonal workers who live mainly in the regions of Quebec, is already a cause for concern, but this reality will only make things worse.

How can the government claim that the employment insurance system is working just fine when it is pushing so many Quebecers into poverty?

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, this report contains employment insurance statistics for the period from April 2011 to March 2012.

We are going to ensure that people who paid into the system, who are unemployed and who need assistance will have access to employment insurance benefits. Our government’s main priorities are jobs, growth and long-term prosperity.

[English]

The cornerstone of our budget is the Canada jobs grant. I encourage the member opposite to focus on that.

* * *

PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of the recipients of the 2013 Governor General’s Performing Arts Awards: Andrew Dawes, Daniel Lanois, Jean Pierre Lefebvre, Viola Léger, Eric Peterson, Menaka Thakkar, Jean Pierre Desrosiers and Sarah Polley.

Some hon. members: Hear, hear!

GOVERNMENT ORDERS

[English]

FAIR RAIL FREIGHT SERVICE ACT

The House resumed from May 29 consideration of the motion that Bill C-52, An Act to amend the Canada Transportation Act (administration, air and railway transportation and arbitration), be read the third time and passed.

Government Orders

The Speaker: Pursuant to an order made on Wednesday, May 22, the House will now proceed to the taking of the deferred recorded division on the motion at the third reading stage of Bill C-52.

Call in the members.

• (1515)

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

(Division No. 708)

YEAS

Members

Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Welland)
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Andrews	Angus
Armstrong	Ashfield
Ashton	Aspin
Atamanenko	Aubin
Ayala	Bateman
Bélanger	Bellavance
Bennett	Benoit
Bernier	Bevington
Bezan	Blanchette
Blanchette-Lamothe	Blaney
Block	Boivin
Borg	Boughen
Boulerice	Boutin-Sweet
Braid	Breitkreuz
Brosseau	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brown (Barrie)
Butt	Byrne
Calandra	Calkins
Cannan	Carmichael
Caron	Carrie
Casey	Cash
Charlton	Chicoine
Chisu	Chong
Choquette	Chow
Christopherson	Clarke
Cleary	Clement
Comartin	Côté
Cotler	Crockatt
Crowder	Cullen
Cuzner	Daniel
Davidson	Davies (Vancouver Kingsway)
Day	Dechert
Del Mastro	Devolin
Dewar	Dionne Labelle
Doré Lefebvre	Dreeshen
Dubé	Duncan (Vancouver Island North)
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseault	East
Eyking	Findlay (Delta—Richmond East)
Fletcher	Foot
Freeman	Fry
Galipeau	Gallant
Garneau	Garrison
Genest	Genest-Jourdain
Giguère	Glover
Godin	Goguen
Goodale	Goodyear
Gosal	Gourde
Gravelle	Grewal
Harris (Scarborough Southwest)	Harris (St. John's East)
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hoback	Holder
Hsu	Hughes
Jacob	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Karygiannis	Keddy (South Shore—St. Margaret's)
Kellway	Kenney (Calgary Southeast)
Kent	Kerr

Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lamoureux
Lapointe	Larose
Latendresse	Lauzon
Laverdière	Lebel
LeBlanc (LaSalle—Émard)	Leitch
Lemieux	Leslie
Leung	Liu
Lobb	Lukiwski
Lunney	MacAulay
MacKenzie	Mai
Martin	Masse
May	Mayes
McCallum	McColeman
McGuinty	McKay (Scarborough—Guildwood)
McLeod	Menegakis
Merrifield	Michaud
Miller	Moore (Abitibi—Témiscamingue)
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Nash
Nicholls	Nicholson
Norlock	Nunez-Melo
Obhrai	O'Connor
O'Neill Gordon	Opitz
O'Toole	Pacetti
Papillon	Paradis
Patry	Payne
Péclet	Perreault
Pilon	Poilievre
Preston	Quach
Rae	Raitt
Rajotte	Rankin
Rathgeber	Ravignat
Raynault	Regan
Reid	Rempel
Richards	Rickford
Ritz	Saganash
Sandhu	Saxton
Schellenberger	Scott
Seeback	Sgro
Shipley	Shory
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Smith	Sopuck
Sorenson	Stanton
Stewart	Stoffer
Storseth	Strahl
Sullivan	Sweet
Tilson	Toet
Toews	Toone
Tremblay	Trost
Trottier	Truppe
Turnel	Tweed
Uppal	Valcourt
Valeriote	Van Kesteren
Van Loan	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 — 255	

NAYS

PAIRED

Nil

Nil

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

* * *

[Translation]

BUSINESS OF THE HOUSE

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I have a very simple and clear question for my Conservative colleague. Could the Leader of the Government in the House of Commons tell us what is on the agenda for the rest of the week and for next week? That is all.

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, now that we have been sitting for a week under our Conservative government's plans for a harder-working, productive and orderly House of Commons, I would remind all hon. members of what we have been able to achieve since just Victoria Day.

Bill C-48, the technical tax amendments act, 2012, was passed at report stage and third reading. Bill C-49, the Canadian museum of history act, was passed at second reading. Bill C-51, the safer witnesses act, was passed at report stage and we started third reading debate, which we will finish tonight. Bill C-52, the fair rail freight service act was passed at report stage and, just moments ago, at third reading. Bill C-54, the not criminally responsible reform act, was passed at second reading. Bill C-60, the economic action plan 2013 act, No. 1, was reported back from committee yesterday.

Bill S-2, the family homes on reserves and matrimonial interests or rights act, was passed at report stage and we started third reading debate. Bill S-6, the first nations elections act, was debated at second reading. Bill S-8, the safe drinking water for first nations act, which was reported back to the House this morning by the hard-working and fast running member for Peace River, has completed committee. Bill S-10, the prohibiting cluster munitions act, was debated at second reading. Bill S-12, the incorporation by reference in regulations act, was debated at second reading. Bill S-13, the port state measures agreement implementation act, was debated at second reading. Bill S-14, the fighting foreign corruption act, was debated at second reading.

We will build on this record of accomplishment over the coming week.

[Translation]

This afternoon, as I mentioned, we will finish the second reading debate on Bill C-51. After that, we will start the second reading debate on Bill C-56, Combating Counterfeit Products Act.

Tomorrow morning, we will start report stage on Bill C-60, now that the hard-working Standing Committee on Finance has brought the bill back to us. After I conclude this statement, Mr. Speaker, I will have additional submissions for your consideration on yesterday's point of order.

After question period tomorrow, we will get a start on the second reading debate on Bill S-15, Expansion and Conservation of Canada's National Parks Act. I am optimistic that we would not need much more time, at a future sitting, to finish that debate.

Points of Order

On Monday, before question period, we will debate Bill S-17, Tax Conventions Implementation Act, 2013, at second reading. In the afternoon, we will hopefully finish report stage consideration of Bill C-60, followed by Bill S-2 at third reading.

[English]

On Tuesday, we will return to Bill S-2 if necessary. After that, I hope we could use the time to pass a few of the other bills that I mentioned earlier, as well as the forthcoming bill on the Yale First Nation Final Agreement.

Wednesday, June 5 shall be the eighth allotted day of the supply cycle. That means we will discuss an NDP motion up until about 6:30 p.m. This will be followed by a debate on the main estimates. Then we will pass to two appropriations acts.

Next Thursday, I would like to return back to Bill C-60, our budget implementation legislation, so we can quickly pass that important bill for the Canadian economy.

* * *

[Translation]

POINTS OF ORDER

STANDING COMMITTEE ON FINANCE

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I would like to come back to the point of order raised yesterday by the House leader of the official opposition, because it pertained to our presence in committee.

We are not asking for more privileges than the others. We are just asking for the few rights that we do have to be respected. There are 308 MPs in the House, who were all legitimately and democratically elected. The rules of Parliament are supposed to allow all of us, from the Prime Minister right down through the ranks, to do our work as legislators for the benefit of our constituents, whether we are members of recognized parties or not.

Mr. Speaker, we are pleased to see that you want to uphold the principles behind your December 12, 2012, ruling, which reminded members that, in accordance with page 307 of the second edition of *House of Commons Procedure and Practice*.

It is the responsibility of the Speaker to act as the guardian of the rights and privileges of Members and of the House as an institution.

You then went on to say that:

Accordingly, unless and until new satisfactory ways of considering the motions of all members to amend bills in committee are found, the Chair intends to continue to protect the rights of independent members to propose amendments at report stage.

Points of Order

That is exactly what we expect of you, Mr. Speaker. A new satisfactory way of considering our amendments in committee can only be interpreted as an opportunity not only to table amendments or simply send them by fax, but also to put them forward ourselves in committee, debate them and vote on them, exactly as we do now at report stage. I am sure you will agree that we cannot rely on the goodwill of committee members, our political opponents, to put forward our amendments. Even if they wanted to, it would be impossible for them to debate and explain what amendments proposed by independent members or members of the Bloc Québécois or the Green Party are all about and the reasons behind them.

However, your decision opens the door to testing certain procedural measures in order to allow members of non-recognized parties and independent members to propose amendments to bills in committee. You also said:

...its report stage selection process would adapt to the new reality.

We understood what that meant, and we were not the only ones. The government interpreted it in its own way, as did the opposition parties. We are willing to participate in committee work with the understanding that we are not permanent members of the committees and that a time limit will be imposed on us based on our respective weight in the House. However, we want to have the same right we have at report stage in the House: the right to propose, debate and put to a vote our own amendments. Simply faxing or emailing our amendments to a committee may be an efficient method of having our amendments studied in committee, but I respectfully submit that it would strip us of the fundamental right to represent our constituents, a right that is enjoyed by all other members of the House. Report stage is when we are currently given the opportunity to exercise that right.

I sincerely believe that the scope of your ruling of December 12, 2012, was not intended to deny us our rights and make us second-class members. I believe that your ruling was designed to invite committees to use Standing Order 119, which allows them to give MPs who are not permanent members the right to speak. It was in response to the Leader of the Government in the House of Commons, who, on November 28, 2012, asked you to muzzle members of non-recognized parties and independent MPs. That member referred to the changes imposed by Speaker Milliken to minimize the use of motions of a repetitive, frivolous or vexatious nature or of a nature that would serve merely to prolong unnecessarily proceedings. None of the motions moved by the Bloc since the May 2011 election have met that description. We also feel that there is a need to clamp down on abuse, but that this should not be done at the expense of our rights and privileges, as the Leader of the Government in the House of Commons sadly proposed. O'Brien and Bosc fully explains those rights and privileges:

In recommending that report stage be restored, the 1968 Special Committee on Procedure believed that stage to be essential in order to provide all Members of the House, and not merely members of the committee, with an opportunity to express their views on bills under consideration and to propose amendments, where appropriate. For all that, the intent of the Committee was not for this stage to become a repetition of committee stage.

We were recently able to test out this new direction you gave, Mr. Speaker, in response to the comments by the government House leader. Following the vote at second reading stage of Bill C-60, we

were invited to propose amendments in committee. According to the committee motion, these amendments were deemed proposed during clause-by-clause study. Technically, we were not allowed to propose our amendments since we are not members of the committee.

Following an email exchange and meetings with the chair of the Standing Committee on Finance, we were able to briefly present our amendments because we did not have many, we were told. The official opposition made sure to remind us that we were not members of the committee under the rules and procedures of the House.

• (1520)

My colleague, the hon. member for Bas-Richelieu—Nicolet—Bécancour, was not allowed to ask the officials present any questions, and the leader of the Green Party was unable to respond to comments on the amendments. Our participation was reduced to an absolute minimum.

In your ruling on December 12, 2012, you said:

The Standing Orders currently in place offer committees wide latitude to deal with bills in an inclusive and thorough manner that would balance the rights of all members. In fact, it is neither inconceivable nor unprecedented for committees to allow members, regardless of party status, permanently or temporarily, to be part of their proceedings, thereby opening the possibility for the restoration of report stage to its original purpose.

For inspiration on the possibilities, members need only to remember that there are several precedents where independent members were made members of standing committees. Short of that, there is no doubt that any number of procedural arrangements could be developed that would ensure that the amendments that independent members wish to propose to legislation could be put in committee.

I think that the opportunity to be part of a committee would help us find that balance you are looking for and we are looking for.

At report stage, we can table and propose, debate and vote on amendments, thanks to the notes to Standing Orders 76(5) and 76.1 (5) to which you refer in your decision of December 12, 2012, on the selection of report stage amendments:

For greater certainty, the purpose of this Standing Order is, primarily, to provide Members who were not members of the committee, with an opportunity to have the House consider specific amendments they wish to propose.

We participated in good faith in the process recommended by the Standing Committee on Finance, but it is clear that the balance you spoke of in your decision was not achieved.

We, the members of non-recognized parties and independents, are now at the centre of a procedural war between the government and the opposition. We find ourselves in the middle of a ping-pong game where our rights and privileges are in play.

The procedure at report stage that allows us to table, debate and vote on amendments is currently predictable. The new process is clearly not. Not all committees ask us to table amendments. Some invite us to propose amendments but do not give us the opportunity to do it ourselves, and still others, such as the Standing Committee on Finance, allow us to do so, but with every possible restriction.

There are only two options: either we are entitled to propose amendments in committee with all the applicable rights, or we are not and can do so at report stage. What we want are clear rules. We do not want to be tossed around, at the mercy of every arbitrary decision made by each of the committees. We no longer have the resources to cope with the haphazard approach or the whims of the other parties, which would like nothing better than to block us at every turn.

We do not want to have to defend our rights case by case, committee by committee, and make it painfully clear with every bill that we cannot exercise our rights in committee.

In closing, I would like to point out to you that when the Standing Committee on Procedure and House Affairs was instructed to examine the standing orders and procedures of the House and its committees, pursuant to the February 17, 2012 motion, I wrote to the chair of the Standing Committee on Procedure and House Affairs on February 27, 2012 and requested that a member of the Bloc Québécois sit on the committee for the duration of its work on this matter.

“The fact that we cannot speak in committee is an aberration that deprives us of some of our parliamentary privileges, and that is what we wish to discuss in committee,” I wrote to the committee chair.

The Bloc Québécois was already showing its willingness to work with the committee to address what we consider to be the denial of our parliamentary rights and privileges. The committee never replied to our letter.

As I pointed out yesterday, there are examples of members of non-recognized parties and independents being given rights on the committees of other legislative assemblies.

It seems to me that the evolution of House practices could allow better predictability of the rights of members of non-recognized parties and independents, as is permitted by Standing Order 122 of the National Assembly of Quebec. It states that any independent member or member of an opposition group other than the official opposition can be appointed to a standing committee, which is the equivalent of the committees here in Ottawa. In that case, the committee consists of 12 rather than 10 members.

Mr. Speaker, my colleagues and I are prepared to advance the practices of the House, but our current rights must be preserved.

As guardian of the rights and privileges of the House of Commons, you have a duty to preserve our rights.

• (1525)

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I rise in part to add to my submissions of yesterday and in part to respond to the submissions of the hon. House leader of the official opposition and others today.

As I said yesterday, there is a key understanding around here that our committees are the masters of their own proceedings. This is articulated in our procedural literature, such as page 1,047 of the *House of Commons Procedure and Practice*, second edition. One portion says:

Points of Order

The concept refers to the freedom committees normally have to organize their work as they see fit and the option they have of defining, on their own, certain rules of procedure that facilitate their proceedings.

On the next page, we see that:

...committees may adopt procedural rules to govern their proceedings, but only to the extent the House does not prescribe anything specific.

As I said, the notion that committees are masters of their own process is true and is often referred to you, Mr. Speaker, when people attempt to appeal decisions that occur in committee to this chamber, which you quite rightly point out is something for those committees.

The hon. member for Skeena—Bulkley Valley claimed yesterday that a process whereby a motion is deemed moved was some new invention. It is not. In point of fact, this same mechanism was adopted by the status of women committee on April 23 in relation to Bill S-2, family homes on reserves and matrimonial interests or rights act. There were no report stage amendments when we took up that bill on Monday.

Motions deemed moved are also contemplated in our Standing Orders. There we are not talking about committees, where we have more relaxed rules but rather in the more stringent environment of rules in this chamber. Taking a look at our rule book, I see that Standing Orders 7(1.1) and 8(2) provide that the appointments of the Speaker's three fellow chair occupants are all made on motions which are deemed to have been moved.

I have been here every night at midnight or later when the government orders finish. At the start of every night's late show, the Chair reads out the formula:

Pursuant to Standing Order 38 a motion to adjourn the House is deemed to have been moved and seconded.

I could list off a number of other Standing Orders where motions are deemed to have been moved, but I think I have made my point. There is nothing novel or new about it. It is an accepted practice of this House and it is done often.

Going back to committee procedures more specifically, let me quote an excerpt from O'Brien and Bosc, which was not tendered yesterday. Page 1,018 says:

Committees often adopt sessional orders that govern the granting of the right to speak in cases where witnesses are to be questioned. Consequently, it is rare that a non-member is able to participate in such proceedings. Non-members are occasionally given the right to speak, however, following a decision by a majority of the members present or by unanimous consent.

It was exactly such a majority vote to enable participation by the independent members of Parliament that the committee took on May 7.

Turning to Beauschene's *Parliamentary Rules and Forms*, sixth edition, citation 760(3) reads:

The Speaker has ruled on many occasions that it is not competent for the Speaker to exercise procedural control over the committees. Committees are and must remain masters of their own procedure.

I referenced that earlier.

Citation 762 meanwhile provides that:

Proceedings in the committees are more relaxed in nature than those in the House as the requirements which must be observed in the Chamber are not so strictly enforced when Members sit as committees.

Points of Order

At page 1030 of O'Brien and Bosc, there is a review of cases where committees have allowed even non-parliamentarians to participate in committee deliberations. Citation 771 of Beauschene's covers the same ground.

As I said yesterday, the hon. member for Skeena—Bulkley Valley sought to relitigate the issue addressed by your November 29, 2012 ruling, at pages 12,609 and 12,610 of *Debates*.

As the hon. member for Saanich—Gulf Islands reminded us this morning, Speakers' rulings are not actually subject to appeal.

In that ruling, Mr. Speaker, you said the finance committee's invitation to other committees to submit suggested amendments to Bill C-45, an invitation which was renewed to some committees for Bill C-60 extended to independent members of Parliament the following:

....it is true that committee practice is of considerable flexibility and fluidity. This is acknowledged by the opposition House leader....

That is the hon. member for Skeena—Bulkley Valley.

....himself who spoke of the need for committees to respect clear and distinct limits but declared to that, "when work is assigned to it by the House, it is largely up to the committee to decide how and when to tackle it".

● (1530)

Your ruling continues:

It should be noted that in the present case, even though other committees were invited to suggest amendments, it is the finance committee itself that chose to do so. It also decided how to deal with any suggested amendments and it retained the ability to decide whether or not to adopt any such amendments.

Of course these words carry weight as rulings from the Chair and not, as the hon. NDP House leader described them yesterday, "some convenient article". Nothing changed between Bill C-45 and Bill C-60, except for the finance committee's generous invitation, which was broadened to include members of Parliament who do not sit on the standing committee of the House .

Yesterday the House leader for the official opposition quoted page 775 of O'Brien and Bosc, which pertains to rulings on inadmissible amendments made by committees, that is to say, for example, amendments which go beyond the scope of a bill.

Mr. Speaker Milliken's ruling of February 27, 2007, which was quoted yesterday, was on that point. What is important to note is that the subject amendments would also have been inadmissible at report stage because they went beyond the principle adopted at second reading.

I now want to turn to two comments made by the hon. member for Winnipeg North yesterday. In his remarks, he stated, "We have to be very careful when we look at changing rules".

We are not changing the rules here. The finance committee looked at creative ways within our existing rules, and did so on your invitation, I might add, of maximizing the input of all corners of this House in its work on the government's important budget legislation. The committee should be commended for responding to that invitation. He also stated that the Liberal Party opposed this matter.

Yesterday, I quoted the Liberal finance critic's comments at Tuesday's committee meeting on clause-by-clause study. A further look at the evidence of the May 7 meeting, where the invitation was

adopted by the finance committee, would show, at page 20, that the hon. member for Kings—Hants had proposed an amendment to delete paragraphs (d) to (g) of the motion. The invitation to the independent MPs is not found in those paragraphs that he proposed to delete. It is found in paragraph (c). Therefore, his amendment would have actually preserved the invitation to the independents. That is what I was speaking of as my understanding of the position of the Liberal Party.

I quite reasonably concluded that the Liberal finance critic's words and actions at the committee spoke as the substantive position of the third party at that committee and here in the House.

Having now augmented my case that the proceedings in the finance committee are in order, I want to turn to the consequences of those proceedings.

The hon. members for Bas-Richelieu—Nicolet—Bécancour and Saanich—Gulf Islands forwarded three amendments and 11 amendments respectively to the finance committee for its consideration. As we heard this morning, interventions in support of their amendments were allowed during the finance committee's clause-by-clause study in the total amount of time roughly proportionate to the number of amendments they each put forward.

It is important that we all understand that they were not just invited to submit amendments. It is important to note, in the context of the arguments that were made by them in the House, that they were also afforded an opportunity to participate at the committee. They were not to participate as full members of the committee, but to speak, to explain the nature of the amendments and to make their case. That is an extraordinary step forward. It is an advance. It shows that they were given more than just an opportunity, as was suggested, to submit amendments that someone else then proposed. They had an opportunity to explain their positions on why those amendments were of merit. This is indeed meaningful participation. It allows them to explain their position on the merits and to participate in the process to get their point of view heard.

Yesterday, I quoted from your December 12, 2012 ruling on report stage practices. I underscored your observation that there was "wide latitude" for committees. I should add that you did not say that the House had wide latitude to amend the Standing Orders. The committee's wide latitude already exists.

As I said yesterday, the generous process struck by the finance committee, I would submit, is four-square within your ruling and would serve as a model for that "satisfactory mechanism" that your ruling cited and your constructive challenge to the creativity found among the members of the House that your ruling invited.

Points of Order

●(1535)

Under this satisfactory mechanism, Mr. Speaker, it is critical to point out that the independents are not disadvantaged in relation to any other member. This is a critically important point to understand. Their right to give notice of report stage motions remains unfettered. What it does, sir, is allow you an opportunity to apply a consistent standard across the board in your selection of report stage motions, whether they are proposed by a Conservative, New Democrat, Liberal, Bloc, Green or an independent.

By virtue of the opportunity to participate and present amendments at committee, to have them heard, they are now, as independent members of this House, put on an equal footing with every other member of this House. They can propose report stage amendments. You, of course, select them in accordance with the rules, but it is achieving that equality of participation and fairness in which no individual member of this House is either advantaged or disadvantaged in accordance with our rules.

The selection criteria are set out in the note attached to Standing Order 76.5), which provides that, "The Speaker will normally only select motions that were not or could not be presented in committee".

That was never intended as a loophole to give to certain members of this House an extra right. However, we, through circumstances in your previous ruling, saw what one of the intended consequences of that was, and hence, you provided the invitation that it could be remedied by an effort at the committee to allow independent members to submit amendments to make their views heard at the committee stage. That is what the finance committee did.

The finance committee's mechanism, which I submit is consistent with your earlier ruling, is more than consistent, and it responds to your invitation. It enables the amendments of the independent members to be presented in committee, as that note contemplates.

Moreover, I would draw your attention to a further passage from the note: "A motion, previously defeated in committee, will only be selected if the Speaker judges it to be of such exceptional significance...".

Accordingly, I would respectfully submit that should tomorrow's notice paper contain report stage amendments appearing in the name of a member who does not sit in a recognized party's caucus, aside from those that propose to delete clauses, it should not be selected for consideration at report stage.

In closing, I would observe that today's notice paper has four notices from the leader of the Green Party of motions to delete certain clauses of Bill C-60. In her submission to you this morning she said, and I quote from the blues, "As a matter of practical reality, the only way to have a speaking opportunity...is to have amendments tabled at report stage."

Perhaps the answer here lies in the last sentence of Standing Order 76.1(5). "If an amendment has been selected that has been submitted by more than one Member, the Speaker, after consultation, shall designate which Member shall propose it."

Although other members got identical notices in sooner, perhaps the balanced approach here is to call one of those motions in her name so that she can give a speech and participate in report stage, as

she seeks to. Such a creative approach could well complement the finance committee's mechanism to allow independents a chance to get their views expressed in the House without creating yet more voting marathons. The exercise of this discretion could well eliminate the farcical scenes outside the offices of journals Branch last year in which New Democrats and Liberals treated us to camp-out expeditions to get their notices in first.

I would also point out that the Bloc has several deletion motions on notice as well. The same rule would apply, although I understand that some of those deletion motions stand only in their name, which would also satisfy the opportunity of ensuring they did get the ability to speak here at report stage that they seek. This, of course, would answer the concern or objection that is raised there.

In summary, Mr. Speaker, I think what you see here is a good-faith effort by the folks on the finance committee to respond to an invitation you provided, to improve the process and to enhance the rights of the independent members of this House. What we are proposing to you here is a further remedy that is wholly within your power and your ability right now to address what other additional deficiencies they fear they may encounter at report stage barring their ability to participate. This would ensure their ability to participate without any of those other adverse consequences that we have seen in the past.

I think it is a good model of the way in which, when we head into uncharted waters, you can, through your rulings, and through constructive dialogue with the committees of this House and the members of this House, evolve the rules in a fashion that works in the way you want it to, and that is to protect, in this case, the rights of the independent members of Parliament.

●(1540)

I put it to you, Mr. Speaker, that if you were to submit, and accept the arguments of the House leader of the official opposition, exactly the opposite would occur. You would be rejecting a process that was designed in good faith to provide those independent members an opportunity to participate in committee, and saying to reject the very invitation that you made and the suggestions you made for improvement.

Should you find favour with that perspective, you will not see an advance for the defence of the rights of independent members of Parliament here; you will in fact see them constrained and straitjacketed, no longer able to participate in the committee. For there will, of course, be no reason for the committee to exercise such an approach to invite their participation because under the rules of this House, they do not sit as members of the committees; that is a long-standing practice of this House.

I could ascribe motive and say that we know that the New Democrats do not want to see the Green Party or the Bloc Québécois members, who represent their rivals electorally regionally, have this additional profile and ability to participate. Perhaps that is their motive, I do not know.

Government Orders

However, all I know is that what we have here is a good faith effort by a committee. To respond to your invitation, Mr. Speaker, a set of constructive solutions will advance the dialogue, help us solve these problems and make this House a more functional place that will not be held in disrepute by the public, but rather will be seen to be focused on working, debating the important issues of the day, getting the work done and allowing the votes and decisions to be taken here that people send us to make.

• (1545)

The Speaker: I thank the hon. government House leader for his further contributions, and of course will get back to the House in due course.

* * *

SAFER WITNESSES ACT

The House resumed consideration of the motion that Bill C-51, An Act to amend the Witness Protection Program Act and to make a consequential amendment to another Act, be read the third time and passed.

The Speaker: I wish to inform the House that because of the deferred recorded division, government orders will be extended by seven minutes.

The hon. member for Edmonton Centre.

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I rise today to lend my support to Bill C-51, the safer witnesses act.

At the outset, I will point out that I will be sharing my time with the hon. member for Kelowna—Lake Country.

Without question, the federal witness protection program continues to serve Canadians well. However, there is no denying that there have been sweeping changes in the landscape since the Witness Protection Program Act was first passed 17 years ago. At the same time, various stakeholders have made constructive suggestions for improving the program. For all these reasons, the time has come to bring Canada's witness protection program into the 21st century both for the sake of protectees, as well as the ones who protect them.

Having carefully reviewed Bill C-51 and as a member of the public safety committee, I am confident the safer witnesses act would make federal witness protection programs more effective and more secure.

Before highlighting the proposed amendments, let me reflect on the rationale for the changes. There are three main catalysts for this bill: the evolving nature of crime and technology, the recommendations of several key reports and the needs of our stakeholders. I will address each in turn.

The revolution in information technology, which continues unabated, has been an double-edged sword. On the one hand, the law enforcement community has new tools to track down criminals. On the other hand, organized crime can now track down, intimidate and threaten witnesses more easily. Canada's witness protection program needs greater flexibility to keep one step ahead of the criminals. In other words, we need to better protect and secure

information about witnesses, programs and the administrators of those programs. Bill C-51 addresses those concerns.

Against this backdrop, we must also acknowledge that two major reports have recommended changes to how we protect our witnesses. In March 2008, the Standing Committee on Public Safety and National Security made several important recommendations to enhance the witness protection program. In its response, the government committed to consult with affected stakeholders and the bill we are discussing today is informed by those wide-ranging views.

Members may recall the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 also recommended changes to the witness protection program. The Government of Canada responded, and I am pleased to note the safer witnesses act reflects priorities in the government's Air India action plan.

The third major catalyst, which is connected to these reports, is the evolving needs of our stakeholders, including the provinces and territories and the Royal Canadian Mounted Police. In particular, there has been a resounding call for improved interaction between and among different levels of government.

I am pleased to say the safer witnesses act has provisions to enhance communication between federal departments and between federal, provincial and territorial governments. On that note, let me review the main elements of the bill, beginning with how it would streamline management of the witness protection program.

Members may be aware of differences between the federal program and programs that exist in Quebec, Ontario, Manitoba, Saskatchewan and Alberta. Essentially, the federal program, which is run by the RCMP, provides long-term protection for witnesses. This could involve moving a family to another location and changing the identities of its members.

Provincial programs are often generally focused on more short-term protection. This could include making sure that witnesses are safe and secure before they testify in a major trial. However, there are times when the provinces need support from the RCMP. Unfortunately, there are also times when that support gets bogged down by bureaucracy. For example, sometimes provinces must obtain new identities for the protectees. To do so, the provinces must currently enrol them in the federal program. This process can take time and when lives are at stake, obviously time counts.

To address this problem, Bill C-51 would change this process. Ultimately, once designated, provincial programs could deal directly with the RCMP for secure identity changes without transferring protectees into the federal program. The proposed amendments would enhance interactions between and among federal agencies and departments. Now, when the RCMP needs help with an identity change for a provincial protectee, federal departments would be duty bound to co-operate.

Government Orders

The second major set of amendments in this bill concerns disclosure of information. Currently, the act prohibits only the disclosure of information about the location and identity of federal protectees. Bill C-51 would broaden the scope of protection to include sensitive information about how the program is run and about those who administer the program.

Moreover, in response to concerns by stakeholders, the bill would extend these prohibitions to designated provincial programs. Bill C-51 would also clear up vague wording in the current act about the nature of direct and indirect disclosure. It would prohibit, for example, revealing anything about protectees that could even indirectly identify them, such as medical conditions or distinguishing marks.

• (1550)

This government strongly believes that protectees have a right to know when their new identities might be compromised. That is why the proposed amendments will broaden the government's duty to notify witnesses about any relevant disclosure.

At the same time, the bill reserves the right to a full notification if the disclosure might compromise national security. There is always a need to balance the rights of protectees and the needs of the public. In certain parts of the existing legislation, however, the pendulum swings too far away from the protectees.

For that reason, Bill C-51 would specify the RCMP Commissioner must have reasonable grounds to believe national security or defence was at risk before he or she could disclose a protectee's identity.

At the same time, the proposed legislation would authorize the commissioner to disclose information if it would better protect witnesses in both federal and provincial programs.

Disclosure would also be allowed if protected persons gave their consent, if they had already disclosed their real identities themselves or acted in a way that revealed their identities.

This brings me to the question of what happens if a protectee no longer wishes to be protected. Currently, only the commissioner may end protection for witnesses in the federal program. Bill C-51 proposes a change that would allow protectees to voluntarily terminate their involvement. Not only would this protect the rights of protectees to leave, it would also protect the integrity of the program. If a protectee no longer follows the rules, it jeopardizes the entire program, including the lives of its administrators. These witnesses are very different and we must try to accommodate them as best we can.

As I mentioned earlier, we must recognize that witnesses may need protection from a terrorist rather than a simple criminal. For that reason, the bill proposes to open the witness protection program to referrals from federal institutions with a Public Safety, National Defence or National Security mandate.

Bill C-51 is a thoughtful and comprehensive approach to bring the federal witness protection program into the new millennia. It has been well received by many provincial jurisdictions as well as by law enforcement communities, and takes into consideration the needs of other concerned groups.

Let me quote from Tom Stamatakis, who is the President of the Canadian Police Association:

The Canadian Police Association strongly believes that this proposed legislation will enhance the safety and security of front-line law enforcement personnel who are engaged in protective duties. Unfortunately, the disclosure of identifying details can present a real danger to police personnel themselves as well as their families, and we appreciate the steps being taken today by the government of Canada to address those concerns. On behalf of the over 50,000 law enforcement personnel that we represent across Canada, we ask that Parliament quickly move to adopt this Bill.

The NDP and Liberals have supported this legislation at every stage. No amendments were proposed. Bill C-51 was studied at five public safety committee meetings, and this is the fourth day that Bill C-51 has been debated in the House.

It is time to get on with it. I would urge all hon. members to join me in giving Bill C-51 their full and unconditional support.

• (1555)

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, this is an interesting bill. A number of New Democrats have promoted the principles behind this bill in the past and more recently.

However, money is the crucial issue. Police forces, especially smaller forces in smaller communities, will not necessarily have the resources they need. There are some serious concerns about this.

Although we agree with the spirit of the bill, we want to know how the government plans on helping these police forces protect witnesses who are in danger, when they do not have as many resources at their disposal.

[*English*]

Hon. Laurie Hawn: Mr. Speaker, the fact is that all the witnesses who came before the committee, when asked the question about financing, said that they were more than comfortable that there were sufficient resources within the program to do that.

If there is some smaller community out there that has some difficulty, certainly it could approach and appeal for assistance in some way. Without knowing any circumstances, it would be currently hypothetical to say it would be or would not be accepted, but the process and the openness is there to listen to anybody who needs help.

[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, here is what Andy McGrogan had to say. He is the chief of police of the Medicine Hat Police Service, which serves a city that is not exactly tiny:

Provincially, they're working on witness protection legislation, as well. Again, the chiefs across the province are concerned about the costs that are involved. Right now we're looking at how to absorb those costs. If you look at a community such as ours, the protection of one witness, if funded through the municipality, has a major impact on our budget.

Small cities are not the only ones having problems, according to this chief of police.

Government Orders

[English]

Hon. Laurie Hawn: Mr. Speaker, again, I cannot recall all of the testimony off the top of my head, but the overwhelming response was that the funding is there to run these programs. The provinces are running their programs now. This is not going to change markedly. There is not going to be a huge increase. None of the witnesses said there would be a huge increase in the number of people seeking protection. Everybody who is seeking protection is carefully analyzed. Not everyone who asks for it gets it because there are criteria that have to be met. That is done provincially and federally, depending on which program people are in. There are no suggestions and no suggestions from any of the witnesses that there would be an increase in the number of people in the program.

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, originally when the act was brought into force, I believe that the only things that could not be disclosed were a change of name or the actual address or location. I know the member touched very briefly on how the changes we are making will better protect our hard-working men and women who serve our country through police agencies and so forth. Could the member speak to why it is so important to expand what specifically can and cannot be disclosed within the legislation before us?

Hon. Laurie Hawn: Mr. Speaker, it is not just about protecting the protectees. It is also about protecting the people who administer the program, the police and other administrators in the program who are also at risk. That is why we had to broaden the categories of items that cannot be disclosed. Part of it is due to the impact of new technology.

As I said in my comments, technology is a two-edged sword. On the one side it is great for people administering a program like this. On the other side it is also very “helpful” for the criminal element in bringing harm to the protectees and the people who administer it. When a police officer gets involved in this program, he or she and the family are at risk. We have to take extraordinary measures to make sure that we do not compromise their identity, which would then connect them to the protectees or vice versa. It is very important that we take every measure possible to protect the protectors as well as the protectees.

Hon. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, it is a privilege and honour to rise in the House this afternoon to share the speaking time with my hon. colleague from Edmonton Centre, my birthplace. I know it is well looked after by the hon. member, with his 30-plus years with the air force, and now serving this constituency as a member of Parliament.

It is a pleasure to speak specifically to Bill C-51, An Act to amend the Witness Protection Program Act and to make a consequential amendment to another Act, something that I know is vitally important for effective law enforcement right across Canada. It is of great interest to my constituents of Kelowna—Lake Country and many, if not all, members' constituents. They understand the bill's important role in helping to combat organized crime.

I suspect there are few individuals who have not at least heard of “witness protection”, whether it is a favourite *CSI* television show, or through high-profile court cases in which someone is offered protection in exchange for his or her testimony. We do not normally hear many details about how the program operates or about the

people who are admitted into it. That is how it is supposed to work. Nonetheless, I believe all Canadians understand how important it is to have effective witness protection programs to combat organized crime.

Therefore, I appreciate this opportunity to join in the debate on our government's legislation, which would help to modernize and strengthen the federal witness protection program in Canada, while also making it more effective and secure.

The current Witness Protection Program Act, which we have heard from previous speakers, and my hon. colleague from Edmonton Centre, is about 17 years old and has not been substantially modified since it came into force. That does not mean we need to have a radical overhaul or alter the act in a major way, but we need to make some changes to modernize it. It is important that we have the proper tools in place to help us build safe neighbourhoods across Canada by keeping up with the changing nature of crime and criminal or terrorist organizations.

As members know, organized crime groups were certainly prevalent in 1996 when the current act took effect. However, their operations, their tactics and their make-up have changed significantly, and I think we would all agree on that.

Globalization has facilitated the diversification of organized crime groups and in many ways has allowed them to become involved in many more types of activities, serious activities that they are scheming together on across our country and around the world. The Internet has allowed many of these criminal organizations to avoid capture and detection in ways that seemed unimaginable when the Witness Protection Program Act came into force.

The Internet also provides organized crime groups with more ways to find people than before. This is certainly a big concern for individuals in witness protection, as well as for those who administer these programs. Looking after the safety of our witnesses is a key. All these changes make witness protection both more urgent and more difficult to perform. Reforms are therefore needed.

I would like to note that the changes proposed under Bill C-51 are the result of extensive consultations with the provinces, and we believe we are on the right track. I have the privilege of serving the great constituency of Kelowna—Lake Country in the province of British Columbia. The Hon. Shirley Bond is the minister of justice and Attorney General of British Columbia. We do not know what her portfolio will be after the recent May 14 election. However, when she was the minister she said:

In the fight against crime, protecting witnesses effectively is essential. We look forward to reviewing the amendments and working constructively with our Federal counterparts to ensure that any changes minimize the risk to witnesses.

As members can see, we have consulted with our partners in the provinces and we believe that we are on the right track.

Government Orders

We were very pleased to see support from provincial attorneys general and from police officers from across the country, including the head of the Canadian Police Association, who said in a recent news article:

The Canadian Police Association strongly believes that this proposed legislation will enhance the safety and security of front-line law enforcement personnel who are engaged in protective duties...

Bill C-51 would first and foremost improve the interaction of the federal witness protection program with provincial witness protection programs. We are working in partnership to complement each other. At the moment, someone in a provincial program can only obtain a secure identity change if he or she is temporarily admitted into the federal witness protection program. This can result in delays in obtaining a new identity. It can also result in a number of issues for the RCMP, which administers the federal program.

● (1600)

Bill C-51 proposes to remedy this situation by establishing a process whereby provincial programs can become designated witness protection programs. Once again, the provincial programs would work together with the federal program and become a designated witness protection program.

A province would request this designation from the Minister of Public Safety, at which time the provincial authority would provide assurances of the program's capacity to protect both its witnesses and its information. It is important that it protects both the information and the witnesses. Once the program is established and designated upon the request of that program, the RCMP would be obliged to help in obtaining federal identity documents for a provincial witness without any need for him or her to be transferred temporarily into the federal program. That is one of the big changes.

In addition to being easier, the new system is also designed to be more efficient and more secure. Security and efficiency are other complementary assets of the new reform program. Under the designation regime proposed by Bill C-51, requests for federal identity change documents would be submitted by a provincial official from a designated provincial witness protection program to the RCMP, thereby limiting the number of individuals involved in the process and making the system more secure.

Bill C-51 also proposes to enhance the security of witness protection regimes in Canada by both enhancing and extending the current prohibitions against the disclosure of information concerning an individual in a designated witness protection program. The current federal Witness Protection Act prohibits the disclosure of information by individuals within the federal program. Section 11(1) of the act says "no person shall knowingly disclose, directly or indirectly, information about the location or a change of identity of a protectee or former protectee".

Bill C-51 would strengthen this prohibition in a number of important ways. Let me expand a bit on that.

Bill C-51 would not only prohibit the disclosure of information about individuals in the federal program, it would also prohibit the disclosure of information about how the program itself operates, as well as about those individuals who provide or assist in providing protection for witnesses. Both of these prohibitions would also extend to individuals in designated provincial programs. Such

prohibitions against the disclosure of information currently exist only within the legislation of the particular provincial jurisdiction, not across jurisdictions. That is another big contributing factor to enhancing the existing legislation.

As we can see, Bill C-51 would also clarify the prohibition with respect to what and how information is being disclosed. Clarity is very important. As I mentioned earlier, Section 11(1) of the current act contains the phrase "no person shall knowingly disclose, directly or indirectly, information about the location or a change of identity of a protectee or former protectee". The phrase "directly or indirectly" was considered to be unclear. Bill C-51 proposes amendments to ensure that the prohibitions will clearly apply to cases where a person discloses information in a range of ways.

Let me share a few examples. It would include telling someone what a protected person's name is, leaving information about the protected person unguarded, telling someone where a protected person lives and revealing unique characteristics about the person that could, for example, identify a specific housing market that results in someone deducing the city to which the person has been relocated. Bill C-51 would prohibit all of the above disclosures by specifying that no one could disclose any information, either directly or indirectly, that would reveal the location or change of identity of a protected person or the information from which the location or change of identity could be inferred.

Finally, among other improvements, Bill C-51 would expand referrals for admissions to the federal witness protection program to sources assisting federal security, national defence or public safety organizations, such as the Department of National Defence and the Canadian Security Intelligence Service. By extending referrals to this category of witnesses, we are also addressing one of the commitments under the Government of Canada's Air India inquiry action plan released in 2010.

The act has not been substantially changed since it came into force, despite the constantly changing nature of organized crime and calls for reform. The safer witness act would help to strengthen the current federal witness protection program, a program that, as I mentioned, is often vital to effectively combat crime, particularly organized crime.

● (1605)

Like my colleague from Edmonton Centre, I encourage all hon. members in the House to follow the example I would encourage on our side. I know that there was support at committee. Hopefully the House will support Bill C-51 and see it move forward to provide the tools for our men and women serving across the country and our witnesses as well.

● (1610)

[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, I completely agree with my colleague that criminals can use certain tools, such as the Internet, to find witnesses.

However, the NDP has been calling for changes to the witness protection program since at least 2007, and many other groups have been calling for changes for a long time. The Internet existed before 2007. It is not a new concept.

Government Orders

Why did the Conservatives take so long to introduce this bill?

[English]

Hon. Ron Cannan: Mr. Speaker, I appreciate my hon. colleague's support for this. I had the chance to sit in on one of the committee meetings. My understanding is the NDP did not actually bring forward any amendments to the bill. We have been trying to push the bill through for a long time and the NDP had forced votes and delays. I am hoping that we can agree that the safer witness protection act is important not only for our witnesses, but for the men and women who are serving, protecting our communities.

Assistant Commissioner Todd Shean, who works in federal and international operations with the Royal Canadian Mounted Police, was a witness at committee and was very supportive. The RCMP has waited for the changes the bill brings. It is comfortable that we have the resources within our existing resources to run an effective witness protection program and it welcomes the changes.

Mr. Scott Andrews (Avalon, Lib.): Mr. Speaker, it is a pleasure that the Liberal Party is also very supportive of this piece of legislation and worked in committee.

One of the things about this piece of legislation is that it protects our men and women in the RCMP who put people into the witness protection program. It protects them and their families. Could the member elaborate on what protections are in there for our RCMP officers who work within the department to put people into the witness protection program?

Hon. Ron Cannan: Mr. Speaker, I thank my colleague from Avalon, a beautiful part of the country. I had a chance to visit there a few years ago with my wonderful wife.

He raises a great point. In fact, my neighbour has been an RCMP officer for about 27 years. He is an outstanding individual and works day in and day out providing safety and security. He works in an integrated force. There is a very high-level court case going on right now in my community that he is involved in.

The fact is, we have to protect these men and women, our front-line officers who were exempt from the previous act. That is the biggest change and advantage of the bill. It not only protects witnesses who come forth from the community, but also protects the front-line officers.

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, I am just thrilled that my colleague is speaking to this very important bill. He is talking about the protection of my brothers and sisters in blue across the country. I know that the Canadian Police Association is very supportive and the president himself, who represents police officers across the country, has been very supportive.

Every time the government puts forward bills that give police another tool so they can keep our streets and our communities safe, I have to applaud the efforts by the government, and I want to applaud the member as well.

Could he tell us a little more about the stakeholders who have come forward to support the bill? There are several and I think it is important that he be allowed to put those on the record.

Hon. Ron Cannan: Mr. Speaker, first, I think all of us here in the chamber give great gratitude for our hon. colleague. She is not only serving as a member of Parliament, but she served many years protecting men and women in the community in Winnipeg. That deserves a round of applause as well.

The bill has had numerous consultations with the provinces and stakeholders. As the Minister of Public Safety alluded to earlier, the police association president, Mr. Tom Stamatakis had clearly shown great support at committee. He said:

Further on that point, the specific changes in this legislation that exempt a person from any liability or punishment for stating that they do not provide or assist in providing protection to witnesses will be a direct benefit to the law enforcement community in Canada that is tasked with these particular responsibilities.

As I alluded to earlier, we had Minister Bond from British Columbia. We also had Chief William Blair from the Toronto police. He said:

In Toronto, we have seen the fear caused by intimidation and the threat of retaliation in gang investigations. Witnesses with valuable information are deterred from coming forward. We support the government's initiative as a valuable step in protecting public safety.

• (1615)

The Acting Speaker (Mr. Bruce Stanton): Before we get on to the hon. member for Winnipeg North on resuming debate, 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 Beauport—Limoilou, Health; the hon. member for Edmonton—Strathcona, Employment.

Resuming debate. The hon. member for Winnipeg North.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have had the opportunity to talk about this bill before. I want to make an important thing fairly clear and it goes back to when I was first elected in the by-election. We need to think of the witness protection program as a tool to be used by our law enforcement agencies and our prosecutors that will ultimately make our streets safer.

I want to do what I can as an individual member of Parliament and as an advocate for the Liberal Party to make sure that we move forward on issues relating to crime prevention. This legislation is an initiative that not only deals with crimes, but it also goes a long way in preventing crimes from taking place in the first place.

During that by-election period, all three major political parties incorporated crime and safety into our election campaigns in a very real and tangible way. I suggested when I arrived in Ottawa that the crime and safety file would be one of the most important issues for me to deal with. With respect to this particular issue, I would be a strong voice on the floor of the House of Commons in Ottawa to express what is happening not only in Winnipeg North but the broader community of Manitoba and indeed from coast to coast to coast where there are many similarities in terms of issues that cause criminal behaviour.

Government Orders

I want to focus if I may for the next couple of minutes on the issue of gangs. Gangs do perpetrate many of the crimes that are occurring in Winnipeg on a daily basis. I do not want to be seen as being negative about the community I represent; it is quite the opposite. I feel very passionate about Winnipeg North. It has a great deal of rich cultural heritage. It provides all sorts of economic and social opportunities for everyone who lives there and in the broader community.

Government is not doing enough to prevent crimes from taking place on the streets. There is a sense that we need to do more. We need to work with the different levels of government when it comes to dealing with crime in order to have any impact.

Bill C-51 is a good example of how co-operation and determination can see good legislation ultimately pass. I have indicated before and I will reinforce it again that the Liberal Party supports this legislation. We want to see the bill pass in a relatively quick fashion, and to do that we just need to focus some attention on one aspect of the bill.

This legislation would enable Crowns and, in particular, our police agencies, to infiltrate gangs. It would assist us in minimizing the negative activities that are being committed in many different communities throughout our country.

● (1620)

It saddens me to drive around and see the result of the young children who are involved in prostitution or drug sales, or in addictions such as drugs or gambling. The negative impact it has on all of our communities is profound.

One of the ways we can deal with these important issues is to enable our police officers to infiltrate the different gang organizations.

To give a sense of to what degree it has become a problem, when I was first elected into the Manitoba legislature in the late eighties, and through the nineties, there was marginal, if any, real debate on gang activity in Manitoba. It was not until maybe the late nineties that we started to see some signs of it. Then at the turn of the century it really started to pick up. Nothing has come out with the impact of making a strong difference in the local community. The problem I see is if governments do not recognize that they need to start working together in a more co-operative fashion, the issues will continue to get worse.

When we think in terms of numbers, for instance, what used to be four to ten gangs in Winnipeg are now literally dozens of gangs varying in the type of violence or destruction they cause. Not all gangs are the same, but there is a certain amount of criminal activity occurring within most of those gangs. What we have seen over the last number of years is a dramatic increase not only in the number of gangs but also in the number of individual gang members. I remember sitting on the justice committee of the Manitoba legislature when we were trying to get a sense of just how many gang members there were in Winnipeg. Even though we could not be provided hard numbers because it was felt that was of a confidential nature, we were able to get a better sense. If memory serves me correctly, that better sense is somewhere just under 3,000. We know it is well into the thousands, but we could not get a tangible number.

Over the last number of years we have seen the number of people involved in gangs continue to increase. I appreciate the member for Saint Boniface, who was a north end police officer. She did a phenomenal job in dealing with the issue, of wanting to come to grips with it and help. I am sure she can sympathize when she drives around and sees the amount of gang graffiti that is out there. As best we can, we try to marginalize that. We know that when something gets tagged we have to get rid of it as soon as possible or it starts to really blossom and become an eyesore for our community.

I believe there is so much more that we could and should be doing. When I look at Bill C-51, I see a bill that does provide some hope for us. When we take a look at the origins, and here is a bit of a history on this, I would say that it came up in 1996. I believe it was former prime minister Jean Chrétien who formalized it. When I say formalized it, there has always been some form of witness protection program, but it was more of an informal type of thing. The legislation was actually enacted in 1996. At the time, people could sense the value of the program and what that program would be doing.

● (1625)

Back in 1996, I do not believe the authors of the legislation really had an understanding of the explosion of gang membership that was coming, in particular with our younger generations getting engaged in gangs.

At the end of the day, we are seeing is an expansion of scope, to a certain degree, in terms of who can be brought in as witnesses under the program. There is a general feeling among law enforcement agencies that with the amendments, at least in part, it is going to allow for additional discretion to deal with gangs.

I see that a positive thing. That is why I wanted to emphasize, in the best way that I could, just how serious a problem gang activity is today in Canada, and in a very indirect fashion to say that we need to give more attention to the issues of gangs, gang violence and the different types of gang activities in our communities across Canada.

This message is not only for members of the House of Commons. It is also important that this message be given to different law enforcement agencies, our court system and so forth. The message is that there is a great deal of concern in our population about what we can do to deal with the issue of gangs in our communities. I wanted to highlight that point before I got under way on some other comments.

On the bill itself, members will know I am somewhat sensitive in terms of the process, and maybe it is because of my capacity as the deputy House leader for the Liberal Party. At the end of the day we would like to have seen a process that would allow all members who wished to do so to participate in the debate.

The bill itself, in first reading, came back in late last year, just before the House rose for the Christmas break. The Christmas break does not mean holidays; it quite often means that members will be doing more of their work in their constituencies.

February 12 was when it came back to the House for second reading. It passed relatively quickly, and then it was fast-tracked, to a certain degree, through the committee stage. Now we have it here today.

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At each stage, there was general support for the legislation, and there was good reason for that support. It goes back to when former prime minister Jean Chrétien introduced the legislation back in 1996.

People understand that serious crimes take place. Quite often in order to be able to bring justice to a criminal act, there is a need to tap into individuals who would put their lives or their family members' lives at risk if they get engaged.

Most people realize that we have some sort of witness protection program, but they may not know the details. I suspect most might think there is one national program, and if someone is in the program, that is it. In fact, there is a national program, there are provincial programs and there are even some more local municipal-type programs. There is a great deal of variance among them.

In order to ensure more consistency, more accountability and more transparency, it was felt that it would be best to bring in legislation to formalize it in a more tangible way.

• (1630)

It was brought in through the RCMP, an institution that is world-renowned for what it has done in the past, is doing today and will continue to do into the future. It has an excellent reputation.

We were given this opportunity in legislation to try to put into place better standards and some sort of guidelines, if I could put it that way.

If we look at the bill, we will see that clause 7 talks about some of the factors that should be considered prior to determining whether a witness should even be permitted into the program. It makes reference to risks to witnesses, danger to the community, the nature of the inquiry, the importance of witnesses, the value of information, evidence to be given by witnesses, the likelihood that witnesses could adjust to the program, cost, alternate methods of protection and other factors that the commissioner might see as relevant. It almost like a catch-all. These are the types of things that were put into the act in its original form.

Bill C-51 would expand that to include such things such as national security matters or national interests. Over the last eight or 10 years, the threat of terrorism has continued to exist in a very real and tangible way, so it only seems natural that there would be legislation that would attempt to deal with it. The former prime minister brought in the original legislation, so it is only natural that the Liberal Party of Canada would support making changes that would make it even better legislation, and that is what we are seeing.

Liberals have some concerns, of course. If we look at the budgets, we see a couple of interesting numbers that I would like to throw out. I read in one newspaper article that there was a briefing note that showed the 2009-10 budget was about \$7.5 million. The annual report indicated that the budget had grown to \$9.1 million in 2011-12, which demonstrates that there is an increase in the program.

The commissioner is required to produce annual reports, and the 2011-12 annual report showed that 108 individuals were considered for admission to the program during that period. Of those, 30 were accepted, of whom 26 came from RCMP investigations while four were admitted on behalf of Canadian law enforcement agencies. The total cost of the program, including RCMP and public servant

compensation, totalled \$9.1 million. It is an effective tool, and I would argue that it could be an exceptionally cost-efficient tool. If we effectively administer and use the program to meet its potential, it could prevent a lot of crimes from taking place.

I would like more co-operation to exist among the different administrations of the different levels of programs. We are starting to see that in Bill C-51. It is another good reason to support it.

It would also expand the temporary emergency protection from 90 days to 180 days. If people are in the program, it does not necessarily mean that they are in it forever. Quite often, it is just during a trial or while going through court proceedings. There is a much smaller percentage of people who need to change their identities, relocate their families, and so forth.

I appreciate the opportunity to address Bill C-51 today.

• (1635)

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusking, NDP): Mr. Speaker, I appreciate what my colleague from the Liberals has said. It is obvious that everyone recognizes that there was and is a need to improve the witness protection program. Since the Witness Protection Program Act passed in 1996, both the Liberal and the Conservative governments have done very little to respond to the criticism of the system. Here we have a program that is supposed to help protect people, but there need to be improvements and there is still a lack of funding.

Bills have been presented in the House of Commons to address small components of the protection program. For example, Bill C-223, from a Reform MP in 1999, dealt with witness protection in cases of domestic violence. It was supported by the NDP but was defeated by the Liberal government.

The overarching issues of eligibility, coordination and funding have not been addressed. The Liberals criticized the program when they were in government, and now they criticize the Conservative government as well for not doing enough in Bill C-51. I want to know why the criticism of eligibility and underfunding was not an issue they addressed when they were in government. They had 13 years to do it.

Mr. Kevin Lamoureux: Mr. Speaker, I disagree with the member. She said we had 13 years to deal with it, but it was in 1996, halfway through that 13 years, that the legislation was passed to create the federal witness protection program, which means that if it were not for the Liberal government of Jean Chrétien, we would not have it here today. To say that the Liberal Party did not do anything in 13 years could not be further from the truth, because we created the program in 1996 through legislation.

After a program is created, we quite often find that there is a need to allow the program to establish itself, and after it has the opportunity to establish itself, there is an obligation to work with law enforcement officers and other stakeholders to look at ways in which it could be improved.

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I, like the member, would have liked to have seen the bill brought in three or four years ago. I think it was in 2007 when Conservatives first came up with the recommendations for changes. At the time we were not in government, unfortunately, primarily because the NDP supported the Conservatives to defeat the Liberals, but that is another issue.

I believe there is always room for some improvement, and we are seeing that improvement made to the original legislation brought in by former prime minister Jean Chrétien.

Mr. Devinder Shory (Calgary Northeast, CPC): Mr. Speaker, I will ask a direct question to my colleague, which is whether he and his party will support the bill or not.

Mr. Kevin Lamoureux: Mr. Speaker, I thought that I had made it quite clear. Given our history on the witness protection program, it is very clear that not only did we create the program, we continue to support the program.

In regard to Bill C-51 at second reading, I said that the Liberal Party would be voting in favour of the bill. We will continue to vote in favour of the bill because we see it as yet another tool that can be used by law enforcement agencies, in particular our RCMP, along with other things. It is a valuable tool, and if it is used appropriately, there should be less crime on our streets and more convictions of individuals or groups who have committed crimes in our communities.

• (1640)

Mrs. Carol Hughes: Mr. Speaker, let us be clear. The Liberals may have created the program, but there was still a deficit within the program. The fact of the matter is that they refused to address the difficulties that were still there and the humps in the road before them.

The member mentioned that it was the Conservatives and the NDP who defeated them. Let us be clear. It is Canadians who did not want to put them back because of the sponsorship scandal.

Although we can make improvements to the bills, we need to ensure that there is funding.

Here is a quote from the Dr. Alok Mukherjee, president of the Canadian Association of Police Boards:

Without the availability of sufficient funding, our ability to take advantage of the program will be limited. In places like Toronto, that's a big problem because, as you know, we're dealing with serious violent crimes and often rely on witnesses from the community, not informants and others but witnesses from the community. Their needs may not be significant, as was mentioned. All they may need is a little bit of protection, but that requires...sufficient funding for us...to be able to do it. That, for us, is a problem.

I think it is great that we are updating. However, how successful can it be if the funding is not in place?

Mr. Kevin Lamoureux: Mr. Speaker, the member raises two points. One is with respect to commitment to the program. I indicated that it was former prime minister Jean Chrétien who introduced the program. Obviously, it shows that the Liberal Party, has been very supportive of the program since its origin.

I do not know how the NDP would have voted back in 1996. Maybe one of her colleagues could update the House as to whether

the NDP actually supported the creation of it. Hindsight is 20/20, of course.

Regarding money, at both second reading and report stage, we have raised concerns with respect to the money issue. At the end of the day, not only is it important that we have appropriate funding levels for our RCMP in the national program, but we need to be concerned about the other witness protection programs, whether they are provincial or municipal. We need to recognize that one can anticipate an increase. I tried to provide an example. We saw close to a \$2-million increase in a very short period of time.

Today, it is a \$9-million program. I suspect that the costs of the program are going to increase. If we really want to use it as an effective tool, I suspect that it will not be long before we will be getting into double digits to properly and adequately finance the program.

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I previously addressed this question to the hon. member for Edmonton Centre. I would like to ask my colleague the same question.

It appears that we will support this bill, but we have many reservations about the lack of resources for the protection program.

Even though the Canadian Police Association says there are enough resources at the federal level, the fact remains that smaller police forces with fewer means are very concerned about having the resources they need to properly implement these provisions.

I would like to know whether the member for Winnipeg North would agree to working with the government to increase these resources if the police forces that are tasked with implementing these provisions ask for such an increase.

• (1645)

[*English*]

Mr. Kevin Lamoureux: Mr. Speaker, I believe that we are going to see an increase in the need for financial resources. That is the reason I made reference to it. I am not exactly sure how much.

However, I believe that in the 2009-10 fiscal year, it was \$7.5 million. Only a couple of years later, in the 2011-12 budget, it was \$9.1 million. With the expansion being proposed in terms of criteria and so forth, I could easily see the demand for financial resources going up. That does not even deal with the other witness protection programs in other jurisdictions that might have limited resources for providing the same sort of protection.

The government needs to properly and adequately continue to finance the program so that it can continue to be a success.

Mr. John Carmichael (Don Valley West, CPC): Mr. Speaker, I am delighted that I will be sharing my time with my colleague, the member for Calgary Northeast, this afternoon.

I am very pleased to have this opportunity to join the debate on Bill C-51, the safer witnesses act. As several of my hon. colleagues have mentioned, the legislation before us today would help to strengthen Canada's federal witness protection program in a number of very important ways.

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I would like to focus my remarks on how Bill C-51 would help to better align federal and provincial witness protection in order to offer a more efficient process to secure new identities as well as enhanced and expanded prohibitions against the disclosure of protectee and program information.

One key to fully understanding the significance of the legislation before us is to understand how witness protection has evolved in Canada and how it operates today. I would like to first briefly talk about this and then direct my attention to how Bill C-51 would achieve the benefits I have just mentioned.

Witness protection has existed in one form or another in Canada for quite a number of years. Law enforcement has long recognized that witnesses would be much more willing to come forward and cooperate in investigations or prosecutions of crime, including of organized crime groups, if they could, in effect, disappear and thereby avoid dangerous repercussions from violent and often lawless organized crime members.

Lots of movies have picked up on this idea, and witness protection has become something of a household word, even though most people do not really understand or know how it works.

Originally, federal witness protection in Canada was an informal set of arrangements without any formalized structure or procedures to define how it should operate. It became more formalized in the 1980s when the RCMP put in place a series of internal guidelines and protocols. That was followed by the introduction, as we have heard today, of legislation in 1996 to provide, among other things, a clear definition of admission criteria for witnesses and a more public and accountable structure for the management of the program.

Provincial governments, however, are responsible for the administration of justice, and so many have more recently established their own witness security programs. Provincial programs now exist in Quebec, Ontario, Manitoba, Saskatchewan and Alberta. Provincially operated witness protection programs provide protective measures ranging from short-term protection to witness management activities to full-fledged relocation and identity changes.

However, only the federal program is legislatively mandated to provide a national protection service to all law enforcement agencies in Canada as well as to international courts and tribunals. As well, federal documents required for secure identity changes are today only provided through the federal program, which is administered by the RCMP.

At the present time, we have a witness protection regime in Canada in which two jurisdictions share a common goal: protecting key witnesses who can assist in our collective efforts to combat organized crime. The programs to accomplish this might, in some cases, be complementary, while many others do not always operate as seamlessly as they should.

A good example is in regard to security identity changes in cases where a provincial Attorney General decides to place an individual in a provincial witness protection program. The way to obtain a complete and secure identity change in this circumstance is for the individual in question to be temporarily admitted to the federal witness protection program, where the RCMP will assist him or her

with obtaining federal documents. Some provinces have argued that this process can lead to delays.

Bill C-51 would remove the need to temporarily admit individuals from a provincial program into the federal program, thereby allowing the federal and provincial witness protection programs to function more seamlessly. The bill would establish a process whereby provincial, territorial and municipal witness protection programs could be designated.

• (1650)

On an operational level, this would involve having the provincial authority responsible for the program provide an attestation to the Minister of Public Safety, assuring that the program had the necessary capacity to protect its information.

As well, Bill C-51 would broaden the current prohibition against the disclosure of information for individuals under the federal witness protection program and would expand the scope to include individuals under designated provincial programs.

Today, the Witness Protection Program Act prohibits the disclosure of information about the location or change of identity of a federal protectee or former federal protectee. Bill C-51 will broaden the prohibition of disclosure to include the identity and role of persons who provide or assist in providing protection, any means or method of protection that could endanger protectees and the integrity of witness protection programs, and protectees from designated provincial programs.

The current federal witness protection program has served the criminal justice system well. Today there are nearly 800 individuals under this program. In 2011-12 alone, the RCMP considered a total of 108 cases for admission to the federal witness protection program. Thirty protectees were admitted to the program, of which 27 were granted a secure name change. The RCMP also provided assistance to other Canadian law enforcement agencies over the same year, as provided under the existing witness protection program.

The fact that the witness protection program is serving the criminal justice system well does not mean that there is no room for improvement. The Witness Protection Program Act has not been substantially changed since 1996, despite the increasingly sophisticated and global nature of organized crime.

Ongoing consultations with provincial and territorial stakeholders have also helped to highlight some areas where stronger provisions are needed, including those I have mentioned today. I am very pleased to note that some provincial jurisdictions, as well as law enforcement organizations, have already offered public support for Bill C-51.

Bill C-51 addresses the need for modernization and enhanced information protection and integration with provincial programs.

Bill C-51 introduces reforms to the present witness protection environment that would build on our collective efforts to combat organized crime as well as terrorist organizations, and in that way, help us all continue to build safer streets and communities for everyone.

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I will therefore be supporting Bill C-51, and I join my colleagues in the government in encouraging all hon. members to do the same.

[*Translation*]

Mr. Denis Blanchette (Louis-Hébert, NDP): Mr. Speaker, I would like to thank the hon. member for his speech.

We have already announced that we will support the bill although we do not think it goes quite far enough. I would like to move on to the practical aspects.

It is a good idea to improve the program, but that costs money. Moreover, it is not just the federal police that are likely to need funds.

I would like my colleague to tell the House what he thinks about the increased funding that will be required to support this legislation.

• (1655)

[*English*]

Mr. John Carmichael: Mr. Speaker, I think it is important to note that we have in this House of Commons 12 former police officers who have been integral in providing information during the deliberations and development of the bill. Some of them were high-ranking police chiefs who had great knowledge of what it takes to make a system work through development processes. Clearly, the cost issue, as my hon. friend opposite has brought up, was well discussed.

I would like to quote from the Assistant Commissioner of the RCMP, Mr. Todd Shean, who appeared before committee or commented twice on this very issue, on February 28 and March 5. He said:

[W]ith the changes this bill brings about, the RCMP is comfortable that we have the resources within our existing resources to run an effective witness protection program.

On March 5 he went on to comment:

I am confident that we have the necessary resources to conduct an effective witness protection program, even with what Bill C-51 adds.

Clearly, he demonstrated, as other police forces have, that the funding issue is not an issue at all, and within their own resources they will meet that requirement.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, I am very excited about this bill moving forward and I appreciate the hon. member's speech. Certainly from watching movies, we all have our own impressions of witness protection, so I appreciate his giving us some of the history and also mapping out why he feels this is compelling legislation that needs to go forward.

Most people here want to have safety and security. We want to see a more efficiently run and more effective public safety system, and this is in our national interest. Sometimes we need to put aside partisanship. We have seen support at committee and the New Democrats and Liberals are in support of the bill.

Would the member reiterate why it is in our national interests, as Canadians, to see this legislation go forward?

Mr. John Carmichael: Mr. Speaker, that is a very good question because our government is focused on keeping our streets and communities safe. An effective and reliable witness protection

program is valuable in the fight against crime, especially organized crime and terrorism.

As I mentioned in my presentation, in today's world with technology moving at the rate it is and with the resources that organized crime groups have available to them, it is important that we provide our police forces and organizations with the tools they require to get the job done to protect our citizens and our constituents in our ridings, regardless of which party we represent.

Mr. Devinder Shory (Calgary Northeast, CPC): Mr. Speaker, today I rise to add my voice in support of Bill C-51, the safer witnesses act. As we have heard from my hon. colleagues, the bill would make important amendments to the witness protection program, which first came into effect in 1996. Before that time, Canada offered witness protection services to those who could provide critical information during a police investigation and court proceedings. However, it was practised on an informal basis. The 1996 act introduced more formality into the process.

As with many laws that have been on the books for a while, the original act is now in need of amendments to reflect our changing environment and to strengthen the protection provided to witnesses, as well as to those who protect them.

As we have heard in the House and at committee, the proposed legislation contains recommendations that have come from a few sources. They include the 2008 report by the Standing Committee on Public Safety and National Security, the 2010 Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182, and stakeholder consultations with the federal departments and agencies, the provinces and law enforcement agencies.

I would like to focus my remarks today on a couple of areas of proposed changes within the bill, which directly address the concerns we heard from our provincial stakeholders.

There are witness protection programs in five provinces, namely Alberta, Saskatchewan, Manitoba, Ontario and Quebec. The federal program differs from the provincial ones in some areas. Typically, the provincial programs are aimed at victims of violence who need support before and during a trial, which could include accompanying the witness to trial, temporary relocation or limited financial support. They have their own administrative criteria and are designed to meet the needs of their own law enforcement agencies.

The decision whether to refer a witness for possible admission into the federal program or provincial program rests with the individual police forces dealing with criminal investigations. They make their decisions on a case by case basis, depending on cost, threat level and the length of time the protection is needed. For complex federal cases, provinces may choose to refer their witnesses for consideration of admission into the federal program.

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One of the loudest calls we have had from our provincial counterparts is the need to streamline the current process for obtaining secure identity changes for their protectees. The concern among the provinces is that the RCMP can currently only assist federal protectees for the purpose of obtaining the federal documents required for secure identity changes. What this means is that the provinces must temporarily admit their protectees into the federal witness protection program to allow the RCMP to assist in this process.

Many of our provincial stakeholders have asked that we change the current system, which they have told us can result in time consuming paperwork and delays. We agree. When we are talking about protecting individuals from potentially life-threatening risks, we cannot afford delays in processing their secure identity changes. We also agree that improving federal and provincial collaboration will help us move ahead with a more seamless witness protection service across the board.

As such, under Bill C-51, we propose to streamline this process through a new framework that will allow for provincial programs to be officially designated as witness protection programs. The designation process will work as follows.

First, a provincial authority responsible for the program, such as the Attorney General, would make a request to the Minister of Public Safety who, once satisfied that the program has the capacity to protect its witnesses and its information, may recommend to the Governor in Council to designate the program. Once the program has been designated, the provincial official will be able to send a request to the RCMP for assistance in obtaining the federal documents required for a secure identity change for a provincial witness without having to first admit the witness into the federal program. Designation would only need to occur once.

● (1700)

I would note that we have also heard calls to remove the RCMP from the process completely so the provinces can request the secure identity documents directly from the federal departments. However, we believe it is more prudent and safer to keep the RCMP as the single point of contact for all document requests of this nature. There are many benefits to keeping the RCMP as a single point of contact. It helps ensure efficiency and enhances the security of the information and the safety of all those involved in the process. For these reasons, Bill C-51 would retain the RCMP as a liaison between the provincial and federal programs for the process of secured identity change.

A second area of change that directly addresses concerns of many of our provincial stakeholders relates to expanding the prohibitions of this program. As it currently stands, the Witness Protection Program Act only protects information about federal protectees. This is a legitimate concern raised by our provincial stakeholders and one which we have addressed in Bill C-51.

Under the proposed changes, the prohibitions of disclosure would be extended to include information about the witnesses, their designated witness protection program, as well as those who provide protection to these witnesses. This prohibition will apply across Canada. I should note these measures have been strongly supported by organizations that represent front-line police officers.

In addition, exceptions to the prohibitions of disclosure would also be clarified, allowing authorities at both the federal and provincial levels to fulfill their mandates, while still being mindful of the need to ensure the safety of protected persons.

At the federal level, this authority is the RCMP commissioner, while at the provincial level it is the official in charge of the designated program. For example, federal agencies will be able to share information about those protected persons who are also offenders being considered for release. At both levels, authorities would have the power to disclose information about protected persons if it was essential for the administration of justice, including if a serious offence were about to be committed.

It is clear that the Witness Protection Program Act is in need of amendments on a number of fronts. Bill C-51 is practical and comprehensive legislation that would do just that.

The provincial programs are a vital part of our network of witness protection in Canada and we are pleased that this bill has received positive response from the Attorneys General of Saskatchewan and B.C. as well as the Canadian Police Association.

I am also pleased to hear today in the House that for a change the opposition parties have openly said that they will support the bill.

This legislation sends a clear signal that we are on the right track. I therefore encourage all hon. members to continue their support of the good measures this government brings from time to time.

● (1705)

[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, I thank my hon. colleague for his speech.

As he said, and as we have already indicated, the bill contains enough improvements to the program for the official opposition to support it at third reading, despite our concerns regarding funding.

I wonder if my colleague knows why the bill does not contain more of the recommendations that came out of the Air India inquiry, such as ensuring that the eligibility process is more transparent.

[*English*]

Mr. Devinder Shory: Mr. Speaker, as recommended in the Air India report, the concerns over objectivity of entrance into the program has been addressed by changing the reporting structure of the witness protection program internally within the RCMP to increase its objectivity and independence.

These changes separate investigations and decisions on admission for the running of the program.

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Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, I have the privilege to sit on the public safety committee, and I did hear a lot of the witnesses who came forward, including the police organizations.

Everyone seemed to be very favourable in terms of this bill and what we are bringing forward. I would just like to ask my hon. colleague, the member for Calgary Northeast, a question. He is my brother, actually. Does he in fact believe this is really a very good bill?

Mr. Devinder Shory: Mr. Speaker, as the member knows—my brother from a different mother—our government is committed to providing law enforcement with the tools and resources needed to protect the safety of our families and communities, including an effective witness protection program.

An effective and reliable witness protection program is valuable in the fight against crime, especially organized crime, and terrorism.

• (1710)

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskaing, NDP): Mr. Speaker, first of all, I just want to make a comment, because we know that while the Conservatives are late in responding to this growing issue, New Democrats are pleased to see the government listening to our request to expand the witness protection program. It is something we had been requesting when the Liberals were in power, and now the Conservatives are in power. We are glad to see it.

However, just as with any other bill, there is room for improvement. Knowing full well that there is room for improvement, one would think we would want to take this on immediately.

Basically, the bill does not include provisions for an independent agency to operate the program, as recommended in the Air India inquiry report. I am just wondering if my colleague could tell me why that was not included in this bill.

Mr. Devinder Shory: Mr. Speaker, as I mentioned, consultations were made, and amendments are based on all kinds of consultations with the stakeholders, the police associations, other organizations and, specifically, with the victims.

Let me quote what the president of the Canadian Police Association said:

The Canadian Police Association strongly believes that this proposed legislation will enhance the safety and the security of front-line law enforcement personnel who are engaged in protective duties. Unfortunately, the disclosure of identifying details can present a real danger to police personnel themselves as well as their families, and we appreciate the steps being taken today by the government of Canada to address those concerns. On behalf of the over 50,000 law enforcement personnel that we represent across Canada, we ask that Parliament quickly move to adopt this Bill.

I urge my colleagues on the other side to quickly move on this.

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I am very pleased to rise here to debate Bill C-51, An Act to amend the Witness Protection Program Act and to make a consequential amendment to another Act.

As many of my colleagues have mentioned, we will support this bill at third reading, but not without reservations, because a number of the questions we raised in committee at second reading remain unanswered.

We see enough progress in this bill to support it. However, it would be nice if the government members, especially those who are making speeches, would answer our questions at third reading. I will come back to this.

The government is relying more and more on the principle of disclosure to obtain information in order to enforce its laws properly. Whether in relation to its tax policies, public health or the criminal justice system, the general public is a valuable ally in helping the government anticipate and manage crisis situations.

The people who witness a wrongdoing play a key role in reporting, solving or preventing an offence or a crime. These people live in the constant fear of reprisal and feel that disclosing what they know will turn their lives upside down. They must be treated with respect, since they are risking a lot to protect others.

That is why this bill has been generally well received. It will better address the needs of these people who often reluctantly become involved in investigations related to national security.

This is somewhat of a delayed reaction from the Conservatives, since the bill was designed in 1985 to address some concerns raised by the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182. I would like to quote one of the commission's findings:

A failure to provide adequate protection for witnesses threatens their safety and, sometimes, their lives. It discourages others from helping intelligence or police agencies. In the end, poorly designed witness protection measures can rob the justice system of crucial assistance.

Better late than never, though. We are happy that the government has listened to our calls to expand the witness protection program.

The ability to protect witnesses was one of the main reasons—one of them—the Air India investigation was mishandled. It was certainly mishandled. One witness, Tara Singh Hayer, the publisher of the *Times of India*, a newspaper in British Columbia, was assassinated. This meant that the statement he gave under oath to the RCMP seven years earlier, in 1995, was deemed inadmissible. Other witnesses refused to participate in the investigation in 2007 because they feared for their safety. I do not blame them.

At the time, Justice Major admitted that he was not able to give witnesses the protection they needed. The authorities must understand the importance of these people and the magnitude of what they are doing. Chapter 8 of the commission's report stated:

Witness protection also involves developing a “culture of security” within the institutions that reflects an awareness of the real risks to those who assist the authorities in guarding against terrorism.

Government Orders

A number of recent events have focused attention on the serious problem of information sharing between the various organizations involved in national security activities, including the RCMP, the Canadian Security Intelligence Service, various departments and provincial and local police forces.

This problem was mentioned in the Air India commission report:

The processes and procedures by which decisions are made as to what information should be passed exchanged between the intelligence and law enforcement communities are seriously flawed and require substantial revision.

This problem still exists and is the reason behind this bill's objectives. Witnesses must be guaranteed protection so that information can be gathered and a crisis or crime prevented or managed. The sharing of that information amongst the various intelligence and security forces and governments transcends the whole issue of national security.

• (1715)

In the case of Air India, for example, some testimony was called into question, and various authorities had the different pieces of evidence or testimony in their possession. The commission concluded that:

Government agencies were in possession of significant pieces of information that, taken together, would have led a competent analyst to conclude that Flight 182 was at high risk of being bombed by known Sikh terrorists in June 1985.

The handling of sources and sharing of information is a key element, one that is central to the objective of this bill, yet no consideration is given to it in this bill, despite reports such as the Air India commission report, which is more than 20 years old, I might add.

I would like to quote some of the commission's other findings concerning the sharing of information. It is worth quoting them because they are at the heart of the problem that this bill will resolve, albeit quite imperfectly. Here are some excerpts from the commission's report:

The institutional arrangements and practices of information-gathering agencies were wholly deficient in terms of internal and external sharing of information, as well as analysis.

CSIS failed to include important information, such as the Duncan Blast, in the threat assessments it provided to the RCMP and Transport Canada.

The RCMP wasted resources creating a threat assessment structure parallel to CSIS'. The RCMP structure was itself ineffective—it failed to identify, report, and share threat information.

I have some more excerpts from the commission report:

The RCMP failed to transmit the June 1st Telex, warning about the possibility of bombing with time-delayed devices in June 1985, to either CSIS or to Transport Canada.

Excessive secrecy in information sharing prevented any one agency from obtaining all necessary information to assess the threat. Excessive secrecy also prevented those on the frontlines from obtaining information necessary to put in place security measures responsive to the threat.

There was a lack of cooperation and communication within the RCMP and between RCMP, Transport Canada and airlines in relation to airport security.

I will go on with some more excerpts:

Although Air India was operating under an elevated threat level, CP Air (the airline upon which the bomb was loaded in Vancouver) was not informed of this fact and was operating under normal security protocols.

On June 22, 1985, the security level in force at Pearson and Mirabel airports called for the use of an RCMP explosives detection dog (EDD). That weekend,

however, all RCMP EDD teams were in Vancouver for training, leaving the Toronto airport without any coverage.

I will close with some other excerpts from the same report:

CSIS often failed to disclose promptly to the RCMP information relevant to the criminal investigation, particularly information from human sources, or it disclosed information without sufficient detail or in a manner that prevented the RCMP from using the information.

CSIS was mesmerized by the mantra that “CSIS doesn’t collect evidence,” and used it to justify the destruction of raw material and information. CSIS erased the tapes that caught coded conversations possibly related to the planning of the bombing, and CSIS investigators destroyed their notes that recorded the information CSIS sources provided in relation to the Air India bombing. Both of these actions compromised the prosecution’s evidentiary position at trial.

The RCMP failed to appropriately protect sources and witnesses.

And finally:

The RCMP, at times, failed to take threats against Tara Singh Hayer seriously.

This sharing of information must occur between the federal and the provincial levels, since many provinces have their own witness protection programs.

• (1720)

Greater collaboration between the two levels of government would not only ensure better service to witnesses and sources, but also provide for more effective management of the intelligence services. Bill C-51 now under discussion would address this issue, but only partly.

From now on, more individuals will be eligible for the program. The bill also provides for recognition of provincial programs in place—meaning that some provisions of the act will apply to these programs. The bill also authorizes the Commissioner of the RCMP to work with the appropriate federal and provincial departments and agencies to facilitate the change of identity of persons admitted to the program. This is great news, as witnesses and sources will not have to submit a second application to the federal program to be eligible. Indeed, their files may simply be transferred between programs.

Despite this important addition, a problem remains. Where a provincial protection program is in place, local police forces may have to cover the costs of the investigation even when that investigation is federal in nature and the RCMP is involved. That is one of our major concerns about this bill. We agree with the spirit of the bill but, if the resources are not available, it will be extremely difficult to move in the right direction. The government is trying to reassure us, but we have still not received clear answers to the many questions that have been asked, particularly those asked by the official opposition.

It is not surprising that, although “the costs of witness protection may impede investigations, particularly for smaller law enforcement agencies”—and that is a direct quote from the RCMP website—Bill C-51 does not provide for any new funding for the program. This issue is not addressed in the bill.

When the bill was introduced in December 2012, the Minister of Public Safety said, “[o]ur Government is committed to keeping our streets and communities safe. An effective and reliable witness protection program is valuable in the fight against crime, especially organized crime and terrorism”.

We also want citizens to feel safe. Still, I really do not see how the government can claim that the bill will be another instrument to accomplish this, since the program will be expanded but the resources will remain the same. If the Conservatives really want to improve the witness protection program, they must commit more funding in order to achieve their goals.

The opposition has asked many questions of various government spokespeople. We keep coming back to the question of resources. The answers we are getting are not really answers. The government says we should trust it. Apparently, the Canadian Police Association told the government that it has sufficient resources. Nevertheless, local police forces say they do not have the resources they need. The RCMP's website says, and I repeat the quote, “There are instances when the costs of witness protection may impede investigations, particularly for smaller law enforcement agencies.” That is what the RCMP says.

Unfortunately, the government has not allocated additional resources that might make it possible to respond to the RCMP's concern. There may be some former police officers and police chiefs among the Conservative MPs, but that alone does not address the basic question: if there are not enough resources to enforce Bill C-51's provisions and improvements, how can the situation get better? We would like an answer to this question or at least an assurance that the government members will agree to commit more resources if necessary as Bill C-51 is implemented.

Another element I have already mentioned and which is worth repeating concerns the Air India inquiry's recommendations. We have said several times that few of the recommendations in the commission's report have been implemented. One of the primary recommendations from the inquiry was that the process for entering the program be transparent and subject to more rigorous accountability. Bill C-51, which we are currently studying, skips right over that issue.

• (1725)

I hope the government will give us answers to our questions later. That is why we are having this debate.

We all agree, and all parties in the House have already indicated that they would vote in favour of Bill C-51 at third reading, because it is an improvement over the current situation. Still, we would like the government to take our concerns seriously and do something about them.

Having an eligibility process that is more transparent, rigorous and accountable should also be a concern for the government.

We have still heard no answers even though the questions have been repeated over and over. We will continue to debate Bill C-51 this evening. We will continue to ask questions until we get answers from the government.

Private Members' Business

I have a question that is rather significant. It is possible to have the best intentions in the world and want to improve the situation. However, we are now in a context where the government is making cuts to various services, such as the Canadian Food Inspection Agency. Unfortunately that has very negative consequences.

The issue of witness protection and keeping witnesses safe should be taken seriously because these people have often put their lives in danger in order to do their civic duty.

I do not want to see the government strutting about in public, in front of the media, saying that it is taking care of witness safety, that it is looking after victims, and using that as a non-partisan issue when, really, these provisions will have no teeth because there is no money behind them. Money is crucial. In this bill, it is essential to give police forces the resources they need.

We want a commitment, here and now, on these additional resources. If it is not here and now, we would like to have it by the end of the debate.

I eagerly await the questions I will be asked in about an hour, after private members' business.

• (1730)

The Acting Speaker (Mr. Bruce Stanton): The hon. member for Rimouski-Neigette—Témiscouata—Les Basques will have three minutes for comments when the House resumes debate on this motion.

It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

AN ACT TO AMEND THE CRIMINAL CODE (PRIZE FIGHTS)

The House resumed from May 6, 2013, consideration of the motion that Bill S-209, An Act to amend the Criminal Code (prize fights), be read the third time and passed.

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, I am pleased to speak about Bill S-209, which originated in the Senate, as its number indicates.

This bill is relatively simple. Its purpose is to amend the definition of “prize fight” and expand the list of exceptions to better reflect today's reality. First, prize fights are considered an offence under section 83 of the Criminal Code. Prize fight is defined as follows:

...an encounter or fight with fists, hands or feet between two persons who have met for that purpose by previous arrangement made by or for them...

Private Members' Business

However, there are exceptions. The definition excludes boxing matches between amateur athletes who follow certain rules, namely, those set out by the province in question. The bill goes further in defining a prize fight by adding the use of feet to the definition. It therefore no longer just includes fights in which the combatants use their fists or hands. It also includes fights in which combatants use their feet. The bill also adds a number of items to the list of exceptions, including martial arts.

The bill sets out four new exceptions. Here is the first:

(a) a contest between amateur athletes in a combative sport with fists, hands or feet held in a province if the sport is on the programme of the International Olympic Committee or the International Paralympic Committee...

For example, this would apply to me. I participate in fencing, which is one of the exceptions. Paragraphs (b) and (c) exclude contests between amateur athletes in a combative sport with fists, hands or feet held in a province if the sport has been designated or authorized by the province.

Of course, not all combative sports, most of which originated in Asia, are part of the Olympic or Paralympic program, yet they are still practised in a number of countries.

I will continue reading:

(d) a boxing contest or mixed martial arts contest held in a province with the permission or under the authority of an athletic board, commission or similar body established by or under the authority of the province's legislature...

Therefore, combative sports on the program of the International Olympic Committee as well as other amateur sports designated by a province or a body appointed by a province will be exempted. These include judo, Greco-Roman wrestling, freestyle wrestling, fencing, tae kwon do, karate, kick-boxing, mixed boxing and mixed martial arts.

The legislative provision is being amended to better reflect what is happening today in the world of combative sports. Prize fights will continue to be illegal. However, the list of exceptions is being expanded, given that this particular provision was last amended in 1934. There is no question that combative sports have evolved considerably since 1934. For instance, prior to 1934, there were no combative sports involving fighting between women. Today, boxing matches feature women.

Furthermore, prior to 1934, while fencing was an Olympic discipline, women were only authorized to use a fencing foil, as it was considered a practice weapon. Today women also fence with a sabre and an épée, although these changes are relatively recent. Clearly, the situation was very different in 1934 from what it is today in 2013.

Also back in 1934, combative sports were limited, at least in Canada, to boxing and wrestling. Over the years, many combative sports have evolved. Judo, karate and tae kwon do have been around in Canada for many years now. Mixed martial arts have also grown in popularity in recent years.

Some MPs even practised martial arts before embarking on their present career. A number of members on both sides of the House have been involved in non-traditional sports.

●(1735)

The member for Yukon and my NDP colleague seated near me are just two of the many members involved in combative sports.

This bill provides exemptions from criminal prosecution for these legitimate sports practised by thousands of Canadians across the country. As I nurse, I think of course about the safety of these sports and the safety of participants. By expanding the list of permitted sports under the prize fighting provisions, we want to ensure that certain safeguards are in place so that the health of practitioners of these sports is protected. This must be one of our priorities.

I will admit that many Canadians are concerned about mixed martial arts. However, aside from the fact that they are widely practised in any case, it is worth noting that they pose far fewer risks for practitioners than other popular sports such as hockey and boxing. In fact, many other entirely legitimate sports result in far more serious injuries than do mixed martial arts and other combative sports.

One of the priorities of combative sport trainers is to ensure that practitioners know how to defend and protect themselves to avoid injury. This is not necessarily taught in non-combative sports because theoretically injuries are not supposed to occur, even though they sometimes do.

Studies have shown that serious head injuries occur less often in mixed martial arts than they do in hockey, for instance. Hockey Canada, which targets youth in particular, recently took steps to reduce the number of head injuries. Specifically, it banned checking at the bantam level. These associations are also slowly working to reduce the number of head injuries. They are mindful of the extent of the problem. I just wanted to point that out.

In addition, the regulations governing these sports have evolved a great deal with a view to better protecting practitioners. These sports, which are governed by associations and agencies, operate within a legal framework. Providing a legal framework at the federal level for these sports to allow them to exist will also make it possible for the provinces to enforce their own regulations, to set rules for these sports and to protect the health and safety of practitioners.

It is important to regulate these sports, not to ban them. To ban them would only lead to more clandestine fights. These types of fights pose the greatest risk to the health and safety of participants. Organizers do not necessarily respect the ground rules, such as the need for a medical team to be on hand to intervene if necessary, the requirement to wear gloves and the ban on hits to the head. The more these combative sports are regulated, the lower the risk of injury to participants.

Therefore, recognizing the popularity of these sports and legalizing and better regulating them benefits everyone. This bill will ensure that provincial governments no longer turn a blind eye to organized martial arts contests. It is important to amend the Criminal Code to eliminate any ambiguity over the legality of these different combative sports, which are growing in popularity in Canada.

Private Members' Business

May I remind members that this legislation was last amended in 1934. The purpose of this initiative is to update the legal framework governing prize fighting and adapt it to what is happening today in 2013.

That is why I support this bill.

• (1740)

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, I am pleased to rise in the House to speak to a rather pleasant subject. It is not as hard or unsettling as many of the other things we talk about. We can actually enjoy talking about it. It does a lot of good.

Today we are talking about Senate Bill S-209, introduced by Senator Bob Runciman, who was appointed to the Senate as a Conservative on January 29, 2010.

I would say to the members opposite that it is very good of us to consider supporting a bill introduced by a Conservative senator, especially these days.

I find supporting a bill from a Conservative senator a bit hard to swallow, but there is something that makes it a bit easier. It was something the senator said recently. In *iPolitics*, Mr. Runciman said just two days ago that referring former Senator Duffy's expense claims to the RCMP was the right thing to do. Not bad for a Conservative appointee to the upper chamber. This makes supporting his bill a bit easier to swallow.

We are talking about Bill S-209. The bill summary indicates that the enactment amends the Criminal Code by expanding the list of permitted sports under the prize fighting provisions.

Let us take two minutes to look at the current wording of subsection 83.(1) of the Criminal Code on prize fights, in order to understand what it was and why it is being amended:

83. (1) Every one who
- (a) engages as a principal in a prize fight,
 - (b) advises, encourages or promotes a prize fight, or
 - (c) is present at a prize fight as an aid, second, surgeon, umpire, backer or reporter,
- is guilty of an offence punishable on summary conviction.

Not only is prize fighting prohibited, but anyone who encourages it or provides help to a prize fighter is committing a criminal offence, as things stand now.

The second subsection provides the definition of prize fight:

- 83.(2) In this section, "prize fight" means an encounter or fight with fists or hands between two persons who have met for that purpose by previous arrangement made by or for them, but a boxing contest between amateur sportsmen, where the contestants wear boxing gloves of not less than one hundred and forty grams each in mass, or any boxing contest held with the permission or under the authority of an athletic board or commission or similar body established by or under the authority of the legislature of a province for the control of sport within the province, shall be deemed not to be a prize fight.

The definition was really rather broad.

Clearly, this bill marks a significant departure from what we had before, that is, prize fights with absolutely no regulations governing them. When I was a kid, this is what we called street fights. Two people agreed to meet at a certain location with witnesses who quite often made bets. The two people would fight with their bare hands.

That is prohibited. However, by definition, a boxing match with boxing gloves of a certain weight is allowed, whether it is an amateur or professional fight.

Boxing was once very important to me, but as we know, times change. My grandfather was a trainer at one of the major boxing gyms in Montreal. One of my childhood heroes was Gaétan Hart, who was a Canadian champion. He fought three world championship fights. He was tireless. In an NFB documentary about him, he said the most fascinating thing. He said he would climb into the ring saying, "you will not get my steak." You would have to have experienced some tough times or come from a poor family, or at least have had a rough couple of weeks, months or years in your life, to understand Gaétan Hart's state of mind as he entered the ring saying that.

He was an inspiration to me. My sons' inspiration is Georges St-Pierre, who is a mixed martial artist. This shows how times and customs change, and it illustrates how combative sports have evolved.

• (1745)

Bill S-209 will allow us to reflect the current reality of combat sports, especially mixed martial arts, by including fights in which combatants use their feet as well as their fists and hands. This will also bring legislation up to date with what is really happening today, that is the organization of fights where boxing gloves are not used, but that are very well supervised. They are no longer street fights.

The NDP will support these changes. I will share our most important arguments with the House, and comment on them.

Mixed martial arts are already legal in Sweden, Finland, Iceland, Denmark, Russia, Spain, Italy, Switzerland, Ireland, Poland, the United States, Brazil, Japan, the United Kingdom and other countries; this is not a complete list. Many modern legislatures have already made changes to reflect this reality.

Athletes who practice this sport are subject to regular medical assessments, just like boxers. Modern medical practices now apply to this sport. The difference is that street fights were not supervised previously.

The incidence of head injuries is lower than in boxing, and is comparable to other contact sports, such as hockey. I believe that this is the most solid and clear argument.

There are fewer knockouts in mixed martial arts contests than in boxing matches or hockey games. In a number of sports, concussions were not considered to have long-term effects. In the past few years, we have learned how harmful they can be in the medium to long term. Previously, young men were told to pick themselves up and get back on the rink or in the ring.

Private Members' Business

Even the rules for amateur boxing are being questioned as a direct result of the situation we are discussing. Some people believed that young people were better protected because boxing helmets and gloves were heavier. However, over time, we have come to realize that the weight of the helmet increases the harm caused by a blow to the head. That is surprising.

When people engage in a sport without protection—such as a helmet or gloves—and when there are clear regulations and doctors and coaches are present, the result is surprising. It is sometimes hard to watch, because you can see blood coming out of someone's nose. It is startling to see. However, these people receive fewer injuries and concussions than people who play sports such as hockey or boxing, two more popular sports. Those are some of the NDP's main arguments.

Another point that will surely please my colleagues opposite—I think this will get some applause—is that Canada is a growing market and this generates significant economic spinoffs for the country. This is yet another example of how the NDP supports economic and market development.

I will wait for the applause. I guess I will have to wait for another day. I do not think a single member opposite is listening to my speech in French, since they do not have their earpieces in to listen to the translation. They do not care about my speech at all.

Quebec, Ontario, Manitoba and Nova Scotia all have legislation that legalizes mixed martial arts at the provincial level. It is important to note that the provinces are responsible for regulating these sports. They are already updating their regulations to allow for mixed martial arts.

In Quebec, the Fédération québécoise de boxe mixte ou d'arts martiaux mixte amateur has sanctioned more than 324 competitions. More than 3,405 mixed martial arts fights have taken place without any serious injury or accident. We are talking about more than 3,000 fights under the regulatory regime of Quebec alone. Not a single serious accident has occurred. If we looked at the same number of boxing matches, the results would be far different and much more worrisome.

The NDP believes that we need a clear, updated federal legal framework for mixed martial arts so that the provinces can enforce their own regulations for the sport and ensure that participants are safe and secure.

That is the NDP's position.

Dr. Teresa DeFreitas, a sports medicine consultant, says that banning a sport is not the way to go, and she thinks that if we are well represented with safety regulations and with medical presence we can—

The Acting Speaker (Barry Devolin): The hon. member for Algoma—Manitoulin—Kapusksing.

• (1750)

[English]

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP): Mr. Speaker, I rise to offer a few remarks on Bill S-209, an act to amend the Criminal Code (prize fights).

It is certainly an item that requires some attention, as the rules governing prize fights have not been updated since 1934. In that time, much has changed with respect to fighting sports, and the current legislation really does not reflect what is happening in Canada today.

Under the Criminal Code as it stands, boxing is the only combative sport allowed, and even that is limited to certain circumstances. There is no way parliamentarians almost 80 years ago could have foreseen the popularity of fighting sports, or the many new forms that have evolved from more traditional disciplines, so there are a number of compelling reasons to update the Criminal Code to reflect the modern reality of sports and how that relates to prize fights.

In fact, if we were not engaged in this process, we would admit to turning a blind eye to what these contests really are. This would mean that the Criminal Code would have a widely acknowledged gap between the law and enforcement, which would raise questions about which other sections of the Code were open to a similar interpretation.

It is far better to address the problem rather than to allow an acknowledged gap in law and enforcement to undermine the legitimacy of other laws. It is a headache we can avoid and are in the process of doing.

Also, we should consider the implications from the perspective of the people who organize and/or participate in sports such as mixed martial arts, commonly referred to as MMA. Updating the Criminal Code will do away with the degree of uncertainty they work within as well, so there is no doubt that it is time for this House to address these items. Fortunately, the bill strikes the right balance, which allows provinces and municipalities or designated regulatory bodies, such as an athletic commission, to allow MMA, as defined by the bill, in their territory without breaching the Criminal Code.

What exactly does the bill do? First, prize fights will remain illegal in Canada. The bill goes further in defining a prize fight by adding “feet” to the definition, to include fights in which the combatants use their feet as well as their fists and hands. The bill then lists four exceptions to the definition of prize fights. These exceptions are not prize fights, but rather authorized combative sports.

The first is contests between amateur athletes participating in sports on the program of the International Olympic Committee or the International Paralympic Committee. This exception covers sports including boxing, fencing, Greco-Roman wrestling, freestyle wrestling and taekwondo.

The second and third exceptions are for contests between amateur athletes in sports designated by the province or a body appointed by the province. These exceptions cover sports such as karate, kickboxing and mixed boxing, depending on the province.

The fourth and final exception covers professional contests, and states that they are exempted from the prize fight ban if, and only if, the fight is:

held...with the permission or under the authority of an athletic board, commission or similar body established by or under the authority of the province's legislature for the control of sport within the province.

Private Members' Business

It is important to note that a number of provinces such as Ontario, Quebec and Manitoba, as well as municipalities such as Edmonton and Calgary have already moved on this front and have changed their definition of combat sports in order to allow MMA. When we pass the bill, Parliament will simply be updating the Criminal Code to make it consistent with the laws in these places.

Also, it is important to note that no province or municipality, depending on which level of government regulates combative sports in that province, will be obliged to allow MMA. At the end of the day the choice still rests with them, which I believe most people would feel is appropriate.

Even those who are not fans of MMA will know the popularity of the sport has grown significantly and quickly in Canada.

• (1755)

The Ultimate Fighting Championship, or UFC, is the largest mixed martial arts promotion company in the world. Many proud Canadians are aware that Georges St-Pierre, one of the biggest stars in UFC and the current welterweight champion, comes from Saint-Isidore, Quebec. He has won all but two of his 26 MMA contests and was named the Sportsnet Canadian Athlete of the Year in 2008, 2009 and 2010.

However, while Georges St-Pierre may be the most renowned Canadian in UFC, he is not alone and is inspiring a generation of athletes. Some of them will go on to compete in the ring, but an incredible number of people take advantage of the training regimes for these fighters and it has become a popular form of recreational exercise. It allows people to be active and challenge themselves in ways that are fun, while emulating some of the things that popular athletes are doing.

To put this into perspective and to show how widespread this phenomenon is becoming, there is a young volunteer in my office who comes from Little Rapids, which is a small town just north of Thessalon in the riding of Algoma—Manitoulin—Kapuskasung. She is a whip smart university student who has taken up kick-boxing for exercise. She is not looking to compete in any fights, but assures me it is a fantastic form of exercise. However, there are legitimate concerns about the increased popularity of MMA as well.

[*Translation*]

The risk of concussion definitely increases as an individual goes from training into an actual fight. However, concussions can occur in any kind of sport. We want to ensure that the governing bodies of all sports take the risk of injury seriously and manage the risk of concussion meaningfully.

My colleague, the member for Sudbury, has done great work on concussions. He himself has introduced a private member's bill to address the concussion epidemic by establishing a system for collecting data on sports injuries, rules governing concussions and standards for the education and training of coaches. This data collection system would provide financial incentives to assist amateur sports organizations in introducing the proposed protocols.

I encourage all members to familiarize themselves with this bill and to vote for it.

[*English*]

The member for Sudbury assures me that UFC has some of the best protocols for concussion testing in any of the professional sports and the MMA has a lower rate of knockouts than boxing, which means there is a reduced risk of traumatic head injury. In fact, I understand that there are studies that show that the rate of concussions in MMA is more in line with that of hockey or football than with boxing. With that in mind, this bill would create a federal framework that would allow provinces to apply their own regulations, with the goal of better regulating the sport and ensuring the health and safety of its athletes.

When the Senate Standing Committee on Legal and Constitutional Affairs heard from Dr. Teresa DeFreitas, a sports medicine consultant on the subject, she had this to say:

—banning a sport is not the way to go. I believe that if we are well represented with safety regulations and with medical presence that we can make sure these athletes are safe.

I believe it is an appropriate position that we have seen many instances of sports adjusting their regulations to create safer environments for the athletes. Just last week, we witnessed Hockey Canada remove bodychecking at the peewee level, which is hoped to limit injuries in young hockey players in the age group that has perhaps the widest range of size. Anyone who has watched a peewee game will notice that some players are still boys and some have developed to the size of young men. I think Hockey Canada's decision acknowledged that the potential for risk in this age group outweighed the benefits of allowing these players to develop the skills related to checking. Time will tell what the effects of this change are, but it certainly illustrates Dr. DeFreitas' point rather well.

In conclusion, I am happy to add my support to this bill. By updating the Criminal Code, we are acknowledging the reality of what is happening across Canada while ensuring that the provinces have the jurisdictional right to regulate combat sports. It is the right thing to do and I urge all MPs to support this bill.

• (1800)

[*Translation*]

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, I admit I am particularly pleased and happy to rise in the House this evening to contribute to a debate on Bill S-209 because this is a golden opportunity to talk about one of my passions, Meibukan karate, an art that I have practised for 25 years and that I teach to children in my riding. What a coincidence that I will be giving a course at the Cascades Sports Club in Chelsea this evening.

However, even though I am the sensei of a karate dojo, I admit I hesitated for a long time to support this bill. Some may find that strange, but the fact that I practise martial arts does not necessarily mean I automatically support professional combative sports or that I support a bill that will have the effect of enabling professional mixed martial arts and MMA fights to spread more easily.

Private Members' Business

I would inform the House that there is a significant difference between the sports approach to martial arts and the traditional approach. A distinction must be drawn between a sport and an art. I follow the traditional and most ancient path in martial arts. Like many karatekas, I am guided by moral and spiritual principles. Those principles have been left to us by the grand masters of the past. Being a disciple of the way of the warrior, I am required to observe them. Grand master Miyagi Chojun Sensei, the sensei of my grand master, Meitoku Yagi, and the founder of the Goju-Ryu style of karate, wrote the following to his students before he died: "Strike no one. Let no one strike you. No incident should occur. These are the fundamental laws of my teaching."

Gichin Funakoshi, grand master of the Shotokan style of karate, has left us 20 principles, many of which are of a moral nature, such as never forget that karate begins and ends with respect; there is no first attack in karate; karate forges honesty and promotes mental technique; karate is the journey of an entire lifetime; and constantly polish your mind.

It is important to note that the opponent in traditional martial arts is not others or a competitor, but oneself: our pride, our self-esteem, our vulgarity and our immorality.

In the traditional approach, martial arts are as much a quest for self-improvement as for physical or competitive improvement. As a result of that approach, I admit I initially found the sport of MMA violent and vulgar, unworthy of the noble values I had learned in the martial arts and of the way of the warrior, which I strove and still strive to follow.

Today, however, I am pleased to say that I have changed my mind because the sport has changed considerably, and athletes such as Canadian Georges St-Pierre, or GSP, have become excellent role models for young people who practise martial arts. I have also had the opportunity to associate with and teach several MMA athletes, and I have observed their respect for the traditional martial arts.

However, even though I am delighted that the sport has become healthier, I want to say that my first responsibility as a member of Parliament is to protect the safety of Canadians and athletes involved in combative sports, not to promote one sport or another. It is with that in mind that I am contributing to this debate today

Professional boxing is already legal, and concussions and their impact on the health of boxers are proven facts. A legitimate question therefore arises: is the sport of MMA more dangerous than boxing?

I am pleased to learn that the answer is no. In the area of head injuries and concussions, the sport of MMA fighting is comparable to boxing, the only sport excluded from the current Criminal Code definition of "prize fight". Knockout rates are lower in MMA competitions than in boxing, a fact that suggests a lower risk of traumatic brain injury in MMA fights than in other combative sports.

•(1805)

The very nature of the discipline, in which, unlike in boxing, a fight can be terminated otherwise than by a blow to the head, including by means of submission techniques, also results in lower rates of traumatic brain injury per competition. That is good news.

Furthermore, the gloves used in MMA are less substantial and lighter, which significantly reduces the number of knockouts and the after-effects of concussions for MMA athletes.

[English]

It is also important to point out that experts say that in the field of sports regulation and in medical terms, the practice of mixed martial arts is now subject to good oversight. Medically, I am happy to say that this sport has significantly cleaned up its practices and now uses the highest standards in the combative sports industry world. I personally know that athletes who practise this sport are subject to ongoing medical assessments, just as in boxing and in other sports.

Medically, and specifically with regard to concussions and the return of competitors to competition, mixed martial arts combative sports are now also subject to strict provincial regulations. For example, Ontario has regulations on non-issuance and the suspension of licences when medical requirements are not respected.

The City of Edmonton, for example, via the Edmonton Combative Sports Commission, also has strict medical regulations for mixed martial arts combative sports. Therefore, on the basis of safety, there are good reasons to change the existing law. It is truly bad that section 83(2) of the Criminal Code concerning prize fights has not been amended since 1934.

Bill S-209 would modernize the definition of prize fighting and would expand the exemptions to the definition of prize fighting to reflect today's reality and, among other things, would allow for better legal oversight at the provincial level of mixed martial arts contests everywhere in Canada. The bill would allow Canadians to enjoy mixed martial arts by changing the law in two important ways.

First, Bill S-209 would amend the definition of prize fighting by adding "feet" to the definition of prize fight. The amendment reads as follows: "'Prize fight' means an encounter or fight with fists, hands or feet...". The addition of feet would expand the definition of prize fighting to reflect the reality of combative sports today.

Second, Bill S-209 would expand the exemptions to the definition of prize fighting to make Olympic combative sports like boxing, fencing, wrestling, free-style combat, judo or tae kwon do legal. However, mixed martial arts or MMA, a combative sport that emerged some 20 years ago, would also be exempted and is becoming rapidly popular, both in Canada and internationally.

The regulation of mixed martial arts, as I said, falls under provincial jurisdiction, but Bill S-209, by establishing a clear, updated legal framework and applying it nationally, would allow the provinces to better regulate this emerging sport throughout the country.

Canadians, whether as athletes or supporters, have fully participated in the emergence of this new sport. Canadian mixed martial arts athletes are among the best in the world. Mixed martial arts events in Canada now draw record crowds and provide significant economic benefits for the provinces and towns that host them.

The NDP therefore wants to allow this sport to benefit from this clear updated legal framework at the federal level so that provinces—and it is important to point out that it is the provinces that will be deciding—can apply their own regulations with the goal of better regulating this sport and ensuring the health and safety of its athletes.

This is why I am happy to rise in this chamber and support the bill.

● (1810)

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, like many Canadians, I have some reservations about this kind of sport. The glorified violence in combat sports, such as boxing or extreme fighting, has a social cost.

In addition, it is not a hot topic in Canadian law, even though the popularity of prize fighting is on the rise and it occasionally has an impact on the health and safety of our athletes.

Prize fights are illegal in Canada, but the context has changed. It is our duty as legislators to look into the issues that have an impact on Canada's ever-evolving society.

We study and examine the issues and we make suggestions about the best way to remedy these problems with appropriate bills. Bill S-209 aims at making the necessary changes to the definition of “prize fight” and the associated exceptions to reflect the reality of combat sports today.

The bill contains provisions aimed at decreasing the risk of head injury and concussion. It also broadens the exceptions to the definition of prize fight to legalize Olympic combat sports such as boxing, fencing, Greco-Roman and freestyle wrestling, and judo, as well as mixed martial arts, a combat sport that appeared about 20 years ago and is rapidly growing both in Canada and around the world. Mixed martial arts is generally defined as a combat sport in which a number of different fighting techniques are permitted and used.

We are supporting this bill at third reading for the following reasons: Bill S-209 will update the definition of “prize fight” and the exceptions to it set out in the Criminal Code; and it will give the provinces and designated monitoring bodies a clear legal framework for holding sport contests.

Tom Wright, Director of Operations for UFC Canada, has commented on this issue, and I quote: “We are now regulated either provincially or municipally in seven of our 10 provinces and the three territories. We are regulated in 46 of the 48 states.... [B]ecause of section 83(2) of the Criminal Code there is this ambiguity—a lack of clarity—as it relates to the definition of prizefighting.”

Under the current definition of “prize fight” in section 83 of the Criminal Code, only boxing is permitted and only under certain circumstances. This definition was drafted in 1934 and does not reflect the current reality and state of combat sports.

The establishment of a clear legal framework throughout the country would help the provinces better regulate this growing sport. It would ultimately be up to the provinces to decide whether this type of sporting event should be permitted or not within their province.

Private Members' Business

Regulating mixed martial arts would be an area of provincial jurisdiction.

Bill S-209 will strengthen the power of the provinces to regulate this kind of fight, something that is still illegal at the federal level.

It is important to note that, unlike contact sports such as hockey and football, combative sports are regulated by third parties, such as the provinces or medical specialists, and not by the sport itself. The licensing considerations are strictly controlled by the province or the authority it designates for this purpose.

We want to allow provincial and municipal governments to act in harmony with their counterparts because right now every province operates in isolation to some extent.

A number of provinces, including Quebec, already have clear regulations. Prize fighting events are held in Quebec as the regulations are already in place, and these events are very popular. However, this is not the case in all provinces. The Criminal Code must be amended to get rid of these grey areas.

Across the country the situation is as follows: Quebec, Ontario, Manitoba and Nova Scotia have regulations that legalize mixed martial arts within the province. British Columbia, Alberta, New Brunswick and the three territories delegate responsibility for prize fights to the municipalities. Finally, discussions are under way in British Columbia, Saskatchewan and Prince Edward Island to adopt regulations that are similar to those in Quebec.

● (1815)

Canadians, whether they are athletes or fans, are full participants in the emergence of this sport. Canadian mixed martial arts fighters are among the best in the world. One of them is Georges St-Pierre, the UFC champion from Montreal. He is probably the best-known athlete in the sport. He once said he was not fighting to be a champion, but to leave a legacy.

This is exactly what Bill S-209 will do. If there are some mixed martial artists watching our debate this evening, I would like to congratulate the athletes and their coaches, families and friends who are working hard to protect the health and safety of the athletes who practise the sport.

Mixed martial arts matches in Canada draw record crowds and have a substantial economic impact on the provinces and cities that welcome them. We want to allow this sport to benefit from a clear and up-to-date legal framework at the federal level so that the provinces can enforce their own regulations, for properly controlling the sport and protecting the health and safety of the athletes.

[*English*]

The Acting Speaker (Mr. Barry Devolin): With his five-minute right of reply, the hon. member for Saint-Léonard—Saint-Michel.

Private Members' Business

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): Mr. Speaker, as has already been stated in the House, this bill is not revolutionary, yet it is an important piece of legislation. It has been abundantly clear that we need to modernize our Criminal Code on prizefighting, since the provisions related to this issue have not been updated since 1934. Some combat sports, such as tae kwon do, are already sanctioned in Olympic competitions yet are still technically illegal in Canada, even though provinces have applied creative interpretation of the law in order to allow these sports to be practised by Canadians.

We do know that some Canadians have concerns about combat sports. For example, during justice committee hearings on this bill, we heard the Canadian Medical Association representative tell us about its opposition to combat sports in general, while at the same time we heard testimony from another doctor telling us he is supportive of combative sports as long as they are properly regulated. Therefore, as parliamentarians, our focus should be to make sure these sports ensure the security of the fighters.

When testifying before the committee, a Canadian Medical Association representative stated that no studies exist that have shown mixed martial arts to be more dangerous than other combat sports. What we do know is that there are some studies that show that MMA competitions cause fewer severe injuries than other contact sports such as boxing. The reason for this is simple: MMA participants can perform various submission manoeuvres, which cause their opponents to tap out before they suffer substantial injuries. In boxing, the only way to win before time expires is by knockout or technical knockout, which is why boxers often deliver or receive hundreds of punches to the head in a single competition. MMA requires a more cautious approach than boxing because, in addition to defending against direct strikes, MMA fighters must also defend against being taken down by wrestling manoeuvres and being caught in submission or choke holds. As a result, boxing has higher knockout rates than MMA, which also means that mixed martial arts participants are less likely to suffer brain injuries than boxers.

This has been confirmed by researchers from Johns Hopkins University who published an article in the *Journal of Sports Science and Medicine* in 2006, which compared the wounds sustained during different types of sports. Their conclusions were that minor injuries sustained in MMA, such as facial lacerations and broken noses, are overall similar to injuries sustained in boxing. The study also suggested that the risk of brain damage is lower in MMA than in boxing, kick-boxing and other similar combat sports because MMA contests end with a knockout less frequently.

We know that mixed martial arts are not more dangerous than other combat sports. We know that other popular sports, such as karate and tae kwon do, are practised by millions of Canadians including children, yet given this knowledge, what these sports all have in common is that they are officially not legal according to the Canadian Criminal Code.

Does this mean that millions of Canadians are criminals? Such an assertion is laughable. It is our responsibility as parliamentarians to ensure the laws that govern our society evolve to reflect the reality of

the times in which we live, which is why it is time for us to modernize the prizefighting provisions in our Criminal Code.

• (1820)

[*Translation*]

It is also important to mention the economic aspect. Mixed martial arts are extremely popular and will likely continue to grow in popularity in coming years. Canadians already represent a quarter of the global fan base. Organizers of UFC, the largest mixed martial arts competition, love Canada because they can fill the stadiums so easily.

There is every indication that Canada will host more and more competitions in the future. There is therefore a great deal of potential for tourism spinoffs here. By modernizing the Criminal Code, we are removing an obstacle to the development of this industry in Canada, without necessarily promoting combat sports.

[*English*]

The point of this bill is not to encourage or dissuade Canadians from participating in the sport of mixed martial arts, tae kwon do, karate or judo, Canadians are smart enough to decide that for themselves. The bill simply seeks to clarify the law so that Canadians can participate in these sports safely and legally by giving the provinces proper tools to regulate these popular sports, which is why I invite all my colleagues to vote in favour of passing this bill.

[*Translation*]

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

Some hon. members: Question.

[*English*]

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Pursuant to an order made on Wednesday, May 22 the division stands deferred until Wednesday, June 5, at the expiry of the time provided for oral questions.

[*For continuation of proceedings see Part B*]

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HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 146 • NUMBER 259 • 1st SESSION • 41st PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Thursday, May 30, 2013
(Part B)

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Thursday, May 30, 2013

[Continuation of proceedings from Part A]

GOVERNMENT ORDERS

• (1820)

[Translation]

SAFER WITNESSES ACT

The House resumed consideration of the motion that Bill C-51, An Act to amend the Witness Protection Program Act and to make a consequential amendment to another Act, be read the third time and passed.

The Acting Speaker (Mr. Barry Devolin): Resuming debate.

The hon. member for Rimouski-Neigette—Témiscouata—Les Basques has the floor. He has three minutes left.

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I had come to the end.

I spoke at length about the commission of inquiry into the Air India events. This was really one of the key events that gave rise to the bill now being considered, even though it took a long time for the various governments to act and ensure that witnesses were safer and better protected.

I repeatedly said that the bill, which is likely to become law, requires resources to be properly implemented. These concerns were raised by the RCMP and others, but downplayed by other police services. This is why I want the government to be aware of the importance of providing these resources.

I would also like to raise the issue of street gangs because it has not really been discussed within the context of Bill C-51. Offences that are related to drugs or street gangs should be dealt with by local police forces. However, since they are drug-related offences, they are sent to the RCMP.

The RCMP can make decisions about witnesses needing protection because it is an area of federal jurisdiction. However, the costs are borne by local police forces. There is no guarantee that local police forces will have adequate resources to ensure that witnesses are protected in a secure manner.

As well, when we talk about the need to protect witnesses, we need to remember that in 2012, of the 108 candidates eligible for the witness protection program, only about 30 were admitted to it. In addition to the criteria that were used to determine if the witness

protection program should be used, there was also the issue of resources.

I want the government to really take this issue seriously and ensure that resources will be made available to the right people—the RCMP, for one—but I also want it to create a special fund for the witness protection program. I would also like government members to start addressing this issue when responding to questions.

We will not let it go. We will continue to ask these questions when Conservative members speak to this bill. However, as I said, because there has been significant progress in this situation, which was untenable, we will vote in favour of this bill. Our support is contingent on having the resources put in place to ensure that the bill is properly implemented.

• (1825)

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, I thank my hon. colleague from Rimouski-Neigette—Témiscouata—Les Basques for his speech. He always provides us with facts and clear examples, so people can easily understand.

Although this bill is a first step towards ensuring enhanced protection for witnesses, it gives police forces greater responsibilities without giving them any additional financial resources. Drug enforcement falls under federal jurisdiction. Can my colleague elaborate on that?

My riding is close to the American border, and there is a lot of drug trafficking. The RCMP is asked to deal with these problems, but it does not necessarily have the financial resources to do so.

What impact does my colleague think this could have on the community?

Mr. Guy Caron: Mr. Speaker, indeed, this does have a serious impact on border communities.

Other matters that come under federal jurisdiction include immigration and terrorism. The issue of the border we share with the United States often comes into question.

For that reason, it is very important to ensure that the progress achieved through Bill C-51—although it should have come a long time ago—is done in a pragmatic way with adequate resources to guarantee the safety of witnesses.

It is clear that this government has no plans to increase the existing budget envelopes allocated to the various police forces responsible for guaranteeing the safety and protection of witnesses. As a result, although this is an important bill, it is merely wishful thinking, since it will be impossible to implement it.

*Government Orders**[English]*

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, it is really refreshing to see the NDP actually supporting some initiatives that will make our streets and communities safer.

A number of times in the last little while, we have heard reference to the question of whether there are the adequate resources to implement the bill. I want to remind my colleagues on the other side that on two different occasions, the assistant commissioner indicated that there were, in fact, sufficient resources. I will quote from a meeting on March 5, when he said:

I am confident that we have the necessary resources to conduct an effective witness protection program, even with what Bill C-51 adds.

He also said:

—with the changes this bill brings about, the RCMP is comfortable that we have the resources within our existing resources to run an effective witness protection program.

With those statements clearly on the record, could my colleague explain to Canadians why he thinks, in spite of this evidence, that there are not sufficient resources?

[Translation]

Mr. Guy Caron: Mr. Speaker, I would like to thank my colleague for the question.

In fact, the NDP does support good crime legislation. I believe we began with Bill C-2, immediately after the election, when we suggested working with the Conservatives to quickly pass a bill that would make it easier to hold megatrials for criminal gangs. We are not afraid to support good bills; we are proud to do so.

I understand the evidence that was presented in committee. However, we have to realize that it was somewhat ambiguous.

My colleague mentioned that the RCMP had enough resources. However, this is what it says on the RCMP website:

There are instances when the costs of witness protection may impede investigations, particularly for smaller law enforcement agencies.

Major police forces across Canada and the associations that represent them believe that the resources are generally available. However, in very specific local situations, there may not be enough resources, and this can compromise the safety and proper protection of witnesses.

The evidence is contradictory, and that is why we are asking for a guarantee from members of the government. They must assure us that, if there are not enough resources, they will be the first ones to fight for additional resources and to ensure that Bill C-51 is in reality a good law.

• (1830)

Mr. Denis Blanchette (Louis-Hébert, NDP): Mr. Speaker, I thank my colleague for his speech.

There are intentions and then there are actions. In his speech, the hon. member emphasized the issue of resources. In my opinion, if we want to go beyond intentions and take action, we definitely need the appropriate resources.

Ever since I came to this House, we have often voted on bills based on their intentions. One could say it has become a habit. We

do not think about what is needed for our intentions to become reality, to move from intentions to actions.

Besides pointing out that the Conservatives did not consider this and are not talking about it, what can we really do to move forward and begin to calculate the costs, to see where the needs are, and in the end, to pressure the government so that intentions become actions?

Mr. Guy Caron: Mr. Speaker, I thank the hon. member for Louis-Hébert for his question.

There are many ways to get a more precise idea of the resources that exist at the local level—the micro level, we could say—compared to the whole country.

First, since the provinces already have their own witness protection plans, it would be wise to talk to them and find out about needs. Is there a need in Medicine Hat, for example? Are there enough resources to provide witness protection in a municipality of that size? The same goes for various municipalities in Quebec.

The provinces and the local police forces, or at least the provincial police forces, are capable of assessing their needs in this area. There are differences through the years and there are cycles. In some years more resources will be allocated because the police will need more resources. Some years they will need less. Thus, budgets are likely to fluctuate. The RCMP and the Canadian Association of Chiefs of Police are not necessarily equipped to make these estimates. They may consider the country as a whole but it is the local, regional and provincial authorities who are better placed to see the evolving needs for witness protection.

[English]

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, the challenge I have is the previous member asked a question about walking the talk. That party voted against doubling the victims' surcharge, which goes to the provinces so they can offer that.

On Bill S-9, the nuclear terrorism bill, that same party agreed with it at committee and then proceeded to put up speaker after speaker at third reading. I asked the member for Ottawa Centre why his party continued to put up members if they all agreed.

Those members complain about the lack of process. We give them process and they continue to filibuster. They continue to say they support the legislation, but they will not really work with us.

Could the member please leave the rhetoric aside, see the legislation as being in our national interest and let us secure the Canadian public through it?

[Translation]

Mr. Guy Caron: Mr. Speaker, we were having a good debate here. We were communicating, so I am sorry this tone is being used. Still, the questions are interesting.

Government Orders

He asked about process. I believe we could agree that if the parliamentary process were adequate, more than 0.7% of all proposed amendments would be accepted. Moreover, most of the amendments that were passed were not even debated by the government. The other 99.3% of proposed amendments to government bills, whether about crime, the budget or other issues, were rejected.

So I do not think we need any lectures from the government about the parliamentary process with respect to the various bills it has presented. When there are good bills that we agree with, we say so.

We will support this bill despite our reservations about the resources and about the fact that some recommendations from the commission of inquiry into the Air India bombing were not included. The inquiry recommended instituting a rigorous and transparent eligibility process for admission to the witness protection program. It was an important recommendation in the report, but was not included.

It is an improvement on what is there now, but there are important elements missing. That is why we need this time to debate the issues, tell the government about our reservations and hesitations and suggest that these recommendations could be included in a future bill, if not in this one. That is why we will be pleased to support this bill.

• (1835)

[*English*]

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, I will be splitting my time with my colleague, the member for from Northumberland—Quinte West.

I am pleased to have the opportunity to speak about this legislation before us, which would make important amendments to the Witness Protection Program Act.

I would like to spend my time today taking a look at exactly how witness protection programs work in Canada, as well as who, in fact, is being protected.

Of course, there are things we do not know and cannot know and are not privy to because of the need to keep witnesses protected. The sensitive nature of this type of work means that witness protection programs and the law enforcement agencies with which they are associated are very careful about the information they make public concerning their operations and the methods they use.

However, there are still some things we do know. For instance, at the federal level, the program is legislated by the Witness Protection Program Act and is administered by the RCMP. Several provinces run their own witness protection programs, namely Quebec, Ontario, Manitoba, Saskatchewan and Alberta.

As we have heard, there are some distinctions between the provincial and federal programs. One example is that the federal program considers its protectees to be in the program for life, but in the provincial systems, protectees may be under the protection of the program for a shorter term, such as leading up to or during a trial.

As well, if a provincial program determines that its protectee needs a secure identity change, he or she must temporarily transfer into the federal program.

Third, only the federal program is mandated to provide national protection services to all Canadian law enforcement agencies as well as to international courts and tribunals.

This is how witness protection programs are structured in Canada.

Who, then, are these witnesses and what determines if they fall into the provincial or federal programs?

According to the Witness Protection Program Act, a witness is defined as:

(a) a person who has given or has agreed to give information or evidence, or participates or has agreed to participate in a matter, relating to an inquiry or the investigation or prosecution of an offence and who may require protection because of risk to the security of the person arising in relation to the inquiry, investigation or prosecution, or

(b) a person who, because of their relationship to or association with a person referred to in paragraph (a), may also require protection for the reasons referred to in that paragraph.

More details about program participants can be found in a report prepared for Public Safety Canada by Dr. Yvon Dandurand in 2010. The report, entitled “A Review of Selected Witness Protection Programs”, gives a clear picture of the type of individual who is referred to the federal witness protection program.

Interestingly, the vast majority of protected persons are not actual victims of crime, as one might imagine. On the whole, they are either criminally involved themselves or have connections to criminal organizations. This is due to the nature of those specific crimes.

One of the defining characteristics of organized crime groups and the gangs that run the illicit drug trade is their closed nature, which makes traditional investigative methods very difficult.

As such, law enforcement often relies on the help it receives from informants, who place themselves at considerable risk to co-operate with the authorities. In order to secure this collaboration, it is critical that we have in place an effective witness protection program that will keep these witnesses and informants safe.

As to the question of which program the witness ends up in, police can refer a person to either the provincial or federal programs, depending upon the complexity of the crime and the jurisdiction.

As stated previously, in some cases associates or family members of the witness are also admitted into the program.

A large number of witnesses in the federal program are former police agents who have infiltrated criminal organizations as part of an investigation. Once they disclose their information, they may be at risk of retaliation by that criminal group or organization.

Government Orders

The number of people admitted into the program each year varies widely, depending upon the law enforcement activities that year and the number of family members who may need protection along with the witnesses. For example, last year there were about 30 new admissions to the federal program, bringing the total number of protectees to approximately 800 individuals.

If the circumstances of the crime and investigation warrant, the individual may need a complete change of identity and location in order to remain safe.

Under the federal program, the RCMP can help the protected person undergo a secure identity change as well as help the person find new employment and housing as needed. Last year, for example, the RCMP helped 27 witnesses to undergo secure identity changes.

● (1840)

As I mentioned earlier, the federal program also assists witnesses from other countries in accordance with international agreements signed with foreign governments.

It is clear that these programs must deliver on their mandates to keep witnesses safe from reprisal for their actions. As such, law enforcement must have access to strong, reliable programs that offer a high level of comfort for those witnesses before they agree to share their information. Bill C-51 contains a wide range of changes that would further strengthen how the provincial and federal programs work, as well as streamline how these two levels interact.

The legislation covers several broad areas of change.

First, it authorizes the Governor in Council to designate provincial programs in order to allow the RCMP to provide secure identity changes to provincial protectees without transferring them into the federal program.

Second, it establishes the RCMP as a liaison for provincial requests for secure identity change documents.

Third, it expands the prohibition on disclosure of information to include provincial protectees, as well as information about both the federal and provincial programs themselves and those who administer them.

Fourth, it broadens exceptions to the prohibition of disclosure of information to permit disclosure in certain circumstances.

Fifth, it broadens the obligation of program authorities to notify the protectee before the prohibited information is disclosed, except in specific circumstances.

Sixth, it facilitates volunteer terminations from the federal program.

Seventh, it extends the maximum time that emergency protection is provided to the witness.

Eighth, it enshrines in law that federal institutions outside of law enforcement agencies, such as those with a mandate related to national defence, security or public safety, may recommend the admission of individuals into the federal program.

The safer witnesses act would encourage a more streamlined approach to witness protection between the provincial and federal governments, as well as between the RCMP and other federal institutions with a mandate related to national security or national defence.

We are pleased to see such strong support for this legislation from the Province of British Columbia and the Province of Saskatchewan, as well as the Canadian Police Association and the Toronto Police Service.

We were also very pleased to see broad support for the proposed changes among witnesses and committee members during a recent committee study of Bill C-51. They believe, as do we, that it would ensure a more effective and more secure federal witness protection program both for the witnesses and for those who provide protection to these witnesses.

Therefore, I encourage all hon. members of the House to support this important legislation.

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, my colleague's intervention was quite informative and well researched. However, there are points that I still think need to be addressed.

The member did mention that last year there were 30 more people admitted into the program, for a total of over 800 people, but last year alone over 100 people applied. One of the points of this bill is to increase admissions into the program. How does she juggle the fact that there would be stable funding and increased admissions? How do we square that peg?

Ms. Roxanne James: Mr. Speaker, there have been quite a few questions today about how these changes would be funded. I know that numerous answers from witnesses at the committee have been quoted, and I will repeat those quotes because although the members of the NDP think that costing would be an issue, the witnesses themselves indicated they did not think so.

Also, I want to talk about the fact that the changes we have made would broaden the scope of who can apply, but the Assistant Commissioner, Todd Shean, said that he did not think that would be the case when he was pressed about whether there would be a flood of new applicants into the program. He also indicated that he felt there would be enough resources, even with the broadened scope of Bill C-51 and the changes in it.

I might add that when we talk about the changes in this bill, we are also talking about efficiencies in the program. Because I am not sure if I have heard this quote today, I will quote Mr. Stamatakis, the president of the Canadian Police Association, who talks about the changes. He stated:

I should also note that the parts of this legislation that deal with extending the authority to designated provincial or municipal protection programs and not just the federal program remind me of some of the testimony I recently gave to this committee around the economics of policing and the need for us to adopt and embrace operational efficiencies in order to deliver the best possible community protection at a reasonable cost to the Canadian taxpayer.

He went on to say:

I do believe that this legislation will have an impact on streamlining that work.

Therefore, the concerns of the NDP are not really justified.

Government Orders

• (1845)

Mr. Earl Dreeshen (Red Deer, CPC): Mr. Speaker, in the member's speech there was some discussion with regard to cost. I wonder if we have thought of the benefits of managing to get criminals off the street.

Part of what this bill is all about is the ability to set cases and get some of these people who are affecting individuals in this country off the streets and into incarceration.

I wonder if you could comment on that, please.

The Acting Speaker (Mr. Barry Devolin): I will not comment on it, but perhaps the member for Scarborough Centre might.

Ms. Roxanne James: Mr. Speaker, yes, a large focus has been on the cost, but I think the important factor that we must remember is that this measure will help people come forward and offer testimony that will help to deal with people who are involved specifically in organized crime.

My riding of Scarborough Centre has had several incidents of gang-related violence in the past number of years. I want to quote from the Chief of the Toronto Police Service, William Blair. I think it is imperative that this quote be referred now to this House. He states:

In Toronto, we have seen the fear caused by intimidation and the threat of retaliation in gang investigations. Witnesses with valuable information are deterred from coming forward. We support the government's initiative as a valuable step in protecting public safety.

Coming from the GTA myself and being part of Toronto in the heart of Scarborough Centre, I agree wholeheartedly with Toronto Police Service Chief William Blair. I believe this will be a very effective tool to get more people to come forward in order to get those criminal activities and criminal organizations off the street.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I am grateful for the opportunity to join in this debate on the legislation our government has introduced to modernize and strengthen Canada's federal witness protection program.

I have listened with a great deal of interest to several hon. members who have spoken, some eloquently, about the need for Bill C-51 and about our government's ongoing efforts to combat organized crime. The message we have heard from right across the country is that the witness protection program continues to be an effective tool for law enforcement to combat terrorism and organized crime.

We continue to see the benefit of the program as an important initiative in support of national priorities, including the dismantling of organized crime groups in this country. We have also heard about the need for reforms, given the changing nature of organized crime groups and terrorist organizations.

Our government has undertaken extensive consultations with our stakeholders in provinces and territories as well as with law enforcement representatives. With Bill C-51, we are addressing these calls for reform and are moving ahead with strengthening our federal witness protection program.

I would like to briefly outline some of the ways our government is responding.

Some hon. members will know that the Standing Committee on Public Safety and National Security conducted a review of Canada's witness protection program through 2007 and issued a final report in March 2008. That committee heard from experts from the United States, the United Kingdom and Canada as well as from representatives from the RCMP, the Canadian Association of Chiefs of Police, the Department of Justice and the Commission for Public Complaints Against the RCMP.

The standing committee's final report made some keen observations about the federal witness protection program and made a number of recommendations. What the report noted is that, and I quote directly from the report itself:

[A]ll witness protection measures, whether at the municipal, provincial, territorial and federal level, are indispensable in the fight against crime....

One reason for this is, again in the words of the report:

[C]riminal organizations have, in the majority of cases, "many ways of gathering information" on their accusers. Traditional investigative methods are rarely effective in infiltrating these types of organizations because of their secret nature. Law enforcement agencies must, therefore, use informers and/or human sources who themselves are often members of the criminal organizations under investigation....

At the time, the standing committee noted the need for an effective federal witness protection program. It also identified several areas where the program could be enhanced.

I am very pleased to note that Bill C-51 supports in principle many of the standing committee's recommendations as well as other calls for reform from stakeholders from other levels of government.

The report from the standing committee noted in particular, and again I quote directly from the report, that:

[The organization] responsible for federal witness protection can enter into agreements directly with provincial and territorial governments...to accelerate the processing of witness protection files.

Bill C-51 supports the underlying intent of this committee recommendation, which mirrors a concern expressed by some provincial and territorial governments.

Bill C-51 would improve the interaction between the federal and provincial witness protection programs. This in turn will help accelerate and streamline the process of obtaining secure identity changes for provincial witnesses within designated programs.

Today, any provincial witness requiring a secure identity change must first be temporarily admitted into the federal witness protection program before the RCMP will assist in obtaining the federal documents required for that secure change of identity. Bill C-51 would change this by introducing a regime whereby provincial witness protection programs can be designated so that secure identity changes can be obtained without having to temporarily admit a provincial protectee into the federal program.

Bill C-51 would also enhance the security of both the federal and designated provincial witness protection programs.

• (1850)

First, it would broaden and clarify the federal Witness Protection Program Act's current prohibitions against disclosure of information.

Government Orders

Second, Bill C-51 would extend the prohibitions against disclosure of information to include individuals in designated provincial witness protection programs. This is significant, as provincial legislative prohibitions against the disclosure of information for individuals in provincial witness protection programs can only be enforced within that respective provincial jurisdiction. In other words, there may be limitations on provincial legislation applying a prohibition on witness information outside its jurisdiction. Bill C-51 would extend the prohibition across jurisdictions so that information is protected across Canada. Without this change, the provinces would have to rely on their own legislation, which is, of course, limited to within their borders.

Bill C-51 also extends and expands prohibitions against disclosure of information about the federal and designated programs.

The Standing committee on Public Safety and National Security also recommended in 2008 that psychological assessments of all candidates over the age of 18 be conducted prior to their admission to the program and that potential candidates should be automatically offered the assistance of legal counsel. I am very pleased to note that the RCMP has already begun to engage psychologists to conduct assessments of candidates as well as to offer counselling both to candidates and to protectees already in the program. In fact, the RCMP is implementing a wide range of other administrative changes to the federal witness protection program to enhance its effectiveness.

Today, the RCMP is taking steps to separate admission decisions from investigations by changing its internal reporting structures. It is also establishing memoranda of understanding with federal partners to enhance the secure administration, transmission and storage of protected information.

As well, the RCMP is introducing program enhancements within existing resource levels, including the use of risk management principles regarding admission decisions and protectee management practices; enhanced training for protectee handlers; and database development to better manage information about protectees.

The administrative changes the RCMP is implementing, in conjunction with the provisions within Bill C-51, would strengthen, modernize and streamline witness protection processes across Canada. They would enhance the capacity of the federal witness protection program to make consistent and fair decisions about the safety of witnesses and sources.

In addition to the changes I have mentioned, Bill C-51 would allow federal institutions with a national security, national defence or public safety mandate to make referrals of their sources to the RCMP for possible admission into the federal witness protection program. Such organizations include the Department of National Defence and the Canadian Security Intelligence Service. This provision within Bill C-51, as well as improved and culturally sensitive training now being provided to individuals involved in the delivery of the federal witness protection program, will largely respond to an Air India inquiry recommendations related to the program.

For all of the reasons I have mentioned, I am pleased to support Bill C-51, and I encourage all hon. members to join me.

I am now prepared to take any questions that may be offered.

• (1855)

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank the hon. member for his speech.

I would remind him that the RCMP has already spoken about underfunding of the witness protection program, but I am not going to talk about that.

I will talk about the recommendation that came out of the Air India inquiry, which recommended that there be more accountability and transparency around admission to the witness protection program.

My question is simple: why is the government not committed to increasing the transparency of this program?

[*English*]

Mr. Rick Norlock: Mr. Speaker, how wrong the member is. He says that the RCMP has already stated that it needs additional funding. I can quote one of the witnesses before the committee, as I have been a member of that committee for seven years. Todd Shean, Assistant Commissioner of federal and international operations of the RCMP, said:

[W]ith the changes this bill brings about, the RCMP is comfortable that we have the resources within our existing resources to run an effective witness protection program.

I have several other quotes that reflect similar sentiments.

The member talks about accountability and clarity. Had he been listening, that is what Bill C-51 actually does. The RCMP has increased its ability to protect information and has increased its ability to work with witness protection programs in those provinces and with those police departments that already have them. That was the purpose of it. I was on the committee when we did the initial study in 2007 and the report in 2008. It actually addressed these very concerns.

The member has asked a question that is being dealt with right in this piece of legislation, and I think he needs to refresh himself on some of the matters that came up in that report.

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Speaker, I had the privilege of serving on the public safety committee with my colleague. I know that he was a police officer for a number of years and has a very good understanding of police work and what is required.

We have heard from the other side numerous times that there is insufficient funding and about who is responsible for the funding. I would like to ask my colleague about provincial and municipal funding for police forces.

• (1900)

Mr. Rick Norlock: Mr. Speaker, we all know that funding for municipal police forces generally comes from municipal funds, and sometimes the provinces assist in that endeavour. However, essentially, provinces and municipalities handle the funding of their own police forces. For those provinces with RCMP, that agreement is pursuant to an agreement they have with the federal government.

Government Orders

There is something more important to police officers in this piece of legislation, and that is the protection of the people it is designed to protect and the protection of the handlers, who are generally police officers. This better protects the information they need to have.

Mr. Tom Stamatakis, president of the Canadian Police Association, articulated that very well. He said that the association strongly recommended its adoption. He said that it would be a benefit to law enforcement communities across Canada who are tasked with that information. He went on to say that it would also help protect the men and women he represents. That protection is a responsibility of his association and the government, because there are over 50,000 police officers in this country, and we want to make sure that at night they go home to their families.

[*Translation*]

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, I will be sharing my time with the hon. member for La Pointe-de-l'Île.

I am pleased to speak today in support of this bill. The issue is a very important one that the NDP has worked hard on for many years. I know that my fellow New Democrats who were members of previous parliaments often pointed out the need to expand the federal witness protection program.

In fact, ever since this program was created in 1996, the NDP has called for improvements. It has often called upon the government to act and protect the safety of all responsible Canadians who do their duty. I am pleased that the Conservatives have finally listened and that the government has finally decided to act. I might say their hearing is selective, though, because some elements are missing.

The people who need the witness protection program are people taking risks, putting themselves in danger and sometimes putting their very lives in danger, in order to help the police and ensure public safety. They must have access to a robust and effective program that will protect them.

For years we have been calling specifically for better coordination between the federal and provincial programs and better overall funding.

We are not the only ones who have pointed out problems. As I was preparing my speech I came upon quite a few criticisms of the rigid admission standards. Stakeholders have sounded the alarm about poor coordination with the provincial programs and the small number of witnesses admitted to the program.

Before this bill, witnesses in cases involving national security were excluded from the program. Justice O'Connor criticized this exclusion in his 2010 report on the Air India tragedy. The report revealed that a number of witnesses were afraid to divulge important information to the RCMP, fearing for their safety. He recommended broadening the admission criteria to include witnesses in cases involving national security. More than two years after the report, the government woke up and decided to take action.

Even though Bill C-51 is late, we are satisfied with it in general. It proposes a better process for supporting the provincial witness protection programs and applying the program to other organizations responsible for national security, as I mentioned.

The bill will broaden the criteria for admission to the witness protection program by including a new category of individuals who may come forward to help the federal authorities, for instance, street gang members.

Federal departments and agencies with a mandate related to national security, national defence or public safety will also be able to refer witnesses to the program.

The bill will extend the period for emergency protection and clear up some of the technical problems that were occurring in relation to coordination with provincial programs.

However, in order for it to be effective, the bill should also include provisions for an independent agency to administer the program, as recommended in the Air India report.

We were quite surprised that this recommendation was not included in Bill C-51. We see the Conservatives' selective hearing at work here. As a result, the RCMP will continue to be responsible for the program. This may be cause for concern since it could put the RCMP in a conflict of interest since the RCMP would be responsible for investigating the case and deciding who would get protection.

My biggest concern is related to funding. I listened carefully to the speeches given by my colleagues on both sides of the House, and I believe that we all agree on the importance of this bill.

● (1905)

However, I have a hard time understanding the arguments the members opposite are making about funding. How do they think they can expand a program without giving the RCMP and other police forces the money they need? That is not realistic. It seems as though this will prevent more people from participating in the program.

I thought that the bill was at least partly designed to expand access to the program. Will that be possible without the necessary funding?

We are not the only ones who have raised this concern. A number of witnesses addressed this issue when the bill was studied in committee. I want to share a quote from testimony given by Micki Ruth, from the Canadian Association of Police Boards, with my Conservative colleagues:

Like many issues facing government today, funding is one of the biggest and toughest ones to find solutions for. The problems identified back in 2007 with the adequacy of funding for the current witness protection program are not addressed in Bill C-51. Unfortunately, we see problems with the ability of municipality police services to adequately access witness protection because they lack the resources.

She went on to say:

Therefore we urge you to appreciate our position that unless the issue of adequate funding is addressed, the legislation will not produce the result that is intended.

Government Orders

If the Conservative government really wants to improve the witness protection program, it must provide the necessary funding. That is obvious considering last year's figures: only 30 of 108 applications were approved in 2012, mainly because of financial constraints. That undermines the program's value enormously. Seventy-eight witnesses were put at risk but did not receive the protection to which they rightly felt they were entitled. I really think that is a problem.

Adequate funding is essential if we want to bring about changes that yield tangible results, particularly as regards street gangs, a new group contemplated by this bill. We cannot tell young people we want to help them leave gangs, use their testimony in court and then leave them without protection. We know that gangs are very difficult to leave and that they can be aggressive toward individuals who decide to stand up to them and change their ways. Gang members are often youth who have made mistakes but are trying to right the wrongs for which they have been charged. We must support them in that effort.

I would also like to emphasize that this bill will help witnesses, but it will also ensure the safety of our communities. The NDP is always searching for intelligent and viable ways to ensure the safety of our communities. One way to achieve that is to improve the witness protection program in order to guarantee the safety of our streets by giving police forces additional tools to assist them in combating street gangs and organized crime.

In closing, I am pleased to see that the Conservatives have finally taken action on this matter and have selectively listened to the NDP's advice. Note, however, that, if the NDP were on the government side—and I can assure you that will be the case in 2015—we would go further. We would be sure to give the RCMP and police forces the financial and legislative tools they need to do their jobs and protect the public.

I will vote in favour of this bill, hoping that it will open the door to an expanded, more accessible program, which is necessary for the sake of national security and our public safety.

• (1910)

[*English*]

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the member's presentation was excellent and I want to contrast some of her remarks. We have heard some very strong remarks from the other side, people with experience like the member for Northumberland—Quinte West, who was a policeman and recognizes this is a valuable tool. I think we all do and that is why we are supporting the bill.

However, it is very unfortunate that members on the other side are very selective in their quotes from witnesses at the committee and have ignored the voice of the Canadian Association of Police Boards. Civilians comprise it, for the most part, and represent the boards that oversee police forces across the country.

For example, Dr. Alok Mukherjee, the president of that organization, said, "Our chiefs have said to us that their ability to access fully, proportionate to their need, is not there", and complained about the financing and lack of ability.

My colleague mentioned the fact that only 30 out of 108 people who applied in the year 2012 were able to get funding. That will get

worse when we expand the criteria, which we have all called for and agree must be done, so others can apply, as was recommended by the Air India inquiry and many others. Does it not logically have to get worse if only a quarter are getting funded now and we are going to expand the criteria?

Ms. Ruth Ellen Brosseau: Mr. Speaker, that is right. With expanding the admissibility and allowing more people to apply to this program, common sense would say that more money would be allotted to this. More people would be applying; hence, more people would be accepted. I think that on both sides of the House there is general consensus. It is good legislation and we are definitely voting for it.

However, when the money is not there, it is something that bothers me. With more people applying for this, I would hope the government could at least ensure there will be financing for it to ensure these people are accepted and witnesses are protected. It is only right.

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, I want to thank the member for her presentation tonight on Bill C-51 and for indicating the NDP's support for something that, for six years, we have been pressing for in terms of a stronger justice system. This is not only about a stronger justice system, but also helping to protect the innocent and victims.

Going back to funding, the RCMP has said the resources are there. The federal government makes transfers each year to the provincial governments. We have increased those over our term, and I do not want to get too specific, about 25%. Some of those transfers go to social programs and education and some are general transfers to the provinces. Does she have any sense that the provinces may have the opportunity to use some of those transfers for the protection of victims?

• (1915)

Ms. Ruth Ellen Brosseau: Mr. Speaker, he said that the government has been waiting for this for six years. Why did it not act any sooner?

The member for Trinity—Spadina has been on record many times pushing for more accessibility and reform of the witness protection program for many years. We are very happy that it has come to fruition.

As I said, we could have a battle of quotes. I was not on the committee, but I could read more quotes. Just to keep it simple, 30 people were accepted in this program in 2012 and if we are to accept more applicants, I am really worried the funding will not follow. I do not want there to be too much downloaded on the municipalities when we know they do not have enough resources at times.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I am very pleased to rise in the House today to speak to Bill C-51.

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I would like to begin by citing an example of the Conservatives' financial logic. We are talking about programs designed to assist Canadians, whether they be victims, students or others. The Conservatives want to help them.

I have previously risen in the House on several occasions to speak about the Canada summer jobs initiative, which is an excellent job market springboard for students. Unfortunately, the program has not been adjusted for inflation or the increased minimum wage since the Conservatives came to power in 2006. As a result, fewer and fewer students have access to the program and fewer and fewer organizations have the opportunity to offer students work experience. However, the Conservatives say they want to help students and are concerned for their welfare. It would have taken twice as much money to cover all the student applications in my riding of La Pointe-de-l'Île alone.

I understand that the decision to take money and give it to Canadians who really need it is never an easy one for a government. I understand, but that unfortunately means that some students will not have the same opportunities as others and that there will be an unstable supply of jobs offered by organizations.

If I may draw a parallel with criminal justice, exactly the same thing is happening here. For example, the Conservatives introduced very strict criminal justice legislation a few months ago. Those bills provided for minimum sentences, which, as we know, were criticized by all organizations. Yes, it is true: they want to ensure that our streets are safer, and, yes, they will spend money to build prisons and cause delays in the criminal justice system. However, when it comes to trying to catch criminals, they may not have enough money.

What does Bill C-51 do? It enables people to testify, and it helps catch criminals. Am I telling you anything new here today? They invest billions of dollars to build prisons, create delays in the justice system and introduce minimum sentences. They have the money for that. However, when it comes to protecting witnesses and catching criminals, that is another matter.

They want to amend the act, except that they are going to offload the entire burden onto the provinces and local police forces. The Conservative government does not understand the connection between witnesses and criminals. The Conservatives want to catch criminals, but you need witnesses in order to do that. If there are no witnesses, there will be no one to put in prison. As I said, only about 30 of the 108 applications filed were accepted in 2012. We agree that something needs to be done.

We want to support the bill because it contains some very good measures. It implements some of the recommendations made by the court in the Air India affair. However, making a good law is not everything. That is the work of members. Parliament must also allocate the necessary resources to those who enforce the legislation. There too, one would think this is a principle the Conservatives do not really understand. Yes, it is good; we are going to pass Bill C-51, which is a good bill. We are going to support it. However, what will the local police forces do? What will the provinces do? Are we going to leave them with the entire economic burden?

That is what the Conservatives are doing, and we are very afraid.

● (1920)

It is all well and good to have a system that works on paper, but it also has to work in the field.

This program has been around since 1996. Yes, 1996. It is now 2013. I just wanted to point that out. From 1996 to 2013. It seems to me that all the changes needed to make the program a success could have been made long ago.

Unfortunately, it is thanks to our colleague from Trinity—Spadina putting forward bills and asking the government to act that we find ourselves in 2013 debating a suddenly urgent bill until midnight. A tragedy like the Air India tragedy had to happen first and an investigation had to be carried out before the government took any action.

It is a good bill. For example, it will ensure that members of street gangs who want to get out of that life and would like to testify can be protected. The issue of national security will also be covered. All of these recommendations were made by experts.

However, funding is still the main problem. I understand that this is a social choice and a government choice. I would like to be sure Canadians understand that what the Conservatives are proposing to us today is good, but that they will not take the next step for it to be even better. That is the government's choice.

A political choice involves passing good legislation in Parliament. However, the legislation must also be enforced on the ground.

For instance, on its website, the RCMP acknowledges that there are instances when the costs of witness protection may impede investigations, particularly for smaller law enforcement agencies. They mean local police stations. The RCMP recognizes this problem on its own website. It is a shame that this problem exists.

Why ignore the most important facts? Why ignore everything the police are asking for? They need resources.

I think it is really important to pass this bill. However, resources are also needed on the ground to ensure the bill truly protects witnesses and makes our streets and our communities safer.

We know the government's line about victims, among others. How can it claim to be protecting victims, if it does not even ensure that the police can arrest criminals thanks to information from witnesses?

As I said, it is a good bill, but it has to be enforced on the ground. I am going to say that ad nauseam, because it remains a choice to be made by the government. It is a government choice, but there is nothing there right now. There is only paper.

The NDP has been asking for these changes since before 2007, but it was not until 2013, at 8 o'clock in the evening, that the Conservatives decided to proceed with the changes.

Once again, one step is being taken, but one more step is needed. People can be sure that the NDP will keep on pressuring the government to make the streets safer for Canadians.

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•(1925)

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, I listened closely to my colleague's speech, and I really appreciated it. She raised a number of very relevant points.

I would like her to speak more about the lack of transparency in the selection process and in deciding who is eligible for the program.

Could she point out some of the flaws? How could the process be improved?

Ms. Ève Pécelet: Mr. Speaker, this is great: I spoke for 10 minutes, yet the government members do not even want to rise to ask questions.

Mr. Pierre Dionne-Labelle: They are quiet.

Ms. Ève Pécelet: Exactly, they have been very quiet for 10 minutes.

If it is so interesting and so important, why are they not capable of asking me questions about a bill they are trying to shove down our throats? They moved a time allocation motion after just two speeches. They cut debate short and are trying to shove this down our throats.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, we are grateful to the hon. member and to the NDP for hounding us about this bill.

Does the member agree that the NDP will have plenty more chances and opportunities to support us in fighting crime more effectively, in helping victims in this country, in building a stronger police force across the country and in countering terrorism?

We have been working in those areas for the past six years, but the NDP just recently—as in five minutes ago—started to support us on these things.

Ms. Ève Pécelet: Mr. Speaker, if the parliamentary secretary thinks the NDP will vote with the Conservatives on a bill that violates the Canadian Charter of Rights and Freedoms and that prevents Canadians from enjoying their fundamental rights, he can think again.

I would like to remind him that we supported the government on Bill C-2, on street gangs.

The government also has our full support when it comes to the current RCMP investigation into Nigel Wright's actions and the \$90,000 cheque he wrote out to a senator. We support the government 100% on that.

They should let the RCMP investigate the fraud involving dealings between the PMO and the senators.

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, my colleague raised a good point and that is the importance of having a back-and-forth discussion on a bill as important as C-51.

I think it is great that my colleague from La Pointe-de-l'Île is willing to work with the Conservatives so that they might finally give us an explanation and answer a simple question. The Conservative government has been here for seven years. During that time, the RCMP and the provinces have repeatedly called for changes to the witness protection program.

Why has it taken so long to make proposals? Are the Conservatives finally prepared to invest the necessary federal funding for proper law enforcement? We want more laws, but we also want those laws to be enforced and that is what our police forces want.

•(1930)

Ms. Ève Pécelet: Mr. Speaker, there is a simple reason why this took such a long time.

It took a tragedy, an inquiry and recommendations to get here. Everyone knows how the government works: this is damage control.

However, I would like to know when the Prime Minister was first informed that his chief of staff wrote a cheque for \$90,000.

How is it possible that the government, which claims to uphold law and order in Canada, cannot even call on the RCMP to investigate electoral fraud?

What I want to know is, what witness are they protecting in their cabinet?

[*English*]

The Speaker: I just want to inform the member for Oxford and the House that we are now moving on to the portion of debate where speeches will be 10 minutes and questions and comments will be 5 minutes.

The hon. member for Oxford.

Mr. Dave MacKenzie (Oxford, CPC): Mr. Speaker, it is my honour today to rise to add my voice in support of Bill C-51. As my colleague is leaving the room, I would like to remind her that we support the Charbonneau inquiry and truthfulness at that inquiry looking into the corruption in Quebec in the construction trades.

Bill C-51, the safer witnesses act, a strong federal witness protection program is critical to helping our law enforcement and justice systems work effectively. Over the years, the federal witness protection program has frequently proven itself to be a useful and important tool for effectively combatting crime, particularly organized crime.

However, the Witness Protection Program Act has not been substantially changed since it first came into effect in 1996. During that time there have been enormous changes in the nature of organized crime. It has adapted to become more transnational and pervasive. Organized crime groups are increasing in sophistication and becoming adept at using new cyber technologies to avoid detection and arrest. These groups are known to be exceedingly secretive and difficult to infiltrate, often posing unique challenges for law enforcement officials.

Meanwhile, crimes committed by organized crime networks present a serious threat to the safety of our communities and are of great concern to police and to Canadians.

Many organized crime networks are involved with the illicit drug trade, a lucrative business that has been growing significantly. For instance, according to Statistics Canada, cocaine trafficking, production and distribution in Canada has grown nearly 30% over the last decade.

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Bill C-51 is a practical and comprehensive piece of legislation that effectively addresses the need to modernize the witness protection program. It would amend the Witness Protection Program Act to improve the effectiveness and security of the federal witness protection program and make it more responsive to the needs of law enforcement from across Canada.

The bill was designed to do four main things: improve the process to obtain secure identity changes for witnesses from provinces and territories that have designated programs; broaden prohibitions against the disclosure of information; expand admissions for national security, national defence and public safety sources; and extend the amount of time emergency protection may be provided.

From day one, this government has been quite clear that keeping all Canadians and Canadian communities safe is one of our top priorities. We have taken strong action to address this priority by providing law enforcement officials with the tools they need to do their jobs more effectively. This government has provided law enforcement officials with more resources.

We have enacted legislation to stiffen sentences and to increase the accountability of offenders. We have taken steps to modernize Canada's national police force. We have enhanced the ability of all law enforcement officials to keep Canadians safe. Bill C-51 further builds on our track record and would go a long way to enhancing our collective efforts to combat organized crime. Not one of us here today would argue against the critical role that witness protection plays in the criminal justice system.

Most of us know that for many cases, law enforcement officials have had to rely on the co-operation of individuals formerly involved with organized crime organizations in order to combat their activities or to successfully prosecute ringleaders. In other cases, law enforcement has relied on the testimony of key eyewitnesses. These were individuals who agreed to help law enforcement or provide testimony in criminal matters with the end goal of removing criminals from our streets and making our communities safer.

In many cases, these individuals often had inside knowledge about organized crime syndicates or the illicit drug trade because they themselves were involved with these elements. The information they provided to authorities was often invaluable, but sharing it with law enforcement officials could often also place their lives at risk. Witnesses are all too aware of the risk and they fear not only for their own safety, but for the safety of their family and loved ones.

That is why witness protection programs in Canada and around the world offer protection, including new identities, for certain individuals whose testimony or co-operation can be so vital to the success of law enforcement operations. I believe most Canadians understand that.

• (1935)

In order to give our police and courts the best chance to apprehend and convict offenders, we need individuals to feel confident and safe in coming forward to help with investigations. In fact, protecting witnesses is vital to our justice system. Witness protection is recognized around the world as one of the most important tools that law enforcement has at its disposal to combat criminal activity. In the

case of organized crime in particular, these witnesses are often the key component to achieving convictions.

The safer witnesses bill contains several changes to the Witness Protection Program Act that would help better protect informants and witnesses. Together, these proposed changes would strengthen the current Witness Protection Program Act, making the federal program more effective and secure for both the witnesses and those who provide protection, because this is really the crux of this program, to keep those involved and their information safe and secure.

As I said at the outset, a strong federal witness protection program is critical to helping our law enforcement and justice systems work effectively. We must take steps to ensure that individuals who decide to become informants or to testify against criminal organizations do not face intimidation or danger. This is why our government is committed to strengthening our federal program and to ensuring a stronger, more streamlined connection with designated provincial programs.

In order to address the threat of organized crime and drugs in our communities, it is critical that informants and witnesses collaborate with law enforcement. Therefore, it is vital that we continue to support an effective federal witness protection program and make it more responsive to the needs of law enforcement, while ensuring the safety of the program participants.

We believe very strongly that Bill C-51 does just this, and the response we have received from stakeholders and parliamentarians only increases our confidence in this legislation. Strong witness protection programs are invaluable to investigations and court proceedings. I believe we are on the right track with this legislation. The proposed amendments would modernize the act that is key in our collective fight against serious and organized crime, in collaboration with provinces and territories. They would enhance protection provided to key witnesses and those involved in administering witness protection programs across Canada.

The changes our government is proposing also respond to many of the needs of provincial and territorial governments. They respond to the needs of law enforcement officials and other stakeholders involved in the criminal justice system. They respond to the needs of Canadians from coast to coast to coast who wish to see our government continue to build safe communities for everyone.

I therefore encourage all hon. members to support Bill C-51 and help us keep our witnesses and all Canadians safe.

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, I truly respect the perspective and the career experience the member has brought to this House as a former police officer.

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I would like to ask the member just one question, and it is not a surprise question. Many of us have had this concern. There seems to be underplaying from the government benches on the issue of resources for provincial and local police forces. Ultimately witness protection is bundled up with investigations, and even if the RCMP is involved, it bills back to the police at the municipal and provincial levels.

We have heard testimony in committee that at that level there are concerns about inadequate resources already. Does the member share those concerns? If so, would the member not agree that while this bill is first step, those issues have to be addressed later?

● (1940)

Mr. Dave MacKenzie: Mr. Speaker, I come from a community with a smaller police agency than many of the large communities have.

This particular program is actually one that assists us in our resources. It means that the RCMP will handle the witness protection. We are not able to do that with a smaller community and smaller police agency. This program, which is funded by the federal government and administered by the RCMP, is a great tool for police agencies across the country.

Police agencies are always concerned about resources, as they should be. There is never enough in any circumstance, but this particular program is one that I think will go a long way to providing that opportunity for smaller departments to have opportunities to deal with witness protection in conjunction with the RCMP.

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, the question of resources just came up with my hon. friend. However, the RCMP and the Assistant Commissioner, Todd Shean, who is involved with the federal and international operations at the RCMP, are comfortable that they have the resources within their existing base to run a very effective witness protection program.

Could the hon. member expand upon his thoughts on how the provincial programs work more seamlessly with the federal program?

Mr. Dave MacKenzie: Mr. Speaker, some of the provinces have their own programs, which operate somewhat independently from the federal program and yet in conjunction with it. They are fairly seamless. They operate well and they provide the protection to witnesses that all of the programs are intended to do.

I heard numbers here a few minutes ago about how only so many people were admitted into the program. That may not have anything to do with the resources that are available. They may be folks who, for whatever reason, decide that when they understand what is involved and no longer wish to go into the program.

There has not been an issue about a lack of resources hindering the program itself. We are always cognizant that there are never enough resources to do all the things that we would like to do.

[*Translation*]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I would like to ask my colleague a question about the recommendations made in the report that was produced following the Air India tragedy.

One of the recommendations had to do with the fact that witnesses who need protection are often themselves involved in crime. For instance, this is often the case with members of street gangs and organized crime. When the RCMP has to choose witnesses and protect them on the one hand, while also possibly investigating them on the other hand, this can cause a conflict of interest. The recommendation had to do specifically with the lack of independence in the process, which could be problematic.

I wonder if my colleague could talk a little more about that. Does he think this flaw in the bill will be corrected in the future?

[*English*]

Mr. Dave MacKenzie: Mr. Speaker, there will be a lot of discussion about who may or may not go into the program. He talks about someone who may be responsible for a crime, but that is one of the issues that the witness protection program has to deal with in one way or another.

Many of these people are the people who have been in the middle of the organized crime unit, drug unit or whatever it might be. However, we have to have them as witnesses, so the program provides that protection for them to be used as witnesses.

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, I would like to begin by saying what I think has been fairly clear in the contributions from colleagues all along, that the NDP will be supporting the bill.

Bill C-51 does some important things, and nobody is going to claim that it does not. In particular, it adds to the categories of folks who might eventually receive witness protection. For example, those who have been assisting agencies in the federal security or defence or safety realms are added, as well as those associated with them: friends, family, et cetera, who may also need protection. There are any number of contexts that we could all refer to and know about that indicate that witness protection, if anything, is a growing need on the law enforcement side of government.

The Air India inquiry was one of the contexts in which we heard that the national security context was a gap in the system. Surely that has to be the case with other forums and other terrorism investigations, which cannot be much different.

The member for Oxford spoke very well about the burgeoning transnational nature of organized crime and how it is becoming more and more sophisticated, which has been a trend line for decades. Law enforcement is always playing catch-up in the role of witnesses to somehow or other get ahead of the game, and the witness protection program must surely be very important there.

One area that is very important to those of us from more concentrated urban areas is the whole question of street gangs and especially youth gangs. How is it that we can actually break the codes of silence, encourage witnesses to come forward, such as in the Danzig shootings that took place in Scarborough not so long ago? Also, how is it that we can use the witness protection program as part of a broader strategy in getting youth out of that environment?

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Nobody is contesting that the bill, as far as it goes, is a good bill and deserves to be supported. Nobody is saying that the context is not one that presents a crying need.

That said, working briefly through three themes, I would like to suggest that the bill does not go nearly far enough when it could have, which is the problem. We have had many years of warning. The NDP started in 2007, and we had reports from 2008 on, saying that the system needed to be upgraded. With the upgrading of the system at the level of effectiveness, we have heard all kinds of concerns, including about funding and the need for an independent agency from the RCMP to be involved. We know from the various interventions that have occurred already that those elements really were not addressed, and so it is a lost opportunity. At some level I would like to think of this as sort of a battle between the real and the rhetorical.

We also went through this recently with respect to Bill C-37, the increasing offenders' accountability for victims act, which I was involved with when I was on the justice committee. The NDP also supported this bill, despite considerable concerns we had that it was totally avoiding any federal public support philosophy for victims and instead was trusting in sort of a combination of surcharges that offenders would pay—and many of them would not be in a position to pay—and provincial programs that were a patchwork quilt and often nonexistent across the country. However, the government at that time presented that bill as making a major contribution to support for victims when it was largely devoid of any kind of a federal role with respect to true victim support programs.

However, again, we supported that bill. It was not because we thought it was the greatest bill in the world, but it was because it added something. Although we had some problems at the level of rights protections, we ultimately felt those could be worked out down the line.

This is why I have joined with the mother of a murdered youth from Toronto—Danforth, Joan Howard, whose son Kempton was murdered 10 years ago literally around the corner from my house. He was murdered by handgun. He was a youth worker who contributed in amazing ways to his community. His mother is of the view that we need to focus more on the needs of victims when it comes to the kinds of public support mechanisms that we associate with other causes, which are the kinds of support mechanisms people need, such as psychological support and social service support.

● (1945)

The supports are needed not just for the immediate victims who survived crime, but quite often for their families—maybe even more often, especially when it is violent crime that has taken a life. It is true that provinces jurisdictionally have the responsibility for this, but the specific link to crime means that the kind of victimhood that occurs because of crime is really not taken into account for the most part in most provinces. We get to legislate the Criminal Code and a bunch of other areas of criminal law through other statutes up here, but we kind of back off when it comes to how we deal with the consequences of crime. Somehow, that becomes purely a matter of another jurisdictional level.

At some point, the federal government has to, obviously under an initiative from Parliament, really catch up to other countries that take

public victim support programs a lot more seriously than we do, rather than simply downloading costs on offenders and provinces and thinking that somehow or other we have accomplished the task. I see this bill as falling a bit into the same trap. It would do a fair bit that is important, but at the level of making sure the system functions in a way that all witnesses who need protection will be protected—which is a goal that is necessary for making sure all crime that can be prosecuted is prosecuted—then it is a bill that would fall short.

Therefore, I move on to the second thing, which has been emphasized a lot: funding. The government MPs are focusing often on comments coming from government witnesses, including RCMP witnesses, before the committee; basically comments saying that the funding is adequate. I will read an example that has been read, at least in part, by others. This is from assistant commissioner Todd Shean of the RCMP. He said, “We will immediately increase resources. We have increased the resources allocated to our witness protection unit”, and he goes on to say then, “I am confident that we have the means to manage the program effectively”.

What is the problem here? First, he speaks of “...our witness protection unit”. Of course, the RCMP has its own costs, runs its own program and sometimes assumes all the costs because it is an entire RCMP or federal investigation that the witness protection program is latching onto. It is good to know that he is projecting an increase in resources, but there is no reference here, or recognition even, to the provincial or local police force costs associated with witness protection programs. These levels of government, provincial and municipal, and more particularly their police forces, are charged for the costs.

The member for Oxford made it clear to us that of course costs are saved for police forces. I am not saying that is not true, but ultimately when there are costs that are not simply the costs from the fact that there is an overall system that they can tap into, they get billed for it. What we know is that there is already a problem with funding for these levels. In 2007, this was pointed out. We are in 2013, and there was no evidence before the committee that it has changed. There was clear and persuasive testimony before the committee on this, and I will return to some of it as I end.

However, let me first go back to the RCMP. Its own website states, “There are instances when the costs of witness protection may impede investigations, particularly for smaller law enforcement agencies”. What is the second problem with this, apart from the fact that it really probably is only focusing on the RCMP's own costs? The second problem is that none of this is actually a budgetary commitment from the government. It does not indicate anything more than that the RCMP sees increases in resources, and it is no small irony that this is the case when we know that we are in budget season, and that it would not have been a big deal to coordinate this bill with a very clear budget line item indicating that there would be adequate budgetary support for our partners in crime prevention, the provinces and the municipalities. Every million dollars counts; I recognize that. However, a \$9-million budget for the last fiscal year for the witness protection program is not exactly a huge budget when we know, from all the testimony before the committee, mostly from police services boards, that there is a need.

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•(1950)

I do not think we should end this debate thinking that by having what might be unanimous support for the bill, we have somehow addressed the issue of resources. I would much prefer it if my colleagues across the way would say that the bill does something and is important—we are supporting them on that, let us take that as a given—but let us not throw a cloak over it and pretend we have solved the whole problem.

•(1955)

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, I am delighted that the hon. member and his party are going to support our bill. In his opening remarks he was fairly fulsome in his description of the witness program, its needs and the improvements to it being, generally, very good.

I have a couple of questions for him. He talked about other nations and how they provide witness protection. I would like him to describe or perhaps give an example of how another nation does that.

As well, he talked about being rhetorical or literal and he is a little vague when he says it falls short. He does not really provide any particular suggestions on how it could be improved.

The third part of this is that not everything comes with a price tag, necessarily. A lot of this program is administratively driven, and changes to administration still accomplish the same thing in terms of witness protection, but it is much more streamlined where the provinces can go right to the RCMP, who would be the central point of contact for much of that. I would like to know what kind of price tag he envisions. That needs to be attached here, because I am not seeing it.

Mr. Craig Scott: Mr. Speaker, on the whole question of comparative witness protection programs, I was actually talking about victim assistance programs. I could go into some more detail on that. I do not have a lot of knowledge about witness protection programs in other countries. Spain, Italy and Honduras are all places I could tell a little about, but I think it would wear out my welcome with the Chair in terms of how much time I have.

On the question of the financial resources, it is all great if the bill does what is being claimed, that it has administratively efficiencies and actually enhances some of the co-operative elements of the program. No one is denying that.

We are also emphasizing that we are supporting it, but we are just disappointed that there is not the recognition that at the local and provincial level, there was evidence to say that the downloading of costs has consequences for investigations. Therefore, as we go forward, Parliament, or the government on its own perhaps, needs to address it.

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, authorities who work on combatting street gangs welcome this bill and say it will allow them to protect witnesses who are members of street gangs but want to leave that lifestyle. They see it as another tool for their toolbox.

As we know, protecting witnesses costs money; in fact, it is very expensive. We also know that the government has not made any

plans to transfer additional funds to the provinces that have witness protection programs or to the RCMP.

My question is as follows. If the government wants to create a cardiac unit at a hospital and forces the hospital to create it, how is the hospital supposed to balance its budget if it does not eliminate another service? It is a question of credits and debits.

Why did the government not plan any transfers to pay for these changes?

[*English*]

Mr. Craig Scott: Mr. Speaker, this goes to the heart of some of what we all have been saying, that we may well need a better collaborative federalism component to this.

The Criminal Code really is a huge federal responsibility, but a lot of things stop after we have legislated. Then it becomes a matter of the provinces and municipal police forces clawing back from the feds—that is us—some kind of a contributory role within something that should be more seamless in budgeting than it is.

Therefore, a transfer of payment system might be the way to go. Alternatively, there could be some kind of a statutory authorization within our budgetary systems for the RCMP itself, capped—we would have to figure out what that cap would be—where it could actually be paying to the municipal and provincial police forces what is needed for given investigations, without having to get specific supplementary estimates. That might be a way to think about it. It might not need a transfer system. It might simply mean the RCMP is the distributor cap for the needed money to make sure local investigations work.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I am very happy to hear the strong support for Bill C-51, the safer witnesses act, from all sides of the House.

As we continue our discussion today of the safer witnesses act, it is important to take a step back and look at where these proposed changes stem from. As hon. members have heard, there have been two major reports in the last four years containing recommendations to enhance the federal witness protection program. The first of these reports was the result of a study conducted by the Standing Committee on Public Safety and National Security in 2008. That committee put forward nine recommendations on how to enhance the federal program.

Since that time, and through our extensive consultations with our federal partners and provincial stakeholders, our government has committed to moving ahead with legislative amendments, administrative changes within the RCMP and the implementation of measures that would enhance the protection of witnesses in the federal program. The 2008 report included a number of good recommendations that have provided momentum for change and, in the case of one recommendation, is directly addressed in our current legislation, Bill C-51.

Today I would like to take a look at those recommendations as I think they add valuable perspective on how we have arrived at today's legislation. The committee's recommendations fell under four thematic areas, the first of which was to promote fair and efficient management of the federal program. Within this theme, our government has supported three of the four recommendations.

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First let us look at the one we did not support, the first recommendation. This recommendation called for the creation of an independent office within the Department of Justice that would be entrusted to administer the federal witness protection program. This issue has been raised again recently in committee and it is important to address it again.

In our consultations with the provinces and federal partners, we found that in fact the best option was for the Royal Canadian Mounted Police to continue to manage the federal program. As the Minister of Public Safety has commented, the fact is that the Department of Justice does not have the expertise to run a program to protect witnesses and the actual transfer of the program for the department would create potential security risks.

We agreed, however, with the intent of this recommendation, namely that there should be a clear distinction between the investigative and protective functions to ensure the objectivity of witness protection measures. These concerns are being addressed through changes in their reporting structures within the Royal Canadian Mounted Police.

I mentioned that our government supported three of the four recommendations under this theme of fair and efficient management. We agreed that psychological assessments and counselling of candidates over the age of 18, as well as their family members, was a critical step in the witness protection process. As such, the RCMP has begun to engage psychologists to conduct assessments and to offer counselling to candidates for the federal program. Once they are admitted into the program, it is the intent that these services will be offered to both protectees and their families.

We support in principle the recommendation that the federal program should offer potential candidates the aid of legal counsel with an appropriate security clearance during the negotiation of the candidate's admission to the program. Indeed, all the candidates considered for the federal program, as well as the protectees under the federal program, are offered the services of legal counsel.

I say our government agreed in principle because we did not support the suggestion that the federal government should cover all legal fees as a regular course of business. Rather, these are made on a case-by-case basis. This is because there are some cases where providing legal counsel could be seen as a conflict of interest as the government itself may become the subject of legal action on the part of candidates or protectees. We believe our approach is an appropriate use of public funds.

Finally, our government also agreed with the recommendation that candidates and protectees of the federal program must have a proper independent body to which they could submit formal complaints about RCMP conduct, as needed. This calls for an enhanced complaints review body is addressed in Bill C-42, legislation our government recently introduced to modernize the Royal Canadian Mounted Police. Bill C-42 would create a new civilian review and complaints commission that would have access to all the necessary documents required to effectively review complaints by federal protectees regarding RCMP conduct.

● (2000)

Under a second theme, that of facilitating access to the federal witness protection program, the committee made two recommendations in 2008. The first was to develop a shared funding agreement among the federal, provincial and municipal governments for witness protection. The second was to allow provinces and territories to work directly with federal departments for processing secure identity changes.

For reasons of fiscal restraint and the need to keep the process secure, our government could not support a permanent funding arrangement for provincial programs.

Bill C-51 would improve integration between the provincial and federal witness protection programs, as well as allow designated provincial programs to obtain secure identity changes for their protectees without having to admit them into the federal program.

The third thematic area of recommendation was to establish minimum standards across the board for all Canadian witness protection programs. The federal government has no plans to overstep its jurisdictional boundaries by imposing national standards upon provincial witness protection programs. Furthermore, the provinces themselves have made it clear that they would object to such federal encroachment on their authority. Therefore, we could not support that recommendation.

Finally, the committee's report included two recommendations under the theme of promoting transparency, as much as could be done, considering the confidential nature of the witness protection program. Namely, it recommended that more independent research should be conducted on the effectiveness of the federal witness protection program and that the federal program's annual report should be enhanced to give a clearer picture of how the program works.

Research has already been conducted on the federal program and the RCMP is looking into creating a database that would enhance the federal program.

As to the final recommendation, the annual report was modified and enhanced in 2008 to provide Canadians with a more precise picture of the program.

The safer witnesses act is a strong and effective legislation that addresses many of the recommendations made by the standing committee, as well as issues raised by stakeholders. Strong witness protection programs are invaluable to investigations and court proceedings.

Particularly when we are dealing with gang activity, it is critical that witnesses feel safe coming forward with information. It is also important to consider the safety of our front-line law enforcement personnel. Mr. Stamatakis, president of the Canadian Police Association, said:

The Canadian Police Association strongly believes that this proposed legislation will enhance the safety and security of front-line law enforcement personnel who are engaged in protective duties. Unfortunately, the disclosure of identifying details can present a real danger to police personnel themselves as well as their families, and we appreciate the steps being taken today by the government of Canada to address those concerns. On behalf of the over 50,000 law enforcement personnel that we represent across Canada, we ask that Parliament quickly move to adopt this Bill.

Government Orders

Too often, we forget the fact that our men and women who put themselves in harm's way are the ones who are really bearing the brunt of a lot of the things that we ask them to do. It is important that we have these measures in place to protect them.

In speaking about his city's experience, Toronto police chief William Blair said:

—the fear caused by intimidation and the threat of retaliation in gang investigations. Witnesses with valuable information are deterred from coming forward.

As such, Mr. Blair has joined other key stakeholders in supporting this bill as a valuable step in protecting public safety. I ask all hon. members to do the same.

• (2005)

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, my question will be very short.

What will happen when the witness who needs protection is foreign and is no longer protected by his own country?

[*English*]

Mr. Harold Albrecht: Mr. Speaker, I am sorry, I do not get the question. Was it when the person is foreign?

[*Translation*]

Mrs. Anne-Marie Day: Mr. Speaker, I will repeat my question.

What will happen here in Canada when a witness is foreign and is no longer receiving protection from his own country?

[*English*]

Mr. Harold Albrecht: Mr. Speaker, I do not profess to be an expert on the international law or the legal procedures that would be engaged with foreign people who have been convicted, so—

• (2010)

The Speaker: The hon. member for Okanagan—Coquihalla.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, I certainly appreciate the opportunity to ask a question.

My colleague certainly has raised a lot of points that I was unaware of, particularly the 2008 review, the four recommendations and how much of what is in both this bill but also in Bill C-42, another fine piece of legislation, addresses many of those concerns.

We have heard about working along with the provinces to see further integration between their programs and the national program. As a government, we are respecting the provinces' jurisdiction, and that is a positive benefit.

There are a lot of positive aspects to the bill. What other areas does the member feel are important in the government's approach to this, as well as to other legislation, to help keep Canadians safe?

Mr. Harold Albrecht: Mr. Speaker, the primary change that we see in the legislation is that rather than simply having law enforcement agencies initiating this process, the process can now be initiated by the Department of National Defence, CSIS, Canada Border Services Agency and other agencies that deal with national security. It is important that these are also allowed into the system.

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, the member referred to the lack of or inability to bring forward permanent funding to help this program move forward and not putting forward the recommendation on establishing national standards. That would touch on provincial jurisdictions.

How hard did the government actually try to work with the provinces to see if there was a deal that could be reached to ensure there would national standards across the entire country?

Mr. Harold Albrecht: Mr. Speaker, many times tonight the NDP members have indicated the lack of resources associated with this bill. Nothing could be further from the truth.

The RCMP is charged with the primary responsibility of the act. The assistant commissioner, Mr. Todd Shean, on two occasions, in front of the committee, indicated very clearly that he was confident there were enough resources. I will read into the record his actual statement. On March 5, he said:

I am confident that we have the necessary resources to conduct an effective witness protection program, even with what Bill C-51 adds.

Earlier in the year, on February 28, he said:

—with the changes this bill brings about, the RCMP is comfortable that we have the resources within our existing resources to run an effective witness protection program.

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, I know a question came up about foreign agencies. On a case-by-case basis, foreign agencies can appeal to the RCMP to see where these international agreements line up. We do have an area in the RCMP that does this.

I liked the member's discussion about the funding formula and how the provinces and the municipalities lined up with the federal government. Could my colleague expand on that a little?

Mr. Harold Albrecht: Mr. Speaker, I am going to have to rely on outside witnesses and experts for my response to that question.

Mr. Tom Stamatakis, president, Canadian Police Association, said this:

I should also note that the parts of this legislation that deal with extending the authority to designated provincial or municipal protection programs and not just the federal program remind me of some of the testimony I recently gave to this committee around the economics of policing and the need for us to adopt and embrace operational efficiencies in order to deliver the best possible community protection at a reasonable cost to the Canadian taxpayer.

What we see is that different levels of government and policing are working together to address the situation that all of us here tonight agree needs to be addressed so we can provide better protection for witnesses who come forward to try to get out of gangs or to try to cut down the gang and terrorist activities that occur within our borders.

Mr. Corneliu Chisu (Pickering—Scarborough East, CPC): Mr. Speaker, I am pleased to rise today to speak about the importance of Bill C-51, the safer witnesses act, and to express my full support for it.

Government Orders

My constituents in Pickering—Scarborough East are deeply concerned about the worst mass shooting in the history of Toronto, which took place in July last year at the barbecue event on Danzig Street in Scarborough, just barely outside of my riding. It was clearly gang-related, and it ended with two people dead and 23 wounded.

As we are all aware, the bill will make much needed changes to the Witness Protection Program Act to give law enforcement authorities the proper tools to prevent such horrific crimes and to better protect the public.

The act came into effect in 1996 and needs to be updated to keep up with the passing of time. Prior to this, witness protection services were indeed provided to key witnesses, although such protection was not provided on any formal basis. With the passing of the act in 1996, the process was formalized. Clearly, after 17 years, it is time to modernize this important piece of legislation to make it more responsive to law enforcement needs and more effective for those it is designed to protect. Seventeen years ago, there was no Facebook; there was no Twitter.

While we are talking about 17 years, I would like to note that the leader of the NDP stayed silent on a bribery offence by the mayor of Laval for 17 years. I think it is important that he testify at the Charbonneau commission on corruption to tell Canadians what exactly he knew. I, as a professional engineer, would lose my licence if I did not act properly.

Back to the matter at hand, a robust witness protection program is a critical tool in our ongoing efforts to combat organized crime groups and terrorism. Bill C-51 responds to a number of concerns that have been raised by a variety of stakeholders. This government has taken the time to listen to the concerns of these stakeholders and of the provinces to ensure that we are putting forward the soundest legislation possible. I will direct my comments today to the proposed amendments to this bill, which has been developed to alleviate concerns for some of the provinces.

Members may recall that five provinces already have witness protection programs in place. They are Alberta, Saskatchewan, Manitoba, Ontario and Quebec. I would note that there are some differences between the federal program and those of the provinces. Witness protection programs at the provincial level have their own criteria for admission. They are tailored in such a way as to respond to the requirements of their particular law enforcement agencies.

Whether a witness is covered under the federal program or under one of those in the provinces is decided by the relevant investigating police force. There are a number of determining factors for admission to the federal program in this regard. In making this decision, police could consider such factors as the estimated cost, the level of threat and the anticipated time for which protection is necessary for the witness. If the witness is involved in a case of a federal nature, a province may also decide that its witness should be referred to the federal program for consideration and possible admission.

The provinces have been unequivocal about their desire for a more straightforward process to procure secure identity changes for their protectees. We have listened to this concern. Clearly, provinces face undue difficulty with the current program, as the RCMP only helps

federal protectees obtain the federal documents necessary to secure identity changes. This results in a requirement for the provinces to admit their protectees to the federal program on a short-term basis so that they can have the assistance of the RCMP in the document process. This is an overly laborious process that can result in lengthy holdups. Delays due to the cumbersome paperwork are unacceptable when we are talking about protecting the lives of key witnesses who are supporting key investigations. We have addressed this issue in the bill.

Through this bill, we are also enhancing federal-provincial co-operation. To do so, we are putting in place a new process to ensure that provincial programs can be officially designated following a process that will include a one-time request to the Minister of Public Safety. This is significant in that once a program has been designated, provincial officials will be able to call on the RCMP to acquire the necessary federal documents for a secure identity change for a provincial witness. To be clear, this witness would not have to be admitted first into the federal program, making it a significant improvement over the current system. Furthermore, the designation process would be a one-time request.

● (2015)

I will also take a moment to acknowledge the suggestion by some that the RCMP be completely taken out of this process. It was suggested that provinces should be able to approach federal departments directly to make their request for secure identity documents. We do not agree with this. As a result, the bill would ensure that the RCMP would remain part of this process. Having the RCMP act as the single point of contact minimizes the number of people involved in the process, thereby making the process more secure. We have also listened to the concerns of federal partners in this regard. These partners were of the view that continuing to use the RCMP as a single point of contact was the most prudent course of action.

Another important change we would make to alleviate the concerns of some provinces is with respect to the prohibition of disclosure. In the current Witness Protection Program Act, the prohibition of disclosure of information about the location and change of identity is limited to federal protectees only. It is this government's view that the provincial stakeholders' concerns about this limitation are completely founded. That is why we would broaden the protections to provide for the disclosure of information regarding witnesses to include those in the designated programs I mentioned a few moments ago.

Further, the legislation would clarify exceptions to the disclosure prohibition, all the while ensuring that federal and designated provincial authorities are able to carry out their duties and maintain the protection of witnesses. As an example, both federal and designated provincial authorities would be able to provide information about protectees in many instances when doing so is necessary to prevent a serious offence from occurring.

Government Orders

There is no doubt about the need for the amendments to the Witness Protection Program Act, amendments such as those proposed in Bill C-51. This sound legislation is just one of the many ways in which this government has demonstrated its commitment to providing law enforcement agencies in this country with the tools they need to do their job.

To conclude, I will remind my hon. colleagues that with the passage of this bill, we have an opportunity to see that witnesses in this country feel safe to come forward and assist our law enforcement agencies with some very serious investigations.

I will reiterate that there are no anticipated cost increases with respect to implementing the proposed changes in this bill, as the RCMP has also indicated. An effective and reliable witness protection program is essential to the fight against crime, especially organized crime and terrorism. I therefore call upon all hon. members to support this comprehensive legislation.

• (2020)

[Translation]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, I listened closely to my colleague's speech. I am somewhat surprised that he exceeded the time limit for debating this bill and that he spoke of members who have problems with ethics. I think the Conservatives have a lot to think about on that score. I hope that he will talk to his colleagues to see if perhaps they might step down before being removed from office, since he himself hinted that he might be in danger.

As for the bill now before the House, I would like to get his comments. He talked about supporting police forces across the country. According to the RCMP website, small police forces would have a great deal of difficulty implementing this bill. Even though it has considerable merit, the funds are just simply not there.

The RCMP says that funds are needed, but that they are not available for small police forces.

How will it resolve this problem?

[English]

Mr. Corneliu Chisu: Mr. Speaker, this legislation would apply efficiency. It is inviting efficiency. I would use the engineering term of the Venn diagram.

In answer to the hon. member's concern about the RCMP and his concern about finances, I have here a quote from Todd Shean, Assistant Commissioner, federal and international operations, Royal Canadian Mounted Police, who said, "...with the changes this bill brings about, the RCMP is comfortable that we have the resources within our existing resources to run an effective witness protection program".

It is not a question of resources; it is a question of the assessment that is done. During the assessment process, the person may decide that he or she does not want to enter into the program or does not want to proceed on the route he or she is on. We may assess that the individual is not suitable for the program.

• (2025)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I do not want to put my colleague from Pickering—Scarborough

East on the spot, but I am wondering if he is aware of the strategy of the hon. government House leader with respect to this legislation. It strikes me as strange that we are still debating it. I think everybody here supports it.

Rather than go to time allocation, was there any effort made to negotiate with the official opposition and other parties to bring this to a swift conclusion so it could be passed?

Mr. Corneliu Chisu: Mr. Speaker, there were consultations, but I am not the House leader, so I cannot answer my colleague's question.

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, my hon. colleague is a very resourceful fellow himself. He is a retired army engineer who has served in Bosnia and Afghanistan. He understands resource allocation in terms of battalions and brigades, because he has been responsible for that.

Now that this program would be expanded, we would have the opportunity to look after witnesses who may impact national security. I would like my colleague's opinion on the impact of this legislation on witnesses who may come forward to provide evidence in cases of terrorism.

Mr. Corneliu Chisu: Mr. Speaker, my hon. colleague is also a former military member who served with great success in Bosnia defending Canadian values.

I just want to say one thing. The police is like the army. They manage their resources. The bill would smooth the transition between the small police forces, the provincial forces and the RCMP. They would manage their resources in a very good way.

I am just wondering why the NDP is always asking about resources. I do not understand why they are looking at a \$21 billion gas tax.

[Translation]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I am delighted to speak to Bill C-51. Fortunately, I have the time to do that, despite the fifth time allocation motion in five days and the thirty-eighth since the beginning of this Parliament.

Since this is my first opportunity to speak to this bill, I want to point out that this morning, the Minister of Public Safety stated that everyone was in agreement on this bill and that since no amendments had been put forward, a debate was pointless. Yet I have been here since early evening and I have been listening to a very interesting discussion on available resources and on the next steps to be taken in the area of witness protection, which is the focus of Bill C-51. This underscores the importance of having a debate to bring these problems to light. Even if these are not settled this time around, at least we will be able to proceed with due diligence in future.

That said, to echo the words of my colleagues, I want to say that the NDP will be supporting this bill since it favours improvements to the witness protection program. Many criticisms have been levelled against the program since it was first introduced in 1996. To finally see the government make some improvements is a positive step, even if it has taken far too long, in our opinion. We will therefore be voting in favour of this bill.

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However, as I said, a number of problem areas were discussed this evening. I would like to focus on a few of them.

The first one is very important and may seem rather ironic to some extent, since it concerns witness protection. This bill disregards an important recommendation contained in the report released in the wake of the Air India tragedy. This recommendation focused on the transparency, review and accountability of the program.

It is important because, as I said earlier this evening when I put a question to one of my colleagues, the RCMP oversees the witness protection program, but often it ends up investigating the very same individuals at the same time. Often these persons are also implicated in the crimes in question. Therefore, there is a conflict of interest, so to speak, and that can be a problem.

Therefore, accountability and transparency mechanisms need to be put in place. This is extremely important in order to ensure that the RCMP acts properly. I want to stress that this is not a criticism of the RCMP's work, which is excellent. The members of the RCMP are deserving of our praise, but at the same time, in a society like ours, it is vitally important to have in place mechanisms to ensure transparency.

This is one of the important problems highlighted, particularly since this recommendation was contained in a report drafted in the wake of events having to do with witness protection. There is no reason why the government could not include these mechanisms in this bill. We hope to see this happen in the future.

The other major problem is obviously the issue of resources, which has been noted repeatedly. This is interesting because the Conservative Party member who preceded me said that all the NDP wanted was resources and spending. However, what is funny is that we in fact want to avoid burying the provinces and municipalities under more expenses. We are facilitating co-operation between the RCMP and local and provincial authorities. If we improve co-operation and expand witness protection admission criteria, more people will actually enter the program. Consequently, more spending will be incurred. That seems obvious to me.

The question thus arises as to who will absorb those costs. The RCMP, of course, already has resources, but municipal and provincial authorities will receive more applications and will accept more of them as a result of more flexible criteria, and they will have to cover the necessary costs.

• (2030)

However, municipal and provincial authorities are very concerned. We know they are because that is what we heard in committee. The RCMP is not concerned because it says it has the necessary resources, and that is a good thing.

As for provincial and municipal authorities, as my colleague from Toronto—Danforth said, everything will depend on how the federation is managed, how the government works under collaborative federalism.

I think it is a major problem for the government to introduce a bill when there has been very little consultation, knowing that it will result in additional costs. That is one of the criticisms we want to make.

I will conclude by saying that we support the bill. However, we wanted to point out those two extremely significant deficiencies. However, we hope that we will be able to rectify the situation in future and that this will be a lesson to the government to co-operate more with local authorities so that they can lower their costs and not succumb to the effects of bills that, like this one, are introduced unilaterally.

• (2035)

[*English*]

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I want to underscore that while New Democrats are supporting this legislation, we have great concerns about the ability of it to do the job that needs to be done. One statistic I would point out, which is fairly well known, is that in 2012, of the 108 people considered for the program, only 30 were granted access. Fewer than a third of the people who were up for consideration were admitted to the program.

The eligibility criteria are being increased without putting in any new money, and the Canadian Association of Police Boards is complaining about that. How can the member feel that this will actually be an improvement without the kind of support that police boards, for example, are looking for?

[*Translation*]

Mr. Matthew Dubé: Mr. Speaker, I thank my colleague for his question.

It is an excellent question because I heard a Conservative member say during the debate that these were administrative changes that would make the program more efficient and that they were going to relax the admission criteria and thus be able to accept and protect more witnesses. However, as my colleague said, if we accept more people and protect more witnesses, somewhere along the line being more efficient will also be more costly because we will be serving more people. That much is obvious, as I said in my speech.

What will happen is that the municipal and provincial police forces will co-operate with the RCMP. Of course, they are very happy. They will be in a situation in which they can co-operate better, protect more witnesses and have more flexibility. However, that also means that the program will serve more people. Consequently, there will be more spending. That is really obvious and it will be hard to manage at the local level. This is what we criticize on the government's part. I believe a little consultation would have gone a long way in this instance.

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, the bill does not contain a provision allowing an independent body to administer the program in accordance with the recommendations in the report.

My question is as follows. After Air India, is the RCMP not in a conflict of interest with this bill? Is there a way to bring in an outside judge, as is done when the police are involved in an accident? In that case, another police service is asked to get involved and judge the case.

Mr. Matthew Dubé: Mr. Speaker, my colleague is quite right. The issue of a conflict of interest came out of the recommendations made following the Air India tragedy.

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As I said, we have confidence in the members of the RCMP, and we thank them for the excellent work they do every day. In a society based on law, justice and democracy, it is important that we have measures to ensure accountability and a degree of transparency. In this case, it is very important.

We protect witnesses who are often criminals as well. Sometimes they are members of street gangs or organized crime. We have to be very careful to have the mechanisms we need to avoid conflicts of interest. I believe that this serves us well and that it is good for the legal system, which the bill is trying to improve.

[*English*]

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, I am pleased to talk on Bill C-51, the safer witnesses act.

I thank all of my colleagues across the House for their interventions, and of course I thank the NDP members for supporting this bill. I think some of their arguments are flawed, but they are supporting it, and that is tremendous.

I would like to share with members why I support Bill C-51 and why my constituents and community organizations in Etobicoke Centre support it. I will also share why I think it represents an important step forward in making the protection of witnesses an effective and relevant program for our country today and for law enforcement in the future.

I have two police divisions in my riding, 22 division and 23 division of the metro Toronto Police Service. I discussed Bill C-51 with Staff Sergeant Doug MacDonald of 22 division today, and he told me something rather interesting. He said that the public are the eyes and ears of the police.

The TV shows on police forensic investigators, and other shows of that type, are often misleading and give the public the wrong perception of how forensic evidence can be linked to a perpetrator. In the course of an hour, the show will depict a major forensic investigation being done, or the police all on their own linking a perpetrator to a particular crime, but that is not always the way it works.

A lot of the forensic evidence is most certainly there, but often the police are not able to take that one further step to definitively link the evidence to the perpetrator, because we are a country of rule of law. Before a person can be charged for a crime, the police have to be absolutely sure they have the right person. Often they may know it in their heart of hearts, but without the public stepping forward, without witnesses coming forward, they have a very difficult time in achieving that. Therefore, this act would be hugely important in solving those cases by giving the confidence to the public and witnesses to step forward and provide the testimony to put serious criminals away and safeguard our streets and communities.

I have to give a shout out to the metro Toronto Police Service. They are outstanding under Chief William Blair. Also, I think this House would like to note that the Toronto Police Service sends 10 officers abroad every year to serve as mentors and police liaisons in very dangerous places around the world, such as Afghanistan, to help bring the rule of law to those people in those lands. I thank the metro Toronto Police Service for doing that.

Our government is committed to ensuring the safety and security of constituents in Etobicoke Centre, but unfortunately violence does occur. In 2011, Toronto had 86 homicide victims. On July 5, 2012, Abdulle Elmi was killed in a hail of gunfire in a quiet street in my riding, and it was believed he was a member of the gang Sic Thugs. Community organizations, not wanting to see any more bloodshed, advocated for strengthened witness protection programs. Our government listened and we have acted.

As we have heard in the interventions during the debate, this bill would make important amendments to the Witness Protection Program Act, which has been in place since 1996. Since then, Canada's witness protection program has served our police services well and has forged many new identities for those who have risked much to see justice through to the end.

However, as time passed, the witness protection program has proven to be in need of fine-tuning. It is a program that serves us well, but it could work better, and my constituents agree with that. It is a program that needs to adapt to our changing environment to better protect those who come forward and those who protect them, and this bill would do just that.

This proposed legislation acts on a number of recommendations that have come forward based on some key and tragic events in our history. Sources include, for example, the 2008 study by the Standing Committee on Public Safety and National Security, the 2010 Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182 and stakeholder consultations with federal departments and agencies, the provinces and law enforcement agencies.

I would like to focus my time here today on how this proposed legislation would address the concerns that we have heard from federal and provincial stakeholders as well as my own constituents, community organizations and other stakeholders in Etobicoke Centre whom I have spoken to on this important matter, such as Staff Sergeant Doug MacDonald, who, of course, was an operator in all of this.

Bill C-51 would make the witness protection program more balanced and secure by allowing for a more seamless co-operation among law enforcement services and going beyond jurisdictions.

• (2040)

The federal program differs somewhat compared with the programs currently administered in Alberta, Saskatchewan, Manitoba, Ontario and Quebec. If there is a need for a witness to be referred to the federal program, that decision rests with the particular law enforcement agency dealing with a specific case. That means provinces have jurisdiction over their cases and can select and use their own good judgment in being able to bring these cases to the RCMP, if required.

Government Orders

What is consistent among all programs is they are adaptable, allowing decisions to be made, as I said, case by case, factoring all the key information, such as the costs involved, the resources available, the level of threat to the witness, and the time needed to appropriately afford protection and safety to those individuals in need. In, for example, complex federal cases, provinces can decide whether to refer witnesses to federal authorities for admission in the federal witness protection program. One area that has consistently been raised by provincial stakeholders is the need to streamline the current process for obtaining secure identity changes for protectees in provincial programs.

Let me share an example of that, and how the bill would improve how jurisdictions could work together across this country.

When it comes to secure identity changes and federal documents required, we have heard from provinces that the RCMP currently assists only those protectees under federal jurisdiction.

The way this is currently set up means that the provinces must temporarily admit their protectee into the federal witness protection program in order for the RCMP to assist in the process. By doing this, and provincial stakeholders have been very clear on this point, the process can slow down and create time-consuming paperwork and delays that in fact could put lives at risk. What that can also lead to is then a lack of co-operation by witnesses, because it may cause a lack of confidence in the system. People would be afraid and not step forward; crimes would go unsolved. That is an outcome that we do not want.

We can all imagine that when it comes to something as significant as a secure identity change, further delay could cause undue stress and hardship, as I said, for those in need of protection, not to mention those brave individuals on our police forces who are trying very hard to safeguard our communities.

Now, the changes of Bill C-51 would improve federal and provincial collaboration. That is something that has come up time and again this evening. Designated provinces would no longer need to have their witnesses entered into the federal program and would retain decisions on who to protect and how. Bill C-51 would help improve the way jurisdictions work together, with a new framework that would allow for provincial witness protection programs to be officially designated.

This new framework would allow the provincial authority to make a request to the federal Minister of Public Safety. An official designation would then allow the province to ask that the RCMP assist it in obtaining the necessary federal documents required for a secure identity change for a provincial witness. This would eliminate the need to first admit the witness into the federal program.

Furthermore, an official designation would only need to take place that one time. It would streamline the whole process. It would be quicker, it would be safer, it would be faster and we would get convictions.

We have also heard statements by the provinces asking that the RCMP be removed from the process so that the provinces could request secure identity documents directly from federal departments. However, let us remember that these are not always simple cases and witness protection is not a typical program. These cases affect an

individual's very identity and his or her personal security. I believe that the RCMP needs to play a central role in this, and a key role in this, and act as a single point of contact in order to protect the operational security of this program.

As they say, too many fingers in the pie and we could ruin that pie.

By doing so, our federal police service would add a level of security that would allow for the efficiency and consistency in cases that can be, and often are, very complex.

Balancing the safety of protectees with the needs of those administering the program is a key feature of Bill C-51. That is why I am here today, to show my support for these important changes.

It also proposes changes to prohibitions on disclosure. Bill C-51 proposes changes for designated programs, such that the prohibitions of disclosure would be extended to provincial witness protection information; the means and methods of provincial witness protection programs; as well as information about those who provide protection. This prohibition would apply across Canada.

I would like to urge all our hon. members to support Bill C-51. This is an act that is in need of change right now because, as all countries do, we have evolved as a nation. We have evolved to the point, especially in our law enforcement, where these changes are required. I think all members of the House have already stated they do support this bill at the end of the day. For those on the opposition benches who may still be troubled by it, I encourage them to support the bill because it would help the people most in need and it would help our law agencies to do their best job.

● (2050)

[*Translation*]

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, I have a question for the hon. member.

Bill C-51 does not contain any provisions that would allow an independent organization to administer the program in accordance with the recommendations made in the Air India investigation report.

As a result, the RCMP will continue to be responsible for the program, which could put it in a conflict of interest, because it will be both the investigating body and the one to decide who benefits from protection.

Does my hon. colleague have anything to add in that regard? Does he intend to take that recommendation into account?

[*English*]

Mr. Ted Opatz: Mr. Speaker, this has been an expanded program as well, so it would allow the federal institutions that have a role in national security, national defence or public safety to make referrals to the RCMP for possible admission. Of course it allows, on a case-by-case basis, those related foreign agencies to make submissions to the RCMP, in that we have arrangements and MOUs with them.

Government Orders

Ms. Joan Crockatt (Calgary Centre, CPC): Mr. Speaker, I know that both Chief of Police Rick Hanson, in my own riding of Calgary Centre, and the former justice minister were calling for some of the changes that were made in this bill. One of their concerns in particular was that we need stronger protection to make sure we can catch bad guys, especially so that people who are eyewitnesses will come forward.

Could my hon. colleague tell us what would this do for witnesses, for bringing forward the people who can help the police solve crimes?

Mr. Ted Opitz: Mr. Speaker, I discussed this today with Staff Sergeant Doug MacDonald at 22 Division of the Toronto Police Service. He told me quite clearly that he is looking forward to its passage. In Etobicoke generally—Etobicoke North, Etobicoke Centre and Etobicoke Lakeshore—there have been some serious crimes and serious gang crimes perpetrated right across those areas. Often what is preventing the solution to those crimes is witnesses lacking the courage to step forward and provide testimony. He is convinced that the new provisions in this act would provide the confidence for those witnesses involved to step forward, be assured of their security and help the police put some bad guys away and solve a lot of cases.

[*Translation*]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, I listened carefully to the hon. member for Etobicoke Centre's speech. He raised some very interesting points.

I would like to know what he thinks about the testimony that Alok Mukherjee gave in committee on March 19 of this year.

[*English*]

He is the President of the Canadian Association of Police Boards. He stated:

Our conclusion has been that there needs to be more funding available than currently is the case. Without the availability of sufficient funding, our ability to take advantage of the program will be limited.

What are your comments on that?

The Acting Speaker (Mr. Barry Devolin): I have no comments on that. However, I am sure the hon. member for Etobicoke Centre would like to respond.

Mr. Ted Opitz: Mr. Speaker, if my hon. friend reads the testimony of the other police forces as well, this individual seems to be somewhat in the minority in that respect because much of this is an enhanced program. As we heard from one of the other hon. colleagues, the province, the federal government and municipalities have a funding formula that they work out.

In the case of the RCMP, it feels that it has enough resources. I know through my own time in the military when things like this came up, not an exact template, often there would be administrative changes with respect to the way we operated and the way we conducted the procedures, but that does not often come with a price tag.

I think all levels of government would be able to review this as the bill is passed and goes forward and, if there are any changes down

the road, those levels of government could reallocate funds that are downloaded from the federal government.

● (2055)

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I rise in the House today to speak about Bill C-51, something that I am genuinely concerned about.

This bill contains measures that have long been called for by the NDP. It proposes a better process to support provincial witness protection programs. It applies the program to other agencies with responsibilities for national security. The bill will broaden the eligibility criteria for the protection program to include repentant members of street gangs who are willing to testify against others in their gang.

Federal departments and agencies that have a national security and public safety mandate may also suggest witnesses for the program. The bill will extend the emergency protection period and will eliminate a number of technical problems relating to the coordination of provincial programs. It is a necessary bill, and one that addresses flaws that were identified a long time ago.

The NDP has been demanding the expansion of witness eligibility for protection programs for nearly two decades now.

In 1996, this House passed the Witness Protection Program Act. In 1999, the NDP voted for Bill C-223 to broaden witness protection in cases of domestic violence. This bill was overturned by the then Liberal majority.

Since then, the fundamental issues of eligibility, coordination and funding have never been dealt with by Canada's successive governments.

Since 2007, members of the NDP have been calling for changes to be made to the witness protection program. It has taken the Conservatives six years to finally respond to our requests.

The issue is real, however. Close relatives and the various stakeholders have said for a long time now that the program must be expanded. In May 2010, the RCMP submitted a report to the Minister of Public Safety in which it asked that the witness protection program be strengthened.

As we know, in order to fight back against investigations into their activities, street gangs have no qualms about intimidating the families of witnesses. They want to stop witnesses from speaking out against them. Street gangs are very violent and quick to use intimidation to avoid going to jail.

Members of street gangs are afraid of speaking out against their accomplices, because they know they will not be protected. However, in cases involving street gangs, the best witnesses are gang members themselves. Members of street gangs who want to get out of crime and are willing to testify against their associates must be allowed into the witness protection program.

My colleagues have pointed this out on a number of occasions this year. I repeat it again this evening. In 2012, only 30 of the 108 applications for protection were accepted. The program served only 30% of those who were asking for help.

Government Orders

Bill C-51 will solve this particular issue, because it raises the level of protection for witnesses and informants who assist our police officers, in addition to expanding the use of these information sources. We will be able to fight directly against street gangs, which are becoming ever more common in Canada's suburbs.

That is not all. If the Conservatives really want to improve the witness protection program, they must also commit the money for it to happen. It is fine to talk about protecting victims in order to appeal to voters, but the government needs to walk the walk.

I would like to remind the House that it costs \$300,000 to protect each witness. If the definition of "witness" is expanded, as Bill C-51 aims to do, we will be sticking taxpayers with a bigger bill.

We support the bill, but we condemn the fact that the Conservative government has refused to commit additional funding.

● (2100)

Once again, it will be up to the municipalities and police forces to absorb the higher costs. They already have tight budgets. The commissioner of the Canadian Association of Police Boards said this on March 7:

...sometimes the cost of protecting witnesses hinders the investigations, especially for small law enforcement agencies that have a tight budget.

She also said this:

[The government must] ensure that legislation passed...does not result in a downloading of additional costs to the municipal police services that we represent.

The government cut nearly \$190 million from the RCMP and more than \$140 million from the Canada Border Services Agency. Investigations into drugs and crime in areas of federal jurisdiction are handled by the RCMP. However, the RCMP bills local police forces for the cost of protecting witnesses even though the local forces often cannot afford it.

Recently, the Conservatives announced that they would no longer fund recruiting programs for local police forces. A \$400 million envelope was earmarked for the police officers recruitment fund, but the Conservatives decided not to renew it for 2013. That is appalling. These cuts will impact how effective Bill C-51 can be.

I commend the intention behind this bill. However, I hope that the federal government will allocate a significant budget to this bill and not make the municipalities and provinces cover the cost. The government is certainly not short on money: it gives \$1.2 billion a year to the oil sands industry and forked out \$70 million to celebrate the war of 1812. I want to remind the government that it has a responsibility to ensure that its laws do not increase the burden on the provinces.

In closing, although I am not happy about the lack of funding, I think that strengthening the witness protection program will improve public safety. After so many years, we are pleased that the government is finally making the changes that we have been calling for.

I therefore support Bill C-51 at third reading so that it can be passed. I support it on behalf of all the people, agencies and associations that want this bill passed. I am supporting this bill so that those who want to blow the whistle and testify can do so without fearing for their safety and that of their families. Bill C-51 will allow

them to be better protected. I also hope that the government will increase the budget so that the municipalities will not have to foot the bill.

The NDP is once again building safer communities by giving the police more tools to help them fight street gangs and organized crime.

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I would like my colleague to tell us about the government's lack of will to enforce the law. It is all well and good to pass legislation, but the government must ensure that it can be enforced on the ground.

The following appears on the RCMP's website:

There are instances when the costs of witness protection may impede investigations, particularly for smaller law enforcement agencies.

Indeed, even the RCMP's website mentions the funding problem. Would my hon. colleague comment on the fact that enforcing the law and passing legislation in Parliament are two completely different things?

Mr. Pierre Jacob: Mr. Speaker, I would like to thank my colleague for her question, which as always is very pertinent.

In the case of Air India, the commissioner lamented the fact that the RCMP had a problem with accountability. However, there is also the problem of funding, or should I say underfunding. The RCMP delivers the witness protection program, but passes the bill for it on to the municipalities, which are already overwhelmed.

In my riding, there are about 40 small municipalities. I know that they work very hard to balance their budgets and they are unable to do so because of this kind of thing.

In addition, because my riding borders on Vermont, I know that a pilot project is being carried out to replace border services officers with automated crossings.

This is not something that is going to solve the crime problem in Quebec and in Canada.

● (2105)

[*English*]

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, one of the things that is troubling to the official opposition is the fact that the government has not adopted the recommendations of the Air India commission, and I believe the member mentioned this.

The commission recommended the creation of a new position, the national security witness protection coordinator, to be independent of the police and prosecution and be a person who inspires public confidence and has experience in criminal justice, national security and witness protection matters.

I wonder if the member could speak to that and to why we support that recommendation.

[*Translation*]

Mr. Pierre Jacob: Mr. Speaker, I would like to thank my colleague for her question.

Government Orders

The Air India Commission recommended that there be more transparency and greater accountability. As one of my colleagues said in an earlier speech, there is often an underlying conflict of interest. The RCMP often wears two hats: it conducts investigations and it provides witness protection services. To promote greater accountability, the government must heed the Air India Commission's recommendation.

[English]

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I am pleased to rise today to discuss Bill C-51, the safer witnesses act. Witness protection is one of the most important tools law enforcement has at its disposal to combat criminal activity. An effective witness protection program is particularly valuable in the fight against organized crime and terrorism.

Witness protection has been informally available in Canada since the 1970s to protect persons who are deemed to be at risk because they provided assistance to law enforcement or because they provided testimony in criminal matters. The testimony or cooperation of these individuals can be vital to the success of law enforcement operations. In 1996, the Witness Protection Program Act officially established the federal witness protection program in an effort to ensure consistency in protection practices across Canada and, at the same time, to establish greater accountability. While the witness protection program is serving the criminal justice system well, it has not been changed significantly since 1996.

In the last 17 years, crime, and specifically organized crime, has evolved substantially and is now more global than ever in nature. The safer witnesses act, which we are discussing today, would help to further strengthen the federal witness protection program and help to ensure it is appropriate to meet the ever-evolving nature of crime. Administered by the RCMP, this program provides a gamut of protective measures. These can range from temporary protective services to relocation with a name change.

The RCMP is required by statute to use a number of criteria to assess if an individual should be placed in the program. For example, this includes examining the risk to the witness and taking into consideration the danger to the community if the person were to be admitted into the program. It includes looking into the nature of the inquiry and the importance of the witness in the matter. The criteria also include taking into consideration the value of the information and evidence to be given by the witness and the likelihood the witness can adjust to the program.

In addition, factors such as the cost of maintaining the witness in the program and alternate methods of protection available and other factors deemed to be relevant are all taken into account. Currently, there are approximately 800 protectees in the federal witness protection program, and new persons are admitted into the program every year. Admission numbers fluctuate yearly due to changes such as the number of cases being investigated or the size of the witnesses' families.

Of note, there were more than 100 cases referred for admission into the federal witness protection program in 2011-2012 alone. Of those cases, 30 individuals were accepted into the program, with 23 of these individuals being granted a secure identity change. The difference between the number of referrals and the number accepted

in the program is stems from various reasons. Some candidates may decide they are not interested in the program, while others may not meet all the criteria outlined, but rest assured that the individuals requiring protection will receive it.

Provincial governments are responsible for the administration of justice. The Provinces of Quebec, Ontario, Manitoba, Saskatchewan and Alberta have established their own witness protection programs, which differ from the federal program. These provincial programs provide a range of valuable services in support of those at risk. The interaction between provincial programs and the federal program, however, has not always been as efficient as it could be. For example, a protectee in a provincial program must now be admitted temporarily to the federal witness protection program in order to obtain the federal documents for a secure identity change. This can sometimes lead to delays in the process of securely obtaining new identities.

Bill C-51 aims to remedy this situation. It proposes to establish a process whereby provincial programs can become designated witness protection programs. The Governor in Council, on the recommendation of the Minister of Public Safety, would have the authority to make this designation at the request of the provincial authority. It would then no longer be necessary for witnesses to be temporarily admitted to the federal program to obtain federal identity documents for secure identity change.

Moreover, the provincial designation regime proposed in Bill C-51 would further streamline the process for obtaining federal identity documents. This would be achieved through a process whereby the provincial official representing a designated provincial witness protection program would then be the single point of contact for that program. The official can request federal identity documents from the RCMP, which would be the single federal point of contact. A provincial official acting on behalf of all law enforcement agencies within the designated program would limit the number of persons involved in the request to the RCMP, thus streamlining the process. Fewer individuals involved in the process would also ensure that it is more secure.

● (2110)

Another way that Bill C-51 would strengthen the security of witness protection regimes in Canada would be through changes to the current prohibitions against the disclosure of information.

The disclosure of information about the location and change of identity of protectees in the federal witness protection program is prohibited by the Witness Protection Program Act. Bill C-51 proposes to expand on this and prohibits the disclosure of information of individuals who provide or assist in providing protection for witnesses, as well as how the program operates. These prohibitions will also extend to designated provincial programs. This means that the disclosure of information regarding witnesses, the people who provide protection and information about the designated provincial programs themselves will be prohibited.

Government Orders

Bill C-51 also specifies that no one shall disclose any information, either directly or indirectly, that reveals the location or change of identity of a protected person or the information from which the location or change of identity may be inferred. Disclosing information directly could include situations such as telling someone that a protected person's name is whatever. Disclosing information indirectly could include leaving information about the protected person unguarded.

C-51 also seeks to expand the categories of witnesses who may be referred for admission into the federal witness protection program to include persons who assist federal departments, agencies or services that have national security, national defence or public safety mandates and who may require protection as a result.

As chair of the Standing Committee on National Defence, our committee often hears about acts of terrorism, acts of war by a government on its own people, people who witness genocide, acts of war and terrorism. These people often require protection. They could be somebody who is employed by the Department of National Defence or they could be members of the Canadian Armed Forces. They could be fearful for their lives because so many foreign states and the leaders of those states have the ability to implement assassinations. Therefore, these individuals would be intimidated from ever testifying in a court in Canada or in an international court such as the Hague, where it tries so many war crimes.

Expanding the category of witnesses who are eligible also addresses one of this government's commitments under the 2010 Air India inquiry action plan. In terms of funding, the federal witness protection program is currently funded from the RCMP's existing operational resources. That would continue under Bill C-51. Because the system is more efficient, it would not require any extra resources.

In conclusion, Bill C-51 addresses a number of operational issues based on experiences gained in administrating the current program over the past 15 years. It would modernize the Witness Protection Program Act, improve interactions between the federal and provincial witness protection programs and ensure better protection of information.

Bill C-51 responds to many of the needs of provincial and territorial governments and to the needs of law enforcement officials and other stakeholders involved in the criminal justice system.

By building on our efforts to combat organized crime and terrorist activities, Bill C-51 would help us continue to fulfill our commitment to build safer streets and communities for all Canadians.

• (2115)

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, on April 5, the Barreau du Québec sent a letter to the Minister of Justice. The letter is easy to find, since it has been made public.

The letter contained recommendations, including an amendment to Bill C-51 in relation to the Canadian Charter of Rights and Freedoms. I will list a few of them.

These questions have to do with the terms for lifting the protection granted to witnesses, the circumstances that allow an individual to maintain that he or someone

else has always had the same identity, and the disclosure and communication of confidential information in relation to the witness with the right of the accused to make a full answer in defence, in accordance with the Canadian Charter of Rights and Freedoms.

Were the Barreau du Québec's recommendations to the Minister of Justice taken into consideration?

[*English*]

Mr. James Bezan: Mr. Speaker, I am sure the committee and the government considered all these things when designing the bill, when we had testimony. There were a number of great testimonies at committee. One of the quotes that is quite relevant is from the British Columbia assistant deputy minister, Mr. Pecknold, who said:

Based on our analysis, the amendments in Bill C-51 appear responsive to the specific needs of law enforcement in British Columbia and to the issues raised by our partners and stakeholders, including the broadening of the disclosure prohibition to include information on the program's methods for providing protection, extension of the emergency period beyond 90 days, and a process for voluntary termination.

Definitely the Province of B.C. at committee was very satisfied with the bill and with everything that was included in it. We know that on the information the amendments would authorize disclosure of otherwise prohibited information for the purpose of providing protection to a protectee and for matters relating to national security or national defence. Other exemptions would permit federal and provincial institutions to share prohibited information for the purpose of public safety or the administration of justice. Therefore, it is about co-operation and cohesiveness of the systems across Canada.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, it is always a pleasure to hear my colleague across speak. I miss being at committee with him. He was a fabulous chair.

However, I noticed that my hon. friend did not fully quote the representative from the British Columbia ministry of justice, who also advised the committee that he would be watching carefully to ensure the program was appropriately funded and that they had a voice in the level of funding. He said that from this perspective, the program would not be effective and efficiently administered unless it was adequately funded and the costs were not downloaded to municipalities.

Could the member speak to that?

Mr. James Bezan: Mr. Speaker, the committee heard from a number of different witnesses, including the RCMP. The assistant commissioner from the RCMP in charge of federal and international operations said, "As a result of the designation regime" and the way the program is going to work "the RCMP will deal directly with the designated official for the provincial witness protection program". He said, "This will promote efficiencies in services provided to the provinces and will further enhance the security of both the federal and the provincial program".

Because of the gains and the efficiencies that are inherent in Bill C-51, there will be a savings that will be able to fund all the concerns that have been raised by the different provincial partners.

Government Orders

• (2120)

Mrs. Stella Ambler (Mississauga South, CPC): Mr. Speaker, it is my pleasure this evening to speak to the safer witnesses act. As members may know by now, it is a product of extensive input from knowledgeable parties across the country. Indeed, I am pleased to note that the proposed legislation has earned plaudits from several provinces and law enforcement agencies. This positive reaction speaks volumes about the thoroughness and timeliness of Bill C-51.

Members may recall that in March 2008, the Standing Committee on Public Safety and National Security produced a review of the witness protection program. The government responded in July of that year. The review was certainly a key reference document for the policymakers who developed Bill C-51.

For my part in today's debate, I would like to identify how the proposed legislation responds to the review's nine recommendations.

The committee heard from many witnesses who stated unequivocally that the federal witness protection program was an essential tool in the fight against serious crime, organized crime and terrorism. Nevertheless, witnesses had some concerns, including four recommendations to promote greater fairness and efficiency in the management of the program.

First, the committee recommended moving the witness protection program out of the RCMP's hands and into an independent office within the Department of Justice. Through its own consultations, this government confirmed that the RCMP should continue to manage the witness protection program. For one, the justice department simply does not have the expertise to protect witnesses or deliver the programs; it is not what it does. Moreover, simply the physical moving of the administration of the program to justice could create potential security risks.

This government is embracing the intent of this recommendation, which is to ensure objectivity of witness protection matters. The RCMP is developing a reporting structure that separates its investigative and protective functions.

Second, to ensure a good fit between participants and the program, the committee recommended automatic psychological assessments of candidates over the age of 18, including family members. The government concurs that not everyone is a good candidate for the witness protection program. The RCMP now has psychologists who assess candidates and offer counselling to both candidates and protectees. I would stress the word "offer" because the decision to accept counselling belongs to candidates and protectees and is not imposed upon them.

The third recommendation is of a similar nature. The committee proposed to automatically offer legal counsel for candidates during negotiations for entry into the witness protection program. The RCMP continues to offer legal counsel to both candidates and protectees. Again, however, legal counsel is offered rather than imposed.

In its fourth recommendation, to improve fairness and efficiency in the witness protection program, the committee called upon the Commission for Public Complaints Against the RCMP, or CPC, to handle complaints from candidates and protectees as required. The government agrees with the intent of this recommendation and, as all

hon. members know, we are currently working to pass Bill C-42, the enhancing Royal Canadian Mounted Police accountability act.

Under that legislation, the CPC would be replaced by a new civilian review and complaints commission. Amendments to the RCMP Act under Bill C-42, would give this new civilian oversight body limited and secure access to information about protectees.

The committee's fifth and sixth recommendations fall under the theme of facilitating access to the witness protection program. The committee called for federal, provincial and territorial ministers for justice and public safety to develop a funding agreement for participation in the witness protection program. It is believed that this recommendation was predicated on a national witness protection program with minimum national standards. Following consultations again, the government did not accept this recommendation. There is no funding in the fiscal framework to support such an agreement.

The sixth recommendation also touches on relationships between and among jurisdictions. It is recommended that the body responsible for the witness protection program enter into agreements with provincial and territorial governments. The goal would be to accelerate the processing of witness protection files.

• (2125)

The government recognizes that in some instances, it can take too long to process secure identity changes for provincial witnesses. That is why it has introduced amendments through Bill C-51 to improve the process, and as such, those proposed agreements are no longer necessary.

The committee's seventh recommendation revolved around establishing minimum standards for the witness protection program. The government considered this idea, but as I indicated earlier, the provinces objected, because the administration of justice falls within their jurisdiction, and national standards were reviewed as an encroachment. Consequently, the government did not accept this recommendation.

The final two recommendations related to promoting transparency within the witness protection program. The committee suggested that independent research into witness protection be permitted and encouraged. I am pleased to say that Public Safety Canada has already undertaken some comparative research. RCMP psychologists may also pursue limited secure research.

While the government agrees on the value of research, it sounds a note of warning. Researchers and risk management experts must take the necessary precautions to maintain the privacy and security of protectees and the program. They must not let their quest for knowledge trump concerns about the release of information.

Government Orders

Finally, the committee recommended more and better information in the annual report of the witness protection program. Since the release of the committee's review, the annual report has, in fact, been enhanced to account more thoroughly for expenses. The Minister of Public Safety reserves the right to request more information at any time, of course.

In summary, the government appreciates the hard work of the standing committee in preparing its review of the witness protection program.

The government consulted stakeholders about nine recommendations and gave them serious consideration in the preparation of Bill C-51. Indeed, most recommendations have found direct or indirect expression in the bill in changes to the RCMP Act or administratively within the federal program.

Through its own extensive consultations, the government believes that it has developed a solid and coherent approach to improving the witness protection program. Given the positive response so far from key stakeholders, I am convinced that Bill C-51 and administrative changes would continue to achieve the intent of the committee's recommendations in the areas of fairness and efficiency, greater access and transparency.

I thus invite all hon. members to join me in supporting Bill C-51, the safer witnesses act.

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank my hon. colleague for her speech.

I wonder if she could comment on the testimony given in committee by Alok Mukherjee, president of the Canadian Association of Police Boards, on March 19, 2013. I will read a short excerpt from his speech:

Our conclusion has been that there needs to be more funding available than currently is the case. Without the availability of sufficient funding, our ability to take advantage of the program will be limited. In places like Toronto, that's a big problem because, as you know, we're dealing with serious violent crimes and often rely on witnesses from the community, not informants and others but witnesses from the community. Their needs may not be significant, as was mentioned. All they may need is a little bit of protection, but that requires that sufficient funding be available for us to be able to do it. That, for us, is a problem.

[*English*]

Mrs. Stella Ambler: Mr. Speaker, I am aware that on March 19 at committee meeting 76, Dr. Mukherjee, president of the Canadian Association of Police Boards, said that both he and his colleague support the principle of the legislation.

I think the hon. member's concerns regarding resources are unfounded. In fact, the RCMP Assistant Commissioner of federal and international operations, Assistant Commissioner Todd Shean, said,

[w]ith the changes this bill brings about, the RCMP is comfortable that we have the resources within our existing resources to run an effective witness protection program

He also said,

It's not a question of resources; it's a question of the assessment that's done. Once the assessment is completed...during the assessment process the person may decide that they do not want to enter into the program...or...that they are not suitable for the program.

However, the RCMP has clearly said that resources are not the issue.

● (2130)

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I am pleased to hear my colleague speaking on an issue that a lot of us are interested in.

When we talk about the RCMP or other police forces having the resources to carry out important responsibilities, I have to tell the member that I have dealt with those budgets. If we tell them that they have to find it within their resources, they will do what they can, limited as that may be.

I cannot quite understand why we are all here debating this important piece of legislation at 9:30 at night, at \$50,000 an hour, when we all agree that it is a good bill and that we want it passed. I am sure that my colleague has better things to do at this time of night as well. It is not as if anybody disagrees with the legislation, so why are we debating something that all members in the House agree with?

Mrs. Stella Ambler: Mr. Speaker, if my hon. colleague across the way does not like debating things that we all agree on, then maybe she will vote for the next time allocation motion. That way we can go home at 11 o'clock tonight instead of midnight.

In the meantime, I want to tell her what Chief Bill Blair of the Toronto Police Services had to say about Bill C-51. Toronto is in close proximity to my riding of Mississauga South. He said:

In Toronto, we have seen the fear caused by intimidation and the threat of retaliation in gang investigations. Witnesses with valuable information are deterred from coming forward. We support the government's initiative as a valuable step in protecting public safety.

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Speaker, it is a pleasure to be up here this evening with everyone here. I am standing to support Bill C-51, the safer witnesses act.

This is just another block in the work that has been done by our great and capable Minister of Justice to provide Canadians with justice, law and order with our crime initiative to make our streets and communities safer. Why it is so important is that one of the first callings of government is to provide security and public safety for its citizens. It reminds me of that great quote by Thomas Jefferson. I have mentioned it a few times in the House. It is about what good government is. He says that a government that protects its citizens from harming one another and otherwise leaves them to individual pursuit of enterprise and “does not take from the mouth of labor the bread it has earned.... This is the sum of good government”.

The first issue, of course, is that the government provide law and order and protect its citizens from harming one another. Bill C-51 addresses that part of good government that we are supplying for Canadians.

Bill C-51 would strengthen the witness protection program. The government is demonstrating once again its commitment to building those safe and secure communities for all Canadians.

Before highlighting the main provisions of the bill, let me reflect on how the proposed legislation would be an important tool for fighting serious organized crime.

Government Orders

Since coming into office in 2006, which was the time I was elected, our government has been focused on building safer communities. We have had a larger mandate at every election, because we have been doing that job. Among other actions, we have provided law enforcement officials with the resources to clean up our streets. We have introduced legislation to increase the accountability of offenders, and we have taken steps to modernize the Royal Canadian Mounted Police. Strengthening the witness protection program through this bill before the House is a next step in our efforts to combat crime.

Statistics Canada has reported a 30% growth in the trafficking, production and distribution of cocaine in our country in the last 10 years. Such a staggering increase is not a result of small-time and isolated dealers bringing more drugs into our communities. Rather, it reflects a concerted effort by organized crime that is likely global in scope and increasingly difficult to nail down. Organized crime has become adept at harnessing new information technologies, both to carry out cybercrimes and to avoid detection from traditional activities such as drug trafficking. At the same time, they could also be using new technologies to track down potential witnesses to their crimes.

More than ever, the law enforcement community depends on informants willing to infiltrate criminal gangs and gather evidence against them. Understandably, witnesses are often only willing to testify if they are offered protection from threats. That is why Canada's federal witness protection program is so vital in our effort to fight crime and provide Canadians safe streets.

Indeed, in her comments on Bill C-51, the Minister of Justice and Attorney General of British Columbia said that in the fight against crime, protecting witnesses is essential.

We must also recognize that the federal witness protection plan is based on legislation that is two decades old. The program has held up well over the last 17 years, but the time has come for this act to get into the 21st century. Only in this way can we deliver the kind of protection witnesses need and deserve, the protection that will help us fight serious and organized crime.

For my part today, I would like to focus on how the bill would streamline relations between the federal program and its provincial counterparts and in doing so, heighten safety for both witnesses and those who protect them.

● (2135)

Currently Alberta, Manitoba, Saskatchewan, Ontario and Quebec have their own witness protection programs. Unlike the federal program, which generally is geared to protect witnesses for life through relocation and secure identity changes, provincial programs are typically set up to offer short-term protection.

If the scope of the protection becomes too large for the provincial program, help may be sought from the federal counterpart to obtain a secure identity change. However, this process can be cumbersome and time-consuming, requiring the witness to be temporarily admitted into the federal program.

Imagine the emotional state of a witness in this situation. He or she has co-operated with the authorities to testify against the ringleaders of serious crimes in return for protection before the

upcoming trial. Already the witness is experiencing heightened stress that only a few of us could imagine. Now provincial authorities receive new intelligence: the risk for their witnesses are higher than previously believed. A new identity is required, and quickly.

The witness, already stressed, would be thrown into a state of emotional turmoil, first at the news of heightened danger and second at the thought of adopting a new identity and all the upheaval that would bring. Then, having made the difficult decision to join the program, the witness asks if the paperwork is finally complete, and the answer may very well be, "Not yet."

Witnesses may have their own motivation for co-operating with the authorities, but the bottom line is that their actions may be instrumental in helping law enforcement take criminals off our streets and put them behind bars. Thus, witnesses are an important tool to prevent crime, and the system needs to serve them well.

I am speaking not only of witnesses currently in the system; I am thinking of all the potential witnesses whose testimony could take a bite out of crime in Canada. Before they are willing to co-operate, they need to have the confidence in the management of a witness protection program.

I am pleased to say that Bill C-51 introduces amendments that would help streamline the process to obtain secure identity changes for provincial witnesses. Essentially, it would allow for the designation of a provincial or municipal witness protection program. This designated status means that the witness would no longer have to join the federal program to obtain a secure identity change.

Allow me to highlight several other provisions that would strengthen and streamline the witness protection program for the benefit of the witnesses and those who protect them.

Among other goals, Bill C-51 would do the following: clarify and add provisions on the disclosure of information about protectees, including about how they are protected, and about the persons providing the assistance with that protection; specify under what circumstances disclosure of protected information is nevertheless permitted; expand the category of witnesses who may be admitted to the program to include people who are helping with the investigation of a terrorist act; give protectees in the federal program the right to end their participation voluntarily; and extend the period during which the protection may, in an emergency, be provided to a person who has not been admitted to the witness protection program.

The federal witness protection program is a key weapon in the fight against crime. It gives informants the confidence to put their lives in danger by testifying against organized crime.

For the sake of those witnesses, present and future, and for the safety and security of our communities, I urge all members to join me in supporting the safer witnesses bill.

Government Orders

• (2140)

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, at several points tonight, reference has been made to RCMP comments made at committee, saying that it would have enough resources to bring in these changes to the witness protection program.

However, as we know, oftentimes when cases are made, it falls to provincial or, in some cases, municipal programs to actually pay for the witness protection. Of course, they are not going to have enough resources.

While the RCMP may have enough resources, provincial and municipal police forces and governments may not. I just want to ask the member why that was not necessarily taken into consideration in bringing this bill forward.

Mr. Colin Mayes: Mr. Speaker, I appreciate the question, but the member was not here in 2006, when we started the whole cracking down on crime initiative as a new government.

One of the things we did do was make strategic investments in the training centre for the RCMP, in Saskatchewan. We invested in more police officers. We decided we would make sure there would be the resources to crack down on crime when we go forward with the initiative for cracking down on crime. We increased the number of border security people to crack down on the gun trade and the drug trade across the border between Canada and the United States. There are ample resources there to do that work.

I can say with confidence that this bill would be another building block to what we are trying to accomplish, and the resources are there. The RCMP has also acknowledged that the bill would not be any stress on those costs.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I would like to pick up, if I could, on the question put earlier by my colleague from York West.

By all accounts, there are many legislators in this House who have a lot of experience. We all know that this kind of late-night sitting is costing the taxpayers of Canada somewhere between \$50,000 and \$60,000 an hour. It is very important for Canadians, I think, to know that.

I also think it is important to pick up on a comment made by my colleague from the NDP moments ago, raising important questions about resourcing the witness protection program and noting that the \$60,000 an hour it is costing for this debate could go toward resourcing the program.

I am not sure why the government is debating the bill. All three parties agree. It passed through the committee without amendment. We are trying to understand why it is we are charging the Canadian taxpayer \$50,000 to \$60,000 an hour. Why do we not move on and actually pass this bill and get on to an issue of debate, so we do not have people reading speeches for TV productions?

• (2145)

Mr. Colin Mayes: Mr. Speaker, I have to say that we do not necessarily enjoy talking about things. We like taking action. We have done that as a party.

The fact is that there is time allocation and the members opposite are aware of that. It is really interesting. Those on the opposite side frequently state that there has not been enough time for debate on various bills. Here we are, giving you ample time to debate the bill and you are not taking advantage of it or do not want to take advantage—

The Acting Speaker (Mr. Barry Devolin): Order, please. Again, I would remind this hon. member and all others to please address your questions to the Chair rather than to your colleagues.

Resuming debate, the hon. member for Lambton—Kent—Middlesex.

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, again we find an opportunity to move ahead on a number of initiatives that this government has brought forward since 2006 to help strengthen and encourage the protection not only of our police officers but obviously of those victims and how we protect them. This gives me an opportunity to speak to Bill C-51, the safer witnesses act.

As members know, the act was brought forward in 1996 for the nature of crimes we were dealing with then. However, since that time there has been an incredible amount of change in our society.

In fact, as has been mentioned before, in the drug-dealing business, the production of crack cocaine has increased some 30%. Unfortunately, this affects not only large urban areas but small rural communities and towns like mine as well. Also, in 1996 cybercrime was something that many of us did not know anything about, and in 2013, there may still be those who are not aware of the complexities of cybercrime in this country. Organized crime has become much more prevalent than it has been in past history. As well, on terrorism, we think of those situations that have happened, not potentially but those that have actually been stopped in this country. We would never have thought about that a few years ago, but we hear about it every day on the news. In fact, our members in the armed forces deal with it on a regular basis as they help protect our great nation and others against these terrible atrocities.

Methods of policing these crimes have been modernized in an attempt to keep pace, but what we need to do now is put in place a modernized witness protection program to help keep up with some of the events that are happening in our society.

Law enforcement often relies on the co-operation of individuals to give information and those who are willing to come forward and give evidence against these criminal organizations. Informants are often the key component that makes the difference between talking about it and getting out there and actually making the arrest. As a matter of fact, law enforcement depends on key witnesses. However, key witnesses deal with the fear and issues that come with dealing with organized crime, and we need to make sure those people have the opportunity to come forward without fear, at least without the extended fear they would normally have because they had been a part of something they knew was terribly wrong.

We have an opportunity now to move forward and help guarantee witness safety. We have an opportunity to not only help protect witness identities but strengthen that protection, and for a longer period of time.

Government Orders

In the past our witness program was designed to promote law enforcement by facilitating the protection of those directly or indirectly involved in criminal activities, and it had been an effective tool. In fact, it still is, but it is not as effective as it should be to deal with modern-day events.

As members know, Quebec, Ontario, Manitoba, Saskatchewan and Alberta have established their own provincial witness protection programs that work independently of the federal program. However, it is becoming increasingly apparent that we need to strengthen the protection given to witnesses and also to those who protect them across the country, and there have been calls for reform of the witness protection program to keep in line with the government's mandate of tackling crime.

• (2150)

Since 2006 we have taken that initiative to tackle crime, protect the innocent and give justice to the victims. We now need to make sure that we give credence to the witnesses who are helping make sure that happens.

As we developed this bill, we took into consideration the recommendations made in the final report of the 2010 Air India inquiry, the 2008 study of the Standing Committee on Public Safety and National Security of the federal witness protection program, as well as the recommendations from consultations we carried out with not only with federal agencies and departments, but also with agencies of the provinces and law enforcement groups at all levels across this country. We have carefully assessed the feedback from these reports and consultations to bring forward a comprehensive bill, which is the one that we have in front of us.

In Bill C-51, we have identified a number of changes to the act that would improve the protection services for informants and witnesses.

The provincial witness protection programs meet the needs of provincial law enforcement agencies and offers a range of protection that can include accompanying a witness to trial, a temporary relocation or limited financial support to the individual. However, they do not have that authority to obtain secure identity changes. In this age of technology, it is becoming so important that when we give them a change of identity it is secure, protected and there for them in their time of need.

One of the measures we would be putting in place with this bill is the streamlining of the process that would allow provincial programs to be designated under this act. We had a number of questions come up about how we would be able to do this in terms of other agencies and the efficiencies in the bill.

Bill C-51 would make it possible for the Attorney General or other provincial authority to request the Minister of Public Safety to recommend to the Governor in Council that a provincial protection program be designated. This would then allow the RCMP to assist with obtaining the federal documents for secure identity change without the witness having to be admitted into the federal program.

Though there have been recommendations to bypass the RCMP and have the provinces request secure identity documents directly from the various federal organizations involved, we believe it is more prudent to maintain a single point of contact for this process.

That is all part of the security and the efficiencies built into Bill C-51 in terms of the protection of witnesses.

The RCMP is the organization best suited to act in this capacity and bring continuity, which would ensure efficiency and enhance security. The Commissioner of the RCMP would coordinate at the request of the provinces and we would look to help those who are admitted to the designated program.

I see that I am running out of time. What it really all comes down to is that the amendments, the federal organizations with mandates related to national security, defence or public safety, such as CSIS and the Department of National Defence, may also refer witnesses to this national program. That means that those issues that I talked about earlier with respect to breadth and some of the issues that had not been brought into the witness program in 1966 are here now.

I look forward to the support and the passing of this important bill.

• (2155)

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I heard the comments by the hon. member and his colleague from Okanagan—Shuswap and I have to say that both members actually made the case for the very recommendation by the commission that looked into the Air India incident.

My understanding is that there was only one recommendation for amendments to the federal witness protection program made by the commission: to create the national security witness protection coordinator. Why? It was because a number of witnesses in the Air India inquiry refused to testify because they did not feel they were going to be adequately protected. This protection coordinator's mandate would include providing confidential support, psychological and legal advice, independent confidential arbitration of disputes and acting as an advocate for witnesses.

The member said that the government has made comprehensive amendments and yet it chose not to implement the single amendment recommended by the commission. I wonder if he could speak to that.

Mr. Bev Shipley: Mr. Speaker, as I mentioned in my comments, there may be police officers and members of law enforcement agencies that are much more into the details of it than I am.

As a government, we in fact have the responsibility to make sure that we reach out to some of the most significant tragedies that have happened around the world, not just in this country. We learn, unfortunately, from incidents that have happened around the world. We want to make sure that when people come forward, we give them the most secure opportunity we can, and not only to change their identity over a period of time. As I mentioned, they will always carry a fear because they have been part of something that has dramatically changed their lives. We do not want that extraordinary fear to stick with them because they do not have the security of a new identity.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, the Conservatives' last speaker said that my colleague was not an MP in 2006 when the Conservatives announced their cracking down on crime initiative.

*Routine Proceedings**[English]*

It is really demeaning to refer to the knowledge of a member just because he was not elected then. Does he also mean that the members for Mississauga South or Ajax—Pickering should not have spoken on this bill just because they were not elected then? It is very demeaning when a member is referred to as not credible or not knowledgeable because he was not elected in 2006.

That was my comment. Now I am going to ask a question of my colleague.

• (2200)

[Translation]

I know that my colleague represents a rural region, and the RCMP's website clearly says that funding problems impede investigations.

Could my colleague tell us why the government has not allocated more funding to a program that the RCMP has said needs more funding?

[English]

Mr. Bev Shipley: Mr. Speaker, we will often reference new members. We respect the fact that they are new, but it also gives us the ability to say we had a program in place. It was only to provide knowledge about where the government started and where it is going. The comment was never meant to be derogatory to anyone. I would never, nor would my colleague, ever do that.

Clearly, in terms of funding, we have to understand that this could have been a full national program, but we know that the provinces did not want to let go of some of their authority. I come from a small rural riding. Some members think, particularly over there, that we cannot build in efficiencies, that we just have to keep throwing money at it. We provided funding for 2,500 police officers. We have enhanced funding for police officers.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

INDUSTRY, SCIENCE AND TECHNOLOGY

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, there have been consultations among the parties and I do believe you will find unanimous consent for the following motion:

That, notwithstanding any Standing Order or usual practices of the House, the remainder of the debate, pursuant to Standing Order 66(2) on the motion to concur in the First Report of the Standing Committee on Industry, Science and Technology be deemed to have taken place and the motion deemed adopted on division.

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have the unanimous consent of the House for the motion?

Some hon. members: Agreed.

(Motion agreed to)

FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, there have been consultations among the parties and I do believe you will find unanimous consent for the following motion:

That, notwithstanding any Standing Order or usual practices of the House, the remainder of the debate, pursuant to Standing Order 66(2) on the motion to concur in the Sixth Report of the Standing Committee on Foreign Affairs and International Development be deemed to have taken place and the motion deemed adopted on division.

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have the unanimous consent of the House for the motion?

Some hon. members: Agreed.

(Motion agreed to)

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

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, there have been consultations among the parties and I do believe you will find unanimous consent for the following motion:

That, notwithstanding any Standing Order or usual practices of the House, the remainder of the debate, pursuant to Standing Order 66(2) on the motion to concur in the Fourth Report of the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities be deemed to have taken place and the motion deemed adopted on division.

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have the unanimous consent of the House for the motion?

Some hon. members: Agreed.

(Motion agreed to)

ACCESS TO INFORMATION, PRIVACY AND ETHICS

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, there have been consultations among the parties and I do believe you will find unanimous consent for the following motion:

That, notwithstanding any Standing Order or usual practices of the House, the remainder of the debate, pursuant to Standing Order 66(2) on the motion to concur in the Third Report of the Standing Committee on Access to Information, Privacy and Ethics be deemed to have taken place and the motion deemed adopted on division.

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

Government Orders

The Acting Speaker (Mr. Barry Devolin): Does the hon. member have the unanimous consent of the House for the motion?

Some hon. members: Agreed.
(Motion agreed to)

GOVERNMENT ORDERS

[English]

SAFER WITNESSES ACT

The House resumed consideration of the motion that Bill C-51, An Act to amend the Witness Protection Program Act and to make a consequential amendment to another Act, be read the third time and passed.

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, contrary to the apparent perspective of some in this place, I think it is actually worthwhile to debate these bills. Each one of us learns a lot more by hearing the perspectives of the other side. I am grateful for the opportunity, despite the late hour, to participate in this debate.

At the outset, I would like to say stricter sentencing provisions without effective investigative powers, resources and timely judicial processes are empty. I would bring attention to the failure of the government to take timely action in the appointment of judges, including in my jurisdiction, as raised by the Attorney General of Alberta, and the failure to fill that vacuum by providing sufficient aboriginal police, as first nations are calling for. That certainly would help with the situation of gang action and in helping to bring witnesses forward.

I am rising in support of Bill C-51, an act to amend the Witness Protection Program Act. There are many measures that are worthwhile. It is good that after many years the government is finally moving forward to improve and enhance the program, which, by the way, the Conservatives did not invent. It has been around for quite some time, but to their credit, finally, after seven years, they are coming forward to actually improve it.

We support the fact that it would expand the eligibility criteria in certain circumstances to expand access in the case of witnesses dealing with crimes related to street gangs and certainly for witnesses recommended by CSIS and National Defence. As I understand it and as outlined by the government members, there would be improved efficiency and coordination with provincial and municipal police forces to achieve more effective access to the program by those authorities. I am hoping that is the case, regardless of the fact that there is no additional funding.

These are important changes that the New Democrats have been calling for as improvements for quite some time, particularly to fight street gangs and organized crime. I bring to the attention of the Speaker that the New Democrat member for Trinity—Spadina called for this exact reform some time back, specifically in relation to the mass shootings in Toronto. I know that we and everyone certainly support her efforts to have some increased measures to deal with these kinds of activities and to respond to the increasing concern over terrorism. In that case, people may be even all the more nervous

about stepping forward and serving as a witness or providing testimony or evidence to the authorities.

The bill would expand access to more individuals seeking to deal with gangs, although I would have to add that I wanted to put this question to a number of the members here who are participating in the special task force on missing and murdered aboriginal women. I am not convinced that the measures we are debating today are sufficient to address the complex issue in aboriginal communities of witnesses coming forward. That would be something that is probably worth pursuing.

The federal witness protection program has long been criticized for its narrow eligibility criteria, for its poor coordination with provincial programs and for the low numbers of witnesses admitted to the program. Apparently only 30 of the 108 applications that were considered were accepted in 2012. I am not sure that the committee heard all of the detail for why that was, but on the basis of some of the testimony from police authorities, certainly part of it is a lack of access to funding. I am surprised, given the government's enthusiasm for ensuring that these cases come to trial with solid evidence and testimony from witnesses, that it would not also want to address this funding shortage issue.

One of the things that particularly bewilders us is that the Prime Minister commended the report from the Air India commission. One of the strong recommendations from the Air India inquiry, and apparently the only one related to the federal witness protection program, was to appoint a national security witness protection coordinator.

● (2205)

The government has chosen to disregard that recommendation. There do not appear to be really clear arguments for why it would turn down that position.

My understanding of the recommendation is that the coordinator would not provide the actual physical protection. The national security witness protection coordinator's mandate would include such things as ensuring consistency in the handling of sources and resolving disputes between agencies that may arise in negotiation or implementation of a protection agreement. The coordinator would also provide confidential support for protectees, including psychological and legal advice so that they could decide whether they wanted to sign the protection agreement. The coordinator would also provide for independent and confidential arbitration of disputes and act as an advocate for witnesses.

That all seems very clear and obvious, because in many cases the very reason for the existence of this witness protection program is that witnesses are reluctant to come forward. There could be many reasons. They could be terrified. They might be nervous of police authorities. It seems perfectly logical that a non-police body would work with those individuals and would be less intimidating.

The government's decision remains a puzzle to us. It had the opportunity to also include that recommendation. Hopefully in future it will also bring that one forward.

Government Orders

One of the key problems that has been raised by my colleagues in this place is the refusal by the government to admit that the program is inadequately funded. As has been stated many times in the House, only 30 of 108 applications considered were accepted in 2012.

A great number of witnesses came before committee, many of whom spoke to exactly this issue. One was Commissioner Micki Ruth, a member of the policing and justice committee of the Canadian Association of Police Boards. Micki Ruth said:

Like many issues facing government today, funding is one of the biggest and toughest ones to find solutions for. The problems identified back in 2007 with the adequacy of funding for the current witness protection are not addressed in Bill C-51. Unfortunately, we see problems with the ability of municipality police services to adequately access witness protection because they lack the resources. ... CAPB has a duty to its members to ensure that legislation passed by the government does not result in a downloading of additional costs to the municipal police services....

This is the very concern. We have heard member after member defending the position that there is no need for further funding, but in most cases they are citing the RCMP. The problem is that the downloading occurs to the municipal or provincial police authorities.

That concern was also raised by the British Columbia Ministry of Justice through Clayton J.D. Pecknold, who is the assistant deputy minister and director of police services, policing and security programs branch, as well as Dr. Alok Mukherjee, the president of the Canadian Association of Police Boards. Those are citizen boards and commissions representing a broad spectrum of society.

Dr. Alok Mukherjee said:

Without the availability of sufficient funding, our ability to take advantage of the program will be limited. In places like Toronto, that's a big problem because, as you know, we're dealing with serious violent crimes and often rely on witnesses from the community, not informants....

Very serious concerns are being raised.

When we go to the very purpose of this legislation and program, which is to encourage witnesses who may otherwise feel intimidated to come forward, we have to scratch our heads and ask why the program would not be fully funded, particularly when we are dealing with incidents of terrorism.

We will remain puzzled. We support the initiatives that the government has brought forward in the bill, but we will continue to pursue, on behalf of those agencies and the public and those who might be compelled and approached to testify, the availability of funding to support them to testify.

As I mentioned at the outset, in the case of aboriginal or isolated communities there may have to be additional measures, because it may be a bit harder to address the fact that individuals will be picked up and relocated or that they may not even speak English or French and would be quite intimidated by being removed from their community.

I look forward to further discussions on this matter within Parliament.

• (2210)

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, the member opposite mentioned a number of items. I am going to focus on two areas.

First, I appreciate the NDP's support for this bill. It is important for our national interests to have security for witnesses who choose to come forward to deal with organized crime, as the member for Okanagan—Shuswap said.

The member said that one of the original recommendations in 2008 was to have an independent office outside of the RCMP and not conducted by it. It has been brought up that one of the challenges with that idea is that there are many skills specific to keeping witnesses safe. To suddenly switch from one system in which there is an extreme amount of experience to another in which there may not be that same level of experience may cause a reduction in the safety of these witnesses.

The second point is the question of funding. The provinces and municipalities set their budgets for policing. There is direct accountability there, obviously, with a national program that is decided by the RCMP, and it is decided by this place what that funding will be. That is more of a comment on the funding. There is sufficient funding for the national program, and municipalities and provinces should set their own budgets and tax accordingly so that people can hold them accountable and can have their say when they go to the ballot box and elect their leaders.

Ms. Linda Duncan: Mr. Speaker, I enjoy serving on the OGGO committee with the hon. member. We are working on a very interesting report, which I hope comes forward before we adjourn for the summer.

I am not sure if the member caught what I said when I spoke about the recommendation from the Air India inquiry. I was very clear that the recommendation from that commission was that this body, this independent protection coordinator, would simply help with the handling and the processing and negotiation of the agreement. That person would not actually deliver the protection program. Program delivery would remain with the RCMP or the police authorities, so I do not see any way there could be interference. We could be assured that the office would include people who were fully qualified to deal with these kinds of activities. They could even be former police officers, who could be seconded into the program. However, it would be stand-alone.

In a lot of cases and a lot of communities, people do not trust the police. They may have had bad incidents and experiences and so forth. In this case, it might be really useful for the person to be seen clearly as not being an enforcement officer and to work with the witness and encourage him or her to come forward.

On the second point, about funding, I suggest that most police forces would say that they could always use additional funding.

• (2215)

[*Translation*]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I want to ask my colleague about the point she just mentioned regarding funding.

The government is bringing in a system that will potentially—almost certainly—attract more witnesses. A number of government speakers have said that provincial and municipal police forces would be able to accept more witnesses. We know that this will cost money.

Government Orders

I would like my colleague to talk about the worrisome fact that there will be additional costs. I would also like to hear what she thinks about the fact that the government is once again introducing a bill without properly consulting municipal and provincial authorities.

[English]

Ms. Linda Duncan: Mr. Speaker, I would like to thank the hon. member both for the fabulous speech he gave this evening and for his question. He sets the bar high in this place.

I too remain troubled. Very clearly, the government is saying that the intention is to expand the witness protection program and enable the various police forces to bring more witnesses into that program. I do not know how police forces are going to do that. I know that police forces are stretched in most jurisdictions. They are stretched even in my province, which is supposedly financially stable but is also suffering from a deficit.

The priority is that people are demanding more police boots on the ground. I do not see a lot of people coming forward and saying that the priority should be witness protection, yet the police forces themselves know that in order to win these cases, they need these kinds of programs and greater access.

We have \$3.1 billion missing for the anti-terrorism program. Perhaps if we could find that, it could go into expanding the witness protection program.

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, the safer witnesses act is intended to help strengthen the current federal witness protection program, a program which could play a better role to effectively combat crime, particularly organized crime.

Let me state at the outset of my remarks that Bill C-51 is the result of consultations with law enforcement agencies and our provincial counterparts. The safer witnesses act will, first and foremost, improve the interaction of the federal witness protection program with provincial witness protection programs.

As it stands presently, an individual in a provincial program obtains several documents required for a secure identity change if he or she is temporarily admitted to the federal witness protection program. As members may be well aware, this process can result in delays in obtaining a new identity.

Bill C-51 proposes a remedy to the situation by establishing a straightforward process in which provincial programs can become designated witness protection programs. A province would request this designation from the Minister of Public Safety, at which time the provincial authority would provide assurances of the program's capacity to protect both its witnesses and its information.

Once a program is designated and upon the request of that program, the RCMP would be obliged to help in obtaining federal identity documents for a provincial witness requiring a secure identity change, without the individual being temporarily admitted into the federal program.

The proposed amendments contained in Bill C-51 enable the program to become more efficient and more secure.

Under the designation regime proposed by Bill C-51, the provincial official from a designated provincial witness protection program would request federal documents on behalf of the law enforcement agencies. This process would limit the number of individuals involved in the process, thereby making it more secure.

Among other improvements, Bill C-51 would expand referrals for admissions to the federal witness protection program to sources assisting national security, national defence or public safety organizations, such as the Department of National Defence and the Canadian Security Intelligence Service.

Bill C-51 would also enhance the security of all witness protection regimes in Canada by broadening and enhancing the existing prohibitions against the disclosure of information.

Currently, the federal Witness Protection Program Act prohibits the disclosure of information about individuals within the federal program. Section 11 of the current act says, "no person shall knowingly disclose, directly or indirectly, information about the location or a change of identity of a protectee or former protectee". Bill C-51 would strengthen this prohibition in a number of important ways.

First, Bill C-51 would not only prohibit the disclosure of information about individuals in the federal program, it would also prohibit the disclosure of information about how the program operates, as well as about those individuals who actually provide or assist in providing protection for witnesses. Both of these prohibitions would also extend to designated provincial programs; that is, disclosure of information about witnesses, people who provide protection and information about the programs themselves will be prohibited.

Current provincial prohibitions against the disclosure of information currently apply only within the legislation of the particular provincial jurisdiction, not across jurisdictions. Bill C-51 would also clarify the prohibition with respect to what and how information is being disclosed.

As I have stated, section 11 of the current act contains the phrase, "no person shall knowingly disclose, directly or indirectly, information about the locations or a change of identity of a protectee or former protectee". The phrase "directly or indirectly" was considered to be unclear.

The proposed amendments in Bill C-51 clear up any ambiguity to ensure that the prohibitions will clearly apply to cases where a person discloses information in a range of ways. Some examples include telling someone what a protected person's name is, leaving information about the protected person unguarded and telling someone where a protected person lives.

Bill C-51 would prohibit all of the above disclosures by specifying that no one shall disclose any information, either directly or indirectly, that reveals the location or change of identity of a protected person or the information from which the location or change of identity may be inferred.

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By extending referrals to this category of witnesses, we are also delivering on one of our commitments under the Government of Canada's Air India inquiry action plan released in 2010.

● (2220)

The current federal witness protection program has served the criminal justice system well. Today there are hundreds of individuals under the protection of the program.

In 2011-2012 alone, the RCMP considered a total of 108 cases for admission into the federal witness protection program. Thirty protectees were admitted to the program, of which 27 were granted a secure name change. The number of admissions fluctuates from year to year, depending upon factors such as the number of cases being investigated or the number of people in a witness' family.

During the same time, the RCMP also provided assistance to other Canadian law enforcement agencies under the existing Witness Protection Program Act. The Witness Protection Program Act has not been substantially changed since 1996. The fact that the federal witness protection program serves the criminal justice system well does not mean that there is no room for improvement.

Ongoing consultations with provinces and law enforcement agencies, among others, have revealed that improvements could be made to adjust to the increasingly sophisticated, evolving and global nature of organized crime. The government's consultations with provinces and territorial stakeholders have also helped to highlight some areas where stronger provisions are needed, which I have mentioned today.

The witness protection program is a vitally important tool in our ongoing efforts to combat organized crime groups.

Bill C-51 addresses the need for modernization, as well as enhanced information protection and integration with provincial programs. Bill C-51 introduces reforms to the present witness protection environment that will build on our collective efforts to combat organized crime, as well as terrorist organizations, and in that way help us all continue to build safer streets and communities for everyone.

● (2225)

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank my colleague for his speech.

I would like to remind him that the Conservative government has been in power for almost seven years. During that time, the RCMP and the provinces have asked several times for changes to the witness protection program.

My question is simple: Why did they wait so long before making concrete proposals?

[*English*]

Ms. Kellie Leitch: Mr. Speaker, let us be very clear. This government has been very focused and committed to keeping our streets and communities safe. We are putting forward an effective and reliable witness protection program and we know this is valuable in fighting crime, especially organized crime and terrorism.

This is very different from the approach the NDP members have taken of essentially voting against the majority of legislation we brought forward to both protect victims and to move forward in dealing with organized crime.

We are introducing this new legislation with a number of amendments in an effort to ensure Canadians are safer, that they find themselves safe in their communities and on their streets.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am curious as to why the parliamentary secretary has to make an ideological battle out of every argument.

We are supporting legislation that the government is bringing forward. We are saying what we like about it. We are arguing about ways that could perhaps improve the legislation.

Is that not what parliamentarians are supposed to do? Why do we always have to descend to some sort of argument about "You guys are the bad guys, and we are the good guys"? Why does the very well-educated hon. member have to descend to that in every debate that takes place in the House?

Ms. Kellie Leitch: Mr. Speaker, I find that very amusing. I sat in the House some time ago on Bill C-44 and commended the opposition on its significant support for particularly ill children. It is important that we highlight there are certain differences between the two parties.

I am pleased the opposition members are supporting the direction of this. I look forward to working with them more in the future, as I did with my critics on the human resources committee with respect to Bill C-44.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, this is strong legislation, and I am happy that the NDP and the Liberals have decided that they will join with us to support it moving forward.

One thing I do know is the member consults with Canadians on a regular basis. This set of legislation took time to review and consult with both the provinces and a wide variety of individuals to ensure these witnesses were protected.

With this legislation, particularly in working with the provinces, what aspects of it does the parliamentary secretary appreciate most in creating that sense of safety? If we cannot protect our witnesses, we cannot bring those people forward to give their testimony so we can, as the members opposite said, put away the bad guys. That is an important point on which I would like us to focus.

Ms. Kellie Leitch: Mr. Speaker, one thing that has taken place in the broad consultations with provinces, territories across the country and number of different stakeholders are the amendments that have been put forward.

Whether that is an improvement in the processes to obtain secure identity changes for witnesses in the provincial programs and the interaction of the programs provincially with those federally, whether it is a broadening of prohibitions against the disclosure of information or the extension of time for emergency protection that may be extended, these are all significant amendments to the act that will greatly improve it and provide opportunities for all Canadians to feel safer in their homes and in their communities.

Government Orders

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I am honoured to have an opportunity to speak in the House this evening to this important legislation, Bill C-51, which amends the Witness Protection Program Act and makes other consequential amendments.

This is an important public safety tool, as has been mentioned by a number of members on both sides of the House. It is a tool that enhances the opportunity to prosecute crimes, particularly, crimes that undermine the security of our communities, such as organized crime and gang crime. Where do we need witness protection? We need witness protection when the criminals we are seeking to prosecute are prepared to use further criminal acts to retaliate and to exert violence or other forms of repression on people who co-operate with the authorities to try to make our communities safer.

This really gets at the heart of what we need to do to protect our communities. We see this across the country. We see it in prisons, in the cases of gangs. We see it in our communities as well. We see it in the case of organized criminal organizations, such as the Hells Angels, which have been very active in various parts of the country. We see it in the drug trade, in general. We also we see it in other security-type activities and very significant terrorist measures, such as the actions in the Air India disaster and the need for a strong witness protection program to fully prosecute those guilty of engaging in that enormous frightening terrorist event.

Improvements to the witness protection program have been sought for many years. Since 2007, our party has been calling, specifically, for better coordination of the federal and provincial programs and for better overall funding for the program. These demands were repeated in 2009 and again in 2012. Specifically, the member for Trinity—Spadina was concerned about the inability of the police forces to get witnesses in the bad summer of shootings at the block party on Danzig Street, for example, and the difficulty that the police had in finding witnesses to come forward.

We do support these measures.

I do not sit on the public safety committee anymore, although I did a few years go. I did sit in one or two of the meetings, listening to some of the witnesses on this program. There were acknowledged significant improvements being made to expand the coverage of the program of eligibility. It is very important for national security that national defence or other public safety departments will be able refer witnesses to the program. It extends the period of emergency protection and clears up some technical problems.

We are very disappointed that the bill does not include more of the recommendations, for example from the Air India inquiry, such as a more transparent and accountable process for admissions to the program. We are also very concerned that local police departments will have the support necessary to ensure that witnesses can come forward in a gang situation, for example.

We have heard again and again tonight that there is a lack of recognition of the high cost borne by local police departments and the concern about the adequacy of funding.

We know what the RCMP officials said at the hearings. They said that they were satisfied they could handle the problem. However, I have a problem with that. The only statistics that have been floating around are from 2012. They noted that out of the 108 individuals

who sought the protection and were considered for the program, only 30 were accepted. That is a pretty significant turndown rate.

What was the fallout from that? How many cases did not go to court because there was no protection offered to those witnesses?

● (2230)

We had the Minister of Public Safety himself acknowledging that the cost of the program is one of the criteria used to determine whether someone is accepted. He diminished it as being only one of the seven, but the cost of the program is one of the criteria, and we have two-thirds of them being turned down. We would be increasing the eligibility opportunities, so more people could apply in more circumstances.

We hear from the other side, and we ourselves are concerned, about gangs and other forms of organized criminal activity. What we see from all that is that there is going to be significant pressure on this program to admit more people, and the resources are not going to be there, or the lack of resources could be used, because it is one of the criteria, to turn down people who seek admission to the program.

I am not saying that every person who asks for witness protection is entitled to it. Do not get me wrong. I am not taking some sort of extreme position. I am doing my best to be reasonable with respect to this matter, because what we are seeking is a bill that is going to work. The problem I have, despite the quotes we have heard from the hon. members opposite, and I am not saying they are making them in bad faith, is that they seem to be a bit selective in leaving out the concerns raised by witnesses at the hearings.

I want to emphasize the comments and statements of the Canadian Association of Police Boards. Who are they? We heard from the Canadian Police Association. This is all the police officers in Canada. I do not know if we heard from the Canadian Association of Chiefs of Police. I do not see any quotes from them being raised here.

The police boards are the civilian boards that are appointed by the communities and are responsible for oversight of the policing activities in their areas and the safety of their communities. Obviously, the enforcement is carried out by the police officers themselves, but the police boards are responsible for how these communities operate. We talked about small communities, but they are even in big communities.

The president of the Canadian Association of Police Boards, on March 19 of this year, testified before the committee and said:

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Without the availability of sufficient funding, our ability to take advantage of the program will be limited. In places like Toronto, that's a big problem because, as you know, we're dealing with serious violent crimes and often rely on witnesses from the community, not informants and others but witnesses from the community. Their needs may not be significant, as was mentioned. All they may need is a little bit of protection, but that requires that sufficient funding be available for us to be able to do it. That, for us, is a problem.

Elsewhere in testimony, the same individual said:

...our chiefs have said to us that their ability to access fully, proportionate to their need, is not there.

That is in Ontario. We have also had other representations. Andy McGrogan from the Medicine Hat Police Service said that, provincially, they are working on witness protection legislation as well, but right now they are looking at how to absorb these costs. He said:

If you look at a community such as ours, the protection of one witness, if funded through the municipality, has a major impact on our budget. We're watching this legislation and really trying to determine where it's going to unfold at this time... We totally understand that. How it's going to impact us financially, of course, is our biggest concern.

I have only one minute to complete my remarks, but I want to say that we support this legislation, but we have concerns that we do not have a stand-alone organization, which we have asked for. We do not have adequate funding, which we have asked for, and no commitment to it, and there seems to be a failure to recognize that it is what has to happen.

I would be very pleased to respond to any questions or comments that members opposite, or my colleague, might have.

• (2235)

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, the member for St. John's East has made some statements, as have many of his colleagues, that this program is underfunded. He gave some quotes just now from the hearings, but of course, there are other quotes.

The Assistant Commissioner of federal and international operations of the Royal Canadian Mounted Police, Todd Shean, in the same hearings my colleague referred to, said, "with the changes this bill brings about, the RCMP is comfortable that we have the resources within our existing resources to run an effective witness protection program".

That was a member of the Royal Canadian Mounted Police who said that. I suppose the member can come along and say that he has another source who would say that the program is not funded appropriately. I would like to know if the member is relying on statements that someone else made. We have quotes from others who have said that the funding is appropriate. Does he have facts that show that the program is not funded appropriately?

• (2240)

Mr. Jack Harris: Mr. Speaker, I could quote Commissioner Micki Ruth, a member of the policing and justice committee of the Canadian Association of Police Boards. He testified on March 7 that the problems identified back in 2007 with the adequacy of funding for the current witness program are not addressed. He said, "We urge you to appreciate our position that unless the issue...is addressed, the legislation will not produce the result that is intended".

We think there ought to be an independent board, and not the RCMP. The RCMP says that it is comfortable with the funding, but it is the one deciding who gets witness protection and who does not. We have seen from the statistics in 2012 that of the 108 people who were considered, only 30 were given access to the program. We do not know what is going on there for sure.

What we are saying is that we have people such as the police boards, who are in the communities policing people and are the ones looking for secure and safe communities, saying that funding is not adequate. It was identified as long as five or six years ago. Where is the increase? We are increasing the eligibility. Where is the increase in funds?

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I would like to follow up on the comments by my colleague on the other side of the House.

The RCMP website indicates the following:

There are instances when the costs of witness protection may impede investigations, particularly for smaller law enforcement agencies.

The RCMP is referring to small law enforcement agencies that enforce the law, such as municipal forces, not the RCMP. The RCMP has never claimed to have a funding problem. That is not what we are talking about. The problem is that the costs associated with this program are borne by the provinces and small entities such as local police forces.

I would like my colleague to comment further on the difference between the RCMP and local law enforcement agencies.

[*English*]

Mr. Jack Harris: Mr. Speaker, I want to thank my colleague for pointing that out. It is clearly there on the website.

Commissioner Todd Shean said that the RCMP was comfortable that it could have an effective program. That is not to say that it would be adequate for all the communities in the country. The RCMP acknowledged that investigations would suffer. That would be at the local community level, and when we have the police boards that look after these communities across the country saying the same thing, I have to worry, frankly.

I appreciate my colleague pointing out that website quote. It is something the RCMP itself acknowledges.

There is logic to this, as well. If we increase the eligibility, more people will be invited to participate because of the broader criterion. More people would be able to apply, but without more money, we would have a crunch.

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Mr. Patrick Brown (Barrie, CPC): Mr. Speaker, ensuring that all Canadians have safe communities in which to live has been a priority for our government since taking office. Our government has undertaken numerous initiatives to ensure the safety of Canadians. For example, our government is following through on its commitment to give the RCMP the tools it needs to enhance public confidence and increase accountability to its members and Canadians. This is apparent through our support for Bill C-42, the enhancing Royal Canadian Mounted Police accountability act. This legislation would enable the RCMP to continue its ongoing transformation toward a strong and vibrant national police force that Canadians will continue to believe in and value.

The enhancing Royal Canadian Mounted Police accountability act would help the RCMP remain accountable and relevant now and in the future. First, this act would create a modern, independent civilian review and complaints commission for the RCMP which would strengthen civilian oversight. Second, investigations of serious incidents, such as death or serious injury involving RCMP members, would be more transparent and accountable to the public through the implementation of a new framework. Third, the act would modernize processes with respect to discipline, grievance and human resources management for RCMP members, because it would put in place mechanisms to prevent, address and correct performance and conduct issues fairly and in a timely manner. These changes would help address concerns that have been raised by both the Canadian public and RCMP members themselves.

Bill C-51, the safer witnesses act, is another important legislative change that would support the work of our police and ensure that we meet our commitments to Canadians. Witness protection programs offer protection, sometimes including new identities for certain individuals whose testimony or co-operation is vital to the success of law enforcement operations. In Canada, the RCMP administers the federal witness protection program, which was officially established in 1996 with the passage of the Witness Protection Program Act. Through the federal witness protection program, the RCMP can provide emergency protection in the form of permanent relocation and secure identity changes for witnesses under threat.

The legislation governing the federal witness protection program, however, has not been substantially changed since 1996, when it first came into force. This has posed challenges for the RCMP, who must contend with the constantly changing nature of organized crime. The safer witnesses act would help strengthen the current federal witness protection program and thus support the RCMP in effectively combating crime, particularly organized crime. Bill C-51 would also help protect individuals, including RCMP members and other law enforcement officers and civilians involved in administering and delivering witness protection.

Disclosing information about individuals in the federal witness protection program is prohibited by the Witness Protection Program Act. Bill C-51 would expand on this by also prohibiting the disclosure of information about individuals who provide or assist in providing protection for witnesses as well as how the program operates. Under Bill C-51, this prohibition would extend to both the federal and designated provincial programs. Bill C-51 would also positively impact the provision of protection by promoting greater

integration between federal and provincial witness protection programs.

Under the current legislation, if an individual in a provincial witness protection program requires a secure identity change, he or she must be temporarily transferred into a federal witness protection program so that the RCMP can obtain the appropriate documents. This may introduce delays in the process. The changes proposed by Bill C-51 would allow provincial and territorial governments to request that their programs be designated under the federal witness protection program act. This one-time designation would mean that the witness in the witness protection program could receive a secure identity change without needing to be admitted into the federal one. These reforms would support the provision of protection at all levels by streamlining the process to obtain secure federal documents for these purposes.

Another change proposed by Bill C-51 responds in part to a recommendation made in the final report of the Air India inquiry. The legislation proposes to expand the categories of witnesses who may be admitted to the witness protection program to include persons who assist federal departments, agencies or services that have a national security, national defence or public safety mandate and who may require protection as a result.

• (2245)

More organizations would also be able to refer candidates. Examples of such organizations are the Canadian Security Intelligence Service and the Department of National Defence. Currently, referrals are only accepted from law enforcement and international courts or tribunals.

The RCMP has administered the witness protection program for the last 15 years, during which time it has gained significant experience and insight into factors that make for a successful witness protection program. Bill C-51 would build on this experience and address a number of operational issues that the RCMP has experienced.

For example, Bill C-51 would clarify the process for voluntary termination from the federal program. It would also extend the amount of time emergency protection might be provided to candidates being considered for admission into the federal program. Emergency protection would be increased from the current 90 days to a maximum of 180 days.

In addition to these changes proposed by Bill C-51, the RCMP is currently taking measures to enhance the federal witness protection program, including incorporating psychological assessments of candidates and counselling for protectees and their families, incorporating risk-management principles into the admission process, enhancing training for witness handlers and administrators, creating a database that would better inform program design and, lastly, offering the services of legal counsel to all candidates being considered for admission into the federal program.

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The RCMP would also continue to use the existing seven criteria outlined in the act to assess whether to admit an individual into the program, including the risk to the witness, the danger to the community if the person were to be admitted into the program, the nature of the inquiry and the importance of the witness in the matter, the value of information and evidence to be given by a witness, the likelihood that the witness can adjust to the program, the cost of maintaining a witness in the program, alternate methods of protection and other factors deemed by the commissioner to be relevant.

Our government has been quite clear that one of our top priorities is to keep our streets and communities safe and to support families, as outlined by the Prime Minister. Our plan involves tackling crime, supporting victims' rights and promoting a fair and efficient justice system.

Today, our government builds on the success of the last seven years and would provide the RCMP with the tools it needs to do its job more effectively.

This and other legislation would ensure that we have a fully accountable national police force that will continue to fulfill its role to protect Canadians here at home and abroad.

For that reason, I urge all members to support this legislation and work toward ensuring it is passed in an expeditious manner.

• (2250)

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, this does not happen very often, but we are talking about a bill to which all of the parties are in agreement. We did not make any changes in committee, yet we are spending five hours tonight discussing something with which we are all in agreement.

I am having a bout of déjà vu because I think I heard exactly this speech earlier today from the member for Crowfoot. It seemed almost identical to the one the member for Crowfoot gave.

The five hours tonight cost \$50,000 an hour in overtime, in one day, which could help us hire 80 summer students.

Let us use the money intelligently and debate the real issues and move on to Bill C-56, which is next on the agenda.

Mr. Patrick Brown: Mr. Speaker, if the member is not interested in the debates of Parliament, he can certainly leave. I know it is typical for the Liberal caucus to not show up for debates or votes. If he wants to continue that practice, he is welcome to leave.

However, I think we should encourage discussion on weighty matters like this and encourage debate. Certainly, that is one of the real values of our Parliament. To say it is not important or relevant to have a thorough discussion on public safety and supporting the needs of the RCMP is inappropriate. It goes to show that the Liberals have been consistent in not supporting the justice agenda to make sure Canadians are safe. This pattern of showing no interest in law and order is one of the reasons they continue to be defeated at the polls by Canadians.

[*Translation*]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I would like to ask the hon. member a question about funding.

Last year, 30 of the 108 candidates received funding. Ninety-nine of them were not funded. All this cost \$9 million. Members will admit that this is still quite costly.

Now the program is to be extended to gangs. The reasoning is that there is a real need to take action and tackle crime. We support the bill.

How will the process be carried out? What about the 99 candidates who were not granted protection? How are certain candidates chosen over others? Will it be based on the financial implications associated with their actions as witnesses? Will people be treated fairly and equitably when there are witnesses? If dealing with terrorism, for example, will the process be based on the incident? What are the criteria?

• (2255)

[*English*]

Mr. Patrick Brown: Mr. Speaker, obviously it will be left to the experts to decide, based on the seven criteria, how many of the potential witnesses would be put into this program. I would note that Tom Stamatakis, the president of the Canadian Police Association, when it came to cost said that it is obviously important, but he said that this would "...deliver the best possible community protection at a reasonable cost to the Canadian taxpayer".

I think that is why we have seen the RCMP and the Canadian Police Association express the importance of this legislation because it is reasonable and the costs are manageable, but fundamentally what is important is the safety of Canadians, and this would enhance that.

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I want to congratulate the member for Barrie who was on a team tonight that went out and played hockey against the media and beat the media, six to four. Now he has come back to this place at 11 o'clock to give an outstanding speech on this bill.

An hon. member: How many goals did he score?

Mr. David Tilson: Is that my question? How many goals did he score? No.

Mr. Speaker, Bill Blair, the chief of the Toronto Police Service, stated:

In Toronto, we have seen the fear caused by intimidation and the threat of retaliation in gang investigations. Witnesses with valuable information are deterred from coming forward. We support the government's initiative as a valuable step in protecting public safety.

Could the member for Barrie elaborate on that statement?

Mr. Patrick Brown: Mr. Speaker, yes, this bill certainly would do a lot to enhance safety in our communities.

I would note, on the member's first question, that the teamwork in the Conservative caucus and the great work from the member for Brampton West in back-checking helped ensure that we held the day against the media. We were very pleased to work together on a hockey rink, just as we do in Parliament to ensure the best interests of Canadians are accounted for.

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[Translation]

Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP): Mr. Speaker, I rise today in the House to speak about a bill that is dear to my heart, and that is Bill C-51.

The NDP has said that it will support this bill. Why? For various reasons. First, the bill broadens the eligibility criteria for the witness protection program to include witnesses recommended by the Department of National Defence. It will also extend the period of emergency protection and clear up some of the technical problems that were occurring in relation to coordination with provincial programs. It has been said many times in the past several hours that the program will likely generate additional costs. The members opposite do not seem to believe that. Time will tell.

When it comes to witness protection, in Quebec in particular, there have been clear examples in recent years of why it is absolutely necessary to have witnesses to help target and stop criminal groups. Many police operations would have failed miserably had it not been for the co-operation of informants. Take for example, Opération SharQc, which resulted in the arrest of 115 Hells Angels, thanks to the help of an informant and the protection he was offered by the police. In Quebec, the Sûreté du Québec protects witnesses.

There have also been other arrests, such as those of all of “Mom” Boucher’s Nomads, a chapter of Hells Angels. Once again, an informant, “Godasse” Gagné, worked with the police.

Clearly, the witness protection program covers a wide variety of activities. When it comes to terrorism, there is a certain type of witness that needs to be protected. When it comes to organized crime and street gangs, we are not talking about some poor innocent witness. It is important to be clear on that. These are not choirboys. They are people with rap sheets longer than the government’s mammoth bill.

Although these witness protection programs have been very effective recently in the fight against organized crime, there have also been some abuses, things the public felt should not have been done. Informant witnesses, under the protection of the police and the government, received large sums of money for their co-operation. Of course, giving up 115 notorious criminals for arrest has its price. One witness was given \$3 million. The public saw this as an abuse. There have also been witnesses who received new identities and then went out and committed crimes a few years later. That happened in Quebec, and the public is not okay with those types of abuses.

I would like to point out that the witness protection program is managed by police forces. We know nothing of the agreements between the police and witnesses. The rules are not clear, and there is no transparency.

Tonight, there has been a lot of talk about the need for transparency with these kinds of agreements. Based on what I know about how the program is administered, I can say that, in Quebec, there was no transparency. There was so little transparency that there were abuses involving the public as well as reformed and protected witnesses. They challenged their agreements with police, to the point where they formed an association, the Association des témoins spéciaux du Québec. That shows just how bad things got. These

protected witnesses sued the Quebec government for \$6 million for breach of contract.

What I am trying to say is that transparency is an issue.

• (2300)

There has been support for the improvements made to the bill. There is support for the fact that Bill C-51 expands the witness protection program to include criminals involved in street gangs. I think that is key to eventually eliminating that scourge.

Members have also said that this bill assumes that the funding currently allocated to the RCMP is sufficient. We do not feel that is the case. In addition, the bill unfortunately does not follow through on the recommendation to create an independent organization to oversee all of the witness protection programs.

It is important to understand that when a police force is dealing with a witness from organized crime who made the first step to access this type of program, there is no proper balance of power between the police and the criminal. A lot of pressure and responsibility is put on the commissioner. The new statute, especially clause 12, indicates that the commissioner must protect the witness’ identity, but may also disclose the witness’ identity if the commissioner deems it appropriate to do so. In fact, the commissioner becomes judge and master of this program. We know that sometimes he is put in a position of being judge and jury. It does not serve the justice system well for police forces to be judge and jury. We often see this when police forces investigate other police forces. This does not necessarily produce the best results.

An independent agency made up of specialists that are completely independent from the police forces could manage this program effectively, have clear criteria and agreements that are respected and deemed appropriate by the public. When we negotiate agreements with criminals, we must remember that we represent public ethics and power and that we cannot negotiate any old thing. I would say that in this type of program, it is a bit like shaking hands with the devil. We have to be careful. I am not the only one who prefers to have this safeguard in the bill.

I would like to quote from a letter sent to the Minister of Public Safety from the Barreau du Québec.

Under clause 12, the commissioner may disclose confidential information if the protected person consents to the disclosure or has previously made such a disclosure or acted in a manner that results in such a disclosure.

We can agree that if a criminal under witness protection wants to terminate his protection, it is up to him.

Furthermore, the commissioner could disclose that confidential information if he has reasonable grounds to believe that the disclosure is essential for the purposes of the administration of justice; this could be necessary in the context of investigating a serious offence if there is reason to believe that the protected person can provide material information or evidence in relation to, or has been involved in the commission of, the offence; preventing the commission of a serious offence; or finally, establishing the innocence of a person...

The commissioner can lift a witness’s protection for about a dozen reasons. This is a very serious decision. This disclosure could put the commissioner in a conflict of interest.

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As we have also seen, it is not the role of the commissioner to act as judge and jury. The committee recognizes the importance of this issue, but does not feel it compiled enough information to be able to make an informed decision. In its final report, the Standing Committee on Public Safety and National Security recommended the establishment of an independent body to administer and manage the federal witness protection program.

• (2305)

Furthermore, in the report that followed the Air India tragedy, the commission recommended the creation of an independent body, specifically, a national security witness protection coordinator.

I agree with those recommendations. It would have been better if this bill had included a provision to create an independent body to oversee Canada's witness protection program.

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank my colleague for giving us one of his typically passionate speeches.

I would like to quote Clayton Pecknold, assistant deputy minister and director, Police Services, Policing and Security Programs Branch, British Columbia Ministry of Justice. He appeared before the committee on March 19, 2013, and said:

It's important from my perspective that the program be adequately funded and effectively and efficiently administered. The cost of major investigations is a concern to municipalities. As a consequence, whether it's the cost of actually conducting the extraordinary investigative measures that are necessary or managing the file from a witness protection or witness management perspective, it will indeed be a concern for municipalities.

What does my colleague think about that statement?

• (2310)

Mr. Pierre Dionne Labelle: Mr. Speaker, I will not repeat what has been said all evening.

The NDP is of the same mind as some of the police chiefs and police associations that testified in committee, and it shares some of the concerns expressed by municipal officials. Transferring the cost of a program to other levels of government is a fairly common occurrence with Conservative bills. Conservative bills often result in increased pressure on provincial budgets. In the case of employment insurance, the effect is obvious: people who exhaust their benefits will turn to welfare, which is a provincial program. Therefore, the province will absorb these costs.

In the case of prisons, the provinces will have to build more of them to enforce the government's proposed law and order regulations. That will also result in additional costs that will have to be borne by the municipalities. It is crystal clear.

[*English*]

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, this topic of underfunding has been surfacing all night.

The members from the opposition have said that it is underfunded, and they have given all these quotes from provincial organizations. However, I have not heard any quotes from federal organizations. We on this side have said that from a federal perspective this program is funded and it is going to make good law.

Does the member have any facts from federal organizations that say this program is not adequately funded?

[*Translation*]

Mr. Pierre Dionne Labelle: Mr. Speaker, having worked for a long time with municipalities, I know the situation in Quebec, and I imagine that the situation of municipalities elsewhere in Canada is no different.

Municipal funding is a major challenge because infrastructure is crumbling everywhere and money has to be allocated to projects that the municipalities are working on. They have to provide local services for the people. The municipalities are already having a great deal of difficulty covering their expenses, and additional costs will only make things more difficult for them. I believe that if the federal government introduces bills, it must follow up with the money.

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, I listened carefully to my colleague's speech and I must say that I did not learn anything new, because that same speech has been repeated over and over by NDP members, much like Conservative Party members repeat their speeches.

I have a simple question. In the last five hours, we have spent about \$250,000 in additional costs to hold this debate in the House tonight instead of continuing to study other bills. That kind of money could buy 30 insulin pumps for people with diabetes.

Could the member tell the Canadians watching at home how the two parties debating this issue justify spending this money?

Mr. Pierre Dionne Labelle: Mr. Speaker, I have an answer for that. Members of Parliament are paid to be here. This is not additional spending.

Witness protection is very important. Do they remember Ma Chouette, the anonymous witness who spoke out about the sponsorship scandal? They always wanted to find out who that was. It is important to protect witnesses.

[*English*]

Mr. Kyle Seeback (Brampton West, CPC): Mr. Speaker, I am happy to be here to debate the bill, unlike my colleagues way over there in the far corner. They want to go home, but that is not new. That is what they want to do all the time. We want to be here. We want to debate this legislation. Those members say they support this legislation, that they agree with it, but they want to go home. They want to go home because they support it.

I am very happy that they support this legislation, because this is pretty new. This is quasi-judicial. This is quasi-criminal justice reform. It is almost a justice bill—

Some hon. members: Oh, oh!

• (2315)

The Speaker: Order. There are some members who wish to carry on conversations far away from each other. I would suggest they sit near each other and have a closer conversation so it does not distract the hon. member for Brampton West.

Government Orders

Mr. Kyle Seeback: Mr. Speaker, I have to say I am pleased the members opposite are going to support our criminal justice reform bill, because that certainly has not been their record in this Parliament. Just the other night they voted against amendments to the not criminally responsible legislation. They did not even want it to go to committee. They voted against it at second reading.

I can understand if they want to vote against it, but they do not even want it to go to committee and be studied. They voted against substantive, well needed reforms in the not criminally responsible legislation. They voted against the Safe Streets and Communities Act, broad sweeping legislation to protect our communities, protect families and protect Canadians. They voted against it, so I am very pleased that they are now indicating they are in support of this legislation. I guess I will grudgingly thank them for that.

Bill C-51, the safer witnesses act is another piece of legislation we are bringing forward to, again, try to make our communities safer. That is something that we, on the Conservative side of the House, think is very important. We think strong communities are safe communities. That might not be the position of the party in the corner.

I understand, as well, there is great support for this legislation. It has support both here in the House and at committee and from stakeholders across the country. This is an issue that should not be partisan, despite the continued catcalls and heckling from the third party in the corner.

Protecting witnesses is a vital component of the justice system. We have to have witnesses who feel they are able to come forward and testify. Why is that? That is because we cannot always just rely on other forms of physical evidence. In many circumstances, when trying to get a conviction, especially in cases of organized crime, we are going to need a witness to come forward. When those witnesses do come forward, they can put themselves at great risk, in some in circumstances. That is why we have to be able to make sure they are going to be safe, because of the broader goal of making sure our communities are safe.

Oftentimes these people may have been involved in organized crime, so they know the insides of what is going on in organized crime. It takes a great, brave person to come forward and testify. We want to help that. We want to make sure they are going to be safe.

There are important updates that we are bringing forward in this legislation, updates to the Witness Protection Program Act, which first came into force in 1996, so it is time to make some amendments and some changes. It would strengthen the protection of witnesses and those who protect them. These recommendations put forward in the legislation have come about as a result of broad consultations, both with law enforcement agencies and with the provinces, and also as a result of reports such as the 2008 report by the Standing Committee on Public Safety and National Security and the report of the 2010 Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

I want to talk about a couple of things that are contained within the legislation. I only have 10 minutes. I am not going to be able to cover the entire bill, but I want to highlight a few things that are quite important. First of all, there are five provinces in Canada that

have their own similar protection programs: Quebec, Ontario, Manitoba, Saskatchewan and Alberta.

One of the things this legislation would do is ensure greater efficiencies between the two systems, the federal system and the provincial system. In a case where it is determined that the protectees require security changes, they have to be transferred to the federal program. We have learned from our provincial counterparts that this can be a time-consuming process and not necessarily an efficient process.

One of the key ingredients in this legislation would be greater integration. This greater integration would be between the federal and provincial programs by enabling the provinces to have their respective program designated under the federal act. This designation, authorized by the Governor in Council on the recommendation of the Minister of Public Safety, would permit the RCMP to work directly with a designated provincial program to obtain and secure federal identity documents for a protectee.

● (2320)

However, it would not stop there. It also would provide help for the RCMP. Under Bill C-51, federal organizations would be required to help the RCMP obtain federal documents required for secure identity changes for witnesses both in the federal program and, of course, in the designated provincial programs I was just describing and talking about. The RCMP would continue to act as a liaison between the federal and provincial programs. This would make sure we have a much more streamlined approach, which is another important aspect.

We would also broaden prohibition disclosures, ensuring the protection of provincial witnesses at both the federal and provincial levels. The amendments would address the call from the provinces to ensure that the witnesses in the programs are protected from disclosure of prohibited information throughout Canada.

The safer witnesses act would broaden the prohibition on disclosing information in several ways. First, it would prohibit the disclosure of information related to individuals who are protected under the federal and designated provincial programs.

Second, it would prohibit the disclosure of any means or method of protection that could endanger the protected individuals or the integrity of the programs themselves. Again, this goes back to making sure we would have witnesses who felt safe and were able to come forward and provide important testimony in important matters that were before the courts, which would help keep our communities safer. This of course would include information about the methods used to provide or support protection and to record or exchange confidential information, as well as data about the location of secure facilities.

Third, it would prohibit the disclosure of any information about the identity or roles of persons who provide or assist in providing protection to the witnesses. That is, of course, providing protection to those who are protecting witnesses, which is an important enhancement as well.

Government Orders

A fourth proposal under Bill C-51 seeks to expand the list of entities that are able to refer individuals to the commissioner of the RCMP for consideration for admission into the federal program. What many of us do not know is that at present, only law enforcement agencies and international criminal tribunals can make these referrals. We would expand the program as well, which would ensure that more witnesses would feel safe and would be able to come forward to give that valuable testimony. Bill C-51 would expand this list to include federal organizations that have a mandate related to national security, defence or public safety, so they could refer witnesses to the federal program. This would include organizations such as the Department of National Defence and the Canadian Security Intelligence Service.

Fifth, the safer witnesses act would provide other measures that would allow for voluntary termination from the federal program and extend emergency protection to a maximum of 180 days. That would double the previous limit, which was 90 days. Both of these improvements should address some of the concerns that have been raised by both federal and provincial stakeholders.

This is a practical and comprehensive piece of legislation that would make significant improvements and changes. Collectively, all these amendments would strengthen the current Witness Protection Program Act, making the entire program more secure, more streamlined and better for those who need protection and for those who provide that protection. Provincial programs are integral to Canada's witness protection network, and we are pleased to address many of those concerns in this legislation. It has received a great response in the House, for which we are thankful.

In summary, I would encourage all members to support this legislation. I think we do have support for the legislation. We have raised important issues in the debate tonight. We have certainly heard lots of productive questions from the members of the NDP, asking about certain issues with the program. That is the purpose of debate and that is why we are here.

I am pleased to stand and support this piece of legislation.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, I want to thank the member for his contribution to the debate. I agree with him. It would open up the program and ensure there would be more witnesses protected under the program. That is why we support it.

It would be done by expanding the criteria to national security and national defence or other public safety agencies that could refer witnesses to the program and by expanding it to include youth gang members. We are anticipating growth in this program.

However, as early as 2007, it was identified that there were inadequate resources available. Why are we standing pat on that and whistling past the graveyard, as I call it, with respect to the need for funding? We are hearing time and again from members from his party that there is no need for any new money, yet we are talking about expanding the program, doubling it from 90 to 180 days. Where is the connection?

• (2325)

Mr. Kyle Seeback: Mr. Speaker, I can say one thing. Bill C-42, an act to amend the Royal Canadian Mounted Police Act, added approximately \$10 million to the RCMP. There are additional funds

flowing to the RCMP on a global scale. We will certainly have to take a look at how the program operates in the future to make sure there are proper resources. The important thing about the legislation is the efficacy of it and what it would do to protect witnesses. I am pleased to have the support of the NDP on this particular piece of legislation.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, people have been beating up a bit on the member for Ottawa South for suggesting we were wasting time and money debating. Nothing is ever a complete waste. There is always some benefit in having debate, even though we all agree that Bill C-51 should pass and we all support the protection of witnesses.

I want to clarify for the member for Brampton West that my own reasons for raising this earlier tonight had nothing to do with wanting to go home, but rather with wanting to have a chance to debate the bills about which we do not agree, such as the omnibus budget bill, Bill C-60, for which we have never had an adequate opportunity to even touch on its various sections. I thought I might clarify that for him.

I completely support this bill. I appreciate that the Conservative majority has brought it forward and I look forward to voting for it and stopping the debates that continue until midnight in this place on matters of which I have no understanding why they are still subject to debate.

Mr. Kyle Seeback: I am still trying to find the question, Mr. Speaker. It seems like—

Ms. Elizabeth May: It was a comment.

Mr. Kyle Seeback: Yes, absolutely, it was a comment. That is the wonderful thing about this place. The member might think that a certain piece of legislation is important to debate, and we might think this is an important piece of legislation to debate. It takes a multitude of people to constitute the House. We are happy to debate this bill; other members might not be happy. That is fine; that is democracy.

Mrs. Stella Ambler (Mississauga South, CPC): Mr. Speaker, I have a question for the member for Brampton West. I am wondering if he knows of any outside organizations that are supportive of these amendments and if he could tell us what some of the third party stakeholders and organizations have said about these changes.

Mr. Kyle Seeback: Mr. Speaker, of course I thank the member for Mississauga South for the question. She is a hard-working member of Parliament.

I will say that many people are supportive of this legislation. I would be doing a disservice to them if I named one and did not name them all. Dozens of organizations support this bill. It received great support at committee. Quite frankly, it is another piece of legislation that is part of the great number of pieces of legislation that this government has brought forward to try to make our streets and communities safer. It is another important tool that we would use to accomplish that goal.

There is a great team on that side of the House, which I am part of, even though I am over here. We make a great team, much like the great team that defeated the parliamentary press gallery in hockey tonight, six to four.

Government Orders

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, I am thankful for the opportunity to speak about Bill C-51, critical legislation that would ensure our government can continue its work to keep Canadians safe and our communities secure.

Since taking power some seven years ago, our government has been clear. We would move forward with a robust agenda that would lead to safer streets and communities.

We said that we would be a government of action. That is exactly what we are. We have backed up our pledge to Canadians with concrete measures.

For example, we said we would introduce legislation that would bring criminals to justice and would crack down on violent gun crime. We have done this. We have passed into law measures that ensure a label of first degree murder is automatically applied in cases of murders connected to organized crime.

We have brought in legislation that tackles the terrible and violent tragedy of drive-by shootings and other intentional shootings, crimes that involve the reckless disregard for life and safety of others. We have done this while further protecting police and peace officers.

We have passed legislation to eliminate the two-for-one credit that was previously applied to time served and pre-sentence custody.

Thanks to measures passed in the House, those who are found guilty of a crime must now serve the full sentence that truly reflects the severity of the crime.

We have also passed legislation to strengthen the national sex offender registry and to end the practice of automatic accelerated parole for white-collar offenders.

Most notably, our government passed into law the Safer Streets and Communities Act, a comprehensive bill that was a strong stepped forward in helping reduce crime and standing up for victims. It included a wide range of significant law and order issues that extended greater protections to the most vulnerable members of society, as well as victims of terrorism, that further enhanced the ability of our justice system to hold criminals accountable for their actions and that improved the safety and security of all Canadians.

Through this law, we now have laws that better protect children and youth from sexual predators that increase penalties for organized drug crime, end house arrest for serious crimes, protect the public from violent young offenders, eliminate pardons for serious crimes, enshrine in law a number of additional key factors in deciding whether an offender would be granted a transfer back to Canada, increase offender accountability and support victims of crime, support victims of terrorism and protect vulnerable foreign nationals against abuse and exploitation.

Our government has done a lot to help prevent crimes. We have done this by increasing our spending on grants and contribution funds for crime prevention programs.

In 2011 alone, our government funded 138 community-based crime prevention programs through the national crime prevention strategy in which nearly 16,000 at-risk youth participated.

We have also provided an investment of \$7.5 million annually to review the youth gang prevention fund, which is helping youth make smart choices and avoid violence and gang-related activities.

Our government also said that we would support our police forces, that we would give them the tools they needed to do their jobs and that we would work toward enhancing the RCMP. Again, we have delivered on this commitment.

Last year, our government was proud to announce that we had reached agreements to renew 20-year policing service agreements with all the provincial and territorial governments policed by the RCMP.

We are also working hard to pass the enhancing RCMP accountability act, which would improve civilian oversight and modernize the HR management of our federal law enforcement agency.

The legislation before us, Bill C-51, would be just one more tool in our tool box to help us fulfill our commitment to Canadians to build safe communities and to protect those who were willing to help bring criminals to justice.

As we have heard, the Witness Protection Program Act has been in place for 17 years. We feel very strongly that now is the time to modernize and update this current legislation. The act was created to ensure a consistent and accountable system of federal witness protection. If we are to continue to protect Canadians who step forward to help law enforcement officials prosecute criminal acts, we must ensure we ease the process and expedite how we protect them.

Our justice system depends upon ensuring that we can keep witnesses safe and protected. It is vital that those who do come forward to make our communities safer are provided protection from terrorists, organized crime or other threats.

In keeping with our government's strong track record of fighting crime and providing safer communities for all Canadians, the Witness Protection Program Act is a prime area where we can continue to deliver our pledge to Canadians.

The changes proposed under Bill C-51 are a result of many years of thoughtful consideration and expert consultation. Our government has consulted with and listened to concerns of our federal, provincial, territorial and municipal partners, as well as law enforcement agencies

• (2330)

Our government has also considered reports such as the 2008 study of the Standing Committee on Public Safety and National Security as well as the recommendations coming out of the 2010 Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

The safer witnesses act would allow key witnesses or individuals formerly involved with criminal organizations who now wish to cooperate with law enforcement to receive, if necessary, secure identity changes more quickly and easily.

Government Orders

I also think it is important to clarify that the federal witness protection program is not a program to which individuals apply. Rather, individuals are referred to the program by law enforcement upon referral. A number of criteria outlined in the act are considered in determining if an individual would qualify or benefit from this program.

Bill C-51 would ensure better protection for those individuals the program is designed to help. It would do this by enhancing the program and providing a better service to other witness protection programs. It would also strengthen the current prohibitions against disclosure of information concerning individuals in the federal witness protection program. It would extend these prohibitions to individuals in designated provincial witness programs as well as to those responsible for administering federal and designated witness protection programs. It would also expand admission for national security, national defence and public safety referrals.

By extending this program to these categories of witnesses, we would also fulfill one of the commitments under the Government of Canada's Air India action plan, released in 2010.

In summary, the Witness Protection Program Act has not been substantially changed since it first came into force, despite the constant changing nature of organized crime and calls for the program's reform. The safer witnesses act would help strengthen the current federal program, which is vital to effectively combat crime, particularly organized crime.

Today we call on all members to support this critical piece of legislation.

• (2335)

[Translation]

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, I would like to make a comment to the Liberals.

One of their members took the time to repeatedly talk about a small plastic plane, but he was at the wrong place. If they want to talk about wasting time, then we have come full circle.

In 1996, the Witness Protection Program Act designated the RCMP commissioner the program's administrator.

Is the RCMP commissioner still responsible for administering the program? If so, how does he connect with the provinces, who have their own police forces, since their laws are different and they have their own witness protection programs?

[English]

Mr. Randy Hoback: Mr. Speaker, some provinces would administer their own program. There would be some federal jurisdiction program administration plus some municipalities that would also administer their programs.

Let me tell members what people in my riding of Prince Albert in the province of Saskatchewan are saying. In fact, I will quote Gordon Wyant, the Minister of Justice and Attorney General of Saskatchewan. He said:

These changes will help strengthen our criminal justice system by providing greater protection for witnesses. We support the proposed improvements to the Witness Protection Program as yet another step in making our communities safer

This is what is happening in Saskatchewan and what they are saying there. They back this piece of legislation, and that is just another reason everybody else in this House should also back it.

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): Mr. Speaker, we have been going back forth. I would just reiterate that the Liberal Party is in favour of the bill. We do not see too many problems and believe that it is a tool that belongs in the tool box.

My colleague had a good speech, but it was lacking in detail. I have a very simple question. This program would have some flexibility. How would that make our streets safer? I believe the member kept mentioning that our streets are going to be safer. Exactly how is that going to happen?

Mr. Randy Hoback: Mr. Speaker, if one is a witness to a crime, one would be looking at the scenarios of what to do and what was the best option. Before this piece of legislation, a witness may have felt that there would be too much danger to his or her personal security and would not come forward. However, after this piece of legislation is passed, I think a witness may feel that the right thing is to come forward and that at his or her personal safety would be secured and taken into account. The witness would hopefully come forward and present the evidence needed to convict an organized crime member or a person who committed a criminal act.

• (2340)

[Translation]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, I would like to thank the member for a very interesting speech. He raised a number of points that deserve special consideration.

I would like to come back to the issue of funding, because a number of government members mentioned that, while the committee was studying this bill, the vast majority of witnesses supported the government's view that additional funding is not necessary.

That is not surprising, given that the committee has a Conservative majority. The majority of witnesses endorse the opinion of the majority of the committee's members. It is not very surprising that this opinion was aired many times in committee. That said, a number of witnesses also raised the fact that funding could pose a problem for municipalities.

In the United States, there is often talk of unfunded mandates. That is somewhat similar to what we are seeing here. We want to improve the system, but it will cost a lot to do so. We want to increase the number of witnesses that can access the program. Clearly, there will be significant costs associated with that.

I really want to understand how the government intends to fund this program, instead of always trying to offload the costs to the provinces and municipalities. Will the government take financial responsibility for its own bills?

[English]

Mr. Randy Hoback: Mr. Speaker, it does not matter who we ask. If we ask an open-ended question, saying, "do you need more funding?", it will always be yes. We can always use more funding, it does not matter who we ask.

Government Orders

If I asked my son if he needed more money to go to university, the first answer would be “Yes, I need more money to go university, Dad”, whether he needs it or not.

Let me talk about what Todd G. Shean, the assistant commissioner, federal and international operations of the Royal Canadian Mounted Police, had to say:

—with the changes this bill brings about, the RCMP is comfortable that we have the resources within our existing resources to run an effective witness protection program.

The witnesses who came forward in committee were very clear. They liked this legislation and felt they could work within the confines of it.

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, I would like to thank my hon. colleague for his remarks. However, I would like to refute the last statement he made in regard to people always saying they need more money. Time and again tonight, we have heard Conservative members talk about how the officials from the RCMP said they did not need more financing.

I am rising this evening, like everyone else, to speak to Bill C-51, An Act to amend the Witness Protection Program Act and to make a consequential amendment to another Act. The NDP supports Bill C-51, as it attempts to improve the witness protection program. However, we still have concerns about this bill. We are concerned that the Conservative government has refused to commit any new funding to the system. We are concerned that the Conservatives' requirement that the RCMP and local police departments work within their existing budgets would hinder the potential improvement of the program.

This situation is similar to other legislation we have seen before this House lately; namely, the Conservative government bringing forward legislation that would only partially fix a problem. Why are the Conservatives unwilling or unable to find the courage and political will to develop legislation to the point where it would actually be as effective as it could be? Once again, I find myself supporting legislation that is a half measure. It would in fact help, but would not fully resolve a problem that the government could be resolving.

Another shortcoming of the bill is that it does not include provisions for an independent agency to operate the program as recommended in the Air India inquiry report. The RCMP would continue to be responsible for the program, and this would leave the RCMP in a potential conflict of interest, being the agency both investigating the case and deciding who gets protection.

The federal witness protection program has long been criticized for its narrow eligibility criteria, poor coordination with provincial programs and low number of witnesses actually admitted to the program. Only 30 out of 108 applications considered were accepted in 2012. The blame for that has to go to the original authors of the bill, which would be the previous Liberal government members.

Since the Witness Protection Program Act passed in 1996, the Liberal and Conservative governments have done little to respond to the criticisms of the system. Some bills have been presented in the House of Commons to address small components of the protection program. As an example, Bill C-223 from a Reform member of

Parliament in 1999 regarding witness protection in cases of domestic violence, was supported by the NDP and was defeated by the then-Liberal government.

The overarching issues of eligibility, coordination and funding have not yet been addressed. The New Democrats are on record as repeatedly asking the Conservatives to address the three key issues in the witness protection program: expanded criteria eligibility, co-operation with provinces and adequate funding.

In November 2012, the NDP member of Parliament for Trinity—Spadina called for more support for the federal witness protection program, pointing to the difficulty Toronto police faced in convincing witnesses to this past summer's mass shooting at a block party on Danzig Street in Scarborough to come forward. The Danzig shooting is just one of many examples I could point to where witnesses have been reluctant to step forward due to concerns for their own safety.

Bill C-51 proposes a better process to support provincial witness protection programs and would expand the program to other agencies with national security responsibilities. Bill C-51 would expand the eligibility criteria of the witness protection program to include various requests from the RCMP, such as including youth gang members by covering a new group of people who would give assistance to federal departments. Federal departments and agencies with a mandate relating to national security, national defence or public safety would also be able to refer witnesses to this program. It would also extend the period for emergency protection and clear up some technical problems in coordinating with provincial programs.

Provinces such as Ontario and Alberta have been pushing for a national revamp of the witness protection program, including more recognition of their existing programs. Bill C-51 would provide for the designation of a provincial or municipal witness protection program so that certain provisions of the act would apply to such a program. It also would authorize the Commissioner of the RCMP to coordinate at the request of an official of a designated provincial or municipal program the activities of federal departments, agencies and services in order to facilitate a change of identity for persons admitted to the designated program.

● (2345)

Bill C-51 includes enough improvements to warrant our support through third reading, though concerns about funding have been reiterated multiple times in committee and over and over again tonight, and there are still no answers from the government.

Expanding eligibility for the witness protection program is a generally popular policy. Those working to combat youth gangs feel allowing those seeking to leave gangs access to the program would be an important addition to the tools they need. This issue retains a high profile in the South Asian community due to the attacks on witnesses during the Air India inquiry, where witnesses were not eligible for the program as it currently excludes witnesses in national security cases.

Government Orders

The provinces have long been calling for better coordination between federal and provincial programs. Now, of course, in terms of coordination between federal and provincial programs, we know that is a weakness of the current government, when we look at the Prime Minister who has refused to meet with the first ministers as a group over the seven years the Conservatives have been in power.

We are also disappointed that the bill did not include more recommendations from the Air India inquiry, such as a more transparent and accountable process for admissions into the program. Even the government itself identified this as a serious problem, and yet it failed to address it in the bill.

Overall, Bill C-51 is a positive step, but unfortunately we do not see the Conservatives providing the resources to make it really count for communities. We want to see them provide local police departments with the support necessary to make sure witnesses come forward in gang situations, for example. The Conservative government is not acknowledging the high cost borne by local police departments. There are also provincial witness protection programs, but if the crime is federal in nature or involves drugs, the RCMP take over and then charges local police departments the full cost, something many local departments cannot afford, particularly in small communities.

The RCMP's own website states, "There are instances when the costs of witness protection may impede investigations, particularly for smaller law enforcement agencies". I have not heard one member of the government speak to that issue here tonight.

While the NDP has been calling for changes to the witness protection program since 2007, it is just now that the Conservative government is responding to our concerns, as well as many stakeholder concerns.

The NDP would like to believe the Conservative government is committed to improving the witness protection program but without the necessary funding for the RCMP to carry out these changes, we fear the improvements that are needed will not necessarily materialize.

Speaking of resourcing, several witnesses and the RCMP at committee said that they in fact do believe that they have the resources to take care of their share of the burden. However, as I mentioned previously in my speech, local law enforcement agencies and provincial law enforcement agencies are going to end up bearing many of the costs that are associated with changes in the witness protection program.

We have seen this kind of approach time and time again with the Conservatives' crime agenda. They make changes to legislation that are going to impact provincial and municipal budgets without providing any of the funding to absorb the costs. What ends up happening is an insidious form of downloading. Instead of the costs of the federal changes being borne by the federal government, they end up being borne by the provinces and municipalities, which are already straining to a much greater extent than the federal government is.

It is very unfortunate to see this kind of approach continuing. Back in the 1990s, the Liberal government downloaded billions of dollars on the provinces, and then the provinces, like mine of Ontario

where we had the Mike Harris government, proceeded to download provincial costs, like social services and welfare programs, onto municipalities without actually giving them the funds to address the issues.

It is sad to see here in 2013 that we are in fact seeing the same kinds of things happening.

• (2350)

While the NDP is supporting the bill, once again we are seeing a bill that we do not think addresses all the issues that could be addressed in the bill.

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank my hon. colleague for his very thoughtful and always pertinent speech.

Since the Liberals are saying that this debate is not important, I would like to ask my colleague a question about the criticisms related to eligibility and the lack of funding. This is nothing new.

Why did the Liberals not respond to criticism of the witness protection program when they had the chance a long time ago, namely, when they were in power?

Mr. Dan Harris: Mr. Speaker, I thank my hon. colleague for the question.

Just look at the Liberals' last intervention on this issue. A member from Montreal said that they did not really see any problem with the bill. I have to wonder why they did not see any. We found many problems in the bill. We have to wonder if they did the work or if they are in denial about the fact that any problems could exist in a bill they drafted in the 1990s.

We cannot help but wonder why the Liberals are even here. They do not want to debate the bill. They simply want to complain about the cost and the fact that democracy costs money. We, however, are here to ask questions, to point out the problems in the bill and ensure that Canadians know that not everything is perfect.

• (2355)

[*English*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, my hon. friend gave an excellent review on Bill C-51. From what I can see, the House is unanimous in planning to pass the bill. However, it is important to point out where we could, without a doubt, see a lack of adequate resources.

I have been surprised to see cuts to Canada Border Services Agency, when we need law enforcement agents there. I have been surprised to see RCMP officers pulled out of airports, such as the one in my riding, which is called the Victoria International Airport, but is actually in Sidney, B.C.

Does the hon. member have any proposals for how we can continue to press for the resources that will be needed to ensure that the witnesses in this program are kept safe?

Government Orders

Mr. Dan Harris: Mr. Speaker, I addressed these issues before when I spoke about such things as ensuring that there were additional resources for witness protection provided to municipal governments, municipal police forces and provincial agencies to beef-up their witness protection programs. Another was to make a change that when the RCMP took over an investigation or witness protection because the crime involved drugs that it would not pass all the costs on to the municipal or provincial governments, but that it would bear the costs itself or help to pay for them.

Bill C-56, another bill that we will be speaking to soon, would make amendments to copyright and counterfeiting, which brings up border issues as well.

The member quite rightly has said that there have been cuts to the Canada Border Services Agency. We are not doing our neighbours, particularly those to the south, any service when the CBSA is no longer tracking outbound shipments of drugs. That is not helping to make their streets safe. Nor is it making our streets safer because we know that when drugs get exported oftenimes the resources, the money gained from those illicit activities comes back to Canada in the form of other drugs, guns and money that goes to organized crime.

Therefore, we should be stopping that drugs from crossing the border as best we can. Cuts to drug-sniffing dogs and front-line services at the Canada Border Services Agency do not make any sense when we are trying to fight crime.

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Mr. Speaker, it is a pleasure to have the opportunity to talk about this legislation. It is an interesting scenario indeed when a person can talk about what is important to people, and that, of course, is their life.

Some people have called this legislation different things but I broke it down. It is about someone seeing something, wanting to tell the truth about what was seen, but worrying about one's life or the life of a family member being taken as a result of the truth being told. Often these people are members of criminal organizations and they do not have the greatest character.

When we looked at the necessary amendments, we realized, as the NDP has said, that the Liberals did not get it right. Hopefully we are going to get it right. We had to make some changes to legislation that was not too bad. It was a good first step, but it obviously would not do the job.

I am glad to hear that the NDP and the Liberals both support this particular piece of legislation, but they cannot support anything without voting against it first. I would be surprised if the NDP actually do vote for it. That party cannot support anything without criticizing and I find that rather negative. It is not constructive, especially with respect to this particular piece of legislation.

I certainly think that protecting witnesses With respect to terrorism offences, we must make sure that we protect witnesses so they can speak without worrying about their safety. This is the time the NDP should come forward and say this is a great piece of legislation, but it might have a suggestion. The Speaker would not stand up and criticize something if he did not have a suggestion, but the NDP did. It is hard to believe that those members criticized today on three different points, but they never suggested one amendment to the

legislation. The first time the bill came to the House there was not one suggestion. When it went through committee, there were no suggestions, not one amendment.

The NDP has suggested that there is not enough money. To be clear, I am not an expert on it. I was a criminal attorney for some period of time and I had the opportunity to work with people who were involved in situations such as this, although not in an in-depth nature. Police officers will tell us what is on their minds, and they will tell us the truth.

My colleagues keep repeating the same two bits of testimony from experts who came to committee, the first being "With the changes this bill brings about, the RCMP is comfortable that we have the resources within our existing resources to run an effective witness protection program". Assistant Commissioner Todd G. Shean said, "It's not a question of resources; it's a question of the assessment that's done".

The House should not take my word for these statements. These experts said there is enough money. Assistant Commissioner Todd G. Shean, federal and international operations, Royal Canadian Mounted Police, is a respected, well-renowned police officer and an expert in international and federal operations. He would know whether there is enough money involved.

When the NDP members come forward and say things like that, they lose credibility. Those members should maybe think about that in the future when they criticize government legislation without having substantive proof of what they are claiming.

That is probably why the NDP is the best at standing against government legislation. That party is against all of our economic action plan bills. It is against the 950,000 net new jobs we have created since the recession. Believe it or not, those members voted against every single action that we have taken as a government because they want to criticize us. They do not want to work as team players. They do not want to work with us to improve Canada's economic condition.

● (2400)

In fact, I am very proud to represent about 150,000 people, 80,000 of whom are directly or indirectly employed by the oil sands. I have seen the oil sands grow over the last 40 to 44 years from a barrel a day to where it is today at over a million barrels. We are looking at somewhere between 3 million and 5 million barrels a day being produced out of that area. Twenty per cent of Canada's exports right now are oil.

The NDP says we need more money, but what does it come up with for suggestions, recommendations or amendments to our legislation? It comes up with zip, zero, nada. New Democrats do that because all they can do is criticize and vote against things.

Speaking of voting against and criticizing, I want to continue on with my story, and it is a true story. Members might not believe it because it does sound like some sort of a fairy tale. Some of the NDP members went down to the United States and protested against the people working in my riding. They protested against Canadian jobs. It is unbelievable. In a time of economic downturn they voted against the people who I work beside, who I represent.

Government Orders

What shocks me the most is that they voted against the jobs of people from their own ridings. We have seen the oil sands produce a large number of jobs for people who work in the forklift manufacturing industry and for a bus manufacturer that is right in the middle of Quebec, for instance, in an NDP riding. They voted against those jobs.

Why did they do so? They did so because they believed, based upon voodoo magic, in my opinion, that somehow oil sands oil creates more GHGs than other forms of oil. That is not the case. When we look at it from start to finish, it is comparable to any other oil in the world, and frankly, it has lower emissions than Venezuelan crude and Californian crude.

• (2405)

[*Translation*]

Mr. Matthew Dubé: Mr. Speaker, since the topic is witness protection, I am wondering about the relevance of oil sands and bus manufacturers in Quebec.

[*English*]

The Acting Speaker (Mr. Barry Devolin): In terms of the content of the member's speech, obviously, all members are required to be relevant to the matter that is before the House, and I would urge the hon. member for Fort McMurray—Athabasca to do this.

Resuming debate, the hon. member for Fort McMurray—Athabasca.

Mr. Brian Jean: Mr. Speaker, I was segueing, because as I mentioned, I was a defence attorney in Fort McMurray and I was talking about some of the people I worked with while I was a defence attorney and the fact that the NDP would vote against the jobs those people worked in when I was a defence attorney and dealt with cases such as this in the past.

I know they might not want to hear it and they might want to shut down debate on critical issues such as this. I know they do not want their constituents to find out they went down to Washington and joined in with some people down there to, frankly, protest Canadian jobs. I know they do not want us to talk about that.

However, as a result of the oil sands and what we are producing there, in a very environmentally sustainable way, we have accomplished the best banking system in the world. We have the best economy in the G8 and the G20. We are looking great as a country right now, not only because our laws are fantastic. The Conservative government has brought in some great laws that are tough on criminals, that do not stand up for victims, as does the NDP. I was on the justice committee for a long period of time and I saw time and time again that the NDP members would stand up and vote against our legislation to be tough on criminals.

The NDP uses the excuse that there is not enough money, but we have heard differently. I read two quotes today from a very reputable person with the RCMP that it does not need any more money. They talked a bit about and criticized the admissibility part and that there were not enough people being admitted. Well, we dealt with that in the legislation.

The truth is that the NDP members want to change the channel from what is happening: the NDP speaking against the economy and

costing Canadians jobs. We are going to keep Canadians safe, as we would with this legislation, and we are going to continue to make sure the economy grows strong and stays strong.

[*Translation*]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, my colleague was talking about the fact that the RCMP claimed to have enough money.

This is all well and good, but in the end, we heard local, municipal and provincial police forces express concern about the lack of funding to handle the growing demand for witness protection.

What does the hon. member think of the witnesses who expressed these concerns? The RCMP might be doing just fine, but the provinces and municipalities also have to be taken into account. This is where real leadership comes in.

[*English*]

Mr. Brian Jean: Mr. Speaker, the member is right that it is true leadership. That is why, when the Federation of Canadian Municipalities identified \$123 billion in infrastructure investments that were necessary in this country, this federal government responded immediately. We responded with \$45 billion of economic investment, along with our partners in the provincial and territorial governments and the municipalities. We doubled the gas tax and made it permanent. Now it increases every few years automatically. The NDP voted against all of those actions, every single one of them, and not just one budget, not just two, but far more. It will continue to vote against all the great measures we bring forward, and it is shameful. I wish New Democrats would stop doing that.

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, what the members opposite keep talking about is funding for municipal and provincial programs. I want to remind the member that places such as British Columbia do not choose to have those kinds of programs. If the federal government starts giving money to certain provinces and not others, that is to the detriment of everyone. What we do have is a national program anyone can access and be referred to on a case-by-case basis.

The hon. member certainly supported many things on the justice committee. He has done an excellent job. I would like him to point out some of the positive aspects so that people at home watching the debate will understand that this piece of legislation is important, particularly in working with the provinces. I would like to hear the member's comments on that.

• (2410)

Mr. Brian Jean: Mr. Speaker, we always work with our partners, because there is only one taxpayer, and that taxpayer funds all of the services we provide with their money. That is the difference in philosophy. We bring in these laws because we know that we can make people safer. We do not do it with the chequebook as the only barrier to entry.

To get to the point that member raised, the Attorney General of Saskatchewan said this:

These changes will help strengthen our criminal justice system by providing greater protection for witnesses. We support the proposed improvements to the Witness Protection Program Act as yet another step in making our communities safer.

Government Orders

If members do not believe me, they can believe him. Clearly, this is a situation where the facts speak for themselves.

This is going to be a great piece of legislation to keep witnesses safe, which will ultimately get the information to the courts to convict and send the people to jail who deserve it.

[*Translation*]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, thank you for recognizing me. I may be the last to speak about this bill tonight.

[*English*]

I listened attentively to the previous speaker, the member for Fort McMurray—Athabasca, and I thought the beginning of his discourse was quite interesting. The last part of it I think it may have been the late hour and he may have forgot that the bill we were debating was Bill C-51, an act to amend the Witness Protection Program Act, not the bill that supports bus industries in the country. I am not exactly sure where he was going. Be that as it may, it is quite important that members try to avoid being dragged under the bus, so let us try to focus on the bill at hand.

The bill has a number of elements that are quite appropriate. There are three key issues.

We expand eligibility criteria for informants and witnesses, an absolutely critical element. We found in the past that there were a number of people who wished to have admission to this program and were simply refused access. We heard over the course of the debate on the bill that we currently had over 800 people who were under the witness protection program, but this year only 30 were accepted. That is out of a total of 108 who made an application.

The proposed bill will increase access to the witness protection program, and that is an important step, 30 is simply unacceptable. We need to go further. We have to continue to expand this program. The bill will go a long way to doing that, but the problem is the bill will also increase costs. I know the members from the government side seem to think that this is not an important issue, but I guarantee the municipalities and provinces are getting very tired of having to fund the mandates that are being passed, in record speed, in the House of Commons. We are not having proper time to debate these issues. I would like to remind the House that time allocation was forced on this bill after only two speakers at second reading. That has to be a record.

We need time to look at the costs that these programs will bring forward and we need to talk to the provinces and the municipalities on how we can partner with them to pay for those costs.

I want to raise a couple of quotes that were mentioned today.

First, I want to start with the minister, who made it very clear that he did not seem to care much about costs. According to the minister:

It is important to note that it is not anticipated that there would be any need for additional funding to accommodate this change. The program is currently funded by the RCMP from existing operational resources, and that will remain the same under Bill C-51.

That is wonderful, except the problem with that is we know a lot of the costs are downloaded onto the municipalities and the provinces. Micki Ruth, from the Canadian Association of Police

Boards, talked about how when it had a difficulty and it had to search the services of the RCMP, the costs of this program were downloaded. As Micki Ruth indicated at the committee level, currently when a municipality did make use of a provincial witness protection program and the crime was federal in nature or involves drugs, then the RCMP would take over and would charge the local police services the full cost, which is an expense that many services cannot afford.

Even the RCMP has acknowledged that increased costs of this nature can impede an investigation. This is a serious problem. We are bringing forward changes which are going to increase costs to those who can least afford it. The government has to think about the repercussions of its actions, and it so heck-bent on bringing changes forward in record time that we are not having the proper debate on how we are going to deal with the costs that are downloaded.

Nevertheless, we do have a lot of important issues that are going to be addressed in the bill. Again, the expanded criteria eligibility is very important. Co-operation with the provinces in designating legislation, which is going to be reflected in federal legislation, is very important, as are the funding criteria and all of these things we need to be move forward with. The bill could do with a little improvement, but it is a good step in the right direction.

• (2415)

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, I desperately would have liked to have risen when the member for Fort McMurray—Athabasca was speaking just to provide one quick correction about the oil sands. Actually, it is at 43 years, not at 44. Suncor celebrated its 40th anniversary in 2010, and we are only at 2013.

In response to the hon. member's comment about our fighting against Canadian jobs, that is actually what this government has been doing in advocating for Keystone. We are flushing 40,000 Canadian jobs into the U.S. market instead of having them here.

I will go back to the bill. As we have mentioned before, the resources are lacking for municipal and provincial police forces to ensure that they are able to provide adequate witness protection.

This is particularly relevant in areas like Scarborough Southwest, where often crimes are happening in neighbourhoods where the witnesses themselves live. Perhaps the member could comment on the difficulty of actually getting people to come forward when their neighbours might be the ones committing the crimes. That is why they might need additional resources to get into the witness protection program and move out of those areas. Those might not be borne by the federal government.

Mr. Philip Toone: Mr. Speaker, that is a very important point. The bill actually addresses this issue in significant ways. It is very important, if we are to address the issue of gangs, gang warfare and terrorist organizations, to know that these people are under a lot of pressure not to come forward and testify. They are under a lot of pressure not to come to the police to assist and become informants, essentially.

Government Orders

We also have the problem of informants, working in very difficult circumstances, who need all the support we can possibly afford them. It is very important that the bill addresses those issues, and I think the bill is actually taking steps in the right direction.

I would like to underline especially the fact that the emergency protection criteria in the bill have been extended. That is an important step as well. We have gone from a 90-day period for people to consider whether they are prepared to enter witness protection to now, in emergency situations, having 180 days, which is a significant improvement to the bill.

That is what the Liberal Party brought forward so many years ago that needed a lot of—

The Acting Speaker (Mr. Barry Devolin): The hon. member for Brome—Missisquoi.

• (2420)

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank my colleague for his excellent speech. I would like to hear what he thinks about the comments made by Commissioner Micki Ruth, who testified in committee on March 7, 2013. She is a member of the Policing and Justice Committee of the Canadian Association of Police Boards. She said:

Therefore we urge you to appreciate our position that unless the issue of adequate funding is addressed, the legislation will not produce the result that is intended.

Mr. Philip Toone: Mr. Speaker, I thank the member for his question. I think that we need to seriously consider Micki Ruth's comments. In committee we repeatedly heard that a lot of witnesses were very worried because the bill did not do enough.

I want to get back to the issue of funding. The bill does not provide for the funding that will be needed if the House decides to pass it.

I also want to point out that Micki Ruth, from the Canadian Association of Police Boards, was not the only one who expressed this point of view. Alok Mukherjee had this to say about Toronto:

[*English*]

Our conclusion has been that there needs to be more funding available than currently is the case. Without the availability of sufficient funding, our ability to take advantage of the program will be limited.

[*Translation*]

We have to ask ourselves: if we pass a bill and the people who are supposed to benefit from it cannot because there are not enough resources, then does the bill truly respond to a need? The bill ought to be improved, but at least it is a step in the right direction.

The Acting Speaker (Mr. Barry Devolin): It being 12:22 a.m., pursuant to an order made earlier today, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the third reading stage of the bill now before the House.

[*English*]

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Acting Speaker (Mr. Barry Devolin): Pursuant to an order made on Wednesday May 22, 2013, the division stands deferred until Monday, June 3, 2013, at the expiry of time provided for oral questions.

* * *

COMBATING COUNTERFEIT PRODUCTS ACT

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC) moved that Bill C-56, An Act to amend the Copyright Act and the Trade-marks Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I have to say at this hour I am usually here on my own, just with you, so I am delighted to have so many guests. I am honoured today to rise and introduce C-56, the combating counterfeit products act, at second reading.

Last year our government welcomed the final passage and coming into force of the Copyright Modernization Act, which gave new rights and new tools for copyright owners and users, giving them the certainty and tools they need to fully engage in the online world. As part of the overall balance of the bill, the copyright modernization act introduced specific provisions to deal with the issue of online piracy.

With the combating counterfeit products act, we would be taking the next step in putting in place the legislative changes that are needed to deal with counterfeiting and piracy in the physical marketplace and at our borders. This bill would protect Canadians from harmful counterfeit products. It would help our creative businesses and workers, and law enforcement and border officers confront the increasing threat of trademark counterfeiting and copyright piracy. It would also bring Canada's laws in line with international standards.

Before describing the various features of this bill, please allow me to clarify what counterfeiting and piracy mean in the context of the—

Government Orders

Mr. Speaker, my apologies. When I speak of counterfeit trademark goods, I am referring to knock-off goods—

My apologies. I am referring to knock-off goods that are distributed on a commercial scale and that closely resemble the legitimate goods, but that bear an unauthorized trademark—

Some hon. members: Oh, oh!

● (2425)

Ms. Kellie Leitch: Mr. Speaker, it is easy to get a little caught up at this hour. I know that when even the whip is laughing at my comments, I have a definitely reached a new low in the House of Commons.

I am glad that you are staying straight-faced, Mr. Speaker. I will stay concentrating on you.

It is easy to associate counterfeit goods with designer clothes, watches and so on, similar to what was being spoken about in the lobby by the member for Mississauga South earlier this evening. The reality is that counterfeit goods extend well beyond luxury goods. They are found in nearly all types of commercial and industrial products, from shampoo to smart phones, from industrial ball bearings to brake pads—

The Acting Speaker (Mr. Barry Devolin): Order, please. If the parliamentary secretary is unable to proceed, would she prefer to cede the floor to another member?

Ms. Kellie Leitch: Mr. Speaker, I will proceed.

Today they are more pervasive and more difficult to detect and, in this sense, much more problematic. Consumers may even unwittingly purchase a good that they assume to be legitimate, but which contains counterfeit components. We owe it hard-working Canadian families to prevent exposure to such products.

Copyright piracy is the making of illegal copies without consent of copyright holders and their subsequent commercial distribution. We know from our stakeholders, that copyright piracy is increasingly moving online.

The issue of copyright piracy in the physical marketplace is far from resolved, when we think of CDs, DVDs or software being offered for sale in stores and in other markets.

Commercial counterfeiting and piracy are growing issues in Canada and around the world. As with illicit activities, the scope of counterfeiting and piracy is difficult to track and measure.

However, this is what we do know. The RCMP investigated over 4,500 cases of IP crimes in Canada between 2005 and 2012. In 2005, the RCMP seized over \$7 million worth of counterfeit and pirated goods. In 2012, this number had grown to \$38 million, a fivefold increase.

Canada is not alone. Other developed countries are signalling a rise in the prevalence of counterfeit and pirated goods in the marketplace.

This increase in the value of seizures in Canada is also consistent with what we have heard from Canadian businesses. They have been telling us for years now that counterfeiting and piracy have an impact on innovation and economic growth across the country.

Over the last six years, organizations such as the Canadian Intellectual Property Council and the Canadian Anti-Counterfeiting Network have issued reports calling for legislative changes to deal with counterfeiting and piracy. Most recently, we heard the same calls from several witnesses at a study before the Standing Committee on Industry, Science and Technology.

The measures proposed in the bill are crucial if we are to keep creating high-tech jobs in the future.

Businesses have been overwhelmingly vocal in their support of the bill. For example, Mr. Kevin Spreekmeester, vice-president of global marketing at Canada Goose Inc. and co-chair of the Canadian Intellectual Property Council, said, on March 1:

Canadians have long been victims to the illicit counterfeit trade and the new measures announced today should be welcome news for consumers, businesses and retailers alike.

Mr. Jayson Myers, president and CEO of the Canadian Manufacturers & Exporters, explained that counterfeiting:

—has been a longstanding priority issue for manufacturers...[they] punish legitimate businesses. They are a drain on our economy and on jobs – and they put the health, safety and environment of every Canadian at risk...

Counterfeiting and piracy hurt our economy. However, beyond their economic impact, there are serious criminality and health and safety issues that we simply cannot overlook.

The commercial production and distribution of counterfeit and pirated goods has been associated with organized crime. This is just another line of business for them and it may help them fund other types of activities, such as drug smuggling and illegal firearm sales.

As for health and safety, there are numerous examples of counterfeit goods that could expose Canadians to danger. Think of the counterfeit batteries or car parts, medicines or baby food.

In 2005, 11% of counterfeiting and piracy cases examined by the RCMP involved harmful products. In 2012, this number grew to 30%.

I would also like to take a moment to speak about one of the particular issues that illustrates the growing threat posed by these goods.

In July 2012, Canada Border Services Agency officers referred a shipment to the RCMP for investigation. This shipment contained 476 counterfeit wheel bearings, with a commercial value of \$45,000, which were to be used by the Canadian mining industry.

What this illustrates is the fact that these goods have not been subjected to Canadian safety standards and may cause harm as a result. Who knows whether these pieces of equipment would have actually functioned to the standard of levels that we expect in Canadian equipment.

With the new provisions in this bill, we will start to get a fuller picture of the threat that commercial counterfeiting and piracy pose to the Canadian economy and to address it within Canada and at its borders.

• (2430)

Now that I have described the scope of this issue and the very tangible consequences of counterfeiting and piracy for businesses, consumers and the economy, let me turn to a description of the key elements of Bill C-56, the combating counterfeit products act, and of how this bill would help in the fight against commercial counterfeiting and piracy.

To confront this, we must give new authorities to border officers to enable them to act when they encounter commercial counterfeit or pirated goods at the border. We must also give rights holders the tools they need to stop counterfeiting and piracy before these illegal goods can enter the Canadian market and undermine their brand and their work. Third, we must give law enforcement the tools it needs to pursue those who gain commercially from this illegal activity.

With respect to the bill itself, let me expand. First, the bill would strengthen Canada's intellectual property rights enforcement regime at the border. Currently, border officers are not allowed to search for and detain counterfeit and pirated goods without a court order obtained by the trademark or copyright owner, which has proven to be onerous for businesses overall.

Bill C-56 introduces a process that would allow rights holders to submit to the CBSA a request for assistance, which would enable border officers to share information with rights holders regarding suspect commercial shipments.

The request for assistance would allow rights holders to record details about their trademark or copyright at the border, and to provide contact information. It would also contain practical information about how to identify legitimate versus counterfeit or pirated goods. The request for assistance would be an effective tool to enable rights holders to defend their private rights in civil court.

Let me be clear. Bill C-56 would not allow border officers to seize goods for copyright or trademark infringement. It would provide the authority for border officers to temporarily detain goods suspected of being counterfeit or pirated, and then provide limited information to rights holders regarding those detained goods.

This information could only be used to determined if the goods were counterfeit or pirated, or to assist the rights holders in pursuing remedies in the courts. The courts would remain the only competent authority to determine whether goods detained at the border infringed intellectual property rights and to apply appropriate remedies.

The bill would also amend the Trade-marks Act and the Copyright Act to allow border officers to temporarily detain shipments suspected of containing commercial counterfeit and pirated goods. Border officers would be able to act either following a request for assistance or on their own initiative.

With these new measures at the border, we would only target commercial counterfeiting and piracy. There would be a personal use exemption, which means we would not be searching individual travellers possessing personal use quantities.

The bill would provide a specific exception at the border for individual consumers importing goods intended for personal use, as part of their personal baggage.

Adjournment Proceedings

Goods that were made legitimately in the country where they were produced would be excluded from the new border measures.

With this bill, we would send a clear message. We understand the threats that counterfeiting and piracy represent for our businesses, for the economy and for the health and safety of Canadians, and we are acting accordingly.

Our government has been clear. Our focus remains on jobs, growth and long-term prosperity for Canadians. Counterfeiting and piracy directly threaten each of these. With the provisions in the combating counterfeit products act, our government would be taking action to curb the presence of these illegal goods in our country and at our borders.

• (2435)

The Acting Speaker (Mr. Barry Devolin): The time for government orders has expired. When this matter returns before the House, the hon. parliamentary secretary will have seven minutes remaining.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*Translation*]

HEALTH

Mr. Raymond Côté (Beauport—Limoilou, NDP): Mr. Speaker, I am pleased to rise in the House in the middle of the night to address a subject that is extremely important to the people of Limoilou. In fact, this Sunday, June 2, many concerned citizens will be taking part in a demonstration on the streets of Limoilou to show their concern about this problem and their desire to come up with a solution. I will be joining them.

Before going any further and asking the Minister of Transport my question, I want to provide some context. On March 7, 2012, in the House, the Minister of Transport and his Conservative colleagues voted against a motion calling on the federal government to actively support the Port of Québec so that it could go ahead with renovations and upgrades of obsolete equipment that was falling into disrepair.

Unfortunately, as I mentioned, the Minister of Transport and his colleagues voted against the motion, which echoed CEO Mario Girard's heartfelt appeal. It is rather ironic that in his last reply to the question that I asked him in the House, the Minister of Transport said, unfortunately for Mr. Girard, that he had absolute confidence in the CEO of the Port of Québec and also in the chair of the board of directors, Mr. Éric Dupont.

The Minister of Transport is all talk and has done nothing tangible to support the port authorities and help them face the challenges posed by the decrepit state of the Port of Québec and the renovations required.

Adjournment Proceedings

There is a clear, logical progression between the motion I moved in the House nearly two years ago in support of the Port of Quebec and the problem that surfaced last fall regarding nickel dust contamination. The Minister of Transport, after mocking the elected representative of the people of Beauport—Limoilou, who brought proof of this highly unusual situation to the House of Commons, scoffed at this legitimate issue.

Since then, Quebec's minister for sustainable development, the environment and parks has clearly established that it was the Port of Quebec that caused the contamination, and the public health director clearly stated that it was a serious health issue that affected nearly 20% of the people in Limoilou.

How can the Minister of Transport show such disrespect for the people of Beauport—Limoilou and disregard their concerns?

• (2440)

[English]

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, at the request of the member for Beauport—Limoilou, I am pleased to outline Transport Canada's efforts on the file related to the presence of dust in the Limoilou area.

First, I believe it is important to mention that we are working in close co-operation with the Quebec Port Authority, which is responsible for administering, managing and operating on a stand-alone basis the infrastructure under its responsibility. To date, Transport Canada has been pleased with the Quebec Port Authority's collaboration in the identification of the potential sources of dust emissions in the Limoilou area and in implementing measures for monitoring the types and quantities of air emissions associated with the port operations.

As part of the member for Beauport—Limoilou's area, the Quebec Ministry of Sustainable Development, Environment, Wildlife and Parks has determined, in a report published on April 15, the high source of concentration of nickel in the air is due to the transfer of mineral ore by Arrimage du St-Laurent, an affiliate of Arrimage du Québec. Following the tabling of the report, and to follow up on the notice of non-conformity sent by the MDDEFP, Arrimage du St-Laurent presented, during a press conference held on May 2, the corrective measures they will be putting in place to rectify the circumstance.

Besides a full review of its operations, the installation of sprinklers, the implementation of washing stations and the relocation of access routes, many other measures have also been planned by the company. The Quebec Port Authority will work in collaboration with all its lessees to limit the impact of the port activities on the community moving forward. It is co-operating in the implementation of measures put in place by Arrimage du St-Laurent.

In light of the recent developments, I am confident and satisfied with the efforts being made by the Quebec Port Authority to further the region's economic development while ensuring the quality of life of residents in the beautiful Quebec City area and the quality of the environment.

I will end by asking the member for Beauport—Limoilou to exercise caution in interpreting the data from the Direction régionale

de santé publique. The member is aware that a multitude of factors must be considered when trying to determine the reasons for the health status differences between different areas within a specific region.

[Translation]

Mr. Raymond Côté: Mr. Speaker, I was almost prepared to cry victory when I got confirmation of what I have been saying for months and months, as I passed on what the public or some particularly health conscious individuals had observed.

Unfortunately, I did not learn anything new. The fact that the Port of Québec is the biggest nickel transshipment terminal in North America and one of the biggest in the world does not seem to have been taken into account. These are huge facilities.

I believe that the Port of Québec and Arrimage du St-Laurent are going to make an effort. In fact, I had the opportunity to speak with the CEO. Of course, I was told and reassured that measures had been put in place. However, does the government really believe that this problem is going to magically disappear without government assistance?

[English]

Ms. Kellie Leitch: Mr. Speaker, as I mentioned earlier, Transport Canada is monitoring this file closely. Furthermore, I believe that the collaborative efforts of the different stakeholders demonstrate the importance accorded to identifying the potential source of nickel emissions. Once again, I invite the member for Beauport—Limoilou to exercise caution with respect to interpreting the data from the Direction régionale de santé publique.

In conclusion, it behooves me to underscore the important role the Canadian Port Authority is playing in Canada's economic development. By working with various partners, the port authorities are able to implement the necessary measures to promote their development while protecting the environment.

• (2445)

EMPLOYMENT

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I appreciate the parliamentary secretary staying around, given the late hour. I will try to be concise. This is an area of interest to her in her role as parliamentary secretary.

This is a follow-up from a question I put to the minister on April 16. My question related to the hiring of temporary foreign workers and issues raised by those who work in the skilled trades and the concerns of the trades and construction workers that the government needed a wake-up call. They had stated to me that the real barrier to skilled workers is a lack of paid apprenticeships. The Canadian Apprenticeship Forum had reported that fewer than 50% of employers who were hiring skilled workers were enabling them to take part in apprenticeships.

I put that question to the Minister of Human Resources and Skills Development and found the answer a little unsatisfactory. Indeed, she reiterated some of the programs the government had offered in previous years, starting back in 2006, yet we continue to not have sufficient numbers of apprenticeships provided.

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I followed up with the skilled trades and construction workers associations, the Alberta Federation of Labour and other organizations. They have continued to raise concerns with me that the federal government is not taking enough action to facilitate apprenticeships. Why is that important? It is important that our workers get their ticket so that they can be paid according to their skill level. The problem has been that a lot of major employers prefer to bring in skilled temporary foreign workers, because they do not want to slow down their work and spend the resources and so forth to provide apprenticeships to Canadian workers.

I was assured today that the federal government is holding some discussions with the building trades association, and it is encouraged that the federal government might be moving forward in pursuing some kind of support or activity to enable apprenticeships, but here is the problem.

I should first point out that the federal government is the largest purchaser of construction activity in Canada. Therefore, it could be a real model for other employers that it is useful to invest in apprenticeships or could encourage or direct that there be apprenticeships. Human Resources and Skills Development Canada has met with the building trades and has proposed three options, only one of which is amenable to the building trades.

First is to simply educate the contractors that it would be a good idea if they had a certain percentage of apprenticeships.

Second, the government is suggesting that corporate bidders might want to offer apprenticeships.

The third option is the one the building trades clearly want, and that is that the government require all bidders on federal construction jobs to require a specified percentage of apprenticeship positions and that they report on that work.

Very clearly, there is one option the government could pursue. It would set an example for other employers in Canada and provide good opportunities for Canadian workers.

Ms. Kellie Leitch (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, the government is taking a balanced approach with respect to making sure that apprentices have the opportunities to be trained. Our reforms are focused on employers working hard to provide available jobs and making sure that Canadians are cognizant of what is available to them.

With respect to our most recent budget, to be clear, there are a number of items the federal government has proposed in economic action plan 2013 with regard to skilled trades across the country and making sure that apprentices, in particular, have opportunities.

The centrepiece of the budget is the Canada job grant. In conjunction with employers and the provinces, we will be contributing to the skills training of unemployed or underemployed individuals to fill vacant jobs. This will move skills training from government programs into the hands of job creators.

[*Translation*]

Because we are aware that practical work experience is just as important as education and training, the second phase of this plan involves the creation of additional job opportunities for companies.

● (2450)

[*English*]

We have apprenticeship programs that are already working well. With our track record in supporting them for up to \$4,000 through the apprenticeship incentives grant and the apprenticeship completion grant, tradespeople across the country have opportunities.

With respect to economic action plan 2013, there are three major initiatives that focus on the skilled trades. The first, which I have mentioned already, is the Canada job grant. The second, though, is our commitment in federal contracts, particularly those associated with affordable housing on maintenance, as well as new contracts, to have apprentices on job sites to make sure they can acquire the number of hours they need to move forward and become journeypersons.

We have also made a commitment to look at practical testing to make sure young apprentices can be assessed and move forward and also to help in their mobility from province to province. The member opposite may have heard from her colleagues that the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities heard significant concerns with regard to the mobility of young apprentices across the country, province to province, and the effort to decrease the interprovincial barriers. We will be working closely with the provinces in an effort to facilitate the movement of labour across the country.

Finally, we are focused on making sure the youth of tomorrow know what jobs are available, particularly that jobs in skilled trades are available to them and that they are excellent opportunities to have a great quality of life. We are investing \$19 million to make sure both employers and students are well educated in what opportunities are available to them across the country.

Ms. Linda Duncan: Mr. Speaker, I would like to thank the parliamentary secretary for the information she has provided. Unfortunately, she has not really answered the question of what specific mechanism the government will use to ensure people have greater access to apprenticeships where there are federal contracts. I think I can say on behalf of the building trades that they would prefer the third option, that it actually becomes a requirement for all bidding on federal contracts, including housing. They look forward to getting clarification from the government that it is actually going to start imposing that mandatory requirement.

In follow-up to the discussion about the jobs and the controversy about advertising a program that does not exist yet, they are pleased that there is some consultation with appropriate partners, but there is still nothing with the provinces and territories.

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The specific question is this. If and when this program actually arrives and everybody is cost sharing, what trades will be included, and in what regions of Canada?

Ms. Kellie Leitch: Mr. Speaker, as we all know, Canada is facing a significant skills gap. That is why, in our effort to create jobs, growth and long-term prosperity, we must match training to the skills that employers are actually looking for. The Canada job grant is doing just that. The intent is to move training from government into the hands of employers, the people who know what jobs are in demand and available, and out of the hands of government.

[*Translation*]

The Red Seal trades in particular offer the opportunity for well-paid careers in areas that are in high demand.

[*English*]

Through grants, tax credits and support for training programs, we are encouraging apprenticeships and careers in the skilled trades across the country.

I look forward to support from members opposite for our focus in economic action plan 2013 to facilitate skilled trades.

The Acting Speaker (Mr. Barry Devolin): Pursuant to an order made on Wednesday, May, 22, 2013, the motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until later this day at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 12:54 a.m.)

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