



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 146 • NUMBER 167 • 1st SESSION • 41st PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Tuesday, October 23, 2012

Speaker: The Honourable Andrew Scheer

CONTENTS

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

HOUSE OF COMMONS

Tuesday, October 23, 2012

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1000)
[English]

AUDITOR GENERAL OF CANADA

The Deputy Speaker: I have the honour to lay upon the table the fall 2012 Report of the Auditor General of Canada.

[Translation]

Pursuant to Standing Order 108(3)(g), this document is deemed to have been permanently referred to the Standing Committee on Public Accounts.

* * *

[English]

COMMISSIONER OF LOBBYING

The Deputy Speaker: Pursuant to section 10.5 of the Lobbying Act, it is my duty to present to the House a report on investigation from the Commissioner of Lobbying.

* * *

FOREIGN AFFAIRS

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, pursuant to Standing Order 32(2), I have the honour to table, in both official languages, the treaty entitled “Agreement to Amend the Free Trade Agreement Between the Government of Canada and the Government of the Republic of Chile, Done at Santiago on 5 December 1996, as Amended, Between the Government of Canada and the Government of The Republic of Chile”, done at Santiago on April 16, 2012.

An explanatory memorandum is included with the treaty.

* * *

OFFICE OF THE CORRECTIONAL INVESTIGATOR

Ms. Candice Bergen (Parliamentary Secretary to the Minister of Public Safety, CPC): Mr. Speaker, I am pleased to table in both

official languages the 2011-2012 Annual Report of the Office of the Correctional Investigator, as required under section 192 of the Corrections and Conditional Release Act.

* * *

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

• (1005)

CANADIAN ENVIRONMENTAL PROTECTION ACT, 1999

Mr. Don Davies (Vancouver Kingsway, NDP) moved for leave to introduce Bill C-455, An Act to amend the Canadian Environmental Protection Act, 1999 (electronic products recycling program).

He said: Mr. Speaker, I rise to introduce a bill entitled an act to amend the Canadian Environmental Protection Act (electronic products recycling program), with thanks to my seconder, the member for Esquimalt—Juan de Fuca.

The bill would ensure that all electronic products containing toxic substances sold in Canada would be disposed of and recycled in a responsible manner. Electronics are ubiquitous in our lives today. Computers, tablets, smart phones and countless other devices help to connect us with each other and participate in the 21st century economy. However, we must use these products responsibly. We must follow the principle of sustainable development, which states that in meeting our own needs we must not compromise the ability of future generations to meet theirs.

The bill is the idea of two bright young students in my riding, Kaitlyn Fung and Wilson Wu, who attend Windermere Secondary School. They submitted this idea as part of my 2012 Create Your Canada contest. I congratulate them for their initiative and work to help build a better nation. They and young people all across Canada know we must act now to ensure the health and wellbeing of future generations.

I hope all members will join me in supporting this important bill and their wonderful idea.

Routine Proceedings

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

* * *

EXCISE ACT, 2001

Mr. James Bezan (Selkirk—Interlake, CPC) moved for leave to introduce Bill C-456, An Act to amend the Excise Act, 2001 (spirits).

He said: Mr. Speaker, I want to thank my colleague from Desnethé—Missinippi—Churchill River for seconding my bill to reduce the excise tax on spirits by \$1 per litre of absolute alcohol.

As you know, Mr. Speaker, Windsor is home to a distillery, as is my riding of Selkirk—Interlake. It is a major economic factor within our local communities.

Crown Royal, the most famous of all the Canadians whiskies, is completely made in Gimli, Manitoba, and is the number one export whisky around the world.

There are only four major whiskies in the world and Canadian rye whisky is world-renowned and is an iconic part of our heritage and culture.

Unfortunately, when we drink a rye and Coke, we are paying twice as much in excise tax versus beer or wine. Therefore, it is about time that we provide the same type of tax breaks to the distillery industry, so that spirits can be manufactured, jobs created and more agriculture products bought from our farmers. Corn, wheat, barley and of course rye are major components of our whisky.

Therefore, it is important that we provide this tax incentive by reducing it by \$1 per litre of alcohol. I would ask that the government act upon this as soon as we return to balanced budgets and the Government of Canada's books are in order.

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

* * *

GREY CUP

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 hope you will find unanimous consent for the following motion.

I move:

That, notwithstanding any Standing Order or usual practice of the House, in recognition of the 100th Grey Cup, at 3:00 p.m. on Wednesday, October 24, 2012, the House resolve itself into Committee of the Whole in order to welcome Mark Cohon, Russ Jackson, Ave Poggione, and Bryce Russell; that the Speaker be permitted to preside over the Committee of the Whole and make welcoming remarks on behalf of the House; and, when the proceedings of the Committee have concluded or at approximately 3:15 p.m. the Committee shall rise and the House shall resume its business as though it were 3:00 p.m.

The Deputy Speaker: Does the hon. House leader have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

The Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

● (1010)

BUSINESS OF THE HOUSE

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I seek unanimous consent for the following motion.

I move that, notwithstanding any Standing Order or usual practices of the House, on any day Bill C-15 is under consideration at second reading, the House shall sit beyond the ordinary hour of daily adjournment and shall not be adjourned before such proceedings have been completed except pursuant to a motion to adjourn proposed by a Minister of the Crown.

The Deputy Speaker: Does the hon. House leader have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.**An hon. member:** No.**The Deputy Speaker:** There is no unanimous consent.

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 56.1, I move:

That, notwithstanding any Standing Order or usual practices of the House, on any day C-15 is under consideration at second reading, the House shall sit beyond the ordinary hour of daily adjournment and shall not be adjourned before such proceedings have been completed except pursuant to a motion to adjourn proposed by a Minister of the Crown.

The Deputy Speaker: Will those members who object to the motion please rise in their places?

And 25 or more members having risen:

The Deputy Speaker: More than 25 members having risen, the motion is deemed to have been withdrawn.

(Motion withdrawn)

* * *

PETITIONS

KATIMAVIK

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, I am pleased to rise today on behalf of constituents in my riding to present a petition brought to me by Meghan Chorney of East Selkirk. She has collected more than 480 names in support of Katimavik and asking the government to reinstate that youth program, which she had participated in and found to be very useful in her education and awareness of issues around Canada.

COMMUNITY ACCESS PROGRAM

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I present a petition on behalf of the residents of the town of St. George's, in my riding of Random—Burin—St. George's.

The petitioners are having great difficulty with the government's decision to cut financing for the community access program. The government having done that has caused undue hardship to so many individuals who always used the CAP sites, particularly the one at the library in St. George's, to access the Internet to do some work or some business by using that site.

A lot of those people do not own computers and have no idea how to use them, and when they go to the library, people there actually help them. We are finding their access is being limited. The province is stepping in to try to fill the void created when the federal government decided to back out.

The petitioners ask that the government reconsider this decision. This was a vital service to rural communities in particular and to people who really need that kind of support in a rural community. They are asking the government to really consider, to acknowledge how important those community access sites are and how important it is to continue to fund such sites, particularly in rural communities throughout Canada.

•(1015)

RAIL TRANSPORTATION

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, I have a very simple petition today from Canadians who are unhappy with cuts to VIA Rail service. They simply ask that the VIA Rail service throughout Canada that existed on January 1, 2012, be reinstated.

EXPERIMENTAL LAKES AREA

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I have a petition signed by many Canadians asking the government to reverse its ill-advised decision to close down the Experimental Lakes Area, a program that is world-renowned, that has provided research that determines what we buy and do not buy as consumers and that has the longest monitoring record of fresh water in Canada.

THE ENVIRONMENT

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

The first is from residents of the Vancouver area and coming from what was yesterday a quite spectacular gathering of 15 first nations from across British Columbia, with over 3,500 people gathered on the lawns of the Victoria legislature. These petitioners ask that the House take action to protect the coastline of British Columbia from risky supertankers.

INTERNATIONAL TRADE

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is of great urgency and great importance.

Residents of New Brunswick, British Columbia and Ontario petition this House to take steps to ensure a full debate and vote to stop the ratification of the Canada-China investment treaty until such time as Canadians are fully informed.

May I add, I do not believe the provinces have been informed, consistent to ensure that the passage of this treaty is even constitutional. We need to make sure this House takes action on the Canada-China investment treaty.

Government Orders

HOUSE OF COMMONS

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is with pleasure that I table a petition from residents of Winnipeg North calling on the government not to increase the size of the House of Commons from 308 to 338.

The petitioners realize, as most Canadians do, that it is unnecessary for us to increase the number of politicians in Canada at a time in which we could be spending more money on issues such as our seniors' pensions, health care and so many other worthwhile projects. We just do not need to have more politicians in Canada at this time.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

STRENGTHENING MILITARY JUSTICE IN THE DEFENCE OF CANADA ACT

The House resumed from October 22 consideration of the motion that Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts, be read the second time and referred to a committee, and of the motion that this question be now put.

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, it is important for me to rise in this House and speak to Bill C-15 because justice is more than just a system of laws and regulations; it is also a fundamental value for me and for my NDP colleagues, as it should also be for the military system.

This bill is step in the right direction, but it does not address the key issues related to reforming the summary trial system and the grievance system and strengthening the Military Police Complaints Commission.

That is why, although the bill's primary objective is laudable, it does not satisfy our objectives. Much more needs to be done to bring the military justice system more in line with the civilian justice system. We on this side of the House want a comprehensive bill that adequately addresses the problem. No justice system is perfect, but that should not stop us from trying to improve our system as much as possible.

Many elements have been left out of Bill C-15: reforming the summary trial system, reforming the grievance system and strengthening the Military Police Complaints Commission.

Government Orders

The fact that the NDP included these three elements in amendments of the previous version of the bill and that those amendments are now absent cannot be a coincidence. As I said, the NDP is not opposed to the spirit of this bill. We want to work with the Conservatives to get it right in order to ensure that the bill is relevant and that it has a broad enough scope.

I do not understand why the government did not include these elements in the bill. They are important in a consistent military justice reform.

Let us look specifically at the grievance system. We must understand it in order to appreciate the importance of the improvements proposed by the NDP.

I would like to quote the directive on military grievances, which is found on the Department of National Defence website. It indicates:

The DND and the CF shall manage all grievances through the Canadian Forces Grievance System...and ensure that:

- all grievances are processed as efficiently and expeditiously as possible;
- a CF member is not penalized for submitting a grievance; and
- assistance is made available to a CF member in the preparation of a grievance.

The last point is important: the Canadian Forces has the responsibility to help its members because they do not have a union-type association to defend them. This lack of counter-balance is another reason why it is important to ensure that we have an effective and impartial system.

The NDP proposed two improvements. First, we proposed that at least 60% of grievance board members must be civilians who have never been an officer or a member of the Canadian Forces and, second, that the Chief of Defence Staff be given more authority to resolve the financial aspects of grievances.

The first improvement, namely, that the grievance board strike a balance between military and civilian membership, is important to ensure that this process is perceived as being external and independent. When it comes to the military, perception is very important for Canadians. Everyone in the country should be able to see that the system is independent and fair. Members of the military have a great deal of experience in managing such situations, so it is rather important that they are truly involved in the process. However, the presence of civilians is also important to dispel the idea that members of the military are subject to a different kind of justice than ordinary Canadians.

I would like to once again quote a Canadian Forces document. This time, I will be quoting an excerpt from chapter 34 of the "Military Administrative Law Manual" to demonstrate how this process, which may generally seem strange to Canadians, works. Point no. 24 of the section on the CF grievance board states:

The CF Grievance Board...is an external body independent from DND and the CF that has been established by section 29.16 of the NDA. The role of the CFGB is to provide findings and recommendations on grievances referred to it by the CDS. It does not have the authority to grant or deny redress regarding any grievance.

● (1020)

Article 25 states:

There are certain grievances for which the CDS is required to request CFGB findings and recommendations. These grievances relate to:

- a. administrative action resulting in the forfeiture of, or deductions from, pay and allowances, reversion to a lower rank or release from the CF;

- b. the application or interpretation of CF policies relating to expression of personal opinions, political activities and candidature for office, civil employment, conflict of interest and post compliance measures, harassment or racist conduct;

- c. pay, allowances and other financial benefits; and

- d. the entitlement to medical care or dental treatment.

Article 26 states:

The CDS is also responsible for ensuring that any grievance that concerns a decision or action of the CDS is forwarded to the CFGB for its findings and recommendations.

As the policy states, such an important board must be effective and beyond reproach. The NDP believes that a significant civilian presence on this board would help maintain this perception. When we look at how to strengthen the Military Police Complaints Commission, the merits of this idea and our position are quite obvious.

Police officers, as agents of social control, have a key role to play in our society, which is based on the rule of law. They are effective not only because they have the manpower and equipment, of course, but also because of their perceived legitimacy by the public. The military police is no exception. For a police force to operate properly, whether it is military or civilian, it must have the approval of those under its authority. A police force gains legitimacy through its perceived integrity. This perception is built on the actions of the police force and the perception of fairness and justice in its operations.

There is no better way to prove the integrity of a police force than by having a strong monitoring body. A Military Police Complaints Commission that is legitimate and reports to Parliament is the best way to ensure fairness in the actions of military police and, just as importantly, the perception of fairness and justice by Canadians.

The second improvement is that the Chief of Defence Staff should have more authority to resolve financial aspects related to grievances. This is a simple requirement to ensure that the grievance system is consistent. If the Chief of Defence Staff does not have the ability to resolve financial aspects, it calls into question the relevance of the grievance process.

I should point out that Canada is not the only country to be reviewing its military justice system. Australia, the United Kingdom, New Zealand and Ireland have recently done the same. We are in an excellent position to pass a comprehensive and effective bill while taking into account what has been done in other countries. Unfortunately, that is not the case with the bill as it stands. As I already said, the NDP proposed amendments to the bill in its previous form. But those amendments are no longer part of the current bill. We would like to see something constructive if and when the bill goes to committee.

In conclusion, although I focused mainly on the grievance system, it is important to note that this is just one thing missing from this bill. The NDP will continue to work to include the essential measures that it had passed in the former version of this bill. There is no reason for the Conservatives not to admit the relevance of these measures. Their hiding of this fact reeks of partisanship.

Government Orders

•(1025)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the question I want to ask the hon. member opposite is a very simple one. I feel the need to ask it because there is a specific fact she did not mention in her speech and showed no awareness of.

Does the hon. member realize that most of the amendments proposed in this bill were suggested in 2003 by Chief Justice Lamer, who has since retired?

These amendments are absolutely essential if we want to improve and modernize Canada's military justice system.

The best, most appropriate and ideal place to consider changes to these amendments is in committee, as the Minister of National Defence suggested yesterday. Indeed, we should examine this rather complex bill in committee as soon as possible.

•(1030)

Ms. Mylène Freeman: Mr. Speaker, I thank my hon. colleague for his question.

In fact, the Lamer report contained 88 recommendations, and this bill addresses only 28 of them.

[*English*]

On top of that, the NDP amendments on the previous version of the bill in a previous Parliament had done nothing but strengthen the bill. It was the subject of hard work and consideration by all parties and those amendments have not been included in this version of the bill.

Those amendments were with regard to the authority of the Chief of Defence Staff in the grievance process, which was a direct response to the Lamer recommendation; changes to the composition of the grievance committee to include 60% civilians; and a provision ensuring that a person who is convicted of an offence during a summary trial is not unfairly subjected to a criminal record. These were important things worked on in the previous Parliament. My question for the member is why those things are not included in this version of Bill C-15 in this Parliament.

[*Translation*]

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I want to congratulate my colleague on her speech and, above all, on her reply to the Parliamentary Secretary to the Minister of National Defence.

My colleague rightly mentioned that some recommendations were made by the former Chief Justice of the Supreme Court of Canada. She pointed out that only 28 of his 88 recommendations had been accepted. We want this bill to be amended in committee.

Furthermore, my colleague mentioned that the NDP also proposed amendments in previous legislatures. She expressed concern about the fact that the government is refusing to consider the earlier recommendations, as well as amendments previously accepted in the House.

Could my hon. colleague explain why she is concerned about the government's failure to co-operate?

[*English*]

Ms. Mylène Freeman: Mr. Speaker, that is an excellent question.

I want to be quite clear. The NDP believes that Bill C-15 is a step in the right direction but it does not address all the issues. The problem is that the Conservatives have undermined the important work that all members did together in the previous Parliament in the defence committee and have ignored the recommendations made by Canadian Forces representatives during the last session of Parliament. That is my concern.

Why are they doing that? What is the point of taking something that was well-worked, well-rounded and thoroughly examined, and now go back to step one? I do not understand the point of that. It is going to make the process more complicated for us as members and it will take longer to go through. In fact, we could have done this much faster if they had introduced the bill as it was amended.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, as always, it is a great honour to rise in this House and represent the people of the region of Timmins—James Bay, who have put their trust in me to represent their concerns.

The discussion we have before us this morning on Bill C-15 is really what this Parliament should be doing, which is to ensure that the people who put themselves on the front line of defence for the Canadian people have their rights protected when they return from overseas or from whatever work they are doing, whether they are in the army, with the RCMP, or in the various federal police forces across our country.

That is an obligation we have to those men and women and their families, regardless of political stripe. Unfortunately, there are times when the government and Parliament have failed those front-line workers.

I am looking at Bill C-15, and I understand the government's intention to address the serious shortfalls in terms of military justice. However, I am quite concerned that the government has decided to ignore numerous recommendations that came from the Lamer report. This whole process is supposed to be a result of the 80 recommendations brought forward by the Lamer report. The government cherry-picked them down to 28.

This bill is also a follow-up to Bill C-41, from the previous Parliament. Numerous amendments were actually passed by a parliamentary committee to ensure that we were improving the system of military justice and representation for our armed forces personnel. Yet the government, in the present Parliament, has taken those amendments passed by a parliamentary committee and thrown them out the window.

That is highly problematic. If we look at some of the amendments the government walked away from, they had to do with the authority of the Chief of the Defence Staff in the grievance process, which was amended under clause 6 in Bill C-41, responding directly to Justice Lamer's recommendation.

Government Orders

There is also the issue of changes in the composition of the grievance committee to include 60% civilian membership, which was amended in clause 11 in Bill C-41. There was also the provision ensuring that a person who is convicted of an offence at a summary trial is not unfairly subjected to a criminal record. That was amended in clause 75 of Bill C-41.

What we are talking about is basic justice and basic fairness for those who put themselves in harm's way.

The 80 recommendations from the Lamer report remind me of the 80 recommendations that came down after the Kashechewan prison fire, where Ricardo Wesley and Jamie Goodwin burned to death in a makeshift police cell in 2006, in a federal facility, under Nishnawbe-Aski police.

I was at the funeral for those young men. There was trauma within the community and within the police force among the men and women who were hired to represent Canada and protect communities in the far north. The Nishnawbe-Aski police, like the military, sometimes face extreme circumstances. All they ask for is fairness.

Unfortunately, what I see in the far north in our policing services, which are funded 52% by the federal government and 48% by the provincial government, is that they are often facing combat conditions and third-world conditions.

In Kashechewan, one of our police officers had to live in a tent. The jail cells did not have a basic water sprinkler system. On any given day we have maybe 30 officers out of 150 off on stress leave. We have suicides. We have an incidence of post-traumatic stress among our front-line officers at the level of combat casualties.

These are officers who dedicate themselves to ensuring the health and safety of communities.

The government ignored almost all of the recommendations in that report, in the same way that they are ignoring the Lamer report.

I think that is unfortunate, because once again, it is about our obligation as legislators. The most serious job we do in this House is make a decision on whether to put someone's life on the line, whether we send them into combat or on peacekeeping missions or whether we send them to represent justice and the protection of civilian life in the far north.

When those officers, those men and women, find themselves in trouble, they should have a system in place that ensures a level of fairness. I was thinking about the various opinions we have heard on this bill. Once again, people want to see the military justice system improve, but they are concerned that the government is clearly walking away from key provisions that will ensure fairness and the right to due process.

●(1035)

Colonel Michel Drapeau, military law expert, said that the issue of summary trials must be addressed, because “[t]here is currently nothing more important for Parliament to focus on than fixing a broken system that affects the legal rights of a significant number of Canadian citizens every year”. He continued that “I find it very odd that those who put their lives at risk to protect the rights of Canadians are themselves deprived of those charter rights when

facing a summary trial. If Britain, Australia, New Zealand and Ireland have seen fit to change the summary trial system, it begs the question: why is Canada lagging behind?”

Why indeed? As I was preparing for the discussion this morning, I was thinking about the situation of the Veterans Review and Appeal Board, and Harold Leduc, who was drummed out of the Veterans Review and Appeal Board for making waves. The waves he was making were in defence of the needs of soldiers who are coming before the appeals board. He was ruffling feathers within the bureaucracy and the government. The story of his being drummed out as a representative of the armed forces is very disturbing, because we are talking about allegations of harassment and corruption at the board. Mr. Leduc was targeted. His privacy was violated. The issue of post-traumatic stress was used against him, which he took to the Human Rights Commission. He won. It found that he was facing harassment for speaking up for the men and women who put their lives on the line and are only asking for fairness.

When the government decided to remove Mr. Leduc from the Veterans Review and Appeal Board, he said that he was not surprised. He said, “To me, it speaks to the overall corruption I've witnessed”.

That is a pretty disturbing allegation against the board whose job is protecting the needs of those who serve. Just as we see in the far north with the Nishnawbe-Aski police, who have a right to ensure that if they put themselves at risk or they get injured or have post-traumatic stress there will be services for them, so too should the soldiers who come back from Afghanistan or from other duties have a right to the Veterans Review and Appeal Board. Yet we see the government shutting down the veterans' spokesmen, the people who are defending those in need.

We see the same system in the criminal justice system the soldiers face, where they do not have proper counsel or civilian intervention. They have to go sometimes before what essentially could be seen as an old boys' club. This is not fair. The need to reform this has been spoken about. Yet the government has once again decided, for whatever purpose or whatever reason, to ignore the key recommendations on transformation, key recommendations that would actually ensure some fairness. It will go with this bill that is quite simply insufficient for the purposes at hand.

We want to work on reforming military justice in this country. We will not be supporting a bill that so clearly ignores the key recommendations.

The issue of summary trials is key.

Government Orders

There is the issue of having civilian involvement in the review process. The Lamer report talked of the need for 60%. There is a need for the grievance committee to have an external review process. It is presently staffed by retired officers, some only recently retired. If the Canadian Forces Grievance Board is to be perceived as an external and independent oversight civilian body, as it was destined to be, then the appointments process needs to reflect that reality. Once again, we are saying that it cannot be just internal. It has to have outside voices so that we do not see the same kind of harassment of veterans as at the Veterans Review and Appeal Board, with the shutting down of the people who are actually there to stand up and speak for veterans. We need to have some sort of system of external fairness.

Sometimes when soldiers are charged, they could face having a criminal record for something that in civilian court would be considered minor. If they leave the army with a criminal record, it would affect them for the rest of their lives.

Once again, those who are serving our country should be entitled to due process. That is a fundamental principle. We have seen reform happen in England and Ireland. The question is why the government is ignoring key recommendations of the Lamer report. Why is it not working with us to ensure that we have a system that ensures fairness for those men and women who put themselves at risk for our country?

• (1040)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the hon. member opposite really needs to recall what this government has committed to at every stage of this debate on Bill C-15 to update our military justice system.

We have accepted 83 out of 88 of the recommendations. Several of the member's colleagues have tried to argue that we have accepted only 29. We have actually implemented 29 and have accepted 83 out of 88. We want to move faster on implementation, but we need the bill passed to do that.

Could the member explain to this House why, instead of talking about the bill and what could possibly be preventing the opposition members from wanting to move it into committee, he is talking about the Veterans Review and Appeal Board, which is not talked about in this bill and is not governed in any way by the military justice system?

He mentioned Mr. Leduc. If he wants to talk about the Veterans Review and Appeal Board, would he care to comment on the very good appointments to that board made by this government over the past week? They are people who represent a combination of civilians and former senior serving military officers.

• (1045)

Mr. Charlie Angus: Mr. Speaker, I will give my hon. colleague a memory lesson regarding Bill C-41, which was passed at committee, and how the government stripped the key recommendations from it.

Does my hon. colleague want to talk about the Veterans Review and Appeal Board and how it took out a veteran who spoke up, who was harassed, and whose internal documents were exposed in terms of his post-traumatic stress so that he had to take it to the Human

Rights Commission and win a case of harassment? How does this member now have the nerve to stand up and talk about the good work of the board, when a man who stood and defended this country is talking about corruption on the Veterans Review and Appeal Board?

If this member cannot see the link between how our veterans are being harassed at the Veterans Review and Appeal Board and a failed system that is ignoring the key recommendations of the Lamer Commission and the key recommendations on Bill C-41, passed at committee in the Parliament I was in, then the hon. member needs a better sense of history.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the principle of narrowing the gap between civil court and military court is something most people would support. It is something the Liberal Party sees great merit in. It is the essence of why we are okay and comfortable with this particular bill passing to committee.

The member made reference to minor offences. One example given at times is that of not showing up for work. It is quite significantly different in civil society as compared to the military community.

Can the member provide comment with regard to the difference in the obligation to show up for work when called to work and what he believes would be an appropriate way of dealing with this? Should civil and military be treated equally?

Mr. Charlie Angus: Mr. Speaker, I appreciate my hon. colleague's excellent question. Certainly within the military, we understand that the issue of not showing up for work can sometimes lead to catastrophic situations. For example, if individuals on a front line decide not to do their duty, people could be put at risk. We understand that there are times when there are charges. However, if the boys are out at the base one night and stay up drinking too much and do not show up in the morning, we do not believe that they should necessarily be faced with criminal convictions.

As my hon. colleague points out, there are extreme differences in attitude toward not showing up for work. For example, if a young soldier does not show up for work, he can face a criminal conviction. Dalton McGuinty can decide not to show up for four months, and it is called revitalizing the Liberal brand. Perhaps we need to reconsider where we put charges for this to ensure that people do show up for work.

[*Translation*]

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I would like to commend my colleague on his speech and on the replies he gave.

[*English*]

My colleague was there previously when there was Bill C-41. Why is the government not working with the opposition parties? Why is the government not listening to what was done previously in the defence committee?

Government Orders

Mr. Charlie Angus: Mr. Speaker, it is a fundamental problem in this Parliament. We have done the work. We had the committee work together. Yet we get a majority government that comes in and cherry picks and pulls out recommendations that were good recommendations that defended the needs and rights of our soldiers. For the life of me, I cannot understand why the Conservatives have such an adversarial attitude toward a basically fair and just process.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I rise to speak to Bill C-15, a bill that would change the nature of the National Defence Act and, in some ways, improve the military's system of criminal justice.

This legislation has been a part of ongoing debate in Parliament over a number of years. We have some serious concerns with this legislation and will be opposing it at second reading. Committee stage has not been all that fruitful over the last year and a half of the majority Conservative government, but I suppose that if we did get some amendments that brought the legislation back to the state it was in the previous parliament, then we could get onside with that. Here we are debating this legislation in the House of Commons, recognizing that committees have not been doing their due diligence on many of the bills that have gone forward. The government has been using its majority in committees to block many useful amendments. That problem, we all recognize, has been changing our ability to provide good legislation for Canadians.

I want to talk about the summary trial system and the fact that a conviction of a service offence in a summary trial of a Canadian Forces member may result in a criminal record. I am concerned about the vast number of Canadians who may end up with a criminal record for offences that are relatively minor and the fact that we do this at a higher rate than many other civilized countries in the world.

We have a system that puts a criminal record on the backs of Canadians for a variety of offences, including in some cases for very minor and victimless offences that really do not warrant the kind of long-term impediment to a convicted person's lifestyle that a criminal conviction entails. That impediment includes getting a job, getting a place to live or travelling to other countries. Having a criminal record in Canada seriously impedes the progress of someone's life, and we here in Parliament should take it seriously. A conviction becomes part of a citizen's history and affects his or her life going forward.

Now we have summary trials in the military tradition. The NDP worked hard on the previous bill to get an amendment that would strike off a great number of the offences under the National Defence Act that can result in criminal records. In the previous bill the government was going to remove five of those offences but we managed to get that number up to 27. I am not familiar with precisely which five offences still remain in this legislation.

When I look at the offences under the National Defence Act, such as disobedience of a lawful command, for instance, should that carry forward in every instance in a summary trial? Remember that we are talking about a summary trial where there is no obligation on the part of those conducting the trial to provide legal counsel to the people standing in front of them. We are dealing with a hierarchical system where the complainant in the military tradition has the upper hand over the defendant.

● (1050)

Providing prompt but fair justice in respect to minor service offences contributes to the maintenance of military discipline and efficiency. However, given that our military personnel are under great stress and have to deal with being away from home for long periods of time under a very strict command and control structure, they are likely to offend in some way if, under the command system, they are identified as a problem. That is the nature of military service.

We have to think about what we are doing with or creating for these people when they come out of the military into the general population. That is very important. It is a very serious situation for them if, from a summary trial, they have a criminal record for some minor service infraction. I think this goes on quite often in Canada. We give people a criminal record for a variety of small offences in the military, which I do not think is appropriate to do there or in the general justice system. We need to reform all of our justice systems so that we not too easily burden people with a criminal record designation.

Under the National Defence Act we have offences such as abuse of subordinates, connivance at desertion, absence without leave, cruel or disgraceful conduct, insubordinate behaviour, quarrels and disturbances. These are all part of life. They are things that happen to one degree or another. How is something like a quarrel or disturbance designated? I hate to think that by quarrelling with the government here over the bill that I could be up on a summary offence by some trial in the House of Commons. However, that is what happens in the military.

We must maintain military discipline and there are reasons to have summary trials, but the sentencing that goes along with that is what we are talking about here. That is at question. Should minor offences have a long-lasting impact on a person's life? This is why the NDP is taking a strong position here, because we do not want to see this happen. We did have good results in the last Parliament in getting 27 of these offences removed, and I think that would make the bill more palatable.

It is not every day that we discuss the nature of military justice. This is our last shot at it. Once the bill has gone through the process, it may not come before Parliament for another decade. There may be many instances where people end up with criminal records for relatively minor offences over the next decade, if the bill passes during the course of this session.

We have important work to do here and want to see this done right. We want to ensure that the kinds of penalties given for offences in this regard are well thought out and are not punishing Canadians unduly for things that may occur under the conditions of military service.

Government Orders

•(1055)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, it is absolutely essential that we get our facts straight in this debate.

I want a clear acknowledgement by the member opposite that he understands that Justice Lamer and all the other senior members of our judiciary who have reviewed the military justice system accept that the summary trial system is appropriate for the military justice system in Canada's armed forces.

Second, could the member set the record straight on behalf of his colleague from Timmins—James Bay who said that the idea there be 60% civilians on the grievance board had come from Justice Lamer. It did not come from Justice Lamer, nor did it come from Justice LeSage or the other senior members of our judiciary who painstakingly reviewed the military justice system. The idea actually comes from the NDP. It is not justified in our view and we will not be accepting it on the basis of the weak arguments put forward by the NDP.

Could the member set the record straight that this proposal does not come from a former chief justice of the Supreme Court of Canada but in fact from somewhere within bowels of his party?

Mr. Dennis Bevington: Mr. Speaker, I thought I made it clear in my discourse that I agreed with the idea of summary trials. What we are concerned about here is the kind of sentence that is passed under those summary trials. That is why we want to see changes made, so that these types of summary trials have appropriate punishments attached to them and do not lead to many people ending up with criminal records in the country for relatively minor offences.

•(1100)

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I would like to begin by thanking my colleague for his speech.

As he pointed out, the NDP will be voting against the bill at second reading because of its many flaws. He specifically referenced the summary trial system.

I would like him to tell us a little more about the harmful consequences for individuals who wind up with a criminal record because of a minimum sentence.

[*English*]

Mr. Dennis Bevington: Mr. Speaker, there are two things that go on there. For instance, having military service in one's background is normally a plus on a resumé. It really represents time that someone has invested in the country, perhaps putting one's life at risk and having agreed to serve in a diligent fashion under the orders of others. That person has made a contribution. Now he or she ends up with a criminal record for a relatively minor offence. That goes on the resumé as well, in a real sense. It is there as part of that person's life record.

However, when that person wants to get an apartment, a nice place, and have a good life in a good way and a criminal record check is done of them, the person checking will find that criminal record for a very minor offence, even though the ex-military member had served their country well. They would not be allowed to stay

there. Perhaps that might upset their partner. Perhaps that might end up with their being less comfortable in their own lives. Those things happen and are the realities of life for someone with a criminal record.

If someone goes to the border to go to the United States, will they be turned back for a minor offence? I get phone calls in the middle of the night from guys from my riding who have driven down to the Alberta-Montana border to go across with their kids to take them to a hockey tournament and they are turned back. Imagine what that does to that family. Because someone had a minor criminal record from 30 or 40 years ago, they get turned back when taking their children to a hockey tournament. That is the kind of thing that happens to someone with a criminal record.

I do not want to see Canadians have criminal records unless they have really done something wrong and really stepped well past the boundaries of civilized society.

Mr. Kevin Sorenson: Like broken the law, right?

Mr. Dennis Bevington: That does not mean creating a disturbance. We have all created a disturbance at one point or other in our lives.

Someone is creating a disturbance here in the House of Commons. I am not going to ask him for his criminal record check. I am willing to accept sometimes that people do not always act in the best possible way.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, on October 7, 2011, the Minister of National Defence introduced Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts. Bill C-15 amends the National Defence Act to strengthen and alter military justice following the 2003 report of the former chief justice of the Supreme Court, the right hon. Antonio Lamer, and the May 2009 report of the Senate Standing Committee on Legal and Constitutional Affairs.

Among other things, the bill would provide greater flexibility in the sentencing process and additional sentencing options, including absolute discharges, intermittent sentences and restitution. It would modify the composition of a court martial panel according to the rank of the accused person and modify the limitation period applicable to summary trials. It would also allow an accused person to waive the limitation periods. The bill would clarify the responsibilities of the Canadian Forces provost marshal and, finally, it would make amendments to the delegation of the Chief of Defence Staff powers as the final authority in the grievance process.

New Democrats believe that Bill C-15 is a step in the right direction to bring the military justice system more in line with the civilian justice system. However, it falls short on key issues when it comes to reforming a number of required aspects of the military justice system, including the summary trial system, the grievance system and the Military Police Complaints Commission.

Government Orders

I will provide some background. In 2003, the right hon. Antonio Lamer, former chief justice of the Supreme Court of Canada, presented his report to the independent review of the National Defence Act. The Lamer report contained 88 recommendations pertaining to military justice, the Military Police Complaints Commission, the grievance process and the provost marshal. Bill C-15 is the legislative response to these recommendations, but thus far only 28 of those recommendations have been implemented in legislation, regulations or via changes in practice.

This bill has appeared in earlier forms. First, Bills C-7 and C-45 died on the order paper due to prorogation by the Conservative government in 2007 and an election in 2008. In July 2008, Bill C-60 came into force simplifying the structure of the court martial system and establishing a method, which was more closely aligned with the civilian system, for choosing the type of court martial. In 2009, the Senate committee considered Bill C-60 and provided nine recommendations for amendments to the National Defence Act. In 2010, Bill C-41 was introduced to respond to the 2003 Lamer report and the Senate committee report. It outlined provisions related to military justice, such as sentencing reform, military judges and committees, summary trials, court martial panels, the provost marshal and limited provisions related to the grievance process and the Military Police Complaints Commission.

In essence, Bill C-15 is similar to the version of Bill C-41 that came out of committee in the previous Parliament. There are a number of amendments that carry over, which include the court martial composition, military judges' security of tenure and provisions relating to the appointment process and the age of judges. However, other important amendments that passed at committee stage at the end of the last parliamentary session are not included in Bill C-15. These include the following, which were also presented by the New Democrats as amendments to that piece of legislation.

What is missing from this bill is the authority of the Chief of Defence Staff in the grievance process, which responds directly to Justice Lamer's recommendation; changes to the composition of the grievance committee to include a 60% civilian membership; and finally, a provision to ensure that a person who is convicted of an offence during the summary trial is not unfairly subjected to a criminal record. It is this last point that causes particular concern to all Canadians who care about the justice system in this country.

There are many important reforms in this bill and the NDP supports the long overdue update to the military justice system. Members of the Canadian Forces are held to an extremely high standard of discipline and they, in turn, deserve a judicial system that is held to a comparable standard. The NDP will be opposing this bill at second reading. However, there are shortcomings in this bill that we hope can be addressed at the committee stage if, in fact, it gets that far. Here are some of the amendments that we hope to see passed.

● (1105)

The amendments in Bill C-15 do not adequately address the unfairness of summary trials. Currently, a conviction of a service offence from a summary trial in the Canadian Forces may result in a criminal record. Summary trials, though, are held without the ability

of the accused to consult counsel. There are no appeals or transcripts of the so-called trial, and the judge is the accused person's commanding officer. This causes undue harshness on certain members of the Canadian Forces who can be, and are, convicted of very minor service offences, offences that would not otherwise be criminal offences.

For example, some of these minor service offences include insubordination, quarrels, disturbances, absence without leave, drunkenness and disobeying a lawful command. These could be matters that are extremely important to military discipline, but they are not necessarily worthy of a criminal record. Certainly drunkenness is not a criminal offence, and many members of the House would probably attest to that.

Bill C-15 also makes an exemption for a select number of offences if they carry a minor punishment, which is defined in the act, or a fine less than \$500 to no longer result in a criminal record. This is one of the positive aspects of the bill but it does not, in our opinion, go far enough.

At committee stage last March, the NDP amendments to Bill C-41 were carried to expand this list of offences that could be considered minor and not necessarily worthy of a criminal record. We would increase that number from five specified offences to 27, if the offence in question received a minor punishment.

The amendment also extended the list of punishments that may be imposed by a tribunal without an offender incurring a criminal record, such as a severe reprimand, a reprimand on its own, a fine equal up to one month's basic pay or another minor punishment.

This was a major step forward for summary trials. However, this amendment was not retained in Bill C-15, and we want to see it included here.

We also believe it is important to reform the grievance system because at present the grievance committee does not provide a means of external review. Currently it is staffed entirely of retired Canadian Forces officers, some only relatively recently retired. If the Canadian Forces Grievance Board is to be perceived as an external and independent oversight civilian body, as it was designed to be, then the appointment process needs to be amended to reflect that reality. Thus, some members of the board should be drawn from civil society.

The NDP amendment provides that at least 60% of the grievance committee members must never have been an officer or a non-commissioned member of the Canadian Forces. Again, this amendment was passed in March 2011 in Bill C-41 but was not retained in the bill before the House. We think it is important to see that amendment retained in the bill.

Finally, the NDP believes we must strengthen the Military Police Complaints Commission. The bill amends the National Defence Act to establish a timeline within which the Canadian Forces provost marshal would be required to resolve conduct complaints as well as to protect complainants from being penalized for submitting a complaint in good faith. Although a step forward, the NDP believes that more needs to be done to empower this commission.

Government Orders

Care has not been taken to provide the Military Police Complaints Commission with the required legislative provisions empowering it to act as an oversight body. This commission must be empowered by a legislative provision that will allow it to rightfully investigate and report to Parliament.

Let us talk about what some independent people have said about the bill. I want to quote Colonel Michel Drapeau, a retired colonel from the Canadian Forces and a military law expert. Here is what he said in February 2011:

I strongly believe that the summary trial issue must be addressed.... There is currently nothing more important for Parliament to focus on than fixing a system that affects the legal rights of a significant number of Canadian citizens every year. Why? Because unless and until you, the legislators, address this issue, it is almost impossible for the court to address any challenge, since no appeal of a summary trial verdict or sentence is permitted. As well, it is almost impossible for any other form of legal challenge to take place, since there are no trial transcripts and no right to counsel at summary trial.

Colonel Drapeau also said:

—I find it very odd that those who put their lives at risk to protect the rights of Canadians are themselves deprived of some of those charter rights when facing a summary trial. If Britain, Australia, New Zealand, and Ireland have seen fit to change the summary trial system, it begs the question: why is Canada lagging behind?

I believe all members of the House want to see members of the Canadian Forces guaranteed the very charter rights that we send them into harm's way to fight for on our behalf. One part of those rights is that when people face potential criminal sanctions, they have a right to counsel. They have a right to a judge that is independent. They have a right to transcripts and a meaningful right to appeal. Bill C-15 does not allow this and I urge all members of the House to work on this bill to address those serious problems.

• (1110)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the draft before us absolutely does guarantee those measures that the member for Vancouver Kingsway mentioned at the end of his speech, because it has been designed by Canada's leading judiciaries over decades. Of the 88 recommendations made by a former chief justice that are embodied in the bill, 83 have been accepted on this side of the House as much as on that side.

We have not heard anything new on the bill from the member opposite. We still have not heard an answer from him or his colleagues about a point on which they have been misleading the House.

The member for Timmins—James Bay, others among his colleagues and now the member for Vancouver Kingsway have implied that this requirement for 60% of the grievance board to be civilians comes from a recommendation of Justice Lamer. It does not. Will the member opposite acknowledge that it is not part of the 88 recommendations?

We, on this side, do accept that civilians should be eligible. However, we do not accept that there should be a quota of civilians on that board because military experience is relevant to the hearing of grievances for the Canadian Forces. Also, it has not been recommended by high judicial authorities.

Will the member for Vancouver Kingsway come clean about the origins of this proposal, which absolutely had no place in his party's position during the last Parliament?

• (1115)

Mr. Don Davies: Mr. Speaker, it is always interesting when the government pivots off to another issue instead of addressing what are really the square and central problems and issues of a particular piece of legislation.

I never heard the member provide the government's response to this. Currently, a conviction of a service offence from a summary trial in the Canadian Forces may result in a criminal record. Right now in the Canadian Forces, summary trials are held without the ability of the accused to consult counsel. There are no appeals or transcripts of the trial. The judge is the accused person's commanding officer. Why will the hon. member not address those points?

We all know the serious implications of a criminal record. Why will the government not explain why a Canadian Forces member who is charged with an offence that could result in a criminal record would be deprived of the simple right to consult a lawyer, which is a charter right? Why will it not explain why it proposed legislation that does not allow a simple transcript to be kept of the proceeding so that if there were a wrongful conviction, there would be a basis from which to launch an appeal?

I am a lawyer by training and I know the importance of having due process. The real question is this. Why will the government not give due process to our men and women of the Canadian Forces to make sure they have the charter and constitutional rights that all Canadians deserve?

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank my honourable colleague, who made a heartfelt speech on Bill C-15.

He spoke of strengthening the Military Police Complaints Commission. That is a step in the right direction for the government.

It goes without saying the Canadian Forces provost marshal will resolve complaints and protect complainants from being penalized for having made a complaint in good faith, but what more could we do to increase the Military Police Complaints Commission's authority?

[*English*]

Mr. Don Davies: Mr. Speaker, one measure we can take to strengthen the complaints commission process is to protect complainants from being penalized for submitting a complaint in good faith. This is known colloquially as whistleblower protection. It is something that the government and provincial governments across this country have been slow to embrace. It is the practice of making sure that people who see wrongdoing feel free to come forward and make those complaints, of course in good faith, so that they do not risk career retribution or other forms of punishment for doing so.

Government Orders

It is particularly difficult for people in government agencies and very tight-knit organizations such as police forces or the Canadian Forces to actually feel free to come forward and report wrongdoing when they see it, because there can be such serious ramifications to their own careers. This is particularly the case when one's commanding officer may be the judge who is hearing the complaint against him or her.

We need to reform the system to bring it more in line with the norms of civilian justice and make sure that all people in this country have access to charter and constitutional rights.

[*Translation*]

Mr. François Choquette (Drummond, NDP): Mr. Speaker, today I will be speaking about Bill C-15. I will begin with a brief history of this bill.

In 2003, the right hon. Antonio Lamer, former chief justice of the Supreme Court of Canada, tabled his report on the independent review of the National Defence Act.

The Lamer report contained 88 recommendations concerning military justice, the Military Police Complaints Commission, the grievance process and the Canadian Forces provost marshal. Bill C-15 is the legislative response to these recommendations.

We must mention, however, that only 28 of the 88 recommendations have been included in this legislation. Thus, the response is incomplete. Bill C-15 is not a full response to the Lamer report.

Bill C-15 has appeared in a number of previous forms. First there was Bill C-7, which died on the order paper when Parliament was prorogued in 2007—an act that, by the way, was undemocratic—and then Bill C-45, which met the same fate when the 2008 election was called.

In July 2008, Bill C-60 came along, simplifying the court martial structure and establishing a system for choosing the court martial format that would harmonize best with civilian justice.

In 2009, the Standing Senate Committee on Legal and Constitutional Affairs examined Bill C-60 and made nine recommendations for amendments to the National Defence Act.

In 2010, Bill C-41 was introduced as a response to the 2003 Lamer report and the 2009 report from the Standing Senate Committee on Legal and Constitutional Affairs.

It included provisions related to military justice, such as reforms to sentencing, military judges and committees, summary trials, the court martial panel and the Canadian Forces provost marshal, as well as provisions pertaining to the Military Police Complaints Commission.

Essentially, Bill C-15 is similar to the version of Bill C-41 tabled by the Senate committee in the last Parliament. The accepted amendments included the composition of the court martial panel and the appointment of military judges during good behaviour until their retirement.

Some important amendments were adopted at the committee stage, at the end of the last parliamentary session. Unfortunately, they were not included in Bill C-15. It is really strange, because many of these amendments were suggested and supported by the

NDP and by others. For example, one amendment dealt with the authority of the Chief of the Defence Staff relative to the grievance process. That was a direct response to a recommendation in the Lamer report, and it is missing. There was also an amendment regarding changes in the composition of the grievance board, so that 60% of its members would be civilians. Once again, it is not in this bill. Finally, there was a provision to ensure that a person found guilty of an offence at a summary trial would not be unjustly burdened with a criminal record. That, too, is missing.

What the NDP wants are simple and important things that affect military justice and show respect for the people who serve the country by defending our rights and freedoms.

This bill does propose a number of important reforms. The NDP has long been in favour of the necessary updating of the military justice system. Members of the Canadian Forces are subject to very severe discipline and, thus, deserve a judicial system that is governed by rules comparable to those in the civilian system.

This bill has many shortcomings that we hope will be discussed in committee if the bill is passed at second reading.

The first thing that must be reviewed is the reform of the summary trial system. It is a serious problem. The amendments in Bill C-15 do not deal adequately with the injustice of summary trials. There is a true injustice in these trials. At present, a guilty verdict from a summary trial in the Canadian Forces results in a criminal record. Summary trials can cover many things, some of them insignificant.

• (1120)

They may apply not only to such serious charges as insubordination, but also to less serious offences such as drunkenness or the like, which have nothing to do with the criminal offences that would be found on a criminal record. This is a serious problem that must be reformed, and it must be done immediately.

For example, summary trials are held without the accused being able to consult counsel. There is no recourse and no transcript. We can imagine how a trial is conducted when there is no transcript of what was said. The name says it all: “summary trial”. It is summary, with no real justice and no recourse to a real, fair justice system. Summary trials are held for minor and major reasons, and there is no logic to them.

Moreover, the accused person's commanding officer acts as the judge. That is much too harsh for some members of the Canadian Forces who are convicted of minor infractions. The fact that the commanding officer is also the judge raises questions about the impartiality of the process. Therefore, changes are needed.

These minor offences include insubordination, as I said, but also quarrels. “Quarrel” is a pretty big word to describe someone raising their voice to someone else. We have to look at the definition of “quarrel”. We are not talking about striking and injuring someone here. Accordingly, we do not see why this should result in a criminal record. Misconduct, again, is very broad. As I said, it is the commanding officer who decides all of this.

Government Orders

Absence without leave, drunkenness and disobeying a command are all undoubtedly very important for military discipline, I agree, but they do not deserve a criminal record, particularly since these soldiers have lives after their military service. Someone who quarrelled with one of his colleagues and who returns to civilian life could find himself with a criminal record because of this.

It then becomes difficult to find a job, to travel outside Canada and to find housing. This creates a whole host of problems for people who, let us not forget, serve the Canadian public and defend our rights and freedoms. Because of some of these measures, their own rights and freedoms are being trampled on somewhat by this military justice system. This process needs to be revised.

I could touch on many other aspects that need to be revised, but I will not have time. A lot of competent people have looked into this. Bill C-15 does not properly reform the military justice system.

To conclude, we in the NDP believe the Canadian Forces already have to meet extremely high standards when it comes to discipline. We know the strict discipline this job calls for. Members of the military are entitled, in return, to a judicial system that is required to meet comparable standards. A criminal record can make life after the military very difficult. Criminal records complicate the process of finding a job, renting an apartment or travelling.

Accordingly, the NDP will fight to make the Canadian military justice system fairer for the men and women in uniform who have risked their lives in the service of Canada. For that reason, it is very important that this act be revised, to respect and honour our soldiers.

• (1125)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, does the member across the way understand that, by giving his speech, particularly on the subject of criminal records, he is perpetuating the system he hopes to change? Does he realize the Minister of National Defence rose in the House yesterday to indicate the government's willingness to propose an amendment that was first proposed during consideration of Bill C-41 in a previous Parliament? The amendment deals with criminal records arising from summary conviction trials. It would add 25 new offences to the two offences currently in the bill, bringing to 27 the number of offences that do not lead to a criminal record, in the hopes of modernizing the summary trial system.

These amendments need to be considered in committee. Does the honourable member understand that by prolonging debate in the House, we are perpetuating the system he hopes to change?

• (1130)

Mr. François Choquette: Mr. Speaker, I thank the honourable member for the question. If he is willing to propose amendments, then I encourage him to do so. We are still debating Bill C-15 because it remains flawed, as I have pointed out in my speech. I spoke of the flaws relating to summary trials, but there are several more. I do not believe the Conservatives fixed all those flaws. In fact, here is what Colonel Michel W. Drapeau said about summary trials:

I strongly believe that the summary trial issue must be addressed by this committee. There is currently nothing more important for Parliament to focus on than fixing a system that affects the legal rights of a significant number of Canadian citizens every year.

If my honourable friend says he has resolved the issue, good, but Bill C-15 remains flawed. That is why it is important to discuss it today.

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I commend my hon. colleague on his speech. He talked about improving military justice and how important that issue is to the NDP, and he mentioned that we need to reduce the differences in how military and civilian courts handle cases.

Could my hon. colleague tell us more about the need to reform the sentencing process for summary trials?

Mr. François Choquette: Mr. Speaker, I thank my hon. colleague for her question. Indeed, summary trials are problematic. I hope that everyone in the House recognizes how important it is that our troops be able to have another life after serving in the military. We need to help them transition to civilian life. Serving Canadians and protecting their rights and freedoms is not an easy job. Military personnel have to make major sacrifices and submit to a very strict discipline. Therefore, it is only natural for us to make their lives easier, as a way to thank them for their services. A person should not have a criminal record because of something that is not a crime. That is why Bill C-15 is inadequate and needs improvement, as I pointed out during my speech.

Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP): Mr. Speaker, I am pleased to speak in this House on the subject of Bill C-15. We have before us a bill that is a recognition of a serious problem in the administration of military justice. In this regard, we are unfortunately lagging behind many other countries that have identified the same problems as we have, but have made faster and more effective efforts to fix them.

What is strange is that while our Conservative friends acknowledge the problem, they have deliberately chosen to fix only half of it. And that is why we have a problem; that is why we oppose this bill.

My colleague has talked about the first problem: summary trials that are held in circumstances that do not allow for the accused to make a fair defence. Summary trials are really the nub of the problem. The vast majority of offences committed by members of the military are dealt with by summary trial. One of the statistics we have here seems frightening to me: in 2008-09, a total of 1,865 cases—96% of all cases—were disposed of by summary trial. Obviously it is a euphemism to say “seems”, because 96% says it all.

What this system means is that the accused does not enjoy rights that are otherwise considered to be fundamental in an ordinary justice system: the right to be represented by counsel; the right to appeal; a transcript of the trial so the person can appeal based on the trial; and the right to an impartial judge. As it stands, the person's commanding officer is the judge. That situation is clearly unfavourable.

Government Orders

What if there was judicial error? What if the decision was tainted by personal tensions between the accused and the judge, for example, who happens to be the person's immediate superior? Anyone who works in an ordinary situation will agree that these are certainly not ideal circumstances for making an objective decision. There is no organization in which such a structure exists without the opportunity to have the decision reviewed.

The expression "criminal record" is probably the one that most clearly expresses something that can harm and weight down a person's life. The circumstances in which that record is created are therefore a matter of concern for us. It is in fact a very good thing that we are trying to address this issue. Once again, we are expressing this kind of confidence in our parliamentary system so that we can find concrete solutions for people having to deal with this problem.

When we consider the consequences of having a criminal record, we can say that the decisions of these tribunals in fact have very serious consequences. These are decisions that harm a person's entire life. In the first place, having a criminal record will certainly harm the person's entire existence, jeopardizing all his opportunities to gain access to certain positions, certain jobs, certain countries and so on.

Imagine you are enrolled in the army and are told to go and fight for your country, for noble values and so that young girls can go fly kites. You are given a weapon, sent into mine fields and left to live in misery, sadness, loss and anger. After all those tribulations and the incredible stresses to which you are exposed, you are given a criminal record for a breach, a breach of discipline, a breach of some barracks code of conduct, for example. That is not even a serious crime, an abuse of power or a violent act, but rather an act of disobedience or insubordination, or merely the result of one pint too many. And you are unable to defend yourself adequately at your summary trial. Imagine that later on, years later, you travel to the United States for a one-week vacation and are turned back. You are in the car with your daughter, and the customs officer says you cannot enter the country because you have a criminal record. One can see the heresy in that situation, when someone who has served his country clearly suffers an injustice.

In the spring of 2011, the NDP proposed many amendments in committee, one of which in particular comes to mind. We proposed that there be 27 minor penalties, that is to say penalties not resulting in a criminal record. There are currently only five. That is definitely a step forward that should be looked at more closely, since this is clearly a form of injustice. This seems obvious to a novice, since I do not claim to be a legal expert.

These exceptions must absolutely be brought back to the table in order to put a stop to the injustice of giving military members criminal records for inconsequential offences.

• (1135)

Now I would like to talk about respect for the standing committee and its work. It is surprising that the majority in this House did not want to adopt the amendments we introduced last spring. These are not partisan proposals. Instead they are an appeal to common sense and show respect for our military members. This is even a matter of respect for the standing committee's work. The committee worked

long and hard, as many of my colleagues can attest. We can also attest to the enormous amount of work that is done in the committees and that generally appears to remain a dead letter.

This committee heard evidence and thoughts, recorded appearances and heard many speeches. What about the result of its work? Is it merely good for the shredder? One would think so.

Ultimately, the committee thought it was good and wise, when Bill C-41 was introduced in spring 2011, to adopt the proposal made by the members of my party, who felt that special attention should be given to cases in which an offence does not deserve a criminal record. Why not respect the committee's work and restore that proposal, which was made in good faith and in a non-partisan manner?

I would also like to note the importance of the Military Police Complaints Commission and of enhancing its work capacity, which is absolutely necessary. Limited by the fact that it cannot examine cases that arose before 1999, the commission is designed to handle those in which doubts are raised about the military police's work. I have seen cases in which the commission appeared to be powerless in difficult situations where lives were at stake; I hope to have the time to discuss them. For the good of military personnel and the credibility of the military police, it is essential that the commission be able to operate efficiently in a manner respectful of the players who constitute it.

Lastly, we believe that, to be relevant, the grievance committee that examines the rights of military personnel respecting their benefits, their release, internal issues, harassment and medical matters must be independent and stand outside the Canadian Forces. We have previously suggested, for what I believe are obvious reasons, that 60% of the committee members should be individuals who have never served in the Canadian Forces. This is a reasonable proposal that, like everything we are discussing here, is a matter of natural justice and of aligning military justice with civilian justice.

The members of the Canadian Forces obviously have no association or union to which they can turn. That is why we want the committee to receive and hear the grievances of Canadian Forces members in the rigorous, impartial manner characteristic of an independent outside agency.

This is a matter of natural justice. No one can dispense justice on his or her own behalf. I am going to act like an intellectual and translate that sentence into Latin: *Nemo iudex in causa sua*. I have quite a Latin accent; I am trying to entertain my colleagues.

Everyone has a right to be heard, and that includes the opportunity to appeal a disputed decision or apply for a review of a decision that appears to be incorrect. As that first rule was very popular, I am going to add a second: *Audi alteram partem*. This is a reference to our basic system and to the Latin language. These are rules of natural justice commonly in effect in civilian law courts in Canada. They are also in effect in military courts in many countries such as Great Britain—which, it must be acknowledged, the government likes so much—New Zealand, Australia and Ireland.

Why do these rules and rights not apply in our own military courts? Are we saying, "Join the army, sign here, and lose all your rights"? That is a good question.

Government Orders

What I find most disturbing is the extent to which these people devote their lives to defending their country. It seems almost old-fashioned to say it, but they have to be effective, not drag their feet and solve a problem. They are doing it for us. Honestly, as a parliamentarian, I am embarrassed that it has taken so long to move forward on this issue; we are dragging our feet. I hope we can show some collegiality and resolve these matters as soon as possible so that our men and women in uniform feel they are being heard by civilian society.

• (1140)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, as every member well knows, two former chief justices of the Supreme Court, Justice Dickson and Justice Lamer, both agree that the Canadian Charter of Rights and Freedoms as well as natural justice are protected by the Canadian Forces' current summary trial system. According to some well-respected leaders in the field of justice, this system works fairly well.

There are currently 27 offences leading to a criminal record in the summary trial system that we are hoping to remove from the list after the committee has concluded its study.

By prolonging the debate, which has already lasted a year, and preventing the committee from proceeding with its study, the member is perpetuating a system that all of us want to change.

I have a question for the member about criminal records. Does he agree the time has come to send the bill to committee in order to speed things along?

• (1145)

Mr. Pierre Nantel: Mr. Speaker, I thank my colleague for the question.

There is indeed a time to fix things, but let us not misdiagnose the problem. That is essentially what I would say.

Here is a concrete example. A certain individual in my riding, who shall remain nameless for obvious reasons, has come to see me on several occasions, complaining that he was ignored by the military justice system and that his life was torn apart. I do not blame my colleague.

It is clearly time to do some housecleaning. No need to parge the walls if the whole foundation is sinking. It is important to get a good read on things and properly assess the situation before getting to work.

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I would like to commend my hon. colleague on his excellent speech and, above all, on his use of Latin.

One thing I find rather strange is that, in this bill, the government does not take into account previous recommendations and things that were accepted in a previous session.

And now, the Parliamentary Secretary to the Minister of National Defence is telling us there are more amendments. First the government does not take into account the very important amendments my colleague mentioned, then it introduces a bill and improvises by proposing other amendments. There is an issue of

trust with this government, especially when it comes to the way it does things and handles amendments.

Could my colleague explain why this government's actions are a cause for concern, since the government seems to be improvising without taking into account the excellent work done by the committee and other non-partisan committees that came up with real solutions?

Mr. Pierre Nantel: Mr. Speaker, I thank my hon. colleague from Brossard—La Prairie for his question. God knows he is right to be unhappy that the government has so little regard for the committee's recommendations and witness testimonies.

In the committees I work on, there have been many occasions where we felt we were making a sincere and real effort to do good parliamentary work. We kept in mind we were serving Canadians. Taxpayers pay us and hope that Ottawa uses public funds as wisely as possible to manage situations.

Sadly, the government's editorial strategy and the way it uses its majority as a steamroller create the impression that any arguments we make are dismissed; everything is presented with a partisan flavour, so the government can feel it has solved the problem and is the possessor of the absolute truth, which is really unfortunate.

There is no Latin quote I wish to add.

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, on October 7, 2011, the Minister of National Defence introduced Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts. The NDP believes that this bill is a step in the right direction in order to make the military justice system and the civilian justice system more uniform. Still, it does not address the key issues needed to reform the summary trial system and the grievance system. Today I will speak to the grievance system.

Significant amendments were made at the committee stage at the end of the last session of Parliament, but have not been included in Bill C-15. These include the NDP's amendments concerning the authority of the Chief of Defence Staff in the grievance process, changes in the composition of the grievance board, and the provision that a person found guilty of an offence through a summary trial would not be unjustly burdened with a criminal record.

I want to say something about the last point. This bill proposes many important reforms. The NDP has long advocated the updating of the military justice system. Members of the Canadian Forces are subject to very high standards of discipline and, as Canadian citizens, they deserve a justice system that is subject to the same standards as those that apply to other Canadian citizens.

With regard to reforming the summary trial system, the amendments in Bill C-15 do not properly address the unfairness of summary trials. At present, a conviction at a summary trial in the Canadian Forces results in a criminal record. The accused is not able to consult counsel. There is no appeal and no trial transcript. In addition, the judge is the accused's commanding officer. That is unduly harsh for some members of the Canadian Forces who are convicted for minor offences.

Government Orders

Among those minor offences are insubordination, quarrels and disturbances, misconduct, absence without leave, drunkenness and disobeying a lawful command. They are very important for military discipline, but not worth a criminal record.

Bill C-15 provides an exemption so that some offences—with minor punishments or fines under \$500—would not be put on a criminal record. This is one of the bill's positive aspects. But we do not think it goes far enough.

In committee, in March 2012, the NDP proposed amendments to Bill C-41 that would have expanded the list of offences that could be considered minor and thus would not attract a criminal record if the offence in question received a minor punishment. The amendment also would have expanded the list of penalties that could be set by a tribunal without being noted in the criminal record.

That was progress in terms of summary trials, but since that amendment was not included in Bill C-15, we want it to be included now.

I want to mention Colonel Drapeau, a retired Canadian Forces colonel and an expert in military law. He testified before the Standing Committee on National Defence in February 2011. This is what he said about summary trials:

...I'll get right to the point. The answer is yes...Decriminalize the summary trial system. End of discussion. Remove today the custodial power of the commanding officer to send somebody to detention. If that needs to be done, then that person ought to be tried by court martial where all the rights are provided. So you remove that in the same way as Ireland has done it, as Australia has done it; you decriminalize it. There's no record.

The individual would not have that stigma attached to him just because he didn't shave that morning or he showed up late. Whether he gets a fine or a suspension of leave or he has to stay on the ship when alongside, I can live with that, and that would apply in Canada and abroad. And if there really is a requirement to prosecute someone because of the severity of the offence, then a court martial, and a court martial can be held any place in the world.

That results in a criminal record.

● (1150)

A criminal record can make life after a military career very difficult. Having a criminal record can make it difficult to find a job, lease an apartment, travel or obtain insurance.

I researched the effects of a criminal record on persons who do not go to court and found that it can affect a number of aspects of the person's daily life: employment, entering another country and insurance.

That is right. We can be refused insurance coverage if a member of our family, perhaps a child who was a soldier, has a criminal record because he did not shave his beard one morning.

People with criminal records have difficulty finding work, especially in security. Who better than a former soldier to work for a security company? But he would not get the job.

In general, two out of three employers require a criminal record check.

Under the Criminal Code, civilians can have a criminal record for such offences as assault, extortion, harassment, kidnapping, identity theft, murder, homicide, abuse and theft. That is not the case for our soldiers.

We are severely punishing certain Canadians. Our soldiers, members of our armed forces, receive harsher penalties.

The list of crimes against justice is a long one and includes corruption, failure to report a crime, obstruction and perjury. These are all good reasons to be in such a situation, but a young soldier arriving late for his shift is not a good reason.

Another witness at committee, the British Columbia Civil Liberties Association, said that military officers who impose penalties during a summary trial are often trying to set a disciplinary example within the unit in order to discourage future infractions, rather than burden the accused with the consequences that come with having a criminal record in civilian life.

The goal is to achieve discipline within our armed forces. I do not believe that the officer imposing the sentence necessarily wants to punish a young man who makes a mistake for his entire life. Soldiers simply want discipline within the military, and that is a good thing.

We therefore have a problem of basic fairness dominating a system that imposes harsh sentences on people who need increased procedural protection.

Colonel Drapeau went on to say:

I strongly believe that the summary trial issue must be addressed by this committee. There is currently nothing more important for Parliament to focus on than fixing a system that affects the legal rights of a significant number of Canadian citizens every year. Why? Because unless and until you, the legislators, address this issue, it is almost impossible for the court to address any challenge, since no appeal of a summary trial verdict or sentence is permitted. As well, it is almost impossible for any other form of legal challenge to take place, since there are no trial transcripts and no right to counsel at summary trial.

The summary trial is by far the most commonly used form of service tribunal in the military justice system. The summary trial is designed to deal with minor service offences.

The NDP believes that Canadian Forces personnel must comply with extremely high standards of discipline and that, in return, they deserve a justice system that also meets standards similar to those applied to other Canadians.

Having a criminal record can make post-military life very difficult. It complicates everything from finding a job, to renting an apartment and so on.

We really want to see this bill improved and to ensure that the committee members' amendments will be included in the bill. That is why we plan to oppose it in the upcoming vote.

● (1155)

[*English*]

Mrs. Susan Truppe (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, is my colleague aware of the changes that Bill C-15 would bring about with respect to time limits of the laying of charges that are dealt with at the summary trial? The National Defence Act currently provides that an accused person cannot be tried by summary trial unless the summary trial commences within one year after the day on which the service offence is alleged to have been committed.

Government Orders

Bill C-15 would also require that “the charge is laid within six months after the day on which the service offence is alleged to have been committed”, ensuring timeliness for the summary trial process.

Does the member not agree that ensuring a speedy trial for relatively minor offences ensures that less serious matters are dealt with quickly and fairly?

[*Translation*]

Ms. Paulina Ayala: Mr. Speaker, I thank my colleague for her question.

That is not the issue. My criticism is not about short versus long trials. The trial must be clear, so the person involved can receive a sentence appropriate to the offence or wrongdoing. That is why we say a summary trial can be problematic. A quicker trial is not necessarily more effective. We want to be more effective, yes, but above all we want to achieve justice.

• (1200)

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I would like to congratulate my hon. colleague on her remarks. She mentioned that the United Kingdom, Australia, New Zealand and other countries have decided to change their summary trial process.

That begs the question. We are debating Bill C-15. Why did the government wait so long before coming back to these issues?

Ms. Paulina Ayala: Mr. Speaker, we wonder the same thing, and I also wonder about something else. Why did no one listen to the very important recommendations made by criminal law experts working in the military? They know the members of the armed forces. Of course, these young people need discipline, since we are preparing them to defend our country. But that does not mean they should be punished for any reason whatsoever, using any method whatsoever.

In that context, why are we lagging behind, when other countries have been able to move forward and eliminate some internal problems at the legislative level? I believe we should be able to say, when we see these other countries, that although we are behind now, we too have what it takes to go forward and bring justice to our young soldiers.

Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP): Mr. Speaker, the Conservatives really have trouble with happy mediums and balanced approaches. One place where this is obvious is in the area of foreign policy, but we also see it in legislation. Just this week, we have again been presented with a mammoth bill that covers pretty much everything but the kitchen sink. And yet on a subject as important as military justice and the rights of the men and women who defend our country, the Conservatives have brought forth a mouse. I think there is room, somewhere between the mammoth and the mouse, for legislation that is a little more worthwhile.

In 2003, as we know, Justice Lamer submitted his report on the independent review of the National Defence Act. He made 88 recommendations relating to military justice, the Complaints Commission, the grievance procedure and the Canadian Forces provost marshal. We are talking about 88 recommendations. And here we are with a bill that covers only 28 of those recommendations. Once again, this is the approach the Conservatives always

take: to pick and choose only the things and the testimony that suit them.

A lot of things are missing in this bill and I will not address them all, since that would take too long. However, I am going to focus on one aspect in particular where the bill does not go far enough: summary trials and the mark they leave on the lives of soldiers, in the form of a criminal record, even after they return to civilian life.

We know that a summary trial can be debatable. It is a judgment dealing with matters that can be as trivial as a quarrel or absence without leave. It may relate to misconduct, insubordination, and so on. But the point is this: someone can be convicted of a relatively minor offence and end up with a criminal record for the rest of their life. This is particularly troubling when the accused in a summary trial cannot be represented by counsel and cannot appeal. There is no transcript and the judge is too often, and very often, the accused's commanding officer. In other words, the people who defend our rights and freedoms are not entitled to the protections under the Charter of Rights and Freedoms at summary trials. If this were merely a question of internal military discipline, we could always debate it, but the problem is that summary trials leave indelible marks on people's lives in the form of criminal records.

We recognize that the bill makes a vague attempt to remedy the situation. However, it really does not go far enough. It proposes that five offences be considered minor and not result in a criminal record. That is all well and good for the offences in question—and I will not continue to harp on it—but much more could be done. In fact, Bill C-41, Bill C-15's predecessor in the last Parliament, was debated in committee and amended to expand the list of offences and the types of sentences that would not result in a criminal record. I do not know why the Conservatives did not keep this amendment.

What we want is to expand the list of offences from 5 to 27, and the committee already agreed to this. It is so important. As retired Colonel Michel Drapeau, an expert on military justice, said:

There is currently nothing more important for Parliament to focus on than fixing a system that affects the legal rights of a significant number of Canadian citizens every year.

• (1205)

Why? Because unless and until we, the legislators, address this issue, it is almost impossible for the court to address any challenge, since no appeal of a summary trial verdict or sentence is permitted.

We must stand up for and respect our soldiers. As Colonel Drapeau went on to say, “From where I stand, I find it very odd that those who put their lives at risk to protect the rights of Canadians are themselves deprived of some of those charter rights when facing a summary trial.”

Why should the consequences of relatively minor offences related to military discipline extend into the civilian lives of our men and women in uniform? Once again, we are not the ones saying this. I would like to quote the British Columbia Civil Liberties Association.

“Presiding officers in summary trials...are military officers...and their primary concern is likely to be unit discipline and deterring future violations, not the effect the sentence they impose will have on an accused in the civilian world.”

Government Orders

In short, we have a system that is not working and that needs to be reformed. This bill clearly does not go far enough to do that. Furthermore, in terms of reforming the system, our greatest allies—Great Britain, Australia and New Zealand—have changed their systems.

Our soldiers often participate in joint missions with the soldiers from those countries and are able to see first-hand the injustice that is being done to them, an injustice that this Parliament must agree to remedy today.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I have two questions for my honourable friend. First, does she agree that Justice Dickson and Justice Lamer, former chief justices of the Supreme Court of Canada, have said the Canadian Forces' current summary trial system manages to protect charter rights as well as the principles of natural justice?

Second, given we all agree on the need to modernize the system, does she agree that the best way to reduce the number of convictions leading to a criminal record is to send the bill to committee and pass it? We have even offered to remove 27 offences that can lead to a criminal record upon summary conviction, which is quite a lot.

• (1210)

Ms. Hélène Laverdière: Mr. Speaker, I sincerely thank my honourable colleague for the question.

Fundamentally, as several observers have pointed out, the issue here is that the military's internal disciplinary system has repercussions on civilian life. The rules that apply in that system are not the same as the rules that apply in regular civilian life.

The B.C. Civil Liberties Association has also stated that fundamental fairness requires that systems that impose serious penalties on individuals provide better procedural protection. Having a criminal record for the rest of one's life is a serious penalty in itself. Yet, the system that allows such criminal records to exist is lacking procedural protections.

The government is always talking about efficiency, saying we should cut debate short and move things along. This bill has been studied in committee and some perfectly adequate recommendations were made, but the government ignored them.

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I thank the member for her speech. I want to touch on what the member just said about committees. When we look at the former version of the bill, Bill C-41, we can see that a number of amendments were not only proposed, but were also passed by the committee representing members from all parties.

Although there was no legal obligation to retain these amendments once the bill died on the order paper as a result of the election, the government retained some amendments and got rid of others. I wonder why. Did the government change its mind all of a sudden? Did it decide to make fewer changes to the system because it now has a majority? Was it just appeasing the opposition at the time? We have a hard time understanding why the government would do this, especially since almost all of these amendments were in the report.

I would like my colleague to speak more to this lack of respect for the importance of committees.

Ms. Hélène Laverdière: Mr. Speaker, I thank my colleague for his important question.

This is not the first time that the government has introduced a bill that ignores lengthy discussions in committee—a committee that heard from witnesses and whose members agreed to amend a bill. But the government does not respect that. We have to wonder whether the government respects the institution of Parliament, since committees are an essential part of that.

When we see something like this, combined with the fact that the government tries to muzzle us and accuses of requesting silly emergency debates, it raises some big questions.

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, I am very pleased to rise today to discuss Bill C-15.

By way of introduction, it is worth noting that, as members of the House of Commons, we not only have the great honour of representing Canadians, we also have the opportunity to learn a little more about matters under federal jurisdiction that were perhaps addressed in previous parliaments, but that, for one reason or another, we are not familiar with.

For me, military justice is one such matter. I am no expert when it comes to this issue. However, since I now have the opportunity to discuss it, I did my research. I tried to look at what other Parliaments have done. It became clear to me, when reading the 2003 Lamer report, that reform is necessary. Anyone who has studied the recommendations therein can see that a lot of work was done and that much progress was made in the context of the previous Bill C-41. It is apparent now, however, when considering Bill C-15, that a lot of work was unfortunately done for nought. There is no other way of putting it.

I will speak about this work and the reason why a lot of it has gone by the wayside. To begin with, one of the best opportunities for a member of Parliament to speak about a bill or an issue is to take part in the work of committees. It gives us an opportunity to discuss issues with witnesses, who are often experts in their respective subject areas. At the end of the day, we cannot be experts in everything. Asking witnesses questions and listening to their testimony is an extremely important exercise in our legislative and democratic process. We also have the opportunity to carry out clause-by-clause consideration of different bills and to propose amendments.

Clearly, the party in power enjoys a majority in the House. When there was a minority government, however, the work of committees held more sway. That is certainly what we are increasingly witnessing today as we see the government attempt to take away committees' power. But that is another debate for another day.

Government Orders

Having said that, several amendments were proposed at the time—in February 2011, unless I am mistaken—at the Standing Committee on National Defence. These amendments were passed by all parties. It must be understood that committees represent all elected representatives and parties. The committee, therefore, made amendments that were in line with the most important recommendations in the Lamer report. This was done in an effort to reform the military justice system.

Some of the amendments to Bill C-15, which is before us today, have been scrapped and others retained. I am asking myself the same question that I just asked of my colleague, the member for Laurier-Sainte-Marie. Unfortunately, given the dearth of speakers on the government side, I will not have an opportunity to ask the government this question. I nevertheless wonder why—after being proposed democratically in committee, where the bulk of the work in our parliament was done on this—certain amendments to the bill were retained and others scrapped.

After a bill legally dies on the order paper, there is no obligation to keep the previously adopted amendments when the same bill is presented in another form. Nevertheless, as a democratic and moral principle, and as matter of principle in general, one wonders why the government did not decide to keep these amendments in place, especially since they were not of a partisan nature, and were in line with the ideas put forward in the recommendations of the 2003 Lamer report.

Allow me to speak to a number of these recommendations. After all, the amendments that were not included in the bill in its current form are, unfortunately, reason enough for the NDP to oppose this bill. One of the most important questions concerns summary trials. All citizens of law-based societies such as ours want a balanced system of justice that affords citizens protection.

● (1215)

That said, it is important to understand that the system that exists within the military is not exactly the same. That is precisely why the necessary reforms are meant to bring the military justice system more in line with the civilian justice system. We want to bring these systems more in line with one another to ensure that the members of our armed forces enjoy adequate legal protection, since they deserve our utmost respect, for reasons that I do not need to repeat here. We know the importance of the sacrifices they make. They do incredible work for our society. It is important that they have adequate legal protection.

When we look at summary trials, one particular aspect is extremely problematic. A number of my colleagues have talked about this aspect, the fact that people can be saddled with a criminal record for violating military regulations. In normal proceedings, such behaviour, while certainly unacceptable, would not be sufficient reason to burden someone with a criminal record.

It is important to maintain discipline within the armed forces. We understand that it is important for commanders who make the decisions in these cases to maintain discipline. We are not saying that any of the regulations themselves should change. The penalties must be strict enough to ensure that offenders understand the seriousness of their mistakes. At the same time, however, we must not saddle

them with judicial baggage that will stay with them for the rest of their lives.

All of the members of this House understand how careful we need to be about burdening people with a criminal record, because it will stay with them forever. It will follow them everywhere—when looking for a job, when signing a lease, basically, it affects all aspects of everyday life. Such measures could force someone into a precarious situation.

I am being very careful. I really want to be clear that we are talking about minor transgressions. We know that people who commit serious crimes deserve a criminal record. We realize this and we obey the laws of our society. We respect the fact that the punishment should fit the crime. However, we really are talking about transgressions that do not warrant a criminal record. When we take a look at this process, what is really problematic is that summary trials are often overseen by a commanding officer who, for understandable reasons that I mentioned earlier, wants to instill discipline in the armed forces. This sense of discipline is so very important in our traditions and also in the work of the men and women of our Canadian Forces.

When we realize that the commanding officer, understandably, may not really be interested in the concerns pertaining to criminal records, we have to bring clarity to the regulations. I believe that this must be one of the reforms we have to make. One of the amendments that we proposed was establishing a more complete list of the circumstances where a criminal record is, or is not, warranted.

In closing, I would like to make one last very important point. One thing dropped from this bill is the composition of the grievance committee.

I would like to make a comparison. In the United States, the founding fathers ensured that the commander in chief, or the U.S. president, is a civilian, not a member of the army. The objective was to balance the importance of a hierarchy within the armed forces and also within civilian society. Another recommendation we hoped would be adopted was that civilians make up 60% of the committee membership. That is another important measure that is unfortunately not in this bill.

● (1220)

Unfortunately, my time has expired and I will not be able to go through the list. However, I am certain that I will have the opportunity to do so during questions and comments.

● (1225)

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, my young colleague seems to have understood that members of the military are people who volunteer to go into war zones to defend political decisions that Parliament makes. They do not deserve a bit less justice than everyone else; they deserve a bit more.

Can my colleague say who benefits from the authoritarianism and lack of transparency? I get the impression that a number of experts on the other side could answer that question. I also get the impression that secrecy and incompetence are coming into play here.

Government Orders

Mr. Matthew Dubé: Mr. Speaker, I think that my colleague raised a very important point. Since we expect service from our armed forces, we owe them a proper system in exchange. As we saw in the 2003 report, the system needs some reforms.

Even now, eight years later, we unfortunately have yet to take the necessary action. We thought this was achieved with Bill C-41, but we unfortunately took another step backwards.

When my colleague talks about transparency, he is referring to all of the very important principles of a justice system. These principles are no less important in the military justice system. I think that is the crux of this debate.

I would hate to make judgments about anyone's competence, but I think that we owe members of our military a transparent and rigorous system, so we can ensure that people are well represented and that we punish the people who deserve to be punished. However, we must do so fairly and equitably. The system must have more respect for the principles that society has adopted for everyone.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, members opposite are praising our soldiers, but their words are empty, because every day we can see that the opposition is prepared to deny the Canadian Forces the equipment they need. It is opposed to the Canadian Forces participating in overseas missions, and now it is opposing the modernization of the military justice system.

The government is committed to reducing the number of convictions resulting in criminal records in 27 cases. The minister said so yesterday and I am saying so today. We want to repeat what happened with Bill C-41, but that can only be done in committee. We want to refer this legislation to committee as soon as possible.

Why is the member for Chambly—Borduas opposed to speeding up the passage of a bill that is necessary and that would modernize the military justice system?

Mr. Matthew Dubé: Mr. Speaker, those comments are far from being empty words. The reason we oppose this measure is because we think we need to do more. The choices made by the government are not choices that, in our opinion, are in the best interests of the armed forces.

The hon. member's comments raise a number of issues, and I thank him for his questions. I may not be able to deal with each point.

He talked about referring the bill to committee and duplicating the process followed with Bill C-41. Why do we need to repeat this process? Why did the government not include these points from the outset? That work has already been done. Why redo it when there already seemed to be a consensus?

We are not opposed to modernizing the military justice system. We are opposed to the bill in its current form. We find it deplorable to redo something that has already been done. I cannot say it enough.

A parliamentary committee is supposed to be a crucial element of the legislative process. During the last Parliament, all parties and all members did an excellent job. Now, the government wants to redo that work when it could easily have included these measures in the bill.

I will close by repeating that the reason why we will vote against these measures is because they are not appropriate for our Canadian Forces. We do not have to justify ourselves in that respect. Our work speaks for itself.

• (1230)

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, it is a pleasure and an honour for me to rise in the House today to talk about Bill C-15.

In essence, the purpose of this bill is to enhance and reform the military justice system. Previous parliaments have attempted to come up with similar bills. Despite all of the work done in committee, where all parties agreed to amendments, here we have a bill that, unfortunately, does not go far enough and does not include all of the recommendations that were made. We must oppose it. The government is refusing to work with the opposition parties to come up with a bill that will really be good for the military justice system and, more importantly, military personnel.

As the representative for the riding of Brossard—La Prairie, I have had the honour of meeting many former members of the armed forces and current members who are making sacrifices for their country. I truly admire these people. Often, they are deployed to places where many of us would never dare to go. They do incredible work and make enormous sacrifices. We are asking the government to help them. But the government does not really seem interested in supporting veterans.

[English]

In the case of the government forcing veterans to live on less when it decided to claw back veterans' benefits, the veterans actually had to go to court and expend a lot in terms of money and stress when the government on its part could have acted.

[Translation]

We had to wait for the Federal Court to render a decision in favour of veterans saying that what the government did was unfair.

The government is talking out of both sides of its mouth. It says that it supports soldiers. It sends them on missions that Canadians do not always agree with, as we can clearly see in the case of Afghanistan. I am very proud to be a member of a party that is opposed to military intervention in that country.

Let us come back to Bill C-15. My colleagues have already mentioned that the way this bill is written poses a problem for the reform of the summary trial system. The members opposite have had a lot to say about it.

I would like to briefly explain what a summary trial is. When a soldier commits an offence, there is a summary trial. There is no legal counsel present and no transcript of the proceedings. The soldier may also end up with a criminal record. I will come back to that a little later.

Summary trials have no appeal mechanism. The judge is the accused's commanding officer, which is a significant conflict of interest. From a purely legal perspective, this type of trial is not valid. When soldiers undergo a summary trial, they do not have the right to receive legal counsel to defend themselves. They are therefore at a clear disadvantage, which is unacceptable.

Government Orders

A criminal record has fairly serious consequences. Soldiers can end up with criminal records as a result of reprimands. We understand that, in the military system, it is important that there be discipline and that soldiers follow certain rules. However, when soldiers become veterans and return to civil society with a criminal record, there are consequences for them. I think that is a problem. What are these reprimands for? Soldiers can be reprimanded for insubordination, misconduct, absence without leave and drunkenness.

• (1235)

We are also talking about disobeying an order. We can see that this goes too far in some of these cases. Think about this: an individual who has served Canada and who has sacrificed himself or herself would be given a criminal record. The Conservatives keep saying that we must trust and value our military members. However, if they truly believe that, then why give military members a criminal record when they return to civilian society? What does it mean to have a criminal record? It can prevent you from working, from travelling outside Canada, and it can cause you problems every day, when you try to sign a lease, for example. Some problems are really more serious. That is why we asked the government to pay attention to that.

The NDP made a number of specific proposals when this was studied by the Standing Committee on National Defence during the last Parliament. We suggested 27 “cases” in which a criminal record was unnecessary. A penalty might be necessary, no doubt a stiff penalty, but not a criminal record.

The Parliamentary Secretary to the Minister of National Defence will say that amendments were proposed by the government, but we do not understand why the government has not done its job. This was discussed during a previous Parliament. Does this mean that the government does not respect what was previously done, the discussions, the debates and the recommendations made by the Canadian Forces? Does that mean nothing because they suddenly won a majority? Does nothing that is in the best interests of Canadians and veterans count any more because they have a majority? What counts now is their take on things.

We in the NDP understand that the system must be reformed, but it is a problem when they do not listen to what has been proposed and debated. The former chief justice of the Supreme Court of Canada, the Right Hon. Antonio Lamer, made recommendations in his report. Of his 88 recommendations, only 28 were retained. Why does this Conservative government always refuse to listen to what people have to say when solutions are proposed?

I have previously discussed the government's truly unacceptable attitude toward what veterans and the Canadian Forces request. This government does what it wants and does not listen to what people have to say. And we in the official opposition have a duty to promote these discussions. That is why we are debating this bill, which is imperfect. We understand the government's intention: it wants to reform the system. We agree with the government, but we believe this does not go far enough.

Let us look at the conflicts of interest in the grievance system. This is the situation if you have a grievance. The grievance review committee consists of retired members of the Canadian Forces.

However, there may be some doubt about the impartiality and objectivity of certain committee members. Members may include commanders, for example. What we are seeking, and what the NDP proposed, in the way of specific solutions that could improve the system and that were proposed during a previous Parliament, is a slightly more civilian system, one in which 60% of committee members are civilians.

In that way we ensure that, when a grievance arises, the individual who says he or she has a problem is not punished, the process is a little more transparent, and there is less of a conflict of interest, which makes it possible to consider the matter.

Once again, our aim is really to help military members, those people who, in certain cases, must forge ahead. We respect that, but the government must respect what the opposition requests, but especially what veterans, the Canadian forces and the public request.

• (1240)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, my question is very simple. Why does the opposition not do its own work?

In all these debates, it shows an incredible lack of rigour. It wants to reduce the number of criminal records, and now the number of summary trials, such as in the case of insubordination, disturbance, absence without leave or drunkenness. Those are the types of convictions members opposite are rather familiar with.

By prolonging the debate and preventing the bill from being referred to committee, the member shows that he does not want to accelerate these reforms. The NDP and the opposition asked for these reforms, but with each speech they make, they delay the implementation of necessary reforms that everyone wants. How can the member justify that?

Mr. Hoang Mai: Mr. Speaker, I thank the Parliamentary Secretary to the Minister of National Defence for his question.

The purpose of the debate is precisely to look at the content of this bill and to identify issues. If the government had really done its homework, it would have realized that when this work was done in the previous Parliament by the Standing Committee on National Defence, some proposals—which we still approve—were approved by the committee. However, it seems as if these proposals were forgotten, as if the government did not do its homework and that these proposals will now be added on.

If we are debating this issue today, it is because of the government's incompetence and ad hockery.

I am very proud to hear the hon. member say that the proposals put forward by the NDP will be accepted, but there are also other ones regarding summary trials. We think that, in some cases, resorting to summary trials is unfair. How are grievances dealt with? We still do not have answers to many questions.

If the government had done its homework, perhaps we would not be debating this issue today.

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I would like to congratulate my colleague on his speech.

Government Orders

He talked about flaws and limitations related to summary trials. I wonder if he could elaborate on the importance of natural justice and on the right to appeal. Could he also talk about the possibility for an offender to be represented by counsel?

Mr. Hoang Mai: Mr. Speaker, I thank my hon. colleague from Saint-Lambert for the question, which demonstrates her thorough knowledge of the subject and shows that she shares my concerns.

In a summary trial, there really are no consultations. I also heard someone across the floor say that their objective is to speed up the process.

There has to be a balance between speeding up a process and respecting certain rights. When there are no appeals allowed and no transcripts of the trial, when the accused has no right to legal counsel, and especially when the judge is the accused person's commanding officer, we are entitled to ask some questions.

I understand the desire to speed up the process and take some pressure off the system. However, when the fundamental right to protect and defend oneself is at stake, when the consequences can be devastating and last a very long time, in short, when we are talking about a criminal record, we cannot take this matter lightly.

I know the members opposite are saying they simply want to speed everything up, but we must not forget that there are people behind all this, behind the process. This can have a serious impact on them; it can change their lives.

This whole process really cannot be taken lightly. Respecting certain rights is crucial, I think.

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts, proposes a series of measures to enhance the military justice system. This bill is a legislative response to some of the recommendations made by Justice Lamer in 2003 following his review of the National Defence Act and to recommendations made by the Standing Senate Committee on Legal and Constitutional Affairs six years later. Of Justice Lamer's 88 recommendations, Bill C-15 takes just 28 into account. Sixty recommendations were not included in the bill that the Conservatives introduced in response to the key concerns raised by the Lamer report on national defence.

In its current incarnation, the bill resembles previous national defence and military justice reform bills introduced in the House, such as Bill C-7 and Bill C-45, which died on the order paper when Parliament was prorogued in 2007 and when the election was called in 2008.

The following year, in July 2008, Bill C-60 proposed a simplified courts martial structure and set out a precise method for choosing a type of court martial that would harmonize well with Canada's civilian justice system. It was introduced and debated in the House before being referred to the Senate committee that studies legal and constitutional affairs. After a painstaking review of the bill, the Senate committee made nine recommendations for changes to the National Defence Act.

Later, in 2010, Bill C-41 was introduced in the House of Commons. The main purpose of the bill was to address the key

recommendations that Justice Lamer made in 2003 and that the Standing Senate Committee on Legal and Constitutional Affairs made in 2009.

Bill C-41 included provisions to reform the military justice system in the areas of sentencing, judges and military committees, summary trials, court martial panels and the Canadian Forces provost marshal. Further provisions proposed changes to the Military Police Complaints Commission.

The bill before us today, Bill C-15, is similar to Bill C-41, which was introduced by the Senate committee in the previous Parliament. It provides, among other things, greater latitude regarding the sentencing process and additional sentencing options, such as absolute discharges, intermittent sentences and restitution. It modifies the composition of a court martial panel according to the rank of the accused person, and the limitation period applicable to summary trials. It also allows an accused person to waive the limitation periods. In addition, the bill sets out the Canadian Forces provost marshal's responsibilities.

As the NDP members who spoke before me pointed out, our party believes that the bill is a step in the right direction to bring the military justice system more in line with the civilian justice system. Unfortunately, it fails to address the fundamental issues that a serious military justice reform must tackle, including summary trials, grievances and measures that should be contemplated to strengthen the Complaints Commission.

Because it is silent on these substantive issues, Bill C-15 seems from the outset to be unfinished business that has not been given proper consideration.

During the debates on previous bills dealing with National Defence reform, relevant amendments were proposed and adopted at committee stage at the end of the last parliamentary session. We are sorry to see that these amendments were not even taken into consideration in Bill C-15 as it now stands.

The amendments proposed by the NDP included changes to the powers of the Chief of the Defence Staff in the grievance process, which stems directly from a recommendation made in the Lamer report, changes to the composition of the grievance committee so that 60% of its members would be civilians, and a provision to ensure that a person found guilty of an offence during a summary trial would not unfairly be given a criminal record. The Conservatives rejected all of these amendments.

The NDP has long supported a necessary update of the military justice system, but not at any cost. We, New Democrats, think that members of the Canadian Forces are subject to extremely high disciplinary standards. Therefore, they deserve a justice system governed by similar standards.

Many Canadians would be shocked to learn that the people who have served our country with such valour can have a criminal record under a system that does not have the procedural regularity that is ordinarily required in the civilian criminal courts.

Government Orders

• (1245)

The NDP will firmly oppose Bill C-15 at second reading as long as measures have not been adopted to improve it throughout. New Democrats will continue to fight to make the Canadian military justice system fair for the men and women in uniform who have risked their lives in the service of Canada.

That said, the weaknesses and flaws in this bill mean that we cannot support it. The following are some of the weaknesses in the bill that make it impossible for New Democrats to agree to it.

Let us talk about the reform of the summary trial system. The amendments in Bill C-15 do not adequately address the injustice of summary trials. At present, a conviction in a summary trial in the Canadian Forces means that a criminal record is created. When summary trials are held, accused persons are unable to consult counsel. There is no appeal and there is no transcript of the trial. In addition, the judge is the accused's commanding officer. This is too harsh for some members of the Canadian Forces who are convicted of minor offences. Those minor offences include insubordination, quarrels, misconduct and absence without leave. This is undoubtedly very important for military discipline, but it does not call for a criminal record.

Bill C-15 provides an exemption so that certain offences, if there is a minor sentence determined by the act or a fine of less than \$500, will no longer lead to a criminal record. This is one of the positive aspects of this bill. We think this bill does not go far enough.

Last March, at committee stage, the amendments to Bill C-41 proposed by the NDP called for the list of offences that could be considered to be minor, and not merit a criminal record if a minor sentence were imposed for the offence in question, to be increased to 27 from five.

This was an important step forward for summary trials. However, that amendment was not retained in Bill C-15 and we want it to be included again.

A criminal record can make life after a person's military career very difficult. With a criminal record, getting a job can be a thing of the past, and renting an apartment and travelling can be very difficult. Many Canadians would be shocked to learn that members of the military who have served our country so courageously can have a criminal record because of flaws in the military justice system.

Let us talk about reforming the grievance system. At this time, the grievance committee does not allow for external review. Retired employees of the Canadian Forces, some of them very recent retirees, sit on the committee. If the Canadian Forces Grievance Board is to be seen as an external, independent civilian body, as it should be, the appointment process needs to be amended to reflect that. This committee should therefore be composed, in part, of civilian members.

The NDP amendment suggests that at least 60% of the grievance committee members must never have been officers or members of the Canadian Forces. The amendment was adopted in March 2011, for Bill C-41, but it was not incorporated into Bill C-15. It is important that this amendment be included again.

Let us talk about the authority of the Chief of Defence Staff in the grievance process. One of the major weaknesses of the military grievance system is that, contrary to a recommendation in the Lamer report, the Chief of Defence Staff lacks the authority to resolve the financial aspects of grievances. Although the defence minister approved the recommendation, no concrete action has been taken in the past eight years to implement it. The NDP proposed an amendment to this effect when Bill C-41 was at the committee stage. Although this amendment passed in March 2011, it was not retained in Bill C-15. The NDP will fight to have it put back in.

Let us talk about strengthening the Military Police Complaints Commission. Bill C-15 amends the National Defence Act to establish a timeline in which the Canadian Forces provost marshal will be required to resolve complaints and protect complainants from being penalized for submitting a complaint in good faith. The NDP believes that more needs to be done to strengthen the commission.

Retired Colonel Michel W. Drapeau is an expert in military law. Here is what he had to say before the Standing Committee on National Defence on February 28, 2011.

I strongly believe that the summary trial issue must be addressed by this committee. There is currently nothing more important for Parliament to focus on than fixing a system that affects the legal rights of a significant number of Canadian citizens every year. Why? Because unless and until you, the legislators, address this issue, it is almost impossible for the court to address any challenge, since no appeal of a summary trial verdict or sentence is permitted. As well, it is almost impossible for any other form of legal challenge to take place, since there are no trial transcripts and no right to counsel at summary trial.

• (1250)

It is up to the Conservatives to explain to the House why the relevant recommendations that were agreed to during the debate on Bill C-41 have not been incorporated into this bill.

• (1255)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, I would like to correct a basic mistake the hon. member made in her speech. I would like to give her an opportunity to correct what she said.

She said that the government had retained 29 of Justice Lamer's recommendations. But in fact, as many of her colleagues confirmed, the government has accepted and endorsed 43 of these recommendations. However, only 29 have been implemented so far. We need this bill. We need to work together in committee and pass this bill so we can implement the other recommendations that the government accepted.

Does the hon. member recognize that she quoted the wrong number in her remarks?

Mrs. Sadia Groguhé: Mr. Speaker, I would like to thank my colleague for his question.

I would simply remind him that there were, originally, 88 recommendations. Since the hon. member keeps repeating how important Justice Lamer's decisions are, we need to respect them all. Even if the number goes from 28 to 43, that is still very far from the original 88 recommendations.

Government Orders

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, as a follow-up to this recent exchange, I would like to ask my colleague why, in her opinion, all the recommendations were not approved, and why changes adopted by all parties at committee during the last Parliament were not included in this bill's newest version.

Mrs. Sadia Groguhé: Mr. Speaker, I thank my colleague for her question.

I will simply say that when it examined Bill C-41, the committee accepted a number of very important amendments to improve the bill and bring it in line with the recommendations made by Justice Lamer. Unfortunately, Bill C-15 does not contain all of the amendments that were passed when the committee examined Bill C-41. That is a major flaw.

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I am honoured to rise in the House today to speak to Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts.

This morning, I had the opportunity to hear speeches by a number of my NDP colleagues. Some points they raised were very interesting. I also noticed that a number of members on the other side of the House were interested in the debate, including the parliamentary secretary with his questions. After this morning's discussions, I have a better understanding of the bill.

I would like to take a moment to mention that all of the parties agree that the Canadian Forces are important and that they deserve our respect. These men and women put their lives on the line to protect our freedoms. They go all over the world to protect us and to promote freedom for everyone. It is with a tremendous amount of respect that I rise today to very humbly speak to Bill C-15.

It is often very hard for these people to be away from their families. That is something that many of us do not understand. I have friends in the Canadian Forces. Some of my friends' parents were also members of the Canadian Forces for decades. I have heard all kinds of stories, each more incredible than the next. They are always very proud to talk about their experience in the Canadian Forces. Sometimes it can be difficult. That is something to think about, because it is a whole other world.

It is worth taking a moment to talk about this. I talk about it often with people at the Canadian Legion in Laval, which is in my riding. For example, I have coffee with Jocelyn and Marcel, who served in the Canadian Forces. Some people have never been members of the Canadian Forces, but have a great deal of respect for our military personnel and want to give of their time to them. When they return to their communities, our military men and women try to help out civilians.

For example, at the beginning of the year, Marcel from my riding went over the 500 mark for blood donations. This is very important to him, and he continues to donate blood every two weeks. These people always go above and beyond, and we owe them a great deal of respect. We have to do things the right way for them, especially when it comes to a bill about very important issues such as summary trials, which most of my colleagues have spoken about in the House.

The first thing that struck me was the fact that not all the recommendations in the Lamer report were included, as my colleague just mentioned. The report contained 88 recommendations. From what I understand, the number of recommendations accepted by the government will increase from 27 to 43. Thus, 29 recommendations are already in place and a total of 43 recommendations will be accepted.

After all the work that was put into this report, why not accept all 88 recommendations? I am not an expert, but I did look over the recommendations. I really wonder why the government did not accept more. I would like to have the opportunity to ask some of the members opposite, if they speak to the bill, if there is a particular reason why more recommendations were not accepted.

● (1300)

We are pleased that several recommendations were included, but we feel that they do not go far enough.

I feel that Bill C-15 lacks balance because the reforms it proposes are a travesty of justice.

By that, I am referring to summary trials, which I mentioned earlier and my colleagues discussed at length. I expressed my concern about how people could easily end up with a criminal record, which is both troubling and hard to believe because these men and women give their time and, in some cases, many years of service.

It is appalling to see that a criminal record could be so easy to get. Moreover, summary trials are not transcribed. That worries me because the accused cannot appeal. I am concerned that this violates the rights of the men and women who go through a summary trial, because the proceedings are not transcribed and the individual has no recourse.

In the civilian world, accused persons can appeal. I do not understand why people who are members of the Canadian Forces cannot. Somebody on the other side should clarify this matter for me and tell me why things should be this way. I do not see why people in the armed forces should not have the same rights. These people sacrifice everything in service to their country, so why should they not have the right to appeal?

I think that this is a serious flaw. Perhaps the bill was drafted too quickly or the government did not give it enough thought. Are the Conservatives really serious about putting this bill before the House? Honestly, I have my doubts.

This morning, many members talked about studying this bill in committee.

I have a great deal of respect for our parliamentary institutions, and I believe that every parliamentarian tries to do good work in committee. However, it can be extremely difficult to suggest amendments in committee and discuss them properly because there is rarely enough time to talk about all of the bills.

Government Orders

I am currently a member of the Standing Committee on Public Safety, but I used to be a member of the Standing Committee on Fisheries and Oceans, and I served as a substitute member for several committees. We often hear the same line over and over and see the same kind of thing in how committees operate. I do not wish to minimize the importance of Bill C-15, but I do have some doubts about how the bill will be examined in committee.

I have faith in my colleagues, regardless of their party affiliation. I know they will ensure a job well done. However, if this bill makes it to committee—which is likely, since the government has a majority—I want to be sure that all of my colleagues will take the examination of this bill very seriously.

After hearing from witnesses, committee members will propose amendments in order to ensure that Bill C-15 is as fair as possible when this government passes it. I simply want to be sure that this will be taken seriously. It is our duty as parliamentarians to introduce the best legislation possible. Unfortunately, this bill contains a number of flaws, as pointed out by many people who are not members of the official opposition.

For instance, Colonel Drapeau, a retired Canadian Forces colonel, said that the issue of summary trials needs to be reviewed. Personally, I think we need to listen to those who are asking us to review our procedures, such as the British Columbia Civil Liberties Association and Mr. Drapeau. These people have experience that others probably do not have. I will trust our parliamentary system.

• (1305)

However, because of the flaws that appear in Bill C-15, I have no choice but to vote against it and explore in greater detail why more recommendations from the Lamer report were not included in the bill.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, we, too, have complete trust in our parliamentary system, but not in the NDP's knowledge of the bill or the military justice system. Indeed, in every speech they make, their lack of knowledge about the system is on full display. This is why I want to repeat that the government has followed up on 83 of the 88 recommendations issued by Justice Lamer. We would like to get these reforms started. This bill has been dragging on for a year. We are requesting that opposition members allow us to send the bill to committee. In the meantime, I have a question for the honourable member for Alfred-Pellan.

Why is she suggesting that the number of people with military experience allowed to sit on the Canadian Forces Grievance Board be artificially limited? Could it be because the NDP does not trust the members of the Canadian armed forces?

Ms. Rosane Doré Lefebvre: Mr. Speaker, I thank the parliamentary secretary for his comments and question.

I want to come back to the first point, which caught my attention. It is a little sad to hear that my colleague opposite thinks that no New Democrat has the requisite experience to speak about national defence, especially since we have members of the Canadian Forces on this side of the House.

I am in no way suggesting that I am an expert in national defence, but I find it a little opportunistic that the Conservatives would paint

themselves as being more expert in the field. It is important to stress that we rely on experts to provide us with information. I am not an expert in every field. That would probably make me an extremely pretentious and unpleasant person, but I appreciate it when witnesses share their points of view.

Regarding the amendment introduced by the NDP—I am going to be very quick, Mr. Speaker—it is not that we do not trust the Canadian Forces, far from it. We are proposing that at least 60% of members of the committee be independent from the armed forces. It is extremely important to bear this point in mind.

• (1310)

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, I thank my colleague for his speech.

One point in particular struck me and shocked me a little. When we spoke about this bill in the House of Commons committee, a witness said that we were straying from the principle that the Constitution of Canada is the supreme law of Canada, as stipulated by section 52 of Part VII of the Constitution Act, 1982. The supreme law of Canada, therefore, takes precedence over the National Defence Act.

Why would we condemn military members to a life with a criminal record for something that is not so serious, whereas for any other citizen, under the Criminal Code, that punishment would apply to criminals, those who kidnap children, for example? I would, therefore, like the member to elaborate on the inherent injustice of applying the legislation.

Ms. Rosane Doré Lefebvre: Mr. Speaker, I would like to thank my colleague from Honoré-Mercier. I know just how much injustices deeply affect her, especially where young people are concerned. She is a former teacher, and when the lives of innocent people are at stake, it is extremely serious.

I raised that point in my speech. I wonder why the drafters of this bill did not go a little further and make it fairer. Why should a person end up with a criminal record when they have a spat—excuse the expression—with a person with whom they work? It is totally unfair. When this person returns to civilian life, they will have a great deal of trouble finding housing. It is also very difficult to find work with a criminal record.

We come down hard these people, who give their time, years of their lives, in the service of their country, and then we cut them loose. We need to think about veterans. These people need help. They do not necessarily need us to make their lives easier, they need us to make their lives fairer, as with other Canadians.

[*English*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am pleased to rise today in the debate on Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts. The short title is always the jazzier version, which is “strengthening military justice in the defence of Canada” bill.

Government Orders

I will pause before diving into the details of Bill C-15 that concern me. I find the character of this debate at second reading, and I am sure anybody observing this on the parliamentary channel will also find it, unusual in that, so far, until I rose to speak on behalf of the Green Party, we have only been hearing from members of the official opposition.

I do not know why this is. I think it is symptomatic of the unnecessarily partisan nature of debates in the House on legislation. There was a time, and I worked in Ottawa in that time, when working on legislation was not a partisan matter, but a largely cooperative and consensual matter to come to the best possible conclusions about how to improve legislative efforts before us.

Amendments were not considered a threat to the government of the day. The amendment and the debate processes were seen as part of the role and proper function of Parliament. In that sense, it would be totally in keeping with parliamentary democracy to always see members on all sides of the House put their oar in at second reading and suggest where they think the committee, which will be the specialist members of Parliament on all sides of the House, will dig in and what the committee should focus on when it looks a bill, such as a bill of this nature, which is largely a good work but has areas that need fixing.

We should approach debates in the House with much less partisanship. Every question I have heard from the hon. parliamentary secretary toward members of the official opposition has been to accuse them of somehow being hostile to the purposes of the bill or to try to stop it from being passed. I hear this far too often in this place.

When parliamentarians from any side of the House speak to legislation, that is our role and our job and it is not a political game or waste of time. The very purpose and essence of parliamentary democracy is to ensure that legislation, which Canadians will have to live with for a very long time, is derived through the most exultant of intellectual processes invoking rigour, thought and research so we come up with the very best possible legislation, not the very nastiest of debates.

With that set aside, I want to speak to the bill.

I want to associate myself with the purposes of Canadian military justice as set out by someone who has been quoted quite a lot in debate today, a former colonel and now professor in the faculty of law at Ottawa University, Colonel Michel Drapeau.

In this article, which originally appeared in the *Hill Times*, he set out very clearly where we were as we approached this debate today. He said:

At the end of the day, Canadian military law, which incorporates both the criminal law of Canada as well as civil offences committed outside Canada, is a vital and necessary law in order to maintain discipline and order among the troops, and is believed to be one of the many reasons why the Canadian Forces are considered one of the world's best, despite its small size. Considering the power that military law has over its audience, our citizen-soldiers deserve a world-class military justice system. A military justice system which is, first and foremost, just and fair to the accused while being responsive to the military need for discipline.

Obviously, the National Defence Act is still deficient in some major areas and it requires more than tweaks and tinkering to bring it into the 21st century.

That sets the context. This is not a wholesale assault on military justice coming from opposition benches. It is an attempt to ensure that this time that when we take a crack at military justice, considering that the comments and the work goes back to the work of Judge Lamer back in 2003, that we get it right in the 21st century.

As a general comment, we have missed out because we are still reaching back to 2003, nine years ago, for our recommendations. They are good recommendations but the world has moved on in a number of areas.

Again, as a general comment, I hope the committee will look at the reforms that have been taking place among many of our allied nations and friends, such as the United Kingdom, Ireland, New Zealand, Australia, Germany and France, that have been looking at their military justice systems. I do not like using nouns as verbs, but since Professor Drapeau did it, I will repeat it, "civilianizing", taking a military justice system and seeing if we cannot combine resources. His recommendation is that the military justice system be folded into the Federal Court. There would then be within the Federal Court a specific area of expertise around military justice. This would achieve quite a lot of efficiencies and cost savings, something the Conservative government usually likes.

● (1315)

Another comment from Professor Drapeau, which is overarching to this whole process, was why we were looking at the bill now when just last March, Justice Patrick LeSage was appointed to conduct a review of the military justice provisions of the National Defence Act. Would we not be wiser in the House to see what he recommended in light of all the things that have transpired over the last nine years since the report of Justice Lamer?

In any case, in moving to some specific areas of concern about the legislation, I am sure the committee will look at this, but I hope it will be open to amendments.

To the question of efficiencies and costs, it is quite surprising to find new judicial positions being created. Particularly, on the creation of a reserve force military judge panel, Mr. Drapeau noted that the current military judiciary had one of the lightest case loads of any branch in Canada. We know the Supreme Court of Canada has a heavy case load as does the Federal Court and most provinces. Under the weight of their case loads, justice grinds slowly. However, here we have a light case load with the creation of an additional reserve force military judge panel, which Professor Drapeau terms, "a costly extravagance". We should look at that and see if we really need those provisions and additional judges.

I want to direct most of my attention to the changes in grievance procedures. I will start the discussion by going back to Mr. Justice Lamer's report. Members can find this on page 86 of the report tabled to the Minister of National Defence in September 2003.

Mr. Justice Lamer puts it quite clearly. He wrote:

Soldiers are not second class citizens. They are entitled to be treated with respect, and in the case of the grievance process, in a procedurally fair manner...It is essential to the morale of CF members that their grievances be addressed in a fair, transparent, and prompt manner.

It is here to which quite a number of Mr. Justice Lamer's comments were directed in his recommendations. It is important to set the grievance process in the context to which Mr. Justice Lamer set it. The rest of what we are dealing with in the act is important, but I am concentrating on this because I heard relatively less of it in debate at second reading.

Unlike the rest of the military justice process, the grievance process is inherently non-adversarial. Nobody is being charged and it is not a question of whether members of our military force have access to a lawyer. It is a fundamental question of whether receipts have been honoured properly or that their working conditions are appropriate. It is in the standard management-labour context a grievance, but their grievances are treated differently.

Mr. Justice Lamer said that we should use a process that is, in essence, co-operative. Certainly this is a place where I can see efforts to take Justice Lamer's comments onboard. His recommendation 75 is virtually verbatim in clause 6, which in the act would be section 29.11, to move matters along as informally and expeditiously as circumstance and fairness permit. However, there are many other recommendations of Mr. Justice Lamer that have not been dealt with in this act.

One of the changes in the act for grievance procedures was not recommended by anyone. I query why we have to continually change the names of things but, for some reason, Bill C-15 would change the name of the Canadian Forces Grievance Board to the Military Grievance External Review Committee. Any time the name of a board is changed, although it may be a small matter, all the stationary needs to be redone. Why this change in Bill C-15 instead of some of the more pertinent things that Mr. Justice Lamer wanted done with the grievance procedure?

Right now grievance procedures still go all the way to the Chief of Defence Staff. The Chief of Defence Staff can delegate, but recommendation 78 would give the commanding officer a maximum of 20 days to try to explore alternatives to the grievance process before it would start to go up the hierarchy to the Chief of Defence Staff.

• (1320)

[Translation]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, I have a question for my colleague on the specific issue of the summary trial system reform.

Having served in the armed forces, I think some people in the military do not grasp the complexity of the military justice system. For example, a 17 or 18-year-old can be summarily tried for a relatively minor offence, not fully understanding what is happening. Summary trials are very impressive. Everyone moves very quickly. You are escorted in front of the commander. It is all very impressive.

Does the member think young soldiers understand the impact summary trials can have on their post-military career?

Ms. Elizabeth May: Mr. Speaker, I thank my friend from Abitibi—Témiscamingue for her question.

I am not in a position to comment on the way things are for members of the Canadian armed forces. She is, however, having

Government Orders

served in the Canadian Forces. I think she has a better understanding of the world in which our military personnel lives.

[English]

We could simplify the summary procedures. They are not necessarily unconstitutional, but there certainly are questions raised about their constitutionality.

A summary proceeding is one of those areas where we might move to something much closer to a civilian process, with civilian judges and all the access to rights and a clear understanding of the charges, for the members of our military. Again, members of our Canadian Forces are not second-class citizens and they should never face charges they do not completely understand.

• (1325)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, what I would like to pick up on from the previous question is this. I, too, was a member of the Canadian Forces. The last thing one thinks about when joining the forces is what kind of court system they have or what kind of disciplinary action they take. If accepted, one is quite honoured and privileged. I enjoyed the experience.

At this point, I would like to emphasize just how small the percentage is of members of the force who actually find themselves in the position of having to go through a military court proceeding. Somewhere in the neighbourhood of 40 to 60 cases in any given year is a guesstimate.

The principle of the bill is to try to narrow the difference between civil and military courts. The Liberal Party supports that principle. That is one of the reasons why we have no problem with it going to committee.

Would the leader of the Green Party provide her thoughts with respect to the importance of where we can ensure there are civil court procedures that would be afforded in the same fashion to military courts and how we can narrow that difference?

Ms. Elizabeth May: Mr. Speaker, the court martial proceedings on battlegrounds are a very specific set of circumstances which apply themselves poorly to a civilian context. As has been pointed out, we have civilian workers in Afghanistan who happen to work at Tim Hortons and who fall under military justice.

We need to ensure that the men and women of the Canadian Forces have a system of justice that is no less protective of their rights, no less clear in ensuring access to counsel and that the charges against them are completely clear. There really is no reason to have a completely separate class of justice for members of our military.

Government Orders

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, I stand here with my colleagues sharing our position as the official opposition in opposing Bill C-15 at second reading. My colleague from St. John's East and others have been involved with the content of the bill for some time. What I find disconcerting is that here we are rehashing the debate when so much good work took place at committee, where recommendations and changes were made to the legislation.

Yes, there was an election, so all of that work fell off the table. But when the government had the chance to put forward a bill that truly reflected the discussion that took place at committee, the kinds of testimony heard from top witnesses, it chose to discount the critical amendments to truly make the legislation what it could be, a piece of legislation that seeks to make military justice in Canada fair and truly just to the utmost extent.

The NDP has been clear in recognizing that, while Bill C-15 is a step in the right direction to bring the military justice system more in line with the civilian justice system, it falls short on key issues: reforming the summary trial system, reforming the grievance system and strengthening the Military Complaints Commission. It is really about two fundamental values that we hold dear as Canadians: the concepts of fairness and justice.

The reality is that we in the NDP believe that members of the Canadian Forces are held to an extremely high standard of discipline. It is something we all hold as such in our society. However, the members who put their lives on the line for our country deserve a judicial system that is held to that comparable high standard as well, something that is currently not the case and certainly will not be achieved by Bill C-15.

Many Canadians would be shocked to learn that the people who bravely serve our country can get a criminal record from a system that lacks the due process usually required in civilian criminal courts. For us, it is critical to fight for more fairness in the Canadian military justice system for the women and men in uniform who put their lives on the line for service to our country.

I know a number of my colleagues have referenced the summary trial system and the importance of making sure we are moving forward in that respect. I would note that countries we often look to, Britain, Australia, New Zealand and Ireland, have seen fit to change their own summary trial processes. The question is: Why is Canada lagging behind? We have the opportunity to follow in the steps of these countries, but also to set a leadership standard on our own and to clearly state as a priority that the military justice system stand for fairness and justice for people working in the military, something we civilians know to be the case when it comes to our system.

In terms of the summary trial system, the amendments in Bill C-15 do not adequately address the unfairness of summary trials. Currently a conviction of a service offence from a summary trial in the Canadian Forces may result in a criminal record. Summary trials are held without the ability of the accused to consult counsel, there are no appeals or transcripts of the trial and the judge is the accused person's commanding officer. This causes an undue harshness on certain members of the Canadian Forces who are convicted of very minor service offences.

For example, some of the minor service offences include insubordination, quarrels, disturbances, absence without leave and disobeying a lawful command. These could be matters that are extremely important to military discipline, as we know, but they are not worthy of a criminal record. As we know, it remains a struggle for military personnel, once they leave the military, to get on and get settled with their life outside the military. Obviously a criminal record would be debilitating and further exacerbate the challenges many former military personnel face as they go on to pursue employment opportunities outside the military.

● (1330)

What better role could the Government of Canada play than to ensure that military personnel both have the justice they deserve while they are providing military service and also are not unduly penalized because of that unfair system once they leave the service?

We noted that there needs to be reform of the grievance system. At present, the grievance system does not provide a means of external review. Currently it is staffed entirely by retired Canadian Forces officers, some only relatively recently retired. If the Canadian Forces grievance board is to be perceived as an external and independent oversight civilian body, as it was designed to be, then the appointment process needs to be amended to reflect that reality. Thus, some members of the board should be drawn from civil society. The NDP amendments have provided that at least 60% of the grievance committee members must never have been officers or non-commissioned members of the Canadian Forces. This is one of the amendments that was passed in March 2011 in Bill C-41 but was not retained in Bill C-15, before us in the House today.

The third point is about strengthening the Military Police Complaints Commission. Bill C-15 amends the National Defence Act to establish a timeline within which the Canadian Forces provost marshal would be required to resolve conduct complaints, as well as protect complainants from being penalized for submitting a complaint in good faith. Although this is a step forward, we in the NDP believe that more needs to be done to empower the commission. For example, care has not been taken to provide the Military Police Complaints Commission with the required legislative provisions empowering it to act as an oversight body. The commission must be empowered by a legislative provision that would allow it to rightfully investigate and report to Parliament.

On that note, on the need to strengthen the Military Police Complaints Commission to ensure that those in the military have access to the kind of justice all Canadians would expect, the concept of ensuring the independence of complaints commissions and the ability to review and investigate what is currently taking place is something to which we need to see a greater commitment from the government side in a whole host of areas. One of the areas that has also been discussed is the RCMP.

Government Orders

Despite the rhetoric we have heard from the government in favour of greater fairness for those working in the RCMP, the complaints commission there requires greater support. Canadians require greater assurance that the complaints commission of the RCMP will be independent. The reason I raise this is that we have heard about some serious allegations, some tragic stories around sexual harassment in the RCMP. That is something I am very concerned about, as the status of women critic for the NDP. There needs to be a policy when it comes to sexual harassment in the RCMP, but there also needs to be an assurance and clear legislative commitment to strengthen the independence and the role of the complaints commission. It is very much the same scenario in the case of the military. When we are talking about ensuring that members of the forces have access to justice and a fair system for recourse, we need to be looking at strengthening the Military Police Complaints Commission.

Finally, what we are asking of the government, and certainly what we would have hoped for, is that it would have taken the deliberations of the committee and the final amendments made by the committee in hand and, rather than reinvent the wheel, recognize that the work has already been done and the template is already there to ensure that whatever we do with regard to strengthening military justice in Canada be done with access to justice and fairness for military personnel as a foremost priority. It is a priority for us in the NDP. We hope to see that same kind of reciprocity from the government at some point soon.

• (1335)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, what we regret on this side is that we are having to endure repetitive, often ill-informed speeches today about this important issue by the opposition. The recommendations of Justice Lamer have been pending for nine years. This bill has been before the House for a year, and yet we hear the member for Saanich—Gulf Islands asking us why the name of the grievance board is being changed and who proposed it. It was the Canadian Forces grievance board itself. If members have not taken the occasion to inform themselves about this bill, they would do well to make their remarks elsewhere.

On this side of the House, we are committed to moving this bill forward to make sure that many summary trial convictions no longer result in criminal records. The only thing standing between the current situation where that happens and a reformed system where it will not happen is the speech by the member for Churchill, which is literally preventing us from implementing a reform we all want to see. We too want the reforms she outlined. Let us move to committee and get them implemented.

My real question for her is this. Why have a quota on non-military members of the grievance board? Does the member for Churchill not have faith in Canadians with military experience to take an oath and serve with pride and integrity on that board? Why a quota?

Ms. Niki Ashton: Mr. Speaker, it is truly disappointing that we have to resort to Conservative talking points instead of having a truthful debate in the House about how we could make the National Defence Act and military justice a true reality.

I know the member across the way is newly elected—I guess it has been some months now—but I would ask him to look at the records of the defence committee that, in March 2011, passed NDP

amendments and others to strengthen Bill C-15 that simply are not in the bill we are talking about today. Why did the government not include changes with respect to strengthening the Military Police Complaints Commission or the kinds of changes the committee asked for with regard to summary trials? That is the question I would like answered by the government, and why are Conservatives so keen on reinventing the wheel instead of going back to amendments they themselves allowed to be passed?

• (1340)

[*Translation*]

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, it is funny to hear that speeches made during a debate are obstructing a bill. The fact that we were elected as members of Parliament and our very presence in the House are not an obstruction in and of themselves, but that is a whole other issue.

The situation is interesting. I would like to ask Conservative members why they did not include all the amendments in the bill. However, I cannot ask them that question, unfortunately, since none of them deemed that issue important to present a speech on it today. The one exception is the Parliamentary Secretary to the Minister of National Defence, who always asks the same questions and says we lack a good understanding of the issue. Based on what I know, some amendments were adopted at committee, a committee composed of members from all parties. Unfortunately, it is obvious today that the Conservatives will do anything to keep committees from doing their work. There was a time when committees were able to do that work.

Although my colleague cannot answer that question, I would like her to speculate on why the Conservatives did not keep bill C-41 just the way it was.

Ms. Niki Ashton: Mr. Speaker, I thank my hon. colleague for his question.

I totally agree with his remark. The government seems to be quite allergic to any recommendations coming from committees. Instead of recognizing the work that was done to improve this bill, the Conservatives have chosen to waste our time by introducing a bill that lacks foundation. It is disturbing to see that the government is trying to go back in time and does not recognize how important it is for Canadian Forces members to be offered not partial justice, but full justice.

[*English*]

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): Mr. Speaker, I appreciate the opportunity to speak to this particular subject, particularly so close to Remembrance Day. It is particularly fitting, apropos, if I may say, that we have this debate today.

I would like to give a bit of background for those who are perhaps not familiar with the bill and are watching at home. I am continually amazed at how many people in my riding watch CPAC and watch it carefully.

Government Orders

In October of last year, the Minister of National Defence introduced Bill C-15. The bill is called an act to amend the National Defence Act and to make consequential amendments to other acts. Its short title is the strengthening military justice in the defence of Canada act.

The bill would amend the National Defence Act to strengthen military justice, following the 2003 report of the former chief justice of the Supreme Court, the Right Hon. Antonio Lamer, and the May 2009 report of the Standing Senate Committee on Legal and Constitutional Affairs.

It is important for my friends across the way to listen carefully, because they need to know that the NDP believes that this legislation is a step in the right direction. The bill is not entirely out in left field. I am sure that some members will agree with me that the Conservatives have had bills that have been out in left field—

Mr. James Bezan: It is right field.

Mr. John Rafferty: They are the Cardinals to our San Francisco Giants, I guess, Mr. Speaker. That is the way I look at it.

Among other things, the bill provides greater flexibility in the sentencing process. It provides additional sentencing options, including absolute discharges, intermittent sentences, and restitution. It modifies the composition of a court martial panel according to the rank of the accused person. It modifies the limitation period applicable for summary trials. It allows an accused person to waive the limitation periods and clarifies the responsibilities of the Canadian Forces Provost Marshal. It makes amendments to the delegation of the Chief of the Defence Staff's powers as a final authority in the grievance process.

I do not want people watching at home to think that there are not some good things in the bill as it moves forward. The bill is a step in the right direction. It is a step in the right direction toward bringing the military justice system more in line with the civilian justice system. However, Bill C-15 falls short on key issues when it comes to reforming the summary trial system, reforming the grievance system, and strengthening the military complaints commission.

In 2003, the Right Hon. Antonio Lamer, who is the former chief justice of the Supreme Court, presented his report on the independent review of the National Defence Act. It contained 88 recommendations. Bill C-15 is the legislative response to those recommendations, but to only 28 of those recommendations. Sixty are missing. Only 28 of those recommendations have been implemented by this legislation through regulations or by way of a change in practice.

This legislation has also appeared here in earlier forms, first as Bill C-7 and then as Bill C-45, which died on the order paper due to prorogation in 2007 and the election in 2008. In July 2008, Bill C-60 came into force, and some changes were made at that time.

In 2010, Bill C-41 was introduced to respond to the Lamer report. It outlined provisions related to military justice, such as the things we are talking about today: sentencing reform, military judges and committees, summary trials, court martial panels, the provost marshal, and limited provisions related to the grievance and military police complaints process.

● (1345)

In essence, Bill C-15 is similar to the version that came out of committee in a previous Parliament. The amendments carried over include court martial composition and military judges' security of tenure, meaning appointments and age.

However, other important amendments passed at the committee stage at the end of the last parliamentary session were not included in Bill C-15. These included, not surprisingly, NDP amendments that we felt were and are important. One was the authority of the Chief of the Defence Staff in the grievance process, which responds directly to Justice Lamer's recommendation. Another was a change to the composition of the grievance committee to include 60% civilian membership. Third was a provision ensuring that a person convicted of an offence during a summary trial is not unfairly subject to a criminal record, and that is no small thing.

Let me say again, because I know that my friend across the way will be asking me a question, that there are many important reforms in the bill. We support the long overdue update of the military justice system. Members of the Canadian Forces are held to an extremely high standard of discipline, and they, in turn, deserve a judicial system that is held to a comparable standard.

However, there are some shortcomings in the bill, and we hope that they will be addressed at committee stage if the bill passes second reading.

The first is the reform of the summary trial system. The amendments in the bill do not adequately address the unfairness of summary trials. Currently, a conviction for a service offence in a summary trial in the Canadian Forces may result in a criminal record. Summary trials are held without the ability of the accused to consult counsel. There are no appeals and no transcripts of the trial, and the judge is the accused person's commanding officer. This causes undue harshness for certain members of the Canadian Forces who are convicted of very minor offences.

Some of these minor service offences could include, for example, insubordination, quarrels, disturbances, absence without leave, and disobeying a lawful command. These are matters that could be extremely important to military discipline but that I do not feel are worthy of a criminal record.

Bill C-15 makes an exemption for a select number of offences if they carry a minor punishment, which is defined in the act, or a fine of less than \$500 so that they no longer result in a criminal record. This is one of the positive aspects of the bill, but it does not, in my opinion and in the opinion of the NDP, go far enough.

Government Orders

At committee stage last March, NDP amendments to the previous bill, Bill C-41, were carried. They expanded this list of offences that could be considered minor and not worthy of a criminal record if the offence in question received a minor punishment.

A criminal record could make life in the military very difficult and could make life after the military very difficult. Criminal records could make getting a job, renting an apartment, and travelling difficult. Many Canadians would be shocked to learn that the people who bravely serve our country can get a criminal record from a system that lacks the due process usually required in civilian criminal courts.

The second amendment we talked about was a reform of the grievance system. I know that my friend across the way will probably have a question about that. At present, the grievance committee does not provide a means of external review. I think that is important. Our amendment provides that at least 60% of the grievance committee members must never have been officers or non-commissioned members of the Canadian Forces. The amendment was passed but was not retained in the bill as it stands today.

• (1350)

The third amendment concerns strengthening the Military Police Complaints Commission. I do not think care has been taken to provide the Military Police Complaints Commission with the required legislative provisions that empower it to act as an oversight body.

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, indeed, the member for Thunder Bay—Rainy River anticipated my question, because it still has not been answered, and I have put it several times today.

There are 27 categories of infraction under the summary trial system that can result in a criminal record that we agree, as a government, need no longer result in a criminal record. The minister confirmed that yesterday. We want the draft to go back to what Bill C-41 reflected in the last Parliament. We think it is timely but also urgent that this happen, given that this bill has been before the House for a year and that the recommendations, of which we have accepted 83 out of 88, have been before this country in one way or another for nine years.

Why does the member opposite insist on joining all of his colleagues in holding up the work of the committee, which really should be making sure that these reforms are enacted as quickly as possible? Instead, the member is repeating the same requests and criticisms we have already heard from dozens of his colleagues today. Why not move to action, if he really believes that the members of the Canadian armed forces deserve our respect, our support, and the very best military justice system for these times? Why do we not move on to action in committee, when we agree on the outcome we all want?

• (1355)

Mr. John Rafferty: Mr. Speaker, the committee will be looking at this.

Let me clarify that this is a step forward. This is a bill that moves in the right direction. However, the reason I stand up here and talk about these other things is that the committee will soon be doing its

work on this bill after second reading. The members of the committee need to know where the official opposition stands on this bill so that there can be a good, decent discussion in committee about the amendments we think need to move forward and some conciliation and give and take. That is what Canadians expect us to do. We will continue to hammer away at these points, because we feel that they are important.

[*Translation*]

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, I would like to read a quote from Colonel Drapeau's testimony to the committee studying the bill. This is what he had to say:

I strongly believe that the summary trial issue must be addressed by this committee. There is currently nothing more important for Parliament to focus on than fixing a system that affects the legal rights of a significant number of Canadian citizens every year. Why? Because unless and until you, the legislators, address this issue, it is almost impossible for the court to address any challenge, since no appeal of a summary trial verdict or sentence is permitted. As well, it is almost impossible for any other form of legal challenge to take place...

I would like to know the member's thoughts on this.

[*English*]

Mr. John Rafferty: Mr. Speaker, that is the crux of the matter. We believe that all Canadians should be treated fairly and equally, whether they are in the armed forces or not.

I said earlier that the Canadian Forces are held to a very high standard of discipline and that in turn, they deserve a judicial system that holds a comparable standard. A criminal record can make life very difficult for people in the military and after their time in the military. I know that the parliamentary secretary and the other people on the committee will work hard to ensure that the things we are talking about today will be incorporated into this bill. I would like nothing better than to support a revised bill at third reading.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I listened with interest as the Parliamentary Secretary to the Minister of National Defence stood up repeatedly and criticized members for standing up and representing their constituents in the House.

It is a peculiar kind of attitude coming from the other side, saying that we should be very democratic but when we actually try to stand up and talk about things important to our constituents then they accuse us of wasting the time of the House.

I wonder if the hon. member has any reflections on those interventions from the parliamentary secretary?

Mr. John Rafferty: Mr. Speaker, I know the parliamentary secretary to be an honourable and decent man, so let me just say this. A lot of Canadians would be shocked to learn that the people who serve our country so bravely can get a criminal record from a system that lacks due process, the due process that is usually required in civilian courts.

We will continue to fight to bring more fairness to the Canadian military justice system for the men and women in uniform who put their lives on the line in the service of Canada every day.

Statements by Members

The Acting Speaker (Mr. Barry Devolin): The time for government orders has expired. [English]

STATEMENTS BY MEMBERS

• (1400)
[English]

HUNTING

Mr. Garry Breitkreuz (Yorkton—Melville, CPC): Mr. Speaker, fall is the time of year that hunters look forward to as they harvest the abundant species of ducks, geese, deer, moose, elk and bear. Rural and urban Canadians of all ages and from all walks of life contribute billions of dollars annually to the national economy through hunting, fishing, sport shooting and trapping. Hunters also play an important role in managing our species and environment.

People who hunt and fish have led the conservation movement for well over a century. The greatest environmental success story in the history of the world is the restoration of wildlife populations and habitat on the North American continent. Populations of wildlife were in danger of extinction due to unlimited harvest. Hunters emerged as leaders in an effort to reverse this trend. People who hunt and fish donate more time, sweat and money to conservation than all other groups combined.

Those who denigrate hunting for their own agendas need to look at the real facts. Young people benefit from learning respect for our environment by participating in our outdoor heritage activities.

Let us celebrate the conservation leadership and benefits of hunting.

* * *

[Translation]

VETERANS

Mr. Dany Morin (Chicoutimi—Le Fjord, NDP): Mr. Speaker, for more than a year now, my team and I have been supporting the efforts of a veteran in my riding who is being negatively impacted by a government that wants to send Canadians to the front but quickly forgets about them when they return. Daniel Couture lives with the consequences of his military service every day.

Having received the maximum amount of compensation permitted by law some time ago, he cannot count on any further benefits. However, as months pass, Mr. Couture is afflicted by new problems. Some days, he cannot even get out of bed because he is in so much pain. High doses of medication make his life difficult and he feels as though he has been abandoned by the Department of Veterans Affairs, which should be there to support him.

I find it unacceptable that this situation is tolerated by the Government of Canada.

Mr. Couture gave the best years of his life for his country. I am now calling on the Minister of Veterans Affairs to do his job and to help improve the living conditions of a man who sacrificed his health for his government's decisions.

INTERNATIONAL DAY OF THE GIRL

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, each year October marks Women's History Month, a month to commemorate the many important contributions women have made to Canadian society. Women's History Month was even more memorable this year because on October 11 Canadians had the opportunity to celebrate the first ever International Day of the Girl.

As a woman, mother and member of the Standing Committee on the Status of Women, I was thrilled to mark this occasion by joining over 200 girls in grades three to seven at the Toronto District School Board's young women on the move workshop, presented by Dove and co-hosted by Plan Canada and Because I am a Girl. The focus of the workshop was building self-esteem and the message I delivered was that as girls, we can do anything.

I am especially proud that Canada led the international community in adopting this day and I wish to thank, on behalf of all girls, the Prime Minister and the Minister for Status of Women for making the International Day of the Girl a reality.

* * *

BRAIN TUMOUR AWARENESS MONTH

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, this month is Brain Tumour Awareness Month. This month alone, close to 100 Canadians will learn that they have brain tumours. Between the ages of 20 and 40, brain tumours are among the top three deadliest forms of cancer. Among children, they are now the deadliest form of cancer.

[Translation]

There are 120 different types of brain tumours. They are all unique and require individualized treatment. This diversity makes research difficult, but progress is constantly being made, and the survival rate has gone up.

[English]

However, more work and commitment are necessary. Advances in technology alone will not provide a cure. We need to track brain tumours, malignant and non-malignant, which is a critical element of research and can lead to more effective and life-saving treatments. In general, investment in research and support for those with brain tumours and their families is absolutely essential.

* * *

OIL AND GAS INDUSTRY

Mr. Brian Jean (Fort McMurray—Athabasca, CPC): Mr. Speaker, I would like to take the time to thank the 30 members of Parliament who accompanied me on a two-day educational tour of Fort McMurray and the oil sands this summer. They were given the opportunity to see the economic engine of Canada at work.

Statements by Members

I would also like to take the time to thank CAPP, the Canadian Association of Petroleum Producers, Syncrude Canada, Suncor Energy Inc. and the Fort McMurray regional airport, which together worked very closely with Health Partners International of Canada to raise enough money to send one million dollars' worth of Canadian medicine to the world's most needy, including countries such as Afghanistan and Bangladesh.

The oil sands industry is taking steps like this to invest in the most important capital project in the world: the health of its citizens. I thank the people of the oil sands and oil sands corporations for taking time to help heal the world.

* * *

● (1405)

LITTERLESS LUNCH CHALLENGE

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, I rise today to announce the winner of my third annual litterless lunch challenge. The challenge which I hold each year in my riding during Waste Reduction Week encourages students to pack litter-free lunches. This year over 50 classes from 10 schools participated, including the entire staff at School District No. 43. This year's winning class, which was 91% litter free, comes from Riverview Park Elementary.

I want to congratulate Mrs. Allen and Mrs. Donnelly's grade three-four class and also congratulate all students, teachers and parents who made this year's challenge another success. They did a great job and I hope they will continue to reduce waste all year round.

* * *

NEW DEMOCRATIC PARTY OF CANADA

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, the NDP is attacking Conservative members in an attempt to change the channel on their carbon tax plans.

The NDP leader thinks that by dispatching his benches to spread patently false information about Conservative MPs, Canadians might not flip to page 4 of his platform where it outlines that the NDP plans to raise \$21 billion by putting a price on carbon.

Conservative members are active in our ridings, where we are hearing from constituents who care about their jobs and their pocketbooks. At every event I hear from people who oppose the NDP's plans to increase the costs of everything and threaten their jobs.

Perhaps this comes as a surprise to the member for Hamilton East—Stoney Creek, but my constituents do not want to pay higher prices every time they make a purchase in order to fund wild new NDP spending schemes.

I will continue to stand up for my constituents by opposing the NDP's reckless plan to threaten manufacturing jobs and hurt families in my riding.

* * *

AUTOMOTIVE INDUSTRY

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, I congratulate Ford, GM, Chrysler Canada and the Canadian Auto Workers union for

concluding important four-year contracts. With these contracts Ford and GM Canada eliminate their cost-competitive gap versus UAW plants in the northeast United States, while Chrysler Canada narrows its gap, allowing all three automakers to protect and, for Ford and GM Canada, add new Canadian jobs. That is good news for Windsor-Essex, the auto capital of Canada.

Our government has stood with auto workers and the industry through our automotive innovation fund investments and by helping the industry avoid bankruptcy in 2009, measures opposed by the NDP.

What our government will not do is risk auto jobs by implementing the NDP's \$21 billion carbon tax that would make minivans and the gas they run on more expensive.

Auto workers can trust our Conservative government to stand with them and grow the auto industry in Canada.

* * *

[Translation]

BORDER SECURITY

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, since January, many immigrants have been entering Canada illegally through the riding of the hon. member for Compton—Stanstead, and then going to Magog, which is in my riding.

I am not terribly worried about refugee claimants. The people I am worried about are those who come with criminal intentions, such as human or weapons trafficking or the importation of drugs.

The Minister of Public Safety can continue to deny that there is a problem, but the budget cuts to the Canada Border Services Agency are illogical and harmful. What is more, Morse's Line, East Pinnacle and Glen Sutton are three border crossings in my riding whose hours have been reduced, which is creating serious problems in the region with regard to safety and socio-economic imbalance. It is time that the government recognized that public safety and the economy go hand in hand with resource deployment, not with cuts.

I would therefore like to reissue the invitation that the opposition extended to the Minister of Public Safety last Sunday to come and see for himself the effects of his government's budget cuts—

The Speaker: The hon. member for Saskatoon—Rosetown—Biggar.

* * *

[English]

BORDER SECURITY

Mrs. Kelly Block (Saskatoon—Rosetown—Biggar, CPC): Mr. Speaker, yesterday the NDP member for Compton—Stanstead stood up in the House to make inaccurate claims about our government's position on border security.

Statements by Members

Let us look at the facts. Our government brought in reforms that deter bogus refugee claimants and other abuses of the refugee system. The NDP voted against them. We brought in strong laws to combat human smuggling. The NDP voted against them and the member has a statement on his website condemning them. We increased border guards by 25%. The NDP voted against that. We armed border guards. The NDP voted against that.

In fact, every time our government does anything to protect the border and the people who live in border communities, we can count on the NDP to oppose it every step of the way.

Canadians know that when it comes to matters of national security, the NDP simply cannot be trusted.

* * *

• (1410)

[Translation]

VISA OFFICE

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, in May, the visa office at the Consulate General of Canada in Buffalo ceased operations. Some 12,000 applications for permanent residence were transferred to Ottawa. Several of those applications are from people living in Rosemont—La Petite-Patrie.

When they submitted their applications for permanent residence as skilled workers in Quebec, processing time at the Buffalo office was approximately 15 months. On the rare occasions when applicants can speak to a Citizenship and Immigration agent, they are told that they will have to wait another 12 months because their case has not yet been assigned to an officer in Ottawa. Those who never manage to speak to someone on the phone are left entirely in the dark.

For many people, the extra wait time means that they have to leave Canada, where they are working, contributing to the economy, paying taxes and putting down roots in their communities.

The government is not fooling anybody when it says that cuts will not affect services to the public. It is not the same level of service when people are waiting 80% longer.

* * *

[English]

HARVIE ANDRE

Hon. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, it is with great sadness that I rise to speak about a man of integrity, the hon. Harvie Andre, former federal cabinet minister and member of Parliament for Calgary Centre, who passed away this past Sunday at the age of 72 after a hard fought battle with cancer.

In 1972, Harvie was first elected as the MP for Calgary Centre. In 1984, the right hon. Brian Mulroney appointed him Minister of Supply and Services. Harvie later served as associate defence minister, Minister of Consumer and Corporate Affairs, Minister for Regional and Industrial Expansion, Minister of State for Science Technology and government House leader.

Moreover, Harvie turned Canada Post from a money loser into a money maker.

In 1993, he retired from politics after faithfully serving six terms and 21 years. After life in the House of Commons, Harvie served on numerous boards of directors and was also named as the federal government's chief negotiator on the devolution of the Northwest Territories in 2006.

Beyond all of his accomplishments, the hon. Harvie Andre was a great man, a great Canadian, a true blue Conservative.

Our thoughts and prayers are with his wife, Joan, their children and grandchildren.

* * *

ENGINEERING AWARDS

Mr. Ted Hsu (Kingston and the Islands, Lib.): Mr. Speaker, I rise today to congratulate this year's Canadian Consulting Engineering Awards winners, who have been recognized by the Association of Consulting Engineering Companies of Canada. ACEC represents more than 500 companies in all regions of Canada that provide professional engineering services to both public and private sector clients.

All parties in the House support infrastructure investments as key to Canada's economic and social well-being. The federal government has a vital role to play in the development of a long-term infrastructure plan for Canada when the Building Canada fund expires in less than two years.

This year's recipients represent the full spectrum of infrastructure projects and demonstrate the entire range of expertise present in Canada today.

Together with all parties, I congratulate all winners of this year's Canadian Consulting Engineering Awards.

* * *

NEW DEMOCRATIC PARTY OF CANADA

Mr. Kyle Seeback (Brampton West, CPC): Mr. Speaker, the leaves are falling and the air is getting colder. It can only mean one thing, that winter is coming.

As Canadians, we embrace winter with skating, skiing, warm coats and hot chocolate.

Unfortunately, this magical time of year is clouded by a new threat. The NDP leader is proposing a \$21 billion carbon tax that will make it more expensive for Canadians to feed their families, heat their homes and drive to hockey practice. Part 4 of the party's platform lays it out clear as day, and the NDP leader himself has stated that this would be used to generate billions in new revenues.

Canadians can trust our government to defend them against this costly new tax that will kill jobs, stall the economy and ruin winter.

MEMBER FOR MEDICINE HAT

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, the member for Medicine Hat has made two statements since the House returned. Sadly, he chose not to talk about what was happening in his riding, a riding that includes Brooks, Alberta, the epicentre of the largest beef recall in Canadian history.

Instead of standing in the House and talking about the shutdown of XL Foods, he rose to make things up and attack the NDP. He could have updated his 2,000 newly unemployed constituents. He could have spoken to what the leader of the Wild Rose Party is calling a “humanitarian crisis”.

He could have spoken about a free supper event last night at the Brooks Evangelical Free Church, or the first pride festival that took place in Medicine Hat last month. Instead, the member decided to repeat the same tired, old make-believe points.

I urge my Conservative colleagues to break free of their servitude to the Prime Minister's Office, to stop making things up and to stop attacking the policies that many of them ran on. Finally, end the performance so we can all get back to work to represent all of our constituents.

* * *

• (1415)

LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA

Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC): Mr. Speaker, during the NDP leadership campaign, the leader of the NDP did some travelling and he did some talking. He went to the east; he went to the west. He talked about the subject that he knows best.

He went west to Vancouver where he said, “I have a cap-and-trade program that will produce billions”. He went east to Halifax where he said, “I will refer again to the cap-and-trade proposal...that will produce billions of dollars in new revenue”. He went to Quebec City where he said, “I have a proposed system of carbon pricing, which will produce billions”. Here in Ottawa he said, “A cap and trade system will provide a lot of revenue”.

The NDP leader is still travelling, but he seems to have stopped talking. Since the NDP leader does not want to talk to Canadians about the \$21 billion carbon tax, we will do it for him.

ORAL QUESTIONS

[English]

PUBLIC SAFETY

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, today the Auditor General's report revealed a troubling level of incompetence in the Conservative government's handling of cyber security.

It has been two years since cyber attacks from China reached crucial government computer networks. To this day, Canada's cyber response centre is not operational overnight and on weekends. What

Oral Questions

a joke, as if cyber attacks only strike during regular business hours. Canadians are right to be concerned.

Why did the government not take this threat seriously and only begin to act days before this report came out?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, let me give a more accurate and broader version of what the Auditor General actually concluded. He said: “[The government has made progress in securing its systems against cyber threats, in improving communications, and in building partnerships with owners and operators of critical infrastructure”.

Cyber security is an evolving, ongoing local problem and this government is certainly committed to continuing to make the investment and to working with our allies to address the global nature of these threats.

* * *

PENSIONS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, in addition to Conservative incompetence we have their habitual lack of transparency.

The Auditor General has just revealed that last spring the Conservatives hid the cost of their cuts to old age security pensions. According to the AG, the Department of Finance had in fact internally “[E]stimated gross and net savings of raising the [OAS] eligibility age...”.

The NDP asked time and again but the Conservatives refused to give an answer. Why did the Prime Minister try to hide this \$10 billion cut from Canadian seniors?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, of course, what the Leader of the Opposition has just said is completely inaccurate. There is no cut to old age security in the government's budget. Seniors will continue to receive the benefits they are expecting to receive.

In the future, there will be changes to the program that will result in slower growth of the program, but over the next generation the program will continue to grow, although the changes we have made will ensure that it will be sustainable for the generations to come.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, I see: it is not cuts but “changes”, and the changes are cuts.

[Translation]

The Minister of Finance knew the numbers when he decided to reduce the deficit at the expense of seniors. He knew that by cutting old age security, he would be taking \$10 billion a year directly from the pockets of seniors.

He hid that information from Canadians and he hid it from Parliament. Even Conservative members had to vote in favour of these cuts without knowing their full extent.

Oral Questions

How can the Prime Minister justify such a lack of transparency, which is also now being condemned by the Auditor General?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the Leader of the Opposition is absolutely wrong.

The reality is that our seniors will continue to receive the benefits they are expecting to receive.

Of course, there will be changes for future generations. The program will continue to grow, but in the future, it will remain in a very stable position for future generations.

* * *

● (1420)

BUDGET IMPLEMENTATION

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, the facts are clear: the Conservatives had the information and refused to provide it.

They also introduced a massive bill full of surprises that will take money straight out of the pockets of workers by taxing group benefit plans. And that is not all: federal employees will now have to wait 30 days instead of 15 before receiving paid statutory holidays.

In all, how much money are they going to take from workers?

[*English*]

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, we have made some important changes, found in various budget documents, that make sure we are responsible to taxpayers for the spending that we do, including the public service. I think most Canadians judge those changes to be fair and reasonable. They certainly help us focus on the issues that Canadians care about: jobs and growth in our economy.

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, that is no answer, and based on the minister's Mickey Mouse briefing last night, it is clear that the Conservatives have no plan on how to explain this bill.

No wonder they want to hide the details, because they are taking money out of the pockets of Canadians. They are reducing vacation pay for new employees in federally regulated offices and are taxing group health insurance that people need in case of heart attacks or major illness.

Tell us, just how are these money-grabbing measures going to help Canadians who are just trying to make ends meet?

Hon. Lisa Raitt (Minister of Labour, CPC): Mr. Speaker, I appreciate the question because it allows us to give some clarity around the actual facts surrounding the changes that we are suggesting to the Canada Labour Code.

We are representing that some changes need to be made to part III of the Canada Labour Code with respect to vacation pay. We want to set a clear 30-day deadline to ensure that employees do get paid. In fact, in the federal jurisdiction sometimes it goes longer.

We are acting on behalf of workers and we are ensuring that workers are going to get paid in a certain amount of time that they can bank on from our government.

* * *

PUBLIC SAFETY

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, just in case the Prime Minister is not aware of it, on page 15 of his report, the Auditor General said, "it is our opinion that operating 24 hours a day, 7 days a week is important for the timely detection and notification of cyber threats".

Cybercriminals do not keep bankers' hours. Why should the Government of Canada be keeping those hours when cybercriminals are working 24 hours a day?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, cyber security threats are global by nature and evolving. The government is continuing to make investments to deal with these problems. We have been working with the Auditor General. We have accepted his recommendations and will be acting on them.

However, it is important that the member look at the Auditor General's general conclusion, and that is that the government has made progress in securing its systems against cyber threats, in improving communications and in building partnerships with owners and operators of critical infrastructure. However, there is more work to be done and we will be continuing to work with our partners in Canada and our allies around the world.

[*Translation*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the problem is that it took a report from the Auditor General to force the government to see that this is a problem. Across the country, there are stores open 24 hours a day, seven days a week. Criminals around the world work day and night.

Why does the Government of Canada not work around the clock on this problem? It has become a problem not only for us, but also for our allies around the world.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, cybersecurity is a global issue. The government is working with its partners here and its allies around the world. We are constantly making changes to adapt to these realities. Just recently, the government made more investments.

I must repeat what the Auditor General said. He said that the government has made progress in securing its systems against cyber threats by improving communications.

•(1425)

[English]

CORRECTIONAL SERVICE CANADA

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, another report came out today, that of the Correctional Investigator, Mr. Sapers, who has reported that the population of aboriginal women in jail has increased by 80% over the last decade, that 68% of these women have said that they experience sexual abuse and 85% a history of physical abuse and there have been 54 attempted suicides in the prison population in the last year.

It is now clear that our prisons have become large institutions dealing with the most severe and dramatic mental health issues facing the country. What is the Government of Canada doing to address this problem? Rather than rhetoric about getting the bad guys, what is it doing about these—

The Speaker: The right hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government is more than aware of mental health challenges that impact upon the prison population and upon criminal justice issues. The government is making significant investments to deal with these problems.

At the same time, the leader of the Liberal Party should not trivialize the issue of criminality. It is serious and the government is determined to keep our communities safe. The population expects Parliament to do that.

* * *

FINANCE

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, the Auditor General said that the Conservatives have failed to report on long-term fiscal sustainability. He gave them a failing grade on fiscal transparency. He said that neither MPs nor Canadians had the relevant information to fully understand the long-term implications of budgets. According to the AG, even the Minister of Finance is not fully informed of the true costs before his budget is tabled and voted on.

When does the government plan to deliver its promised report on long-term fiscal sustainability?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the Auditor General actually has said that he agrees that government finances are sustainable over the long term.

With respect to his recommendations, we accept them. We have acted and will act in response. The Auditor General agrees we have taken action necessary to ensure long-term sustainable finances and jobs and economic growth over the long term.

[Translation]

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, the minister did not answer the question. It is easy to quote the Auditor General. I can do that too: "...we found that the Government of Canada has not followed through on its 2007 commitment to publish a long-term fiscal sustainability report."

That is clear. This report said that the Conservatives did not provide all the information on the financial consequences of their

Oral Questions

reform, even though they agreed to do so and were asked multiple times by parliamentarians.

Why did they hide this information? That is a simple question.

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, as I have said, with respect to the recommendations of the Auditor General, one to which the hon. member makes reference, we have acted on some and we will act on the others.

The report will be available on the finance website this afternoon.

* * *

[Translation]

PUBLIC SAFETY

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, not only do the Conservatives lack transparency, but they are also incompetent. They are incapable of protecting us from cyber attacks. We are talking here about the privacy of Canadians, government systems, banking systems and electrical grids. Seven years after the opening of the Canadian Cyber Incident Response Centre, there are branches of government that do not even know the centre exists.

The minister loves making announcements, but when will he put words into action and take responsibility for managing his department properly?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, in fact, the Auditor General has acknowledged the positive steps our government has taken to defend against electronic threats, hacking and cyber espionage through our cyber security strategy.

We are taking action on the Auditor General's recommendations and will continue to enhance cyber security in Canada.

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, the Auditor General's report is quite clear. Canada has had a lost decade when it comes to dealing with cyber security. Today's report concludes, "Monitoring the cyber threat environment has not been complete or timely".

The minister's recent band-aid announcements have not solved anything. Conservatives need to implement a real long-term plan for cyber security. Our national security depends on it.

Why has that minister failed to produce a comprehensive strategy to combat cyber threats? Why are we still waiting, even after what the AG called a serious intrusion into government systems in January 2011?

•(1430)

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, in October 2010, when we announced our cyber strategy and funded that with \$90 million, members opposite from the NDP said that we were simply engaged in science fiction.

Oral Questions

Last week we announced \$155 million for additional cyber security, and that member now says that is a pittance. I do not understand.

* * *

NATIONAL DEFENCE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, today we have learned from the Auditor General that the Conservatives have let down ill and injured Canadian Forces members and veterans trying to receive the services and benefits they deserve.

The process for accessing services is too complex, requires too much paperwork and is lengthy and challenging to navigate. CF members, veterans and even departmental staff find the process complex.

Why will the government not make the delivery of services to our veterans and military a priority?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, there is no higher priority. As Minister of National Defence, we have continually worked to ensure that we are providing more in the way of health care, more in the way of mental health in particular. We have invested in joint personal support units, hired more staff, put more resources into this very important issue.

I met with the Auditor General yesterday, recognizing that there is more to do and there is more in progress. We held a forum yesterday directly to speak to members of the Canadian Forces staff specifically tasked with this issue, and will continue to do more. I would ask for the member's support.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the government has had plenty of time to make service to our veterans a priority, but it failed, as injured and ill Canadian Forces members are too often falling through the cracks and have to wait too long to get the benefits, services and treatment they deserve.

DND threatening court action against Master Corporal Kevin Clark, a soldier suffering from PTSD, after he missed two days of work six years ago is only one example.

Announcements and photo ops can only take us so far. Why does the government have to be told by the Auditor General to do the right thing?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, all the investments I have mentioned across the board have been opposed by the member opposite when it has come time to actually move those resources where they are needed.

With respect to the issue he raised, I can assure him that this incident was only recently brought to my attention. I found the action that was taken by officials in my department very disturbing. I have asked them to look into this and to report to me immediately.

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, supporting our troops should not just be about making the headlines. When the department found out that a master corporal was suffering from PTSD, it tried to make him to leave the Canadian Forces just two months before he was eligible to receive his pension. He is now being asked to repay \$422.97 for two days of work that he

missed. What is even worse is that the department is threatening to take him to court if he does not pay within three weeks.

This is an appalling way to treat one of our soldiers. Is this really how the Conservatives support our troops?

[*English*]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I just answered that question. This matter was very recently brought to my attention. I also find it disturbing and I have asked officials who were responsible for this letter to report back to me immediately.

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, the Conservatives are no better at managing troops than they are at managing equipment. Six months after the troubling report from the Auditor General on the F-35s, the Conservatives still have not said whether they are examining any other options.

Yesterday, just before he was contradicted by an employee, the Chief of the Air Staff said that National Defence was not looking at any options other than the F-35s.

The question is simple: are the Conservatives seriously examining other options, and if so, since when?

[*English*]

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, the member knows that the National Fighter Procurement Secretariat was set up to ensure there was due diligence in the decision to replace our CF-18s. We are not going to be purchasing any new fighter aircraft for the air force until the seven-point plan, as outlined for the mandate of the secretariat, is completed, including an independent verification of costs. That substantive work has begun. It is ongoing. It is doing very good work and that includes an options analysis, which is a full evaluation of choices to replace the CF-18.

● (1435)

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, with all the fairy tales they have been telling, the Conservatives have confused even themselves. Just in the last 48 hours, a senior government official said an "options analysis is almost complete". However, the Chief of Air Staff contradicts that. He does not know what options the government is looking at. He is even asking our old question, "What is plan B"?

According to a department missive sent yesterday, he misspoke. Now we have learned that the Department of National Defence has established a working group to look for alternatives.

Therefore, are you now looking for alternatives to the F-35, yes or no?

The Speaker: I would just remind the hon. member to address his question through the Chair, not directly at his colleagues.

The hon. Minister of Public Works.

Oral Questions

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, my former answer was clear. Part of the mandate that is led by the national Fighter Procurement Secretariat, which is in place to ensure due diligence in the replacement of our CF-18s, is to ensure that all of the steps taken in this acquisition are independently validated. Part of that is the costs, which the Auditor General recommended, but the other is to also look at a full range of options to replace the CF-18. Therefore, the answer is yes.

* * *

VETERANS AFFAIRS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, for six years, the Conservative government has pretended to drape itself in military colours, but today's Auditor General's report says it all. The AG said that National Defence and the Department of Veterans Affairs were incoherent, a failure resulting in 20% of at-risk veterans returning to civilian life having no case management or supervision whatsoever. Shame on everybody over there.

When will the minister stop talking about his newest reactionary plan and tell us about some concrete action he is prepared to take for these brave men and women?

[*Translation*]

Hon. Steven Blaney (Minister of Veterans Affairs, CPC): Mr. Speaker, I met with the Auditor General about chapter 4 of the report, which pertains to the transition of military personnel to civilian life.

I took the time to thank him for his report because he provided valuable recommendations to ensure that our veterans are able to smoothly transition to civilian life. That being said, I also informed him that we are going to launch an action plan for the transition of our veterans to civilian life.

We will continue to work closely with the Department of National Defence in order to ensure that our veterans are well taken care of.

* * *

FOREIGN INVESTMENT

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, according to Professor Van Harten, the Canada-China investment treaty could be unconstitutional and could put the provinces at risk of paying significant compensation to Chinese investors because of legislation and practices concerning, for example, mines in Alberta or hydroelectricity in Quebec.

Has the Prime Minister discussed with provincial premiers the constitutionality of this treaty and the serious risks to Canadian taxpayers?

[*English*]

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, the member is quite wrong. This treaty has been very well received by Canadian businesses and is similar to many other treaties that Canada has signed with many other countries around the world.

It sets out a clear set of rules under which investments—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. Minister of International Trade has the floor.

Hon. Ed Fast: Mr. Speaker, this treaty sets out a clear set of rules under which investments take place and under which disputes are resolved. That is progress.

Sadly, the NDP and Liberal strategy is simply to undermine our efforts to grow our economy by expanding new investment opportunities around the world.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the minister may dance around the facts on the Canada-China investment protection agreement. However the agreement, without question, leaves Canadian taxpayers open to unlimited liabilities.

The government has protected Chinese investment but undermined our ability to certain sovereign decisions within Canada. Worse, officials admitted before committee that if a Chinese investor believes provincial actions have violated the deal, the federal government is responsible. In other words, Canadian taxpayers pay.

Will the minister relent on his opposition and hold a parliamentary debate?

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, it is passing strange that over the last two weeks the opposition parties have had no less than four opportunities to debate this treaty in this House. They failed to do so.

They had opposition days. They failed to identify this treaty as being worthy of debate. It shows that they really do not care about trade and they do not care about investment.

On this side of the House, we are focusing on the priorities of Canadians and opening up new opportunities for Canadian businesses to invest abroad.

* * *

● (1440)

[*Translation*]

THE ENVIRONMENT

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the Navigable Waters Protection Act ensures that industry answers questions about, for example, the 21 km diversion of the Muskeg River as part of the oil sands development project. The changes proposed by the Conservatives in the budget implementation bill will eliminate the requirement for environmental assessments of this project.

How many other assessments will be abandoned because of these changes?

Oral Questions

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, changing the term “navigable waters” to “navigation” does not change the spirit of this law. That said, Transport Canada will continue to deal with transportation and the people at Environment Canada will deal with the environment. We are only making clarifications that should have been made a long time ago. Matters that we believe should not be handled by Transport Canada will continue to be reviewed by Environment Canada, Fisheries and Oceans Canada, and all other departments. Nothing has changed.

[English]

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the Minister of Transport, Infrastructure and Communities's own web page contradicts his talking points.

The Navigable Waters Protection Act FAQ alone mentions the environment 23 times, and the website says of the act:

These stiff new penalties reflect the government's ongoing concern towards maintaining the safety of public navigation and the environment.

That is right, according to the department, the Navigable Waters Protection Act is about protecting the environment.

Why is the minister so confused about his portfolio?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, changing the words “navigable waters” to “navigation” does not change the essence of this act. That is about navigation, and that is what we will continue to do.

The member asks frequent questions about the environment, and the Minister of the Environment will continue to answer those. We will continue to answer her about navigation.

* * *

[Translation]

ETHICS

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, in 2008, Julie Couillard was a very busy woman. In addition to being a real estate agent and businesswoman, she was paid \$7,750 a month to engage in illegal lobbying. She took advantage of her contacts with the Conservatives to win contracts. She pressured the current Minister of State for Small Business and Tourism and Michael Fortier's employees to move PWGSC offices into offices owned by the Kevlar Group.

We know that ethics are not their forte, but can the minister tell us when he finally realized that he was being lobbied and why he did not report those relationships immediately to the Commissioner of Lobbying?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, this investigation concerns the private life of a citizen. We have tough laws in place in this area and we expect them to be followed. That is our response to this question.

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the member for Beauce has already had to resign from cabinet once for losing key security documents in the apartment of Julie Couillard. We now find out that he lost his moral compass in that apartment as well. He never bothered to tell Canadians that during that relationship she was being paid \$51,000 to illegally lobby him on behalf of a Montreal corporation. How tawdry. Did he not know better?

I have a simple question. Why did the member not come clean about the illegal lobbying efforts of Ms. Couillard when she was his girlfriend?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, this was an investigation into a private citizen. We do have tough laws in place in this area, and we expect them to be followed. We have expanded the list of public servants who are covered under the act. We have increased the accuracy of reporting for all lobbyists; the five year ban on lobbying; post-employment restrictions on public office holders through a single authority.

We are on the side of accountability and making sure that lobbyists do adhere to the law.

* * *

JUSTICE

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, Canadians are concerned about crime, particularly repeat offenders who commit serious violent or sexual offences.

Torontonians are particularly concerned about a series of sexual assaults allegedly committed by a young offender. Recently, women in the Christie Pits neighbourhood in downtown Toronto have been victimized by seemingly random sexual assaults. This is unacceptable to me and to the government. Hard-working, law-abiding Canadians should not have to live in fear in their own communities.

Could the Minister of Justice please update the House about the government's latest efforts to address Canada's most violent and repeat offenders?

● (1445)

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, this government is proud to stand up for victims and law-abiding Canadians. This is why I am very pleased to say that our amendments to the Youth Criminal Justice Act are coming into force today.

Canada's justice system needs more tools to keep violent and repeat young offenders in custody when they pose a danger to society. From now on, violent and repeat young offenders will be held fully accountable for their actions.

We are taking a balanced approach, which recognizes the need for rehabilitation while ensuring the protection of the public is paramount. Canadians can continue to count on this government to strengthen—

The Speaker: The hon. member for LaSalle—Émard.

Oral Questions

[Translation]

FOREIGN INVESTMENT

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, after their late-night rejection of the Petronas deal, the Conservatives are now saying that changes are needed to the definition of “net benefit”.

The NDP has been saying that for years, but the Conservatives have argued to the contrary in this House over and over again. The Conservatives' improvisation is undermining the confidence of investors.

And what about the Nexen deal? Will the new foreign investment rules be made public before anyone makes a decision about Nexen?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, I remind the member that changes have already been made to the legislation. For example, in 2007, with respect to guidelines for state-owned enterprises; in 2009, with respect to additional provisions for national security; and in 2009 and 2012 with respect to means of communication.

As for the two deals she just mentioned, and more specifically the Petronas deal, I said that I was not satisfied that the transaction would be a net benefit for Canada. As of the date the decision was made, Petronas has 30 days to intervene and take further steps.

[English]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, after their gross mishandling of the Petronas decision, the Conservatives are now saying that more clarity is needed in the Investment Canada Act. This is just days after they stated emphatically that no more clarity was needed at all. This is why investors and so many others are losing confidence in the government. The Conservatives just seem to be confused and improvising; but now that they have admitted that the NDP was right all along and clarity is needed, there are serious concerns about CNOOC, and the deadline is looming.

Will the Conservatives put in place new rules before the decision on the CNOOC takeover of Nexen? Canadians deserve that.

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, with regard to the CNOOC proposed transaction, I reiterate to my colleague that this transaction will be scrutinized very closely. We will have to make sure that it provides a net benefit for Canada. All decisions by this government will be taken in the best interests of Canadians.

* * *

FOOD SAFETY

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, in its press release announcing the purchase of XL Foods, JBS did not mince words. It stated, “under no scenario will JBS USA assume any of XL Foods' debt or liabilities”.

We have witnessed the largest beef recall in Canadian history, and now the company responsible for that outbreak of E. coli and that recall is bought out of existence.

I have a simple question for the minister. Could the minister tell the House who will take responsibility for the debts and liabilities from XL Foods' E. coli crisis?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, this is a business decision between two different entities. Certainly those types of things will be worked out as we move forward. Canadians have access to the court system. The plant is reopened as of today. CFIA sent me a letter saying that it is reassessing the plant, making an opening, some time early next week, we understand.

* * *

NATIONAL DEFENCE

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, moments ago one of the ministers covering the procurement file finally confirmed that they are looking into a plan B for replacing the CF-18. It was a start, but can we get a little more clarity, please? Can the minister tell us: when was the committee established, what are its terms and when can we expect it to report to the House?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, as the member knows, the National Fighter Procurement Secretariat was set up to do this substantive work. Its work is ongoing. It is doing excellent work. It includes all of the senior deputy ministers involved on the procurement file, led by Public Works, and two independent members, including a very well respected former auditor general for Canada. The Department of National Defence will be managing the portion of the options analysis and, again, it is continuing with its work. It is doing substantive work, and I would ask the member to be patient.

● (1450)

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, it is only through blind dumb luck that Sub-Lieutenant Delisle was discovered with \$50,000 in his pockets after a quick trip to Brazil. Fortunately, a sharp immigration officer alerted the military. Otherwise, Delisle might well be still among us.

Why does the minister hide behind the skirts of national security and keep Parliament in the dark, and why is it that the Russians seem to know more about Canadian security than Parliament itself?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, that is such a ludicrous question on such a serious issue that I really do not know even how to respond.

The member knows full well that this matter was investigated; this individual was prosecuted and now is awaiting sentencing. To suggest that this was some kind of a fluke that this individual was arrested and taken before the courts is, of course, completely false and misleading, which the member is very good at.

Oral Questions

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, in espionage cases there is normally some form of sanction against the offending country. It took the Canadian government too long to figure out that Jeffrey Delisle was spying, and we continue to wait for decisive Canadian leadership on this issue.

What has the government done to make clear to the Russian government that this behaviour is unacceptable in a bilateral relationship, and when will there be a judicial inquiry?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, as Minister of Foreign Affairs for the last 18 months and in all my time in public office, I have never been known as one to be shy or retired, and I have always communicated the government's pleasure or displeasure in no uncertain terms, and I will continue to do that.

* * *

[Translation]

FOREIGN AFFAIRS

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, yesterday, we learned that the Conservatives gave \$15 million in sole-sourced contracts to the British Foreign & Commonwealth Office. They have already decided to subcontract our consular services to Great Britain. This is going too far.

According to the Treasury Board, this contract breaks all of the government's rules. Why did the Conservatives not follow the rules in awarding this contract?

[English]

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, Treasury Board guidelines offer three criteria for moving quickly: national security and the issue of urgency, health and safety, and ministerial approval. Obviously, everyone can imagine that the government is tremendously concerned about the safety of our diplomats abroad. We have seen many actions in recent months with some of our key allies where security has been at risk and even where death has happened. We have seen that in both Afghanistan and Pakistan. Canada has already lost one diplomat. The department moved expeditiously to make some changes to ensure that our diplomats would be safe. I have already offered to the critic of the official opposition and the critic of the third party a full briefing to explain this decision.

Mr. Paul Dewar (Ottawa Centre, NDP): Maybe we will ask a bit more about this, Mr. Speaker, because what Treasury Board officials admitted was that there was no convincing case to the criteria that the minister is talking about. In other words, they went ahead and did this without making the case for security concerns. They announced with great fanfare new arrangements with other countries to do management of joint embassy administration, but the question is: If we cannot follow our own rules, how are we going to get into arrangements with other countries and ensure Canadians that we are actually being accountable to them?

If we cannot follow our own rules, how can we ensure that we are going to follow any rules at all?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, we have lost 157 Canadians, including one diplomat, in

Afghanistan. This government will take all the necessary actions that we can possibly take to ensure that our diplomats are safe.

If we look at these two places, both Islamabad and Kabul, they are two of the most dangerous parts of the world where we ask Canadians to serve and represent Canadian interests and promote Canadian values extensively.

Issues of national security and urgency are tremendously important and this government will do everything it can to keep our diplomats safe. Frankly, that is what Canadians expect us to do.

* * *

INTERNATIONAL TRADE

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, our government has committed to an ambitious pro-trade agenda. Since 2006, our government has concluded new free trade agreements with nine countries. Today, to expand the scope of the existing trade agreement with Chile, an agreement to amend the Canada-Chile Free Trade Agreement was tabled in the House. Canadians know that the NDP has consistently opposed our efforts to bring new opportunities to Canada's exporters.

Would the Minister of International Trade please share with the House how this modernized agreement will deepen commercial ties between our two great countries?

● (1455)

Hon. Ed Fast (Minister of International Trade and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, I thank the member for Lambton—Kent—Middlesex for his question and his excellent work on the trade committee.

The Canada-Chile Free Trade Agreement has been a resounding success story. Since this agreement came into force, two-way merchandise trade has more than tripled. In fact, just last year Canada's exports to Chile increased by almost 40%.

A modernized treaty will bring this agreement up to the high standard our government expects in its trade negotiations and will give Canadian businesses access to new opportunities in the Chilean market.

* * *

FOOD SAFETY

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, the CFIA's restoring of XL's operating licence under enhanced scrutiny is good news for ranchers, the plant's 2,000 employees and the community of Brooks.

While XL seems to have learned its lesson and will be calling in workers for training, the CFIA will still not have a full complement of inspectors trained in CVS despite adding inspectors to the plant.

Government Orders

Will the minister finally admit that the CFIA needs a third-party comprehensive resource audit to properly allocate and develop training for its inspectors so this does not happen again? Or is the minister waiting for a third crisis?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, there is a full complement of CFIA inspectors on the floor in that plant, some 20% more than there were a few years ago. We will put a couple of more people on the ground, extra eyes and ears, during the enhanced oversight that will be taking place in the short term.

There is also a panel that has been put together by the CFIA after the Weatherill report that will be looking into this, and that report will be made public.

* * *

[*Translation*]

QUEBEC BRIDGE

Mr. Denis Blanchette (Louis-Hébert, NDP): Mr. Speaker, the Quebec Bridge is deteriorating as we speak. It is a regional treasure, but it is rusting away. The federal government has been locked in a legal battle with CN for the past seven years over who will have to pay the bill, but the repairs cannot wait.

Will the Conservatives stop wasting taxpayers' money on legal fees and instead use the money to repair one of Quebec City's most important pieces of infrastructure?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, it is interesting to hear my colleague answer his own question.

When a matter is before the courts, we have to wait until the legal process has run its course and rulings have been handed down. Unless the member does not have faith in the courts, that is. We do, and we will let the process run its course.

* * *

CANADA MORTGAGE AND HOUSING CORPORATION

Ms. Joyce Bateman (Winnipeg South Centre, CPC): Mr. Speaker, the NDP recently suggested that the Minister of Finance wanted to privatize the Canada Mortgage and Housing Corporation.

Can the minister set the record straight regarding the NDP's comments?

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

Once again, privatization of that organization is merely a rumour. We have absolutely no intention of doing so at this time. We will protect the interests of Canadians as much as possible. Our government is focused on the implementation of our economic action plan, which includes improvements—

The Speaker: The hon. member for Montcalm.

PERSONS WITH DISABILITIES

Ms. Manon Perreault (Montcalm, NDP): Mr. Speaker, two years after recording a \$102 million surplus, the Public Service Disability Insurance Plan is now in posting a deficit because the Conservatives stopped funding it. And yet, the number of claims is on the rise. This seems to be a completely fabricated crisis that will allow the Conservatives to start denying benefits to people in trouble, especially those grappling with mental health problems.

Will the Conservatives adequately fund this plan?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, we are working with officials and the unions in order to establish a viable plan for the future that will protect the interests of public servants and also be accountable to taxpayers, of course.

That is our government's policy, a policy that will continue in the future.

* * *

● (1500)
[*English*]

FOREIGN INVESTMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, since the hon. Minister of International Trade did not seem to understand the question asked moments ago pertaining to the constitutionality of the China-Canada investment treaty, I would like to ask the Prime Minister the following.

Does he not agree that the provinces will be forced into arbitrations where they do not have the right to appear? Do arbitrations for damages against Canada for decisions at the provincial level not demand explicit agreement within the treaty before it is approved?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, the foreign investment promotion and protection agreement establishes reciprocal obligations between the parties. Canada has had a situation with the People's Republic of China for some years where the latter's investment has been virtually unrestricted here and we have had more difficulty with our investment there.

This agreement is an important step forward. That is why it has been so well received by the Canadian investment community. I would urge all members to look at it carefully and support it.

GOVERNMENT ORDERS

[*Translation*]

STRENGTHENING MILITARY JUSTICE IN THE DEFENCE OF CANADA ACT

The House resumed consideration of the motion that Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts, be read the second time and referred to a committee, and of the motion that this question be now put.

Government Orders

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, I am pleased to speak to Bill C-15 today. This bill would modernize the military justice system to make it more consistent with the civilian justice system. In essence, the provisions in the bill stem from several recommendations made in 2003 by the Right Hon. Antonio Lamer, former chief justice of the Supreme Court of Canada, concerning the National Defence Act. I should point out—

[*English*]

The Deputy Speaker: Order, please.

Could I ask people to please take their private conversations outside the chamber. I have no way of hearing the current member speaking.

I repeat, would people please take their conversations outside the chamber.

[*Translation*]

The member for Rivière-des-Mille-Îles may continue her remarks.

Ms. Laurin Liu: Mr. Speaker, in essence, the provisions in the bill stem from several recommendations made in 2003 by the Right Hon. Antonio Lamer, former chief justice of the Supreme Court of Canada, concerning the National Defence Act. I should point out that the military justice system is an integral part of Canada's legal system, and its existence is recognized in the Canadian Charter of Rights and Freedoms. It is separate from but parallel to the civilian justice system. The distinct military justice system within the Canadian Forces has an important role to play because it meets the specific needs of the military community in terms of discipline, efficiency and troop morale.

To begin with, it is important to note that several legislative attempts have been made to implement recommendations in the 2003 Lamer report. Prior to the last election, members worked studiously to amend the precursor to Bill C-15, Bill C-41. The NDP was successful in getting several amendments passed to better protect the interests of the men and women who serve in the Canadian Forces. For example, the NDP made changes concerning the authority of the Chief of Defence Staff in the grievance process. We were also successful in changing the composition of the grievances committee so that 60% of members would be civilians, and we were successful in ensuring that a person convicted of certain minor offences in a summary trial would not receive a criminal record.

The Conservative government took advantage of the fact that the bill died on the order paper and of its new parliamentary majority to scrap the compromise reached in the previous Parliament. That is wasteful and undemocratic.

We support several measures contained in Bill C-15. For some time, we have supported the modernization of the military justice system. After all, members of the Canadian Forces are subject to very strict disciplinary standards and deserve a justice system that is subject to comparable standards. However, we believe that the bill could go a lot further. We must take advantage of Bill C-15 to reform the summary trial and grievances systems, and to strengthen the Military Police Complaints Commission.

Let us start with summary trials. It is important to know that most disciplinary matters are judged at a summary trial level. Usually, they deal with less serious offences, such as insubordination, quarrels, misconduct, unauthorized absences, drunkenness and disobedience. There are two problems with this system, in our opinion. To begin with, several minor offences can result in a criminal record. These offences are undoubtedly very important in terms of military discipline, but they do not warrant a criminal record.

A lot of Quebeckers and Canadians would be shocked to learn that the people who served our country so bravely could end up with a criminal record for a simple offence such as insubordination. It is an even greater pity that this type of offence significantly complicates the lives of these individuals after they leave the military. Criminal records make it difficult to get a new job, limit opportunities to travel abroad and make getting an apartment more difficult.

The British Columbia Civil Liberties Association noted in February 2011 that the primary concern of the military officers imposing sentences in a summary trial is likely to be unit discipline and deterring future violations, not the effect that a criminal record will have on an accused in the civilian world.

Allow me to digress for a moment while I am talking about the transition of military personnel to civilian life. Just today, the Auditor General of Canada published a report that came down very hard on the Conservative government in terms of the transition of ill and injured military personnel to civilian life. The report revealed a web of red tape that complicates this transition. Here is an excerpt from that report:

Canadian Forces members and veterans, as well as...staff...find the transition process complex, lengthy, and challenging to navigate...[I]t remains difficult to access services and benefits in a timely manner. Reasons include the complexity of eligibility criteria, lack of clear information on support available, the amount of paperwork involved, and case management services that require further improvement.

• (1505)

In short, the Conservative government still has a long way to go to help our military personnel transition smoothly to civilian life, whether they are injured or not. We believe that the federal government should take advantage of Bill C-15 to make this transition easier by significantly reducing the military offences that carry a criminal record.

The Conservatives will say that Bill C-15 already reduces the number of offences that carry a criminal record. That is one of the good things about it; however, in our opinion, the bill should go much further. In the last Parliament, we proposed that the list of offences that could be considered minor and thus not worthy of a criminal record be expanded, if the offence in question received a minor punishment. The amendment also expanded the list of sentences that could be imposed by a tribunal without an offender incurring a criminal record, such as a reprimand, a fine equal to up to one month's basic pay or other minor punishments. Clearly, we will once again propose these amendments in committee.

Government Orders

Moreover, with the summary trial process, neither the procedures nor the rights of the accused are the same as in civilian courts. For example, it is not possible to appeal the verdict or sentence from a summary trial in a court of law. Any form of legal appeal is virtually impossible, because there is no transcript of the trial and the accused cannot be represented by counsel.

We in the NDP believe that if a person risks serious consequences such as acquiring a criminal record or serving a prison term, that person should be entitled to the best protection the law can provide, in terms of procedure. This principle was reiterated by the Supreme Court of Canada in *Wigglesworth* in 1987.

I have talked a lot about the issue of summary trials, but I also want to raise two other problems with Bill C-15.

For years, the Canadian Forces Grievance Board has been the subject of many complaints. We believe that part of the problem is that it is not an independent, external, civilian body. Some current members of the board are retired Canadian Forces members. To highlight the independent nature of the grievance board, clause 11 of the bill amends subsection 29.16(1) of the National Defence Act to change the name of this board to the Military Grievances External Review Committee.

We think that the government should follow through and require that at least 60% of the members of the grievance committee must never have been officers or enlisted personnel in the Canadian Forces. This proposal was adopted in March 2011, in relation to Bill C-41. However, it was not retained in Bill C-15. It saddens us that the Conservative government is thus undermining the serious work accomplished by all the members of the Standing Committee on National Defence and disregarding the earlier recommendations made by representatives of the Canadian Forces. It is important for this amendment to be considered again.

We also believe that the military grievance system could be substantially improved by granting more power to the Chief of Defence Staff to settle the financial aspects arising from grievances. We will have more amendments on this issue.

Finally, I would emphasize again the importance of protecting from unfair punishment the people who file grievances in good faith. We believe that the powers of the Military Police Complaints Commission should be strengthened so that it can act as a watchdog. The commission should have the power to investigate and to report to Parliament.

In conclusion, I hope the government will take the time to consider our amendments, in order to better protect the men and women who serve in our armed forces.

• (1510)

Mr. Chris Alexander (Parliamentary Secretary to the Minister of National Defence, CPC): Mr. Speaker, the hon. member's remarks are not logical. She is suggesting, along with her colleagues, that 700,000 Canadians who have military experience should not be allowed to serve on the grievance committee. How can we increase the committee's professionalism and independence if we exclude these candidates?

Furthermore, the government has agreed that 27 sentences will no longer lead to a criminal record. Twenty-seven sentences have been taken off that list. If we all agree with this, then why not go to committee stage? Logic has eluded the House today, with this debate.

How can the hon. member justify undermining our chance to modernize the military justice system as quickly as possible, when this delay has such a negative impact on Canadian troops' morale and discipline?

Ms. Laurin Liu: Mr. Speaker, I thank my hon. colleague for his question. I believe he means well.

We can do a lot more. The hon. member mentioned the military grievance external review committee. As I said in my remarks, if we want the committee to be perceived as an external and independent entity, we need to change its make-up. We suggest that at least 60% of board members must have no experience as a Canadian Forces officer or member.

Also, amendments to the act were suggested during the last Parliament. It is very undemocratic for the Conservative government to exclude these amendments suggested by civilians and stakeholders, now that it has a majority. These amendments were proposed at committee.

• (1515)

Mr. Tarik Brahmi (Saint-Jean, NDP): Mr. Speaker, I, too, would like to respond to the parliamentary secretary, who focuses on the fact that 700,000 Canadian veterans will not be able to sit on the grievance board, which is an external committee. He has the wrong focus. The goal here is procedural fairness.

Does my colleague think the parliamentary secretary is focusing on the wrong thing by siding with those who should have the right to sit on the board instead of siding with those who should have the right to be judged by civilians, who will lend more objectivity to the decision-making process?

Ms. Laurin Liu: Mr. Speaker, I agree with my colleague from Saint-Jean. This question has often been raised by myself and my NDP colleagues. I hope the government will listen, because our goal is to introduce amendments that will improve the bill.

I would also like to highlight the important role the federal government must play by involving itself in military personnel's civilian life. A criminal record makes travel and renting an apartment very difficult. I hope the government will agree with me when I say that these men and women who have so courageously served our country deserve better.

Mr. Chris Alexander: Mr. Speaker, after this exchange we can only conclude that the NDP does not trust veterans, Canadian Forces members. The New Democrats are limiting the participation of former military personnel in the grievance committee.

I put the question again to the hon. member and to all opposition members. If we want to increase the professionalism and independence of that committee, why not rely on those people who have the best knowledge of the military justice system and of life in the Canadian Forces?

Government Orders

Ms. Laurin Liu: Mr. Speaker, the government member is just babbling away. Of course we trust our military. That is why we want to ensure that the military grievances external review committee is going to be an external and independent civil court. We want the committee to have these two qualities. In order to be independent, this committee must include people who are not former military personnel.

[English]

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, the genesis of the act to amend the National Defence Act and to make consequential amendments to other acts, or the strengthening military justice in the defence of Canada act, which is before us, actually commenced over nine years ago, when Justice Lamer, in September 2003, as a result of a required review of the act, wrote 88 recommendations that needed to be acted on immediately to strengthen the National Defence Act. What has happened so far? Nothing has taken place.

First, we had a Liberal government that chose to ignore it and not do anything during the time it was in power.

Then we had a Conservative government, which, to its credit, actually brought forward a bill. However, not to its credit, the Conservative government decided to prorogue Parliament, so the bill died on the order paper. That was Bill C-7, and that was back in 2007. At that point, we were now four years from these recommendations having been made.

In 2008, we had Bill C-45. Again, the Conservatives brought forward a bill, but they then called a snap election, in violation of their own election law. That ended up killing that bill on the order paper again.

Finally, in 2010, Bill C-41 came forward. At the committee stage, the government and all parties agreed on amendments to Bill C-41. Why we are standing and talking about this so vociferously is that those amendments have been removed by the government.

It is audacious. It is arrogant. It is not in keeping with the good practices of Parliament that when we reach agreement on issues we can agree upon, they are removed. The Conservatives have done this over and over again. They have done it with the refugee system. They have done it with this act. It seems as though the government does not want to pay attention to what all Canadians are saying but only to what those sitting opposite are saying.

We have specific issues with this bill. One is the authority of the Chief of the Defence Staff in the grievance process. We recommended in Bill C-41 that more authority be provided, which was a direct response to Justice Lamer's recommendation. That was agreeable to the government two years ago. It is not agreeable to it now. What is going on?

There were changes to the composition of the grievance committee to include 60% civilian membership. Again, in Bill C-41, clause 11 was amended. The government agreed to it, and we thought we could go forward with it. Again, it has been removed. What does the government have against that kind of agreement?

I was a union representative for many years, way too many years. A grievance process is something that has to be seen to have a just

end. To have a just end, there has to be a final and binding resolution given independently of the two parties that are at odds. In the normal employment relationship, it is the employer and the employee. In this kind of employment relationship, it is the military and the soldier.

When soldiers have a grievance, they take it to the military. We believe that they need to see that this grievance process will be done in a timely fashion and that it will have a final and binding end, which will be a non-partisan decision. That decision, as in a labour arbitration by an arbitrator, will be made by someone who is independent of the two parties. As long as the government and the military can keep appointing members and ex-members of the military to be part of that final process, it will not be seen to be justice.

Maybe in the long run we can come up with these changes. We might have a better chance of making these changes in 2015. For now, we are astounded that the government would agree, and then only two years later choose not to agree.

Finally, we requested changes to clause 75 in Bill C-41 to ensure that a person convicted of an offence during a summary trial is not unfairly subjected to a criminal record.

● (1520)

For those who are non-military, a summary trial is much like what goes on between the boss and an employee. An employee screws up and he or she is hauled into the boss's office and the boss has a whole range of disciplinary measures that can be meted out. That person can be sent home without pay or demoted. Ultimately if it is severe enough and has happened often enough, the employee can be fired or can be sent for help. There is a whole range of options as to what can be done.

That is very similar to what goes on with a summary trial. The individual is not usually entitled to legal representation when hauled into the boss's office. There are no notes kept or record of this trial. The only record might be of the decision to cause a penalty. In large measure, a summary trial is very much like what goes on in a workplace. The trouble is that in the military a summary trial can cause a person to have a permanent criminal record.

That could never happen in anybody else's employment anywhere in Canada. There is nowhere that a person could gain a criminal record without having been through a criminal trial with the right to representation, the right to not incriminate oneself, the right to be heard in front of a judge and the right to a jury if necessary. Those kinds of things go on in criminal trials. They are the kinds of things that our democracy stands for, and for which these soldiers go into battle to try to create in other countries. Here we are telling them they are not entitled to them themselves, that they are not entitled to the same protections that other Canadians are entitled to.

A criminal record carries with it some very severe consequences. It is very difficult for people to find a job when they come out of the military if they have a criminal record. It is very difficult to travel. As we know, recently at the border Canada has stopped people who have criminal records from coming into Canada. These people will have difficulty getting into other countries if they have criminal records.

Government Orders

It is not just and it is not right that from what is basically a meeting in the boss's office, people are labelled for the rest of their life as having a criminal record. That is the kind of thing that we need to remove from the bill. We understand that the government has moved some way toward that, but it has not gone the whole hog. It has not gone to the same level of decisions that we suggest do not deserve a criminal record in a summary trial.

I want to give an example of how the current military grievance process is not effective. I am trying to assist a person in my riding who had a grievance against the military, who had left the military because he was told that the best way to get what he needed done was to leave and come back. When he tried to go back, he was refused and he grieved it.

He wrote to the commanding officer who said, "I can't do anything until you grieve it", so he filed a grievance. The response to his grievance was that he was out of time and should have filed it months ago. However, now he had an answer so he wrote to the boss and the boss said, "You're right. That rule that says you should be able to come back was what was in place at the time so we should have let you back. I'm now changing that rule retroactively so you can't come back".

That is the kind of military justice, the kind of end to a grievance process that happens in the armed forces right now, and it makes a mockery of the system. Why call it a grievance process if that is what can happen? We might as well not have one.

There is a grievance process for good reason. It is because there are times when people need to sit down and talk out what happened. People need to sit down and actually work out that a promise was made and not kept or that a decision was taken that was not just, and find a way around that. However, at the end of that process, there needs to be an impartial decision-making body.

Justice Lamer recommended it and we agreed. We proposed an amendment in the last Parliament and the government agreed to our amendment, but it is not here. The only excuse I have heard from the Conservatives so far has been that it would be disenfranchising 700,000 people who were former members of the military from being on this tribunal. That leaves 34 million other people to be on that tribunal. There are lots of people to choose from.

• (1525)

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, when the bill was called Bill C-41, the Conservatives agreed to many amendments to the bill, but that was when they were a minority Parliament. Now that we are in a majority Parliament, it seems that the amendments they agreed to are irrelevant.

Why have the Conservatives taken this attitude? Is it because they have a majority government now and they do not care, or it is just Conservative arrogance?

• (1530)

Mr. Mike Sullivan: Mr. Speaker, power corrupts and absolute power corrupts absolutely. It is true. That is what we have seen. They have a majority government, a strong, stable majority government in the words the Conservatives keep using, so they can do this, not because it is right but just because they can.

Clearly the Conservatives agreed in 2010 that something else was right to do. Why change it? Why bring it back differently?

To me it means that there is a level of arrogance and a level of unparliamentary behaviour on the part of the other side that is not in keeping with the good traditions of this Parliament, where we discuss, we work out differences and we come to agreements. When those agreements are thrown out by members of the Conservative side, it does not speak well of them.

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, I would like to ask my colleague a question in regard to what the B.C. Civil Liberties Association told this Parliament in February. Basically that was that military officers who give out sentences in summary trials are concerned with showing unit discipline and deferring future violations, not the effect imposed on an accused in the civilian world with a criminal record.

I wonder if the member agrees that there must be discipline at all costs is perhaps one of the things that creates a situation where criminal charges are laid and that it does indeed impede the future of that individual who has been charged.

Mr. Mike Sullivan: Mr. Speaker, I agree with my colleague from London—Fanshawe that there is a balance that we need to achieve within the ability to swiftly, in the case of a summary trial, create unit discipline and deter future violations.

There is no question about the need for that ability. No one is disagreeing that it is a special aspect of the military that needs to be maintained.

What does not need to be maintained is the future effect that those actions have on that individual. That is the issue here. It is not whether or not discipline needs to be maintained or whether the commander has the right to discipline as he sees fit. The issue is that it should not carry consequences that are outside the norm of consequences for those same actions in the real world, when in the future that person ultimately leaves the military as most Canadian soldiers eventually do.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I want to focus again on the fact that the NDP is opposed to the bill in principle because it is so lacking in amendments that should have been a part of this bill.

I want to agree with the member when he said there is a level of arrogance from the government, in that it would bypass very important amendments that were included in the previous bill. I wonder if he would comment on that.

Mr. Mike Sullivan: Mr. Speaker, I agree that is what we are seeing here. We have seen this in other bills that have come before this Parliament where there was all-party agreement in the past. In one case, the refugee bill, the government chose to turf it out. It was already enacted, and the government chose to turf it out and go backwards.

We in the NDP do not wish to take Canada backwards.

Government Orders

[Translation]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, like many Canadians, if not all of them, I am always curious to see what happens to reports that successive governments ask from very honourable people, from experts who are often non-partisan and credible in their field of expertise. Some of these reports are shelved, others are partially followed, while others spur the government into moving forward. The intelligent use of these reports is often a good indication of a government's will to act.

In the case before us, the results are rather disappointing. When the Right Honourable Antonio Lamer, a former Supreme Court justice and an expert on today's issues, tabled his report in the fall of 2003, we had before us 88 recommendations concerning military justice, the Military Police Complaints Commission, the grievance process and the Canadian Forces Provost Marshal.

After many attempts, Bill C-15 was expected to be an answer to the many recommendations of the Lamer report. However, once again, we are disappointed with the Conservatives' reluctance to solve the issue completely. The Conservatives are not, as their name indicates, progressive but, rather, conservative. Therefore, in order to move forward, it is better to rely on our side of the House.

So we are disappointed, because only 28 recommendations have been incorporated into the bill. What is most unfortunate is that important previous amendments that were adopted at the end of the last parliamentary session have not been included in Bill C-15. Allow me to point out here that for a government that so often proclaims itself to be the champion red tape reduction, this seems to be a contradiction. The work had been done. There was an agreement. But oops, into the recycling bin with it; well, at least I hope it is the recycling bin, for all this work. They are starting the process over again, but they are putting even less on the table this time. This is a strange way of advocating efficiency and optimization of the work within our own institution.

This brings us to the heart of this bill, and since time is short, I will focus on the issues relating to summary trials, because in my opinion, these are probably the issues that most affect the clients I served for 25 years. I am talking about young students who, for all sorts of reasons in their lives, choose a military career, whether because it is suited to their innate personal tastes, or they wish to pursue their education or to acquire some specialized skills. But the one thing that all of these young people have in common is that they are young. I am by no means persuaded that at the time of their enlistment, they are familiar with all the ins and outs of the commitment they are making.

The NDP has long been in favour of a much-needed overhaul of the military justice system. The military justice system in our country today is still a draconian system. It is a legacy from a military tradition that is no longer suited to our times. Changes are long overdue.

The bill that is before us, however, has to enable us to tackle the problems head-on. In spite of everything, this is a unique opportunity to examine our military justice system. So let us not shy away from the debate, and let us try, if possible, to improve this system again.

The members of the Canadian Forces have to meet high disciplinary standards, and it is easy to understand why. However, we are asking in return that the justice system that is applied to them be just as precise and exacting. That is the least we should offer our soldiers. This is a matter of the relationship of trust between the armed forces and the justice system they are subject to. That is why the NDP is disappointed with the result we see in this bill.

Bill C-15 does not adequately address the injustice created by summary trials. I will cite a few of the incongruities found in this bill. Do we think it reasonable that, in the military of a country that recognizes the rule of law and a democracy as advanced as ours, summary trials are held where the accused cannot consult counsel? Do we think it is acceptable for accused persons to be unable to read transcripts of their trials, for the simple reason that there is no trial?

I am well aware that the government is battling red tape, but even so, in matters as sensitive as justice, whether military or civilian, I think a trial transcript is a guarantee against errors and abuses.

•(1535)

I would like to quote retired Canadian Forces Colonel Michel W. Drapeau, who is an expert on military law. He was outraged about the legal consequences of a conviction in summary trial. He said:

...it is almost impossible for the court to address any challenge [by a convicted soldier], since no appeal of a summary trial verdict or sentence is permitted.

That is another incongruity in our system.

Colonel Drapeau went on to say:

As well, it is almost impossible for any other form of legal challenge to take place, since there are no trial transcripts and no right to counsel at summary trial.

That is another incongruity if ever there was one.

Again, is it acceptable for the judge to be the accused person's commanding officer? If that is not a conflict of interest, it sure looks like one.

In my opinion, all these provisions are much too severe in many cases. Yes, there is misconduct within our armed forces and this must be sanctioned. We understand that, but often these are minor offences that do not merit a criminal record.

I took a quick look at what could be considered minor offences. These include things such as quarrels, misconduct, absence without leave, drunkenness or disobedience. I taught teenagers and witnessed, identified, confronted, and dealt with all of these characteristics time and time again. It is often between the ages of 16 to 18 that a person thinks about enrolling in the army. These are very common—and temporary—characteristics among teenagers who are trying to adjust to the adult world. Every one of these behaviours taken independently in civilian life would likely not have serious consequences. But in military life it is a whole other story.

Government Orders

Let us remember that our armed forces must be disciplined and exemplary at all times, of course. Therefore, any improper behaviour or flouting of the rules, discipline or code of conduct that govern the armed forces must be fairly punished. But we also have to remember that our soldiers must not lose confidence in their own justice system.

Within the military justice system, the summary trial is the most common kind of tribunal, with 96% of all cases being determined by summary trial. Many soldiers experience this particular kind of military justice at some time in their career. It is a disciplinary method for dealing with infractions committed by Canada's military personnel. The other 4% of cases are the exception, the court martial. It is a good thing that this is the proportion. It proves that lack of discipline in our armed forces is a rather rare phenomenon. Summary trials are available to deal rapidly with small infractions of the military sort. It can be done rapidly, within the unit, to maintain discipline.

The issue I want to raise concerns the legal consequences of these summary trials. Are all Canadians aware that a minor conviction in a summary trial leads to a criminal record? That is a fundamental problem.

• (1540)

I will repeat the example given by a Liberal colleague about someone who dropped a cigarette butt in a garbage can rather than an ashtray, where it belonged according to regulations. I can easily understand that in the military world, especially if one is near a munitions depot, it could be considered a serious risk. Still, there is an enormous difference between the treatment this offence would get in the military system and in the civilian one.

I will get straight to my conclusion. It is sad to see that the broad agreement on Bill C-41 has disappeared from discussions of C-15.

Thus, we may ask the government why it is content to do so little when we already had an agreement to do more.

• (1545)

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, I would like to address the issue of the amendments that were made during the 40th Parliament.

One explanation as to why the Conservatives withdrew these amendments is that they so fervently hate the idea that the opposition might have good ideas that they withdraw any of its amendments to the bill.

Does my colleague have any comments about this?

Mr. Robert Aubin: Mr. Speaker, first of all, I would say that I agree fully with the part of the question about the good ideas put forward by members on this side of the House. I would add that there are so many good ideas that in a few years, we will be on the other side of the House. I believe that the people of Canada will be able to recognize this.

It seems clear to me that rather than concentrating on what amendments need to be made to the bill, we are still mired in partisan politics. This government, which was elected with a majority of seats but a minority of votes, is using its majority to show disdain for

consensuses that had been largely developed, which is altogether regrettable.

[*English*]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I entirely agree with my colleague when he points out that this has been very much a history of partisan politics.

This issue goes back to 2003, as he pointed out, when the former chief justice of the Supreme Court brought forward his report. This bill, in various machinations, has been hanging around now for a number of years. I find it very perplexing that the NDP, in good faith and in a constructive way, brought forward amendments. These have now been dropped from the bill.

A number of us are raising these questions in the House today because we hear the government saying all the time that we should work with it and asking why we are not supporting this. Here was an opportunity to bring forward some work that was very constructive, yet suddenly the government dropped the ball on it.

I very much appreciate the member's comments about the partisan nature of what took place and the fact that we see a government that is very arrogant in the way it operates in the House.

[*Translation*]

Mr. Robert Aubin: Mr. Speaker, I thank my hon. colleague for his comments. Needless to say, I can do no more than repeat what was said previously.

One might well ask why they are behaving in that way. Who has anything to gain from partisan politics when what is involved is a bill as important as this one? The bill has major repercussions on the lives of all soldiers, when for a perfectly minor—I repeat truly minor—misdemeanour, they can end up with a criminal record. When this happens, it has an impact on them throughout their lives, something that soldiers are not necessarily fully aware of when they sign up.

[*English*]

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, in addition to the fact that a number of the amendments that we put forward in Bill C-41, that were accepted by the Conservatives and have now been taken out, I note there were 88 recommendations in Justice Lamer's report. If we stretch, we can find that 28 or so of them have been adopted in this bill.

Would the member like to comment on the lack of thoroughness by the government in implementing the reports?

[*Translation*]

Mr. Robert Aubin: Mr. speaker, it is difficult to find an explanation, because there is nothing rational behind this.

Not accepting every one of the recommendations in Justice Lamer's report is one thing. It would be unusual to have any report accepted absolutely in full.

Government Orders

But how can we drop from 88 to 23 recommendations, and completely forget the median number that had been agreed upon by both parties. I say “we” very modestly, because I was not in the previous Parliament. However, the work was the same. Parliamentarians had done an enormous amount of work to ensure that the resulting legislation would be the best possible piece of legislation and that it would meet the desired objectives.

The Conservatives claim that half the objectives are being met and we should support them, but why settle for less when it has already been demonstrated that we can do much more?

● (1550)

[*English*]

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):
Mr. Speaker, I am pleased to rise today to speak to Bill C-15.

There are three Royal Canadian Legions in my riding. I am proud that these legions help our veterans and active military service people. I have met with many Canadian veterans who tell me about the issues that are important to them. Bill C-15 is about military justice, which is an important issue.

I am happy to raise my concerns today with the House over a misguided policy that would ultimately hurt members of the Canadian Forces. Bill C-15 proposes some solutions to ongoing problems with military justice, but this is also not the first attempt to deal with such problems.

I will start by noting that our country's military service men and women are held to a very high standard when defending Canadian values abroad, values of democracy, justice and peace. The Canadian Forces deserve a military justice system that respects these values in all instances, including the grievance system and complaints commissions. The Conservative government chose not to do that.

The government has decided to go against an amendment already passed at committee, which would allow changes to the composition of the grievance board to include a 60% civilian membership, amended clause 11 in Bill C-41. The parliamentary committee's recommendation was simple, and that was that some members of the Canadian Forces Grievance Board should be drawn from civil society.

Why did the Conservatives not retain the amendments proposed by the NDP that passed during the study of Bill C-41 last spring? By failing to include these amendments in Bill C-15, the Conservatives undermine the recommendations of the Canadian Forces representatives during the last session of Parliament.

When defining the grievance process and highlighting its importance, the Lamer report in 2003 stated:

—unlike in other organizations, grievors do not have unions or employee associations through which to pursue their grievances...It is essential to the morale of CF members that their grievances be addressed in a fair, transparent, and prompt manner.

[*Translation*]

That is one of the primary reasons we cannot understand why the NDP's proposed amendments to Bill C-41 have been dropped. I will continue to speak about the reasons why we will unfortunately not be able to vote in favour of this bill.

This bill was introduced after a series of bills that were passed in the House of Commons over the past 10 years. First there were bills C-7 and C-45, which died on the order paper when Parliament was prorogued in 2007 and the election was held in 2008. In July 2008, the government introduced Bill C-60, which came back stronger and simplified the structure, but it too died on the order paper. In 2009, the Senate Standing Committee on Legal and Constitutional Affairs studied this bill and recommended nine amendments, but it went no further.

In 2010, Bill C-41 was introduced, and it reached committee stage, where amendments were proposed. Unfortunately, it too died on the order paper. That brings us to Bill C-15. As my colleagues have mentioned, amendments had been proposed in committee and accepted, but they are now being dropped.

I would like to comment on what my colleague just said about the arrogance of the government. It repeatedly tells us that we do not want to work with it, that we vote against its bills and that we are opposed to all kinds of things. Then it comes and tells us that we are opposing a better bill on military justice for veterans.

This bill contains many things that we cannot accept. Furthermore, we had proposed some amendments that I believe were very appropriate. We had recommended changes to the composition of the grievance board to have it consist of 60% civilians. We had recommended that authority be given to the Chief of Defence Staff in the grievance process, in direct response to a recommendation made in the Lamer report.

● (1555)

We had proposed that a person convicted of an offence in a summary trial ought not to be unfairly subjected to a criminal record.

I would like to return to the criminal record. At the moment, the Canadian Forces system is very strict and discipline is very important. These people represent our country. They have to be upright, fair and, as it were, highly disciplined.

At the moment, five of the offences considered minor do not lead to a criminal record. This means that out of 27 such offences, 22 can lead to a criminal record.

I have not looked at my list, but my colleague from Trois-Rivières just mentioned that one of the offences was being absent without leave. I find it ridiculous that being absent without leave can result in a criminal record.

I am going to tell you about a personal experience. Before coming to this place, I taught adults at two schools, in Sherbrooke and Quebec City. Unfortunately, a lot of young adults in my courses had criminal records. They told me how much that restricted their lives and complicated their efforts to look for work, for example. They always had to answer the question about whether they had a criminal record. They obviously had to tell the truth. Those people told the truth. They said they had a criminal record. Naturally, that can scare an employer. If you are more knowledgeable and you know what sort of behaviour resulted in a criminal record, that can change things.

Government Orders

Having a criminal record can also prevent you from travelling. It is harder to go to the United States, for example. Someone who has completed his military career and saved up money to go to the United States and spend a weekend with his children at Disneyland could be denied entry to the United States because he has a criminal record. This can take on grotesque proportions.

I feel we have an opportunity to change that. Some things are abnormal and disproportionate. You can have a criminal record for being absent without leave. These are things that we can change, and we should seize the opportunity to do so since we are studying the bill.

The government tells us that the wheels of bureaucracy grind slowly and that moving things forward takes a long time. I agree: sometimes it does take a long time and that is why we have been studying the bill for 10 years.

We do not want this bill to die on the order paper. We want it to be passed, but passed logically and responsibly so as to move things forward.

We can decide that some offences that are considered minor will not result in a criminal record. This is the opportunity to do so now, and we must not miss it.

I wanted to add to what the British Columbia Civil Liberties Association says, that military officers who impose sentences at summary trials want to maintain unit discipline and discourage future offences—everything is fine to that point—not to inflict on the accused consequences consistent with having a criminal record in the civilian world.

The British Columbia Civil Liberties Association thus emphasizes the fact that a criminal record has consequences in the civilian world. We would not want to go too far.

As I mentioned earlier in my speech, it is very important for the military world to be highly disciplined, but this goes a little too far.

We are definitely in favour of reforming the legislation concerning the military system.

• (1600)

The bill does not go far enough. Only 28 of Justice Lamer's 88 recommendations were adopted, not even half. None of the amendments put forward by the NDP was adopted either. In our view, this bill does not go far enough, and we will vote against it in the next vote for that reason.

[English]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I first congratulate the member for her excellent speech, particularly as she talked about her own personal experience in dealing with young people and what it means to have a criminal record. That is very pertinent and relevant to the debate today.

We often hear the Conservatives say they support the Canadian Forces and military personnel, which they seem to use as a point of rhetoric in the debate. However, when it really comes down it and we are actually examining the military justice system and the changes that need to be made, it is very disturbing that they have left

out some very serious questions around the summary trials that can lead to criminal records.

I appreciate the member making this point because people do not like to talk about criminal records. It is like one of those taboo subjects. The government always brings in legislation that makes things more difficult. For example, I received a letter from a constituent who was trying to get a pardon and because of legislation that has been passed, it is now almost impossible to get a pardon even though a person may have had a clean record for years.

I do think this issue is very important and so I wonder if the member could tell us anything more about the summary trial system. I know there are a lot of cases involved. It seems that it is something that we need to move away from, which is exactly what the NDP amendment passed in committee would have done.

[Translation]

Ms. Isabelle Morin: Mr. Speaker, I thank my hon. colleague for the question.

I thought it was important to talk about the students I taught, because the purpose of the NDP's proposed amendment concerning summary trials was to make life easier for our military personnel. I cannot think of many jobs in which a minor offence can result in a criminal record. If I may say so, some members of this House have committed much more serious offences, but they are still MPs. I have to wonder why we expect our soldiers to be perfect.

As MPs, we are also expected to act as role models for society. Some MPs are being allowed to commit criminal acts without any sanctions. Yet, we expect military personnel to be perfect. If they do break the law, they are burdened with a criminal record.

The NDP's amendment was crucial. It acknowledged that people do make mistakes, such as an unjustified absence. Many MPs have had unjustified absences at a job over the years. I do not see why that should result in a criminal record.

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, I do not know if my question is serious or if I am being tongue in cheek. We know how much this government loves Great Britain and the monarchy. Why is it that Great Britain has updated its laws on summary trials, but Canada is still dragging its feet?

Ms. Isabelle Morin: Mr. Speaker, I thank my colleague for his question and for his sense of humour.

Indeed, it makes no sense. This bill has been introduced many times since Justice Lamer released his report in 2003. Why are we still working on it? Things would move much faster if the government listened to us and was willing to work with us.

NDP members campaigned on the theme "Working Together", which is what we are trying to do. We are bringing forward valid recommendations and amendments, but the government will not hear of them. That is why we intend to take our time to talk about them and inform our constituents. It is not right that the government, which claims to be transparent and to listen to Canadians, is refusing to listen to opposition members. It is appalling. I thank my colleague for raising the point. We have been working on this since 2003, and it is high time we passed this bill in a responsible manner in order to bring about real change.

Government Orders

•(1605)

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, the military justice system that governs the members of the Canadian Forces is completely outdated. My colleague was just talking about that. We have been talking about it, looking into it and studying it since 2003. At the moment, it deprives the men and women in uniform—who have risked their lives to serve Canada—of access to the same legal safeguards that other Canadians across the country enjoy under the Charter of Rights and Freedoms.

The NDP has long advocated modernizing the military justice system. We believe that the military justice system must be subject to the same kind of rigour as the rigorous discipline faced by members of the Canadian Forces. For that reason, we are proud that the military justice system is being reviewed as we study Bill C-15, An Act to amend the National Defence Act and to make consequential amendments to other Acts. We are also proud that this bill incorporates some of the recommendations made by the former chief justice of the Supreme Court of Canada, the right hon. Antonio Lamer, in his 2003 report on the independent review of the National Defence Act.

This bill is a step in the right direction, toward making the military justice and civilian justice systems more uniform. But it does not go far enough—as we have said since the debate began today—in reforming certain aspects of the act that I think are essential. Moreover, the bill only includes only 28 of Justice Lamer's 88 recommendations. The fact that this bill does not go deep enough is disappointing, particularly because many significant amendments proposed by the NDP and adopted by the committee studying Bill C-41—which covered the same subject but was shunted into oblivion by an election call—have unfortunately not been included in Bill C-15. All opposition MPs have said this during the debate. Certainly, we are repeating ourselves, but it is important to say that the work was done in committee, that experts gave their opinions, that the Canadian Forces also made recommendations, and that there was a report. It is as if we were back at square one, since the government has ignored all the recommendations.

Can the government tell us why it has not included the amendments made by the official opposition in Bill C-15? We think adopting these amendments for Bill C-41 was a positive and constructive step. Can the government tell us why these amendments are no longer acceptable?

Committees take their work seriously. This was the result of significant collaboration among members of all parties. This kind of work does not deserve being reduced to nothing. By not including all our amendments in Bill C-15, the Conservatives are devaluing the important work done in committee and that of the defence department, as well as the recommendations made by representatives of the Canadian Forces during the last Parliament.

Bill C-15 still has many shortcomings. We call upon the Conservative government to amend the bill more thoroughly so that the National Defence Act and other related acts can be properly reformed.

The summary trial system, which is probably one of the most outrageous aspects of the current military justice system, requires some major changes. The current amendments to Bill C-15 do not go

far enough in addressing the injustice created by summary trials. Do members know what a summary trial is? Most Canadians have no idea what a summary trial is, and they would be shocked to learn that some Canadian citizens are subjected to this type of procedure. A summary trial means that a Canadian Forces member is judged by his commanding officer, in other words his boss, without the right to a lawyer, to an appeal, and without any transcript of the trial.

Currently, a summary trial conviction in the Canadian Forces also results in a criminal record. The summary trial is the most frequently used disciplinary method to deal with offences committed by Canada's military personnel. For example, in 2008-09, 96% of the cases were decided by summary trial. I want to condemn the excessive harshness of summary trials in the case of minor offences.

•(1610)

Minor offences include insubordination, quarrels and misconduct. It seems disproportionate that a conviction for this type of offences should lead to a criminal record. While I recognize the importance of military discipline in the Canadian armed forces, Michel Drapeau, who is an expert in military law and a retired colonel, said this:

Discipline is integral not only to the maintaining of an efficient armed forces but also to ensuring that the rule of law predominates within the military, particularly when engaged in great peril and danger in combat.

However, I am very concerned about the potential consequences of a criminal record for Canadian Forces members after their military career. For example, a criminal record means that the individual will have a very hard time finding a job, renting an apartment, and even travelling.

Do we think all these consequences resulting from a minor offence are excessive and even unfair? I do. It makes no sense. It is totally unfair and it is not in line with what we are asking from members of our armed forces.

This matter had already been covered by an amendment when Bill C-41 was being studied. In fact, the NDP suggested lengthening the list of offences that could be considered minor and that did not merit a criminal record if the offence in question led to a minor punishment. The NDP asked that the list be increased from 5 to 27 offences. It also asked that the list of punishments that could be handed down by the court without leading to a criminal record be lengthened. That changes everything.

Why is this amendment, which was agreed to last spring, not included in Bill C-15? Does the bill ensure that some offences will no longer result in a criminal record? It is inadequate. The bill must go farther. The amendments proposed by the NDP need to be included, as they were in Bill C-41. The military justice system must absolutely adapt to the realities of the 21st century. The current rules and provisions are truly obsolete. The United Kingdom, Australia, New Zealand and Ireland have already deemed it appropriate to change the summary trial process.

Government Orders

At what point will Canada follow suit? Why is the Conservative government dragging its feet on such vital issues as human rights and the rights of Canadian soldiers who, I would like to remind everyone, are Canadian citizens?

After all, would we not be utterly outraged if this sort of thing happened in a civilian context? I am certain that no one would accept it. Canadians would be absolutely shocked to find that soldiers who have so bravely served our country can end up with a criminal record because of flaws in the military justice system.

Bill C-15 must also include a reform of the grievance system. At the moment, the grievance board, which is supposed to be independent, does not allow for an external review of the grievances at issue. Even more ironically, Bill C-15 is changing the name of the board to the "Military Grievance External Review Committee". I cannot see how changing the name makes the committee any more independent. The employees working for this committee are armed forces retirees, which does not make the body truly external and independent.

Meaningful amendments have to be made to the appointment process. In March 2011, the NDP suggested that 60% of members of the grievance board be people who had never been officers or non-commissioned members of the Canadian Forces. This amendment was kept in Bill C-41. At the risk of repeating myself, can the government explain to us yet again why this amendment is no longer in Bill C-15? I believe that keeping it in the bill is essential.

Still on the topic of the grievance process, the NDP also condemned the Chief of Defence Staff's lack of authority to resolve financial considerations stemming from grievances.

What is more, there is the matter of the complaints commission. We are asking that the powers of the commission be increased so that it can investigate and report to Parliament.

For all these reasons, because the government has transformed Bill C-41 into the completely unjust, inadequate and incomplete Bill C-15, the NDP will oppose it. There are still many amendments missing and far too many inequities within the bill.

I am now ready to answer questions from my colleagues.

● (1615)

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, I would like to congratulate my colleague for her very enlightening presentation. I will not be very critical because I agree almost completely with what she said. My question instead is about the form of the bill.

Mr. Speaker, in the past hour, you have given me the floor four times. I imagine it is not because I am the darling of the House or the Speaker's pet. At a point in the parliamentary process when we should be debating this bill, it seems that all the questions are from the same side of the House. Is that not another sign of the Conservatives' arrogance? Not only have they rejected the recommendations agreed to in the previous Parliament, but they are refusing to debate them in the House when it is time to do so.

Ms. Anne Minh-Thu Quach: Mr. Speaker, I thank the member from Trois-Rivières for the excellent question. This shows the Conservatives' lack of interest in everything that is democratic in the

House and their failure to co-operate at committees and when studying amendments. They introduce a bill that has been studied for a dozen years, and today it is re-emerging in a completely chaotic fashion.

Today, in the House, the Conservative members are absolutely silent and are not participating in the debate. That shows their lack of professionalism. As the government, they are not providing any reasons or explanations. As we can see today, the bill is weak, and the government's arguments in support of it are feeble.

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, I thank my colleague for her wonderful speeches on this bill.

In the last Parliament, the NDP proposed several amendments to Bill C-41, which were accepted by the Conservatives. Now, the Conservatives are rejecting amendments to the same bill, which bears a different number, C-15.

Can my colleague tell us why the Conservatives are rejecting the amendments to Bill C-41 that they accepted in the previous Parliament?

Ms. Anne Minh-Thu Quach: Mr. Speaker, I thank the hon. member for Nickel Belt.

We do not understand why the Conservatives acted that way. It is pure partisanship. That is not the way to go if we want to work in the best interests of Canadian Forces members and the Canadian justice system. Canada is lagging behind other countries. There is a total lack of transparency. Of the 88 recommendations included in the report, only 28 were retained.

None of the amendments introduced, proposed and discussed by the NDP and other opposition parties were included. This is a serious problem. This is about democracy, about the work done by members of Parliament who represent Canadians. And yet, the Conservatives brush that aside as if nothing was more important than partisanship. How sad to see such an attitude from the Government of Canada.

● (1620)

[*English*]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I appreciate the member's point. It is surprising that government members are not participating in this debate.

However, I am sure the members of the Canadian Forces are glad we are shedding light on this bill, bringing these issues forward in Parliament and ensuring that this debate is being heard, given the number of summary trials that have happened, which is about 96% of cases. That needs to be changed. Therefore, I thank the member for bringing it forward and participating in the debate on behalf of the members of the Canadian Forces.

[*Translation*]

Ms. Anne Minh-Thu Quach: Mr. Speaker, I thank the hon. member for Vancouver East.

Government Orders

Indeed, many elements in the Canadian Forces justice system are unfair. There is no doubt that Canadian Forces members are paying very close attention to what is happening right now. Under the current summary trial system, they have no right of appeal and are judged by their own boss. Minor offences can have serious consequences and can even lead to a criminal record. We need changes and reforms to make the justice system appropriate, fair and responsible.

Ms. Manon Perreault (Montcalm, NDP): Mr. Speaker, today we are discussing Bill C-15, an Act to amend the National Defence Act and to make consequential amendments to other Acts. Bill C-15 is intended to strengthen military justice and as a response to the reports of former chief justice Antonio Lamer and of the Standing Senate Committee on Legal and Constitutional Affairs.

Bill C-15 in fact includes only 28 of the Lamer report's 88 recommendations. It is essentially the latest attempt to strengthen military justice. One need only think of Bill C-41, introduced in 2010, which was also an attempt to respond to the Lamer report. However, the various parties and the government managed to reach a degree of consensus on that bill.

We made a series of amendments to that bill through negotiations in committee. Bill C-15 is far from being a perfect copy of Bill C-41. Bill C-15 does not include the important amendments that committee adopted in the last Parliament.

Those amendments included some of the NDP's proposals respecting the authority of the Chief of Defence Staff in the grievance process, consistent with one of the recommendations of the Lamer report. Changes were also recommended to the composition of the grievance committee so that 60% of its members would be civilians. Lastly, there was the provision guaranteeing that a person convicted of an offence during a summary trial would not unfairly be given a criminal record.

Obviously, this bill contains a number of important reforms. The NDP's support for an update of the military justice system is not a recent development. We have observed for some time that there is a genuine need in this area. That is simply logical, given that Canadian Forces members are subject to regulations that are harsh, to say the least. In the circumstances, this situation must be offset by establishing a legal system that is subject to at least comparable standards. However, a number of necessary differences between military and civilian justice must be taken into consideration if we want that justice system to be truly fair.

Bill C-15 has a number of flaws that the government needs to consider. The bill's flaws can be divided up into three specific areas: the reform of the summary trial system, the reform of the grievance system, and the strengthening of the Military Police Complaints Commission.

Regarding the reform of the summary trial system, the amendments in this bill were not adequately examined. Certain members of the Canadian forces convicted for minor offences face tough procedures that will inevitably lead to a criminal record. Moreover, under this judicial process, accused persons cannot consult counsel, and the judge is none other than the accused's commander. Such a simple and quick process is appropriate in a purely disciplinary

context within the Canadian Forces, but what is being proposed here is quite another matter.

It needs to be made clear that having a criminal record has a real impact. It is not a simple matter of discipline, as is the case in the armed forces, and for good reason. Such a change will have damaging consequences for members of the armed forces in their civilian lives, which is why it is important to make the distinction between the notions of civilian and military in summary trials.

It is important to be mindful of the types of minor military offences, and contrast these with what the bill sets out in terms of criminal offences. An important legal distinction must be made in a context like this where the rights of the accused are at stake.

All that to say that the process involved in the reform of the summary trial system will not lead to fair trials and could significantly hurt members of the armed forces in their civilian lives for no good reason.

The sentences resulting from summary trials are not only intended to have this effect. They are intended to provide an example, strengthen discipline and discourage future offences. With this in mind, the process could be considered normal for the armed forces, given the minor violations and offences that are dealt with there, but those hardly merit a criminal record.

● (1625)

Summary trials are designed to expediently dispose of minor military offences. This fundamental difference between courts martial and summary trials must be stressed. It is clear, based on the figures concerning the treatment of offences committed by Canadian military officers, that the majority of cases are subject to a summary trial. Only a minority of offences are subject to court martial.

Let us discuss some of the infamous criminal offences in question. They include, for example, insubordination, quarrels, misconduct, absence without leave and disobeying an order. These are not criminal offences, they are breaches of military discipline. A criminal record, however, will, for obvious reasons, make rejoining civilian life difficult. Getting a job, renting an apartment and, for those who like to travel, travelling abroad, will become difficult.

It is important to note that, on average, Canadian Forces members tend to retire at a much younger age than other Canadians. Thus we see just how many problems this can cause for our military personnel. Is there not a more appropriate way to ensure that justice is served than to impose a criminal record, the effects of which are hard to determine, on people who are being tried for a minor offence without a professional judge and without a formal defence?

Government Orders

Furthermore, the amendments that we proposed to Bill C-41 to expand the list of offences and sentences that are not worthy of a criminal record were not included in this bill. These were sentences that were deemed to be minor and not worthy of a criminal record but that warrant disciplinary measures not exceeding a fine equal to one month's basic pay. This is an important nuance, and we must ensure that these amendments are included in Bill C-15.

Another amendment that was not included in this bill pertains to the reform of the grievance system. We wanted at least 60% of grievance board members to be civilians who have never been an officer or a member of the Canadian Forces. This is a critical requirement if we want to ensure that the grievance board is perceived as an independent, external civilian body, as it should be.

We also proposed an amendment to give the Chief of Defence Staff more authority in the grievance process. Nothing was done in this regard. We must ensure that grievances are quickly resolved in a fair and transparent manner.

Another one of the shortcomings of this bill pertains to the Military Police Complaints Commission. We must increase the commission's authority so that it is able to rightfully investigate and report to Parliament. We must further strengthen the commission by giving it more power to act as an oversight body. This is one of the shortcomings of this bill since this issue was barely touched on.

Today we are talking about reforming the military justice system, in order to bring it more in line with the civilian justice system, while ensuring that the justice process is fair and just for members of the Canadian Forces. That is not the case with a number of the proposed amendments in this bill. Overall, the bill tends to create problems instead of solving existing ones. The government must review this bill and include our amendments that were adopted in committee as part of the study of Bill C-41 and that have disappeared in this bill.

We owe it to the members of the Canadian Forces to give them a justice system that is fair and just. That is the least we can do.

• (1630)

[English]

Mr. Mike Sullivan (York South—Weston, NDP): Mr. Speaker, the question I would ask my colleague has to do with what we have been talking about quite a bit this afternoon. Does she have an opinion as to why it is the Conservative government does not wish to accept any of the amendments from the previous Parliament or any amendments the NDP might have put forward that were reasoned and acceptable then but for some reason are not acceptable today? Could she comment, please?

[Translation]

Ms. Manon Perreault: Mr. Speaker, it is very difficult to explain why these amendments were accepted in the past, but now they no longer are. It is probably a lack of interest on the part of the government. This bill is probably not important to the Conservatives. They simply want to slow it down and this is how they chose to do it.

[English]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I appreciate the member speaking in the House today to this very important bill.

The bill has a very long history. It was previously Bill C-7, Bill C-45, Bill C-60, and Bill C-41.

The original report goes back to 2003, so it is certainly high time we dealt with this bill in the House.

What concerns us is that some of the key issues and amendments the NDP put forward, in good faith, at committee have been left out of the bill. We still do not have an answer on that. I wonder if the member would like to address that concern, because they really should have been included in this new version of the bill.

I think the members of the Canadian armed forces need to have a better military justice system. We are here in the House to ensure that it happens.

[Translation]

Ms. Manon Perreault: Mr. Speaker, it is very simple. Minor infractions include things such as insubordination, quarrels, misconduct and absence without leave. Do these kinds of offences merit a criminal record? Certainly not.

When a member of the military has a criminal record, it is very difficult for him or her to return to civilian life. A criminal record will make it difficult to find a job or even simply to travel.

This is probably baffling to many people.

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, I am still asking myself the same question. This is the fifth intervention, and I feel like we are at an NDP caucus meeting where we are debating what we already agree on.

Does my colleague from Montcalm think that our friends across the floor have a code of silence that is keeping them from taking part in the debate?

Ms. Manon Perreault: Mr. Speaker, I thank my hon. colleague from Trois-Rivières, who always has a sharp sense of humour.

The answer is probably yes. We have asked the question several times in this House and none of my colleagues opposite have risen to answer it. I imagine they were given the order to not ask any questions on this bill. It is unfortunate, because this bill deserves to be evaluated and studied. It has to do with military justice and we all know that our military personnel need a fairer justice system.

• (1635)

[English]

The Deputy Speaker: Before I proceed, 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 Vancouver Kingsway, International Trade; the hon. member for Cardigan, Search and Rescue.

Resuming debate, the hon. member for Scarborough Southwest.

Government Orders

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, I am a little disappointed to be rising in the House today. I would have been much happier rising if this were Bill C-41, from the last Parliament, and to be speaking to and supporting that very important piece of legislation. However, what the government has done with Bill C-15 is turn it into what I would have to call a prequel, which is what is there before one gets to a final bill. This should be what we had before we got to something like Bill C-41, in the last Parliament, when all of the parties participated, had a debate, and agreed to bring the bill forward in a way the parties would all have been able to support. However, that is really not what the government is interested in.

There are many important reforms in the bill, and the NDP supports the long overdue update of the military justice system.

Members of the Canadian Forces are held to an extremely high standard of discipline. They, in turn, deserve a judicial system that is held to a comparable standard. While this is not an issue at the forefront of most people's minds, a lot of Canadians would be shocked to learn that the people who bravely serve our country can get a criminal record from a system that lacks the due process usually required in civilian criminal courts. The way the system of justice in the military is set up right now, a soldier can receive a criminal record for very minor offences, such as insubordination, quarrels, disturbances, absence without leave and even drunkenness. These matters could be extremely important to military discipline, and we would probably all agree on that, but they are not worthy of a criminal record.

A criminal record can make life after the military very difficult. Getting a job, renting an apartment and travelling abroad are all made far more difficult when someone has a criminal record. Our brave men and women have enough challenges re-entering civil society without a criminal record on their backs.

The NDP will fight to bring more fairness to the Canadian military justice system for the men and women in uniform who have put their lives on the line in the service of Canada.

The issues addressed in the bill are not new and date back, as we have heard many times today, at least to the independent review of the National Defence Act, released in 2003, by the right hon. Antonio Lamer, former chief justice of the Supreme Court.

The issues contained in Bill C-15 have indeed appeared in earlier forms. There was Bill C-7, which died on the order paper due to prorogation in 2007. We all remember that wonderful time. Then there was Bill C-45, which died on the order paper after the current government was found in contempt of Parliament.

In July 2008, Bill C-60 came into force, simplifying the structure of the courts marshal and establishing a method for choosing a type of court marshal more closely aligned with the civilian system.

In 2009, the Senate Committee on Legal and Constitutional Affairs considered Bill C-60 and provided nine recommendations for amendments to the National Defence Act.

In 2010, Bill C-41 was introduced to respond to the 2003 report and to the Senate committee's report. It outlined provisions related to military justice, such as sentencing reform, military judges in

committees, summary trials, court marshal panels, the provost marshal and limited provisions related to the grievance and military police complaints process. In essence, Bill C-15 is similar to the version of Bill C-41 that came out of committee in the previous Parliament, minus all of those amendments.

The amendments carried over include courts marshal composition and military judges' security of tenure. However, other important amendments passed at committee stage at the end of the last parliamentary session were not included in Bill C-15. These include the following NDP amendments: the authority of the Chief of the Defence Staff in the grievance process, responding directly to Justice Lamer's recommendation; changes to the composition of the grievance committee to include 60% civilian membership; and a provision ensuring that a person convicted of an offence during summary trial is not unfairly subjected to a criminal record.

If one member of the government would get up at this point, I would ask what in those amendments was so scary and offensive that the government would pull them out of the bill before reintroducing it. However, I doubt that I will have that chance.

● (1640)

I am opposing Bill C-15, as it contains shortcomings that need to be re-addressed because the amendments I mentioned were pulled from the previous version of the bill. Far too often the government takes bills that were fixed and then breaks them again before bringing them to Parliament. It is a trend that we are seeing again and again. In the next two and a half years before the next election, I wonder how many other things Conservatives are going to break anew before bringing them before Parliament.

The amendments in Bill C-15 do not adequately address the unfairness of summary trials and the conviction of service offences from those trials in the Canadian Forces, which result in a criminal record. Summary trials are held without the accused being able to consult counsel; there are no appeals or transcripts of the trial; and the judge is the accused person's commanding officer. I wonder how many of us in civilian life would ever want to be tried by our boss.

These trials are unduly harsh for certain members of the Canadian Forces who are convicted of very minor service offences. Bill C-15 does make an exception for a select number of offences if they carry a minor punishment defined in the act, or a fine of less than \$500, so they will no longer result in a criminal record. This is one of the positive aspects of the bill, but it does not go far enough.

Government Orders

At committee during the last Parliament, NDP amendments to Bill C-41 were carried to expand the list of offences that could be considered minor and not worthy of a criminal record from 5 such offences to 27. If the offences in question received a minor punishment, one the NDP amendments also extended the list of punishments that might be imposed by a tribunal without an offender incurring a criminal record, such as a severe reprimand, a reprimand or a fine equal to one month's basic pay, or another minor punishment. This was a major step for summary trials. However, this amendment was not retained in Bill C-15. We want to see it included.

Another matter that needs to be amended relates to the external military grievances review committee. At present the grievance committee does not provide a means for external review. Currently it is staffed entirely by retired Canadian Forces officers, some only recently retired. If the Canadian Forces grievance board is to be perceived as an external and independent oversight civilian body, as it is designed to be, then the appointments process needs to be amended to reflect that reality. Thus, some members of the board should be drawn from civil society.

The NDP would like to see a provision that at least 60% of the grievance committee members never have been officers or non-commissioned members of the Canadian Forces. This amendment to Bill C-41 was passed in March 2011, but again it was not retained in Bill C-15. There seems to be no good amendment that the Conservatives do not want to see gone. It is important that this amendment also be put back in the bill.

Another major flaw in the military grievance system is that the Chief of the Defence Staff presently lacks the authority to resolve any and all financial aspects arising from a grievance, contrary to a recommendation in the Lamer report. Despite the fact that the Minister of National Defence at the time agreed to this recommendation, there have been no concrete steps taken over the past eight years to implement this recommendation. The NDP proposed an amendment to this effect to Bill C-41 at committee. Although the amendment passed in March 2011, once again this amendment is nowhere to be found in Bill C-15. It should be included.

Another aspect of the bill that needs to be addressed is the need to strengthen the Military Police Complaints Commission. Bill C-15 amends it to establish a timeline in which the Canadian Forces provost marshal will be required to resolve and conduct complaints as well as protect complainants from being penalized for submitting a complaint in good faith. Although a step forward, the NDP believes that more needs to be done to empower the commission. Care has not been taken to provide the Military Police Complaints Commission with the required legislative provisions that would empower it to act as an oversight body.

I will be happy to answer some questions. I hear disappointment from the other side of the room, but I will be more than happy to include you in the conversation.

• (1645)

The Deputy Speaker: I would remind the member to address his comments to the Chair.

The hon. member for Nickel Belt.

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, I want to thank my colleague for such a good speech, even though he is getting comments from the other side, and congratulate the people of his riding for electing a brilliant young man. I also congratulate him because I heard that he recently got engaged.

I have a question for the hon. member about an amendment to Bill C-41, about which it was said:

[A] key New Democrat amendment to Bill C-41 was the provision ensuring military personnel convicted of offences during a summary trial would not be subject to a criminal record. We believed then, and we still believe, that those who bravely serve our country should not be deprived of the rights and protections that other Canadians enjoy.

Can the hon. member tell me why this amendment is not in Bill C-15?

Mr. Dan Harris: Mr. Speaker, to get an answer why it is not in Bill C-15, a member of the government would actually have to rise in the House and defend this bill.

I would like to tell the member that flattery will get him absolutely everywhere, and I thank him for his congratulations on my upcoming nuptials, which will be taking place next year.

That is one of the main confusions with this bill, as with many others. The government strips away well thought out, reasoned amendments from bills and then no one on that side will get up to defend why the government did so. That is absolutely transparent on the part of government; it is as if the government were not even there.

[*Translation*]

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, I have a very brief question.

I would first like to congratulate my hon. colleague on her speech, which, I think, did not receive the attention it deserves from the governing party. One cannot expect miracles every day in the House.

Many sources tell us that Great Britain, Australia, New Zealand and Ireland, to name a few, have all made changes to their summary trial system for their military personnel. Those are all Commonwealth countries that all have the good fortune, like Canada, to have the Queen as their monarch—and the Conservatives across the floor should be happy to hear me say that.

I have to wonder why Canada is so far behind and why it has not yet made the necessary changes to better protect our military personnel.

[*English*]

Mr. Dan Harris: Mr. Speaker, it is really confusing. We see parts of the Commonwealth making improvements to their military justice systems by taking and using best practices. We on this side have tried in previous parliaments to include best practices, as has been mentioned time and time again today. It is absolutely baffling why the government will not institute the best practices established by our allies and friends in this world.

Government Orders

[*Translation*]

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, before I begin, I, too, would like to congratulate the member for Scarborough Southwest for his commitment. I listened intently to his speech, as I did the speeches of all my NDP colleagues, which stand in stark contrast to the hollow speeches emanating from the other side.

Let me reassure my colleague: I think it is a relatively new practice in the House to speak without saying a single word. That is not why we were elected, however, and the NDP intends to do its job.

I see that we have dealt with many different iterations of Bill C-15, namely Bill C-7, Bill C-45, Bill C-60 and Bill C-41.

I know that in the last session of Parliament, the NDP brought forward several amendments, including amendments to increase the Chief of the Defence Staff's authority in the grievance process, to change the grievance board's membership so that 60% of its members are civilians and to ensure that anyone summarily convicted of an offence not be unfairly burdened with a criminal record.

I would like my colleague to tell us how people, especially Canadians, will react when they find out that their military men and women, who have so bravely served our country, could end up with a criminal record because of flaws in our military justice system.

• (1650)

[*English*]

Mr. Dan Harris: Mr. Speaker, it seems that we are not going to hear from the Conservative Party about the changes and what is going on because it is silent on the issue.

We have parliament in which we are supposed to actually debate bills and come together to present reasoned arguments on those bills, yet not one member of the government will stand up to defend a government bill.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am happy to rise on the bill after asking so many questions.

First, as I am following the member for Scarborough Southwest, I would like to congratulate him on his engagement. I met his lovely fiancé and it is wonderful to know that they will be married soon.

I would like to begin my remarks by saying that over quite a few years in this House I have debated many bills. However, it is very unusual and rare to hold a debate in which there is basically one party participating. There is something going on here that we will have to get to the bottom of.

I appreciate that so many members of the NDP caucus, the official opposition, have taken the time today to get up in their place and debate this very important bill. They have given some substance and historical background on where this bill came from and what the problems are with the bill today.

In fact, I remember you, Mr. Speaker, debating the bill in the last Parliament. It was Bill C-41 then, a forerunner of this bill and very similar in its provisions. I have to say that we certainly miss you in

the House debating bills, but we are very happy to see you in the chair as Deputy Speaker.

Bill C-15 has a long history and it is about a very important matter that is long overdue for reform, that being our system of military justice. As the member for Scarborough Southwest just pointed out, there are other countries that have dealt with this issue in a proper and adequate way, yet we are lagging far behind.

The original report by the Right Hon. Antonio Lamer, the former Chief Justice of the Supreme Court, was presented in 2003. That is quite a few years ago and it worries me that it has taken this length of time to bring forward a bill, which will presumably go to committee. We hope that it will come back from committee in a form that includes the amendments the NDP proposed so long ago.

Military justice is a very important issue, particularly the principle that members of the Canadian Forces have access to a system that is fair, balanced and that protects their rights. In fact, after reading through the bill to see what it would and would not do, there are a lot of fundamental questions about why the members of the Canadian Forces have been living under a system where their rights have basically been disregarded for so long.

Even though we support many elements of the bill and think it is a step in the right direction, there are three key issues that we have been hammering away at today because they are not in the bill. The bill does not go far enough on the need to reform the summary trial system and the grievance system and to strengthen the Military Police Complaints Commission. I would like to focus on these three elements.

Regarding the summary trial system, what immediately jumps out at one when reading the bill is that it does not adequately address the unfairness of it. As noted by my colleagues, members of the armed forces can be drawn into some of these summary trials, as we are told, on issues that are meant to be of a minor nature. However, the fact is that they can end up with a criminal record.

They have no right to consult counsel, there are no appeals or transcripts of the so-called trial, and the judge is the accused person's commanding officer. This has to be the most fundamental injustice. It is very disturbing that it has continued for so long.

Dealing with the issue of the summary trial system and bringing in reforms is something that I think is imperative for members of the armed forces and for anyone in this country who has a notion of the justice, balance and fairness that need to be afforded to people.

• (1655)

We are very concerned that the bill does not address this fundamental question. Some of the so-called minor service offences could include things like insubordination, quarrels, disturbances, absent without leave, drunkenness and disobeying a lawful command. In a civil system, people could be charged with those things and if they actually went to court, they would have a lawyer, a hearing, a judge and may even have a jury. However, in this system, the summary trial system, none of those things would happen, but people could end up with a criminal offence. This is a serious problem that we face in the bill. We want to see it corrected.

Government Orders

As many of my colleagues have pointed out, when the bill came forward in its last form, Bill C-41, the NDP worked very hard to get the bill changed. In fact, when it was at committee last March, we wanted to expand the list of offences that could be considered as not worthy of a criminal record from 5 to 22.

We worked very hard at the committee. I was not on the committee, but I am sure there were witnesses who were heard. We know there were a number of major witnesses and organizations that sent in information, like the BC Civil Liberties Association, which put forward the concerns and fundamental flaws with the bill.

Therefore, we brought forward those amendments and they were approved at the committee. That is an example of committee work that was doing something. It was constructive. Amendments were proposed that would improve the bill, which is what is meant to be done at the committee level.

Lo and behold, we come back to the House, a new bill comes forward, Bill C-15, and those amendments are not present in the bill. That is a serious problem.

As a matter of principle, we are opposing this bill at second reading. I guess it is a form of protest to say that the process here has been seriously undermined and that the government should have acted in a responsible way, looked at the constructive work that was done on earlier versions of the bill and ensured that it came back in a way that reflected the will of the House.

It is very unfortunate that none of the members on the government side have been willing to answer that question today. We have raised it repeatedly in the House. It is a very straightforward question. We have asked each other those questions, because the government members will not answer. We have asked why the Conservative members and the Conservative government did not include those amendments.

We do not know for sure. We can only suppose that it is some level of unilateralism, some level of arrogance that the government thinks it can ditch that and does not need to pay attention to it. If that is not the case, we sure wish the government members would get up and explain why these amendments are not in Bill C-15.

The second key item that we wish to raise is the reform of the grievance review committee. Again, this is a very fundamental process system that has to do with military justice. In this instance, we had amendments and things we had worked on to strengthen the bill. It is really a very straightforward principle.

It is the idea that there needs to be some sort of external, independent component. In fact, the NDP amendment that had been put forward in committee previously had specified that at least 60% of the grievance committee could not be an officer or non-commissioned member of the Canadian Forces. Again, this amendment was passed under Bill C-41, but is not been retained in Bill C-15. Having some independence, some broader scope on a grievance review committee seems, to us, to be a pretty important thing. It begs the question why it is not there.

Finally, our third concern is about strengthening the Military Police Complaints Commission. We believe, and again there was an amendment to this effect, that it should be seen as an oversight body.

There has to be somebody who looks at the system overall and has some independence and must be empowered to actually investigate and report back to Parliament. On that too, it is silent. It is absent.

For those three reasons, we are not supporting this bill at this time.

• (1700)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, in principle, Bill C-15 attempts to narrow the gap, as I referred to earlier, between civil court and military court. The principle of what it attempts to do is something which we in the Liberal Party do support and ultimately would like to see passed to committee.

We have a number of concerns. We, too, would like to see amendments. I am somewhat surprised that the New Democrats have decided not to allow it to go to committee. If the choice were theirs, they would defeat the bill.

To what degree does the member support the principle of what the bill tries to accomplish? Even if it does not receive amendments, would the New Democrats support it in a third reading, for example? At the very least, would the member not acknowledge that it is best to see the bill go to committee where she might get her amendments through? Could the member just focus in on the principle of the bill itself?

Ms. Libby Davies: Mr. Speaker, finally a member from another party has stood, so I welcome him to the debate today, even at 5 p.m.

In terms of the principles of the bill, as we have said very clearly today in the House, there has been progress made under it, but there are still fundamental issues around principle concerning the military justice system that have been completely avoided and left out of it. Therefore, it makes it very difficult to support the bill in principle.

I would note, because the question came from a Liberal member, that the Lamer report came out in 2003 when the Liberals were in power. They did respond positively to the report at that time, but they also sat on it. We are really lagging in time in what has happened with this whole system of military justice.

I am sure the bill will go to committee. We have taken a position that we do not support the bill in principle because it is so flawed. However, once it gets to committee, I know our members will again try to ensure the bill is corrected and comes back in a much strengthened and better form.

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I am very familiar with this bill. I have been Minister of National Defence now for five years. The bill has been around some nine years in various iterations.

I heard the member opposite repeat something that has been repeated over and over again by members of the opposition, and that is it somehow does not answer the 88 Lamer recommendations. Mr. Justice Lamer made 88 recommendations and 29 of those recommendations were in fact included and implemented in a previous bill.

Government Orders

Therefore, if the members are looking for the remaining 60-odd recommendations, they are in the bill in front of them. This is why we want the bill to go to committee, where we can further implement recommendations, not all of which will be included, as they are recommendations and some we do not believe are good policy. The opposition members have every right to disagree with the government in that regard.

However, in answer to those members stating over and over that they are holding up this legislation because they are waiting for more recommendations to be in place, it is in the bill in front of them. Let us get the bill to committee where we can have a substantive discussion about moving the bill forward to actually benefit members of the Canadian Forces, which again is an enduring theme in which we all agree. Let us get the bill moving. It has been nine years. In fact, two justices have looked at the bill and made recommendations. Now it is time to move and not play these silly games of continually holding it up in the House.

● (1705)

Ms. Libby Davies: Mr. Speaker, first, I would like to welcome the Minister of National Defence to the debate today. It is good to see him in the House.

If he is familiar with the history of the bill, then he will know that its previous versions did not go forward because of prorogation. Now who was responsible for that?

We acted in good faith on this bill in terms of amendments that were put forward at committee under Bill C-41, so I have a question for the Minister of National Defence. We have been trying to find out all day why the government dropped the key amendments that were agreed to in committee. Why are they now not in Bill C-15?

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I rise today to contribute to the debate many of us are having on this side of the House, which is good to see. I am glad to see the Minister of National Defence added his two cents to the debate, but we really hope we will have other members of Parliament from other parties join in. The debate we are having is extremely important when it comes to our Canadian Forces and modernizing the Canadian Forces.

As has been mentioned, it was the Right Hon. Antonio Lamer, one of our sharpest jurists, who contributed to our country in many different ways. We honoured his passing just a couple of years ago. I had the opportunity to get to know him a bit from a social point of view and he was someone who contributed to our system in so many ways. He had also examined concerns around the issues of justice in Newfoundland and helped reform some of the systems there. When he brought forward his report in 2003, it was thorough. It was also a blueprint for what we needed to do. We needed to, in his opinion, modernize the justice system within the military.

It is strange when the government talks about getting the bill to committee and getting it done. As my colleague from Vancouver East, the bill was before us in two different iterations. One of the times it went through the House with a minority Parliament, but it was stopped abruptly because of prorogation.

It comes with a qualifier when the government criticizes anyone in the House, particularly us, about slowing things down. The

Conservatives pulled the fire alarm on the House of Commons with prorogation because they were worried about holding on to power.

The other thing that is important to understand in the bill and its context is the government has constantly talked about the importance of our military, the importance of supporting the troops and ensuring that is a brand of theirs. However, when we look at how that works, whether it is the reforming the justice system, as we are debating today, or supporting veterans, particularly for those who are coming back from the conflict in Afghanistan, there is a gap between the rhetoric of the government and the results.

In the context of the bill there are things like the Military Police Complaints Commission. We went through a very long debate over the role of the Military Police Complaints Commission when we debated the question of detainees. It came up in the House during debate that the government was not being responsible and responsive when it came to supporting the Military Police Complaints Commission.

The Conservatives changed the chair. They did not renew the chair's mandate because the chair of the Military Police Complaints Commission was doing the job. The Conservatives were not sufficiently supporting the Military Police Complaints Commission with documentation and that led to a parliamentary crisis in the end, which someone in your chair, Mr. Speaker, had to rule upon.

It is important that we understand the context. If the Military Police Complaints Commission is not able to do its job sufficiently, then that puts the system at risk.

The reason we set up these bodies is so there will be a fair hearing, a due process. That is extremely important. However, if the executive branch interferes with that and does not support the Military Police Complaints Commission, either in the appointment of the chair or ensuring that it has all the material sufficient to do its work, then we have a dilemma. The dilemma is that the commission is no longer really independent because the independence of the Military Police Complaints Commission is compromised because of lack of co-operation from the executive branch. We cited this before in the case with the Department of National Defence and the minister in providing documents, and ultimately up to cabinet.

● (1710)

We need to see more clarity. As others have mentioned, this issue has been examined in other jurisdictions. The MPCC is an important institution that was set up to deal with issues like those we saw with the Somalia inquiry and what happens when things go wrong within the military. It is a different organization obviously, a different institution, and it does require different methods in terms of dealing with issues around justice, but we really do have to modernize here. We have been very vocal and clear that the MPCC needs to be given full independence. The government needs to comply with the requests it makes and not put barriers in its way.

The bill does not go far enough to really address some of the issues around grievances, as was mentioned by my colleagues.

Government Orders

With respect to the summary trial system, I just want to read into the record again some of the important statistics around the use of summary trials. Summary trials are seemingly the dominant disciplinary method that is being used by the Canadian military. A lot of people are shocked to note the statistics we have available. Between 2008 and 2009, there were a total of 1,865 cases, 96% of which were determined by summary trial. The other 67 were heard by court martial, 4%. It is important to note that if we do not deal with the issue of summary trials, then we are really not dealing with the big problem, and that is modernizing our system of justice within the military.

If the UK, Australia, New Zealand and Ireland are able to deal with this legacy of summary trials, then why can we not deal with it here? I have just listed Westminster models, and they are able to do that, so it is certainly not a question of our parliamentary system. The countries I just listed were able to do it. They are all within the Westminster tradition. Why is the Conservative government not able to see that, to put that forward? We have put this case forward many times. We were debating this particular bill in its previous iterations when the Speaker was a member on the floor of the House.

The government is saying it will just get it done when the bill gets to committee. Government members already know what the problem is. Why did they not deal with it before? Why did they not deal with it perhaps after the second iteration? Here we are the third time. The government could have dealt with it. If the government is going to deal with it in a fulsome way, it could have put that in place. It could have strengthened the Military Police Complaints Commission and dealt with the whole issue of summary trials and grievances.

As I stated before, the military is a different institution. My father was a sergeant who served in the second world war. He used to joke about what his role was within the military. He was at times a disciplinarian with the troops because he was a sergeant. There was a code and they had to follow it. That was then, but times have changed. It is time to modernize, and that is why at this point it is difficult for us to support the bill at second reading.

We look to the government to tell us why it did not get the job done before. We ask the other opposition parties to see the problems we have. Let us get this done right. Let us get this done well, so we can fully support our troops.

• (1715)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, having been a member of the Canadian Forces, I do appreciate the importance of trying to narrow the gap between the civil system and the military system, as I have referred to in the past.

One of the issues that has always come up is the issue of not being able to report in to work. There is quite a different consequence for someone in the military who does not report in to work compared to a civilian who does not report in to work. I am wondering if the member could just provide his thoughts with regard to that sort of disciplinary action. Does he recognize that there is a difference?

On the other hand, there are many different types of offences that could apply for a civil court system, such as representation for many of the summary convictions that other members of this caucus have made reference to.

Mr. Paul Dewar: Mr. Speaker, as I mentioned in my comments, we acknowledge that when it comes to the Canadian Forces, to the military, it is a different institution, so for the example the member gave, it is obvious there is a propensity, and an understandable one, to deal with situations differently. That said, we really have to take a look, and I mentioned the stats of the use of summary trials, and see that this is an outdated method of dealing with justice for our military and it is time we respect the forces and the institution itself and modernize it.

As I said, this has been done in many other jurisdictions. The question is: Why can the government not provide that solution? Maybe Conservatives either do not want to or they have not done their homework to put forward a proposal on which we can all agree.

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, I was quite happy a while ago to see a Conservative member finally get up and ask a question on the bill. The Conservative member wants to get the bill to committee.

My question for my colleague from Ottawa Centre is: Considering the fact that the House has passed dozens of bills, maybe hundreds, since the government became a majority and we have been able to make amendments to one bill, maybe two, can the hon. member tell me what the chances are of our making good amendments to Bill C-15, or are we not going to be able to do that?

Mr. Paul Dewar: Mr. Speaker, I thank my colleague from Nickel Belt for his question because many people are wondering that. There is a question around the functioning of our parliamentary democracy right now, when we have time allocation used regularly, when we have omnibus bills brought in anytime the government wishes to get anything done, bypassing normal parliamentary scrutiny.

When it comes to committees, we have seen that going in camera is too often used. The rationale for Parliament to do its job is to be able to provide scrutiny and alternatives to bills and amendments. I sadly say to my colleague that it is very unlikely that government would accept the amendments. We have tried that. We have made the case here, and as we have said before, please take our ideas, adopt them, let us get some results happening.

Conservatives have said it will happen later. There is a certain trust on that. We have not seen support for putting forward our ideas adopted by government, so for those of us who have watched the government in a minority and now a majority, it is a matter of whether it is true that the government is really focused on getting things done for the best results for Canadians, or whether it is more about how it is using its majority power just to get things done for its own political benefit. Sadly, I think it is that.

We need to address that in our system. We need to see committees work better. We have to stop the business of time allocation and certainly stop the pattern we have seen from the government of bringing in omnibus legislation, because it is deeply affecting our parliamentary democracy and therefore the health of our democracy.

Government Orders

• (1720)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, it is my pleasure to rise to speak on behalf of military families across the country. Like many people in the NDP caucus, I have relatives—my grandfather and uncle—who both fought for Canada and their names figure on the memorial in downtown New Westminster, just outside the city hall. There are many members of Parliament in the NDP caucus who are strongly supportive of the immense sacrifice that military families and members of the Canadian Forces make on behalf of the country. They put their lives on the line every day. Without question, they follow the directives that are provided through the democratic framework we have here in Canada.

When we talk about veterans who have put their lives on the line, those who have lost their lives in so many tragic cases and those who are currently serving in the military, we know they are entitled to our respect. They are entitled to the respect of Parliament for what they do on our behalf every day. We have a bill that was brought forward by the Conservative government, yet another example—and I will point to a few other examples in the few minutes I have remaining—that shows a profound disrespect for military families and members of the Canadian Forces.

We have a bill that was flawed from the outset. The NDP went to work and put forward amendments that received the support of the committee and Parliament. Yet the government is trying, through a back door, to resubmit flawed legislation that was improved through NDP action but was obviously flawed when the government put it forward.

I know there are military families listening to the debate today, from some of the emails members are getting, who are very supportive of what NDP MPs have been saying in the House of Commons. I will point out one example of how flawed this legislation is, with the summary trial system that the government seems intent on ramming through. We see that a member of the Canadian Forces who may have had a few drinks one night or may have put his cigarette in the wrong place can receive a criminal conviction that will carry through for the rest of his or her lifetime. This point has been made by NDP MP after NDP MP. We have not seen one Conservative stand to defend this legislation, and we can certainly understand why. It is so badly flawed.

To say that a member of the Canadian Forces who has just a few too many drinks one night is entitled, as a reward for that, to have a criminal conviction that may last the rest of his or her life is absolutely absurd and ridiculous. Yet the Conservative government is saying it does not care about the military or Canadian Forces personnel; it is going to ram this through come hell or high water. It is simply unacceptable. It is unacceptable.

• (1725)

The Deputy Speaker: The use of that term in that context is inappropriate and unparliamentary, and I would ask the member to withdraw it.

Mr. Peter Julian: Mr. Speaker, I will rely on your wisdom. It is a common expression but I withdraw it.

The reality is that what we have is a government that is bent on pushing through this legislation without amendment, when the NDP

amendments that we brought forward before and that were adopted by the House and by committee are obviously in the best interests of Canadian Forces personnel.

When we look at the pattern of the government and what it has done in a very clear way against the Canadian Forces military personnel and military families, what we see is a pattern of disrespect. There is no other way to put it. It is refusing amendments to flawed legislation that puts Canadian military personnel in a very awkward situation, to say the least. On top of that, we see what has been the pattern of the government, a record of disrespect for Canadian Forces personnel and for veterans.

I will give some examples. First is cutting \$226 million from Veterans Affairs Canada. That eliminates 500 employees. The Conservatives can say that is fine and that they will find another way to provide services. However, as many NDP MPs have pointed out, as our critic for Veterans Affairs has pointed out on numerous occasions, there is no doubt that it has a net impact on services provided to veterans. There is absolutely no doubt that it shows disrespect to military forces personnel and to veterans.

We have seen case after case. Our team on the Veteran Affairs side, the member for Sackville—Eastern Shore and the critic as well, the member from Quebec, have been pointing out in the House that many veterans who need access to services are being denied those services, such as those veterans who need access to psychologists through the Department of Veterans Affairs and have seen their applications denied.

We have seen World War II veterans who were denied reimbursement for stair lifts to access the upper and lower levels of their homes because they were not considered essential living spaces. We have seen veterans who have been denied care at the veterans hospital because they were not seen as meeting very strict criteria, even though they were veterans in the service of our country. We have seen, a number of times, the personal medical files of Canadian veterans being released to the public.

This is not a series of accidents. The debate that we are having today, where the government is refusing to improve badly flawed legislation that hurts our Canadian Forces personnel, is an example of a pattern of disrespect.

On this side of the House, the NDP caucus will stand up for Canadian Forces personnel. We will stand up for our veterans because we believe it is right to do so. They put their lives on the line for our country and the least that we can do in this Parliament is to ensure that legislation respects them. This legislation does not. That is why we oppose it. That is why we are voting no.

The Deputy Speaker: The hon. member will have two and a half minutes to complete his speech when the bill is next called to the House.

* * *

[English]

BUSINESS OF SUPPLY

OPPOSITION MOTION—FOOD SAFETY

The House resumed from October 18 consideration of the motion.

Government Orders

The Deputy Speaker: It being 5:30 p.m., pursuant to order made on Thursday, October 18, the House will now proceed to the taking of the deferred recorded division on the motion by the hon. member for Welland.

Call in the members.

And the bells having rung:

• (1810)

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

(Division No. 482)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
Ayala	Bélangier
Bellavance	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Boulerice	Boutin-Sweet
Brahmi	Brisson
Brosseau	Byrne
Caron	Casey
Cash	Chicoine
Chisholm	Choquette
Chow	Christopherson
Cleary	Coderre
Comartin	Côté
Cotler	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Dewar
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Dusseauult	Easter
Eyking	Foote
Freeman	Fry
Garneau	Garrison
Genest	Genest-Jourdain
Giguère	Godin
Goodale	Gravelle
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hassainia
Jacob	Julian
Kellway	Lamoureux
Lapointe	Larose
Latendresse	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McCallum	McGuinty
McKay (Scarborough—Guildwood)	Michaud
Moore (Abitibi—Témiscamingue)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mulcair	Murray
Nantel	Nash
Nunez-Melo	Pacetti
Papillon	Patry
Péclet	Perreault
Pilon	Plamondon
Quach	Rae
Rafferty	Raynault
Regan	Rousseau
Sandhu	Scarpaleggia
Scott	Sellah
Sgro	Simms (Bonavista—Gander—Grand Falls—Wind- sor)
Sims (Newton—North Delta)	Sitsabaiesan
Stewart	Stoffer
Sullivan	Thibault
Toone	Tremblay
Trudeau	Turmel

Valeriote— 123

Ablonczy
Adler
Albas
Alexander
Allison
Ambrose
Anderson
Baird
Benoit
Bernier
Blaney
Boughen
Breitkreuz
Brown (Newmarket—Aurora)
Bruinooge
Calandra
Carmichael
Chisu
Clarke
Daniel
Dechert
Devolin
Duncan (Vancouver Island North)
Fantino
Findlay (Delta—Richmond East)
Flaherty
Galipeau
Gill
Goguen
Gosal
Grewal
Harris (Cariboo—Prince George)
Hayes
Hillyer
Holder
Jean
Kenney (Calgary Southeast)
Komarnicki
Lake
Leaf
Lemieux
Lizon
Lukiwski
MacKay (Central Nova)
Mayes
McLeod
Menzies
Miller
Nicholson
Obhrai
Oliver
Opitz
Payne
Pollievre
Raitt
Rathgeber
Rempel
Rickford
Saxton
Seeback
Shiple
Smith
Sorenson
Storseth
Sweet
Toet
Trost
Truppe
Uppal
Van Loan
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)
Wilks
Woodworth
Young (Oakville)
Zimmer — 153

NAYS

Members

Adams
Aglukkaq
Albrecht
Allen (Tobique—Mactaquac)
Ambler
Anders
Aspin
Bateman
Bergen
Bezan
Block
Braid
Brown (Leeds—Grenville)
Brown (Barrie)
Butt
Cannan
Carrie
Chong
Clement
Davidson
Del Mastro
Dreeshen
Dykstra
Fast
Finley (Haldimand—Norfolk)
Fletcher
Gallant
Glover
Goodyear
Gourde
Harper
Hawn
Hiebert
Hoback
James
Jeanp (Pitt Meadows—Maple Ridge—Mission)
Kerr
Kramp (Prince Edward—Hastings)
Lauzon
Leitch
Leung
Lobb
Lunney
MacKenzie
McColeman
Menegakis
Merrifield
Moore (Fundy Royal)
Norlock
O'Connor
O'Neill Gordon
Paradis
Penashue
Preston
Rajotte
Reid
Richards
Ritz
Schellenberger
Shea
Shory
Sopuck
Stanton
Strahl
Tilson
Toews
Trotter
Tweed
Van Kesteren
Vellacott
Warawa
Watson
Wong
Yelich
Young (Vancouver South)

Government Orders

PAIRED

Nil

The Speaker: I declare the motion defeated.

* * *

SAFE FOOD FOR CANADIANS ACT

The House resumed from October 22 consideration of the motion that Bill S-11, An Act respecting food commodities, including their inspection, their safety, their labelling and advertising, their import, export and interprovincial trade, the establishment of standards for them, the registration or licensing of persons who perform certain activities related to them, the establishment of standards governing establishments where those activities are performed and the registration of establishments where those activities are performed, be read the second time and referred to a committee.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at the second reading stage of Bill S-11.

● (1820)

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

(Division No. 483)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Welland)
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Andrews	Angus
Ashton	Aspin
Atamanenko	Aubin
Ayala	Baird
Bateman	Bélanger
Bellavance	Benoit
Benskin	Bergen
Bernier	Bevington
Bezan	Blanchette
Blanchette-Lamothe	Blaney
Block	Boivin
Boughen	Boulerice
Boutin-Sweet	Brahmi
Braid	Breitkreuz
Brison	Brosseau
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Byrne
Calandra	Cannan
Carmichael	Caron
Carrie	Casey
Cash	Chicoine
Chisholm	Chisu
Chong	Choquette
Chow	Christopherson
Clarke	Cleary
Clement	Coderre
Comartin	Côté
Cotler	Cullen
Cuzner	Daniel
Davidson	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Dechert
Del Mastro	Devolin
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dreeshen
Dubé	Duncan (Vancouver Island North)
Duncan (Edmonton—Strathcona)	Dusseau

Dykstra	Easter
Eyking	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Foote
Freeman	Fry
Galipeau	Gallant
Gameau	Garrison
Genest	Genest-Jourdain
Giguère	Gill
Glover	Godin
Goguen	Goodale
Goodyear	Gosal
Gourde	Gravelle
Grewal	Grogouhè
Harper	Harris (Scarborough Southwest)
Harris (St. John's East)	Harris (Cariboo—Prince George)
Hassainia	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	Jacob
James	Jean
Julian	Kamp (Pitt Meadows—Maple Ridge—Mission)
Kellway	Kenney (Calgary Southeast)
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lamoureux	Lapointe
Larose	Latendresse
Lauzon	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leaf
Leitch	Lemieux
Leslie	Leung
Liu	Lizon
Lobb	Lukiwski
Lunney	MacAulay
MacKay (Central Nova)	MacKenzie
Mai	Marston
Martin	Masse
Mathysen	May
Mayes	McCallum
McColeman	McGuinty
McKay (Scarborough—Guildwood)	McLeod
Menegakis	Menzies
Merrifield	Michaud
Miller	Moore (Abitibi—Témiscamingue)
Moore (Fundy Royal)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mulcair	Murray
Nantel	Nash
Nicholson	Norlock
Nunez-Melo	Obhrai
O'Connor	Oliver
O'Neill Gordon	Opitz
Pacetti	Papillon
Paradis	Paty
Payne	Péclet
Penashue	Perreault
Pilon	Plamondon
Poillievre	Preston
Quach	Rac
Rafferty	Raitt
Rajotte	Rathgeber
Raynault	Regan
Reid	Rempel
Richards	Rickford
Ritz	Rousseau
Sandhu	Saxton
Scarpaleggia	Schellenberger
Scott	Seeback
Sellah	Sgro
Shea	Shipleay
Shory	Simms (Bonavista—Gander—Grand Falls—Wind-
sor)	Sitsabaesan
Sims (Newton—North Delta)	Sopuck
Smith	Stanton
Sorenson	Stoffer
Stewart	Strahl
Storseth	Sweet
Sullivan	Tilson
Thibeault	Toews
Toet	Tremblay
Toone	Trotter
Trost	Truppe
Trudeau	

Government Orders

Turmel
Uppal
Van Kesteren
Vellacott
Warawa
Watson
Sky Country)
Weston (Saint John)
Wong
Yelich
Young (Vancouver South)

Tweed
Valeriote
Van Loan
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to
Wilks
Woodworth
Young (Oakville)
Zimmer— 276

NAYS

Nil

PAIRED

Nil

The Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Agriculture and Agri-Food.

(Bill read the second time and referred to a committee)

* * *

[*Translation*]

COMBATING TERRORISM ACT

The House resumed from October 22 consideration of the motion that Bill S-7, An Act to amend the Criminal Code, the Canada Evidence Act and the Security of Information Act, be read the second time and referred to a committee.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading of Bill S-7.

• (1825)

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

(*Division No. 484*)

YEAS

Members

Ablonczy
Adler
Albas
Alexander
Allison
Ambrose
Anderson
Aspin
Bateman
Benoit
Bernier
Blaney
Boughen
Breitkreuz
Brown (Leeds—Grenville)
Brown (Barrie)
Butt
Calandra
Carmichael
Casey
Chong
Clement
Cotler
Daniel
Dechert
Devolin
Dreeshen
Dykstra
Eyking
Fast

Adams
Aglukkaq
Albrecht
Allen (Tobique—Mactaquac)
Ambler
Anders
Andrews
Baird
Bélanger
Bergen
Bezan
Block
Braid
Brisson
Brown (Newmarket—Aurora)
Bruinooge
Byrne
Cannan
Carrie
Chisu
Clarke
Coderre
Cuzner
Davidson
Del Mastro
Dion
Duncan (Vancouver Island North)
Easter
Fantino
Findlay (Delta—Richmond East)

Finley (Haldimand—Norfolk)
Fletcher
Fry
Gallant
Gill
Goguen
Goodyear
Gourde
Harper
Hawn
Hiebert
Hoback
James
Kamp (Pitt Meadows—Maple Ridge—Mission)
Kerr
Kramp (Prince Edward—Hastings)
Lamoureux
LeBlanc (Beauséjour)
Leitch
Leung
Lobb
Lunney
MacKay (Central Nova)
Mayes
McColeman
McKay (Scarborough—Guildwood)
Menegakis
Merrifield
Moore (Fundy Royal)
Nicholson
Obhrai
Oliver
Opitz
Paradis
Penashue
Preston
Raitt
Rathgeber
Reid
Richards
Ritz
Scarpaleggia
Seeback
Shea
Shory
sor)
Smith
Sorenson
Storseth
Sweet
Toet
Trost
Trudeau
Tweed
Valeriote
Van Loan
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)
Wilks
Woodworth
Young (Oakville)
Zimmer— 183

Flaherty
Foote
Galipeau
Garneau
Glover
Goodale
Gosal
Grewal
Harris (Cariboo—Prince George)
Hayes
Hillyer
Holder
Jean
Kenney (Calgary Southeast)
Komarnicki
Lake
Lauzon
Leef
Lemieux
Lizon
Lukiwski
MacAulay
MacKenzie
McCallum
McGuinty
McLeod
Menzies
Miller
Murray
Norlock
O'Connor
O'Neill Gordon
Pacetti
Payne
Poilievre
Rae
Rajotte
Regan
Rempel
Rickford
Saxton
Schellenberger
Sgro
Shiple
Simms (Bonavista—Gander—Grand Falls—Wind-
Sopuck
Stanton
Strahl
Tilson
Toews
Trotter
Truppe
Uppal
Van Kesteren
Vellacott
Warawa
Watson
Wong
Yelich
Young (Vancouver South)

NAYS

Members

Allen (Welland)
Ashton
Aubin
Bellavance
Bevington
Blanchette-Lamothe
Boulerice
Brahmi
Caron
Chicoine
Choquette
Christopherson
Comartin
Cullen
Davies (Vancouver East)

Angus
Atamanenko
Ayala
Benskin
Blanchette
Boivin
Boutin-Sweet
Brosseau
Cash
Chisholm
Chow
Cleary
Côté
Davies (Vancouver Kingsway)
Dewar

Private Members' Business

Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Edmonton—Strathcona)	Dusseau
Freeman	Garrison
Genest	Genest-Jourdain
Giguère	Godin
Gravelle	Groguhé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hassainia	Jacob
Julian	Kellway
Lapointe	Larose
Latendresse	LeBlanc (LaSalle—Émard)
Leslie	Liu
Mai	Marston
Martin	Masse
Mathysen	May
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mulcair
Nantel	Nash
Nunez-Melo	Papillon
Patry	Pécllet
Perreault	Pilon
Plamondon	Quach
Rafferty	Raynault
Rousseau	Sandhu
Scott	Sellah
Sims (Newton—North Delta)	Sitsabaiesan
Stewart	Stoffer
Sullivan	Thibeault
Toone	Tremblay
Tumel— 93	

PAIRED

Nil

The Speaker: I declare the motion carried. Accordingly the bill stands referred to the Standing Committee on Public Safety and National Security.

(Bill read the second time and referred to a committee)

[*English*]

The Speaker: It being 6:27 p.m., the House will now proceed to private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

WORLD AUTISM AWARENESS DAY ACT

The House proceeded to the consideration of Bill S-206, An Act respecting World Autism Awareness Day, as reported (without amendment) from the committee.

The Speaker: There being no motions at report stage, the House will now proceed, without debate, to putting the question on the motion to concur in the bill at report stage.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC) moved that the bill be concurred in.

(Motion agreed to)

● (1830)

The Speaker: When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Mr. Harold Albrecht moved that the bill be read the third time and passed.

He said: Mr. Speaker, I have been blessed with many joys in the House. Seeing hon. members unanimously pass my motion targeting Internet predators, Motion No. 388, was an occasion where we rose above partisanship.

When an overwhelming majority of hon. members united to deliver a message of hope to vulnerable Canadians everywhere by voting to pass Bill C-300, my legislation on suicide prevention, I felt humbled to once again be part of an occasion where our normal partisan rancour was put aside.

Today, I stand as sponsor in the House of Bill S-206, a bill from the other place, calling for recognition of World Autism Awareness Day. Once again, I feel blessed because I sense unity on this issue.

Through the study at committee and through the debate at second reading, not a negative word was spoken about this effort. Instead, we have used our time to educate each other on the very real need to promote autism awareness and to share some very personal stories about how autism has touched our lives.

I mentioned the experience of my friend and colleague, the member for Edmonton—Mill Woods—Beaumont. I thank him for his very personal sharing of his life with parliamentarians. The way the member and his family care for Jaden and bring him to the House to allow us to interact with Jaden has been one of the joys that I have personally experienced as a member of Parliament, and I think all of my colleagues would agree.

Also the member for Portneuf—Jacques-Cartier shared some experiences from her own family. Some hon. members want more to be done, but no one has disputed that every effort to promote autism awareness is a worthwhile effort.

During study of the bill at the Standing Committee on Health, the hon. member for Saint-Léonard—Saint-Michel asked Mr. Richard Burelle, the executive director of the Autism Society of Canada, if the passage of Bill S-206 would be helpful. Mr. Burelle's reply was:

Keeping autism in the forefront is always a good thing. As Senator Munson said, the fact that we're piggybacking on World Autism Awareness Day is great. Any kinds of forward steps we can take in order to keep autism in the forefront, to create that awareness, are steps in the right direction.

There is no controversy here. There is no federalist-sovereigntist division, no left-right divide. In truth, I do not believe there is any reason to continue debating the bill. Rather than spending our time agreeing with each other, I would ask hon. members to allow debate to collapse and to allow Bill S-206 to pass on a voice vote today.

This effort did not begin with this Parliament. Previous efforts enjoyed similar support, but never became law, due to election calls.

Families coping with autism spectrum disorders have waited long enough, since 2006, in fact, for the House to simply acknowledge an awareness day.

Given the broad level of support the bill enjoys from all quarters, I ask that we stop talking about recognizing World Autism Awareness Day and just get this done.

Private Members' Business

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the important thing to do right now, after that wonderful speech from the member for Kitchener—Conestoga, is to ensure nobody speaks so we can pass this on a voice vote.

Mr. Harold Albrecht: Mr. Speaker, I appreciate the sentiments of my colleague. I would certainly favour moving right ahead, but I know there are a number of members in the House who have personal stories they might like to share, which would add a little to the conversation. I am open to having a few more short conversations, but I agree that it is important for us to get this finished today and move it on so it can actually receive royal assent.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, to express our appreciation in recognition of what the member has attempted to accomplish here, autism is a very important issue for many Canadians who are affected directly and even those who are affected indirectly by this disorder. Many individuals who are affected with autism are absolutely outstanding citizens and contribute in every aspect of our society.

I applaud the member for bringing forward the bill. We in the Liberal Party support the bill and look forward to its passage.

Mr. Harold Albrecht: Mr. Speaker, I am sure everyone in the House knows someone who has been affected by autism. For me, it is a matter of the joy that these folks bring to our lives. If we are more knowledgeable about this issue, it will certainly help us in our interaction at home, in the House and wherever we are in Canada. There are so many people who will benefit from autism awareness day, which will simply raise the awareness that these people can contribute so much, and have contributed so much, to our society.

• (1835)

Mr. Royal Galipeau (Ottawa—Orléans, CPC): Mr. Speaker, I am most impressed with the work that has been done in the House by the hon. member for Kitchener—Conestoga and by other members from all corners of the House.

Autism is a cause that I have personally embraced. I have raised money to support it ever since I was elected 2,463 days ago. I am very humbled to give it Royal's assent immediately.

Mr. Harold Albrecht: Mr. Speaker, it is great to have this kind of support for the bill. I agree that the sooner it gets royal assent the better. However, we should allow a few other members to have a few comments to add their support to this initiative that has come from the other place.

I want to acknowledge Senator Munson and his efforts in getting this done. I had the honour of supporting it in the House, but Senator Munson actually did the work to get this to where it is now. It is important that we move on it as quickly as possible.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I would like to say at the outset, on behalf of the NDP, that we have agreed that the debate tonight will hopefully be cut short, that this will be approved on a voice vote. Therefore, there is no controversy, in case people start spinning this up. There were discussions held on this, and we certainly agreed with that.

We would welcome the opportunity to make a few remarks about the bill. First, I would like to thank the member for Kitchener—Conestoga, as well as the senator who came before the health

committee and spoke about the bill. We had a good discussion. We were very clear at the health committee, when we dealt with it a week ago, that we in the NDP very much support a day in recognition of autism and the impact it has on Canadian families.

As the member alluded to, if there is any slight criticism it is that this really is a bill about an awareness day. We would hope to see much more meaningful action take place, as many members in the community have called for, families who are living with autism. There are some very severe needs that need to be addressed. For us, this is an issue about certainly giving recognition but needing to do more than that. That is our point.

I would point out that a number of our members have also had bills on autism. The member for Vancouver Kingsway, put forward Bill C-351. That has been a very important bill that he put forward. There is also the member for Sudbury, who has had two bills calling for action to better support those living with autism. That is the kind of meaningful action we need to see.

We in the NDP are somewhat concerned that for a number of years the government has not taken the kind of leadership that is required on this issue. We do see many organizations calling for a national strategy. In fact, there were promises made to have a national strategy on autism. That is something that is very important to do. I know the member for Kitchener—Conestoga probably supports that. I hope he will encourage his government to now go further and build on the day of awareness we have.

The only other point I would like to make is that much has been said overall in this debate, in the first hours of debate, but there is new information that is coming out. One of the issues is an issue of gender, which on the surface appears to be an issue about age. This has to do with where early intervention is provided.

The fact is that there are some estimates that the average age of diagnosis for a girl on the autism spectrum is 12, whereas for boys it is between the ages of 5 and 7. What happens is that, because early intervention often takes place around the age of 5 or 6, many girls are actually being cut out of that early intervention.

This was something that was brought to my attention by a family in Nova Scotia who actually have three daughters who are on the autism spectrum. It is something to factor in about what needs to be done, to understand the kinds of supports families need to have and to understand, when we say early intervention, that it actually has to be appropriate to the ages of children when they are diagnosed. Certainly intervention is important, but it has to be appropriate and it has to meet the needs of the children at the ages they are being diagnosed.

I did want to make that point today, because I do think it is something that helps build the debate on this issue. In conclusion, I would again say that, in the NDP, we have supported this bill. We supported it at committee. We are happy to let it go on a voice vote today, which means it will be approved.

Private Members' Business

However, we would use this opportunity to say to the government members who have been supporting this bill, and indeed to all members, let us see this as a first step, let us build on this issue, let us hold the government to its commitments for a national strategy, and let us support the families in their needs, as well as people who are living with autism, because there is much more that needs to be done.

• (1840)

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, like my colleagues in the House, I want to support the member for Kitchener—Conestoga, who suggested that we make some quick comments and then take it to a voice vote.

The Liberal Party supports this very much and we are very grateful to Liberal Senator Jim Munson, who brought the bill forward. However, I do want to add some comments.

My hon. colleague for Vancouver East discussed the fact that gender is a huge issue in terms of early diagnosis. We know that early diagnosis is very important to get the kind of early interventions one needs. However, there are some other things I want to highlight.

I was quite impressed and moved at a conference I was at this weekend in British Columbia. It was an international conference with people from eight countries, all of whom themselves were autistic or on the spectrum disorder at some level. I heard some things from them that, even as a physician, I was not aware of and that moved me greatly.

We talk about this as a spectrum disorder, which becomes an illness, a diagnosis, et cetera. However, I was very much moved by the people in that room, from eight countries, in that that they did not want people to see them as a disorder. They wanted people to understand that many of them are functioning well and have great ability. They need people to understand the nature of autism in its full spectrum.

It was interesting when the member for Vancouver East talked about diagnosing girls at about 12. I met women with Aspergers who belong to the Asperger Women Association, who were diagnosed at 50, 42 and 35.

We see that we do not understand, in fact, that many people with autism function in our society. However, the people at the conference commented that they are discriminated against in society. Sometimes at home and school there is a certain protection for them, but when they go out into the real world they are discriminated against. They cannot get jobs. They find that people look at them as if they have a mental disability, when many of them have extraordinarily high IQs. Many are extremely talented artists. Some are very verbal and very good at all kinds of communications, not necessarily verbal ones.

I heard that they wanted the schools to understand them and not discriminate against them. They are subject to bullying a great deal and they wanted to deal with that issue.

As we talk about awareness, they very much want people to understand the fact that they are very able. Many of them are highly functioning. I met people there that day who had extraordinary IQs

that were much higher than mine. They would be at genius levels. I also heard that they are concerned about their human rights.

I heard some moving things. For instance, they do not want people to fix them or cure them, but they do need support, understanding and opportunity to participate fully in jobs and the economic, cultural and social sectors. This is where I want to put a plea on the table. I was extremely moved by that.

As a physician, I had understood the spectrum disorder very differently. However, I do not even want to talk about it as a spectrum disorder anymore. As a physician, I saw it as a problem for a long time and not necessarily as something where a person would say they were born autistic, that is who they are and they are happy with the gifts they have. They just want opportunity, understanding and the ability not to have people say they want to fix them.

In fact, some said that family doctors, psychologists and psychiatrists have told them that if they are functioning well they should not tell anyone they are autistic. If they did not tell anyone, they would not be discriminated against. It was kind of like telling the LGBT community, as in the old days, to stay in the closet and not to come out.

I want to put that to members here so that we can understand people with autism spectrum disorder very differently from how we have tended to understand them.

• (1845)

Hon. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, I am not going to engage in debate today either. I am very heartened by the members of all parties saying they want to bring this to a vote tonight. I am also heartened, listening to two members of the opposition who have been around here for a long time, who have both said they have learned something new about autism in the last little while. I am excited about that. I look forward to having further conversations with them. If there is any way I can help them increase their understanding any more, or put them in touch with others who may also be able to express similar types of challenges, certainly I would be glad to do that.

I want to recognize a few people today, if I could. I want to thank Senator Munson for moving this bill in the first place. I really appreciate that. I appreciated having the opportunity to work with him on this issue over time. I want to thank some government ministers: the Minister of Health, the Minister of Human Resources, the Minister of National Revenue and staff who we worked with to try to move some of the issues.

The opposition members talked about some of the challenges. We have had the opportunity to bring forward some of those challenges to these various ministries and their staff, and stakeholders have been received very well as we have tried to move some of these issues forward. I want to thank those ministers.

Private Members' Business

I want to thank the member for Kitchener—Conestoga for picking up the bill in the House and for his very enthusiastic support of it, as with everything he does. The vigour and the positive attitude with which he supported this have been really encouraging.

I am doing a lot of thanking today, but I have spoken a lot about the issue. I want to thank my own staff, who I do not thank enough, for their work on this issue. They have embraced the issue as their very own. They have embraced Jaden as though he is their family member. It is a lot of work on top of the regular life of an MP. The work they do to raise awareness of this issue on top of their regular workloads is astounding, and I really want to thank them for that.

Jaden and I had the opportunity to go to New York a couple of weeks back. We went there for a UN event. The World Autism Awareness Day actually arose out of an initiative by the UN and Bob and Suzanne Wright, who founded Autism Speaks. It arose out of conversations they had. They have continued their work to raise awareness on this important issue.

We were there for a couple of days, and while we were there we had a chance to speak to the spouses of world leaders. There were 15 or 16 spouses. We actually spoke with the Prime Minister of Bangladesh and the President of Panama at the same time. We were very enthused and excited. We had the chance, as we were speaking to them, to play a bit of football in front of them. I had to explain that North American football is a bit different from the football most of them are used to. We do that to settle Jaden down, because he sometimes gets very excited and intense when we are doing some of these things. Playing football kind of calms him down, so we had the chance to show them how that works for him.

While we were in New York, I was constantly working, so Jaden was grabbing my shoulder and hanging off my shoulder, staring at my BlackBerry the whole time because he had to be on top of what the schedule was, but he was more excited than I have ever seen him in two days. We really had a fun time.

We went to Times Square on Friday night and, in terms of autism awareness, one of the things we have to be aware of as parents is that when we are in situations like that, Jaden is very excited, hanging off my shoulder, but if he gets two feet away from me in a crowded atmosphere like that, I might never find him again. We had the opportunity to experience Times Square together with all the excitement of the bright lights and everything else. It was a spectacular time.

We had the chance to do about five media interviews while we were there. I do want to recognize the folks in the media who have really worked to raise awareness of this issue. David Ariosto from CNN did an interview with us, and so did David Common from CBC. They both got it immediately. They both understood Jaden immediately. They made that connection with Jaden, and their stories reflect that. That was similar to the things that Tom Clark and Steve Paikin and Evan Solomon have done here when they have had the opportunity to raise awareness. We talked to Marci Ien at *Canada AM* and a lady named Susan James at ABC News. All of them really took an interest in this issue. It was not just another day in their lives of work, but they actually took an interest in really raising awareness of this issue.

● (1850)

They had a chance to get to know and connect with Jaden and move that issue forward. I want to thank them for doing that and for taking the time to go above and beyond in their approach to this.

I do not want to take much more time. I know that we want to pass this bill. No one wants that more than I do. However, I would be remiss if I did not thank the families of people with autism. When it comes to autism awareness, we can do a lot in the House, but it is the families that model the grace, perseverance and love for their family members, the sons, daughters, siblings, and in some cases, parents, who may not have been diagnosed until later in life as being on the spectrum. No one who advocates is more aware of the challenges than they are. They live every day with this. We discuss it once in a while in the House, but every single day those families live with this.

We heard the hon. member down the way refer to individuals with autism and their own unique perspectives. There is certainly a whole variety of unique perspectives. When we focus on the challenges, we also have to focus on the amazing, unique skills and talents these people have. As a society, we need to try to find ways to include them, take advantage of their incredible strengths, and learn from them. They make our lives better. My life is infinitely better because my son Jaden is involved in it. I would say that everyone in the House who has had the opportunity to meet Jaden, without exception, would say that their lives are better for having had the opportunity to give him a high five, a hug or a kiss.

With that, I will close. I thank all members from all parties for the way they have embraced Jaden during the time I have been a member of Parliament. God bless them all.

[*Translation*]

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Mr. Speaker, I am very proud and pleased to rise in the House today to support Bill S-206, An Act respecting World Autism Awareness Day.

I will first read some interesting figures. We are all somewhat familiar with autism, but I would like to provide some information about autism in Canada.

In Canada, although there is a lack of detailed epidemiological data, there are currently around 48,000 children and 144,000 adults with some form of autism. It is estimated that one in 150 children in Canada is autistic. We know that the rate of autism is increasing every year without a discernible cause. Boys are much more susceptible than girls to be affected by autism. It is estimated that autism is four times more common in men than in women. Autism is more prevalent than childhood cancer, AIDS, and diabetes combined. It is estimated that treating an autistic person in Canada can cost between \$80,000 and \$100,000 a year.

These figures reflect the scope of the situation. That is why we will definitely support this bill. In fact, we would like to do so as quickly as possible.

Adjournment Proceedings

This awareness day will help organizations specializing in childhood illnesses, such as the Autism Society of Canada, promote public awareness of this illness and perhaps go further and make parliamentarians aware of the importance of developing a broader strategy. I see this bill as a first step.

Last year, I talked about another bill dealing with the establishment of an illness awareness day. At the United Nations, only three days are dedicated to illnesses. This shows the importance of this day. If the United Nations has decided to recognize only three illnesses and if autism is one of them, it means we should really talk about it.

This will not only give these organizations a day for meeting with parliamentarians and senators. It will also give them enough visibility so that people better understand the illness and learn how to help those who suffer from it better integrate into society.

This illness costs parents from \$80,000 to \$100,000 annually. That is a tremendous cost. If we have a better understanding of this illness, perhaps more people will have better jobs. I am thinking of mothers who must look after their child and who may want to work part-time. It can also provide tools to employers to help families who have a member suffering from autism better integrate into society.

I would like to explain what the NDP really wants. Establishing an autism awareness day is a good thing. However, people in different parts of Canada do not all have access to the same care. Since health is a provincial jurisdiction, people do not have access to the same care in every province, and health insurance plans do not pay the same amount. This is an issue that should be discussed.

There is also the case of young aboriginal children who suffer from autism. Currently, there is nothing in Canada to tell us what we should do for these young children. Yet that is clearly a federal responsibility, because everything related to aboriginal affairs comes under that jurisdiction.

We hope that this bill is just a first step and that we can create this day, but we also hope to go further.

I would therefore first like to thank the senator who sent this bill here and the Conservative member who sponsored it; however, I would also like to make them aware of the fact that we should take this a little bit further. When this type of bill is introduced, it is important to determine whether it will improve the overall situation of people with autism.

• (1855)

We must make them aware of the fact that this bill is a first step for young aboriginals. However, we would like it to go further.

[English]

The Acting Speaker (Mr. Bruce Stanton): Resuming debate.

I understand that the member for Kitchener—Conestoga wishes to have a brief right of reply to the hon. member.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I just want to again thank all my colleagues for their strong support of this initiative. The stories we have heard tonight from many quarters illustrate perfectly the need we have to increase awareness around this issue. I just say, "Let's get it done".

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

Some hon. members: Agreed.

The Acting Speaker (Mr. Bruce Stanton): I declare the motion carried.

(Motion agreed to, bill read the third time and passed)

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

• (1900)

[English]

INTERNATIONAL TRADE

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, I rise tonight with regard to the comprehensive economic and trade agreement with the European Union, or CETA. Specifically, I will follow up on a question I asked in the House following a leaked Health Canada report that suggested that the government may consent to provisions in the CETA that would raise the price of prescription drugs in Canada.

I will first reiterate the position of the official opposition New Democrats, which is that we want to encourage trade with Europe. We see in Europe and the European Union an excellent trading partner that comprises many wonderful jurisdictions. Europe comprises mature democracies with mature and progressive economies. In many sectors, our industries are complementary, which means that there are great opportunities for Canadian exporters to tap into the massive European market.

However, the CETA is also raising concerns among Canadians, both because of what they fear is in it and due to the secretive and non-transparent manner in which it is being negotiated. These two issues are illustrated perfectly in the question at hand involving the leaked study from Health Canada. This report concluded that the changes to intellectual property proposed by the European Union and CETA could raise the cost of medication in this country by \$2 billion a year.

Canadians have been voicing their concerns about this for years, since first hearing rumours that the Conservatives were willing to negotiate away access to affordable drugs to get a free trade deal with the E.U. In addition to the leaked Health Canada document, there is a reputable study that concludes that the changes may raise the cost of drugs in Canada by nearly \$3 billion.

Adjournment Proceedings

How has the government responded to these concerns? It has ridiculed them and misled Canadians. The Conservatives have repeatedly been asked to shed light on what they are seeking in the trade agreement with the E.U. In June, government officials testified that they did not have a mandate to make changes that would raise drug costs. The government then put out a so-called fact sheet, calling the idea that CETA would raise drug costs a myth.

If there was no mandate to do this, if the government was not seeking to change the intellectual property regime in Canada, why would Health Canada and Industry Canada take it upon themselves to conduct a study this September on the cost implications of the IP changes in raising prescription drug costs in Canada?

In a further example of non-transparency, the government has not released the Health Canada study. Just as with the rest of the CETA, Canadians are left to rely on leaked documents.

Transparency is critical to democracy. Honesty is critical to democracy.

We understand that the actual negotiations must happen behind closed doors, to some extent. However, that does not mean that they cannot have a level of transparency. A government can seek input from Canadians as to what they want out of a trade deal. A government can announce what it will be seeking. A government can also be up front about the possible implications and give regular progress updates to Canadians. That is a transparent approach to negotiating trade deals. This is the approach New Democrats would take to negotiating trade deals.

Trade deals are extremely important in all aspects of Canadian society, and New Democrats know that co-operating and consulting with a wide variety of interests will lead to a better deal. Canada should consult with investors, business leaders, labour leaders, municipalities and stakeholders of all types. There are legal implications, so we need to hear from legal and constitutional experts.

In the case at hand, when we are talking about making changes that would raise the cost of drugs, perhaps by billions of dollars a year, we need to consult with those most affected. Businesses pay for drug costs through their employee benefits plans. Provinces are large buyers of prescription medication. Seniors and disabled people, the most vulnerable in our society, are the ones who will bear the brunt of these changes. Yet the government dismisses all of these people and refers to their fears as myths, while studying the very issue they are concerned about.

Will the government come clean with the Canadian people and tell them how much the CETA will cost them?

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, CPC): Mr. Speaker, our government believes there is simply no better job creator than free and open trade. In fact Canada's economy proves it, with trade equivalent to over 60% of our GDP and with one in five jobs generated by exports.

Our government understands that helping Canadian businesses expand and succeed abroad directly benefits workers and families by creating jobs and prosperity.

This is more important now than ever. These are challenging, uncertain economic times. Our government has an economic plan to meet these challenges, a plan with deeper trade at its core. We see trade as the new stimulus, an opportunity to create new jobs and prosperity for Canadians.

Our negotiations with the EU are a cornerstone of our plan. The EU is already Canada's second most important trading partner, with two-way merchandise trade reaching \$92.1 billion last year.

A successful agreement would give Canadian businesses a serious competitive edge in the single largest market in the world. Tariff elimination would make our exports far more price competitive in the EU market. In fact, a comprehensive agreement with the EU is expected to provide a 20% boost to our bilateral trade and a \$12 billion boost to Canada's economy. That is the equivalent of a \$1,000 increase to the average Canadian family's income, or 80,000 new jobs.

In sector after sector across the country, Canadians are counting on our government to negotiate an ambitious agreement with the EU and we are not going to let them down.

Canada's economy has thrived with free trade. Millions of jobs have been created since Canada and the United States signed the NAFTA. It has given our businesses and workers the kind of access to the U.S. market that other countries can only dream of. We want to create the same benefits for our workers in the EU market.

Despite these facts, the NDP and professional anti-trade activists continue to resurrect the same old, tired arguments. Canadians know the NDP has consistently opposed our government's efforts to open up new markets for Canadian exporters. Now NDP members are even opposing agreements while they are being negotiated.

The hon. member should not prejudge the outcome of negotiations. That is what negotiations are all about. Our government has said many times before that our government seeks to strike a balance between promoting innovation and job creation while ensuring that Canadians continue to have access to the affordable drugs they need.

I can assure members that we continue to consult with stakeholders and provinces and territories.

We know that Canadians believe in the greater power of free and open trade and the benefits that result. Thanks to our government's ambitious pro-trade plan, we are well under way to unlocking new jobs and opportunities for Canadians across the country.

● (1905)

Mr. Don Davies: Mr. Speaker, a Conservative trade policy that raises drug costs to Canadians from \$2 billion to \$3 billion a year is not the kind of trade policy that Canadians want. I notice that my hon. friend did not say a single word to refute that.

Adjournment Proceedings

The government refers to its record on trade with an air of pride. Well, it should not. It talks about the deals that it has signed as if it were crossing off a shopping list. However, let us look at those deals. Generally these deals have been with small economies, and in many cases with partners with whom we should not be dealing, countries like Honduras and Colombia, with disturbing track records on human rights and environmental protection.

What about the Conservatives' record? Here are the real numbers. Under the Conservative government we have gone from a trade surplus of \$26 billion in 2006 to a trade deficit of \$50 billion to date. Our manufacturing trade deficit has exploded sixfold to \$90 billion today and our exports of raw or barely processed resources are going up while manufactured items are going down.

We would like to see a deal with the EU, which is a good partner and a large economy. However, Canadians could be skeptical about whether or not this would be of benefit to them, when they see their drug costs go up by billions of dollars a year. What does my hon. friend say to Canadians about drug costs and CETA?

Mr. Randy Kamp: Mr. Speaker, what Canadians should be skeptical about is the NDP's claim of their new conversion to believing in trade, because they have not supported any free trade agreements. In fact, they go to Washington to argue against trade, so we have a difficult time believing that.

As I said before and will say again, our government will continue to seek a balance between promoting innovation and job creation through trade while ensuring that Canadians continue to have access to the affordable drugs they need.

Let me be clear: our Government will only sign an agreement that is in the best interests of Canadians.

● (1910)

SEARCH AND RESCUE

Hon. Lawrence MacAulay (Cardigan, Lib.): Mr. Speaker, I am pleased to stand in my place today, even though the topic is a bit unfortunate. Being born on Prince Edward Island and knowing the fishing community and the importance of the Coast Guard, I want the parliamentary secretary to elaborate on a question I asked in the House on May 18.

On May 18, I indicated that the St. John's and Quebec City Coast Guard stations were closed down. At the same time the government announced that one of the biggest and most important Coast Guard centres in Canada would be closed down. Kitsilano is a very important Coast Guard base. The government also sent out 763 notices to Coast Guard employees, telling them they were no longer required by the Government of Canada.

Having lived all of my life among fishermen and along the sea, I am well aware of how important the Coast Guard is.

Although the issue in Kitsilano is on the other coast, this base responds to hundreds of emergency calls every year. It is located in one of the largest ports. About five million people pass through this port every year. Billions of dollars pass through this port every year. Every year 75 to 100 of the calls that Kitsilano gets are life-threatening. Some of those calls can be from people who are attempting to take their own lives or whatever. The Coast Guard has

people prepared to handle these kinds of things. It is just so unfortunate that the likes of this would happen.

The mayor of Vancouver has clearly stated that there could be a high risk of increased fatalities due to the Kitsilano Coast Guard base closure. It is a massive concern for all of those in Vancouver. The City of Vancouver does not have the mandate or the resources. In the meantime, Mayor Robertson has said that the people of Vancouver and across the country should inform their members of Parliament that this is totally unacceptable. I hope that having had a number of people indicate to their members of Parliament how serious this is, I will get an indication from the parliamentary secretary that things will change.

The Coast Guard station in Quebec City has closed down. St. John's has also closed, and it had 500 search and rescue incidents a year. The station covered 900,000 square kilometres and 30,000 kilometres of coastline.

We are talking about people's lives. It is important to note that a *Fifth Estate* investigation showed that Canada has one of the worst search and rescue response times in the world. If an emergency happens in the evening or on the weekend, it sometimes takes four times the normal time for search and rescue teams to respond.

I hope when the parliamentary secretary responds to this question he will understand, he will listen to the people of Vancouver and he will take their information. Hopefully he has convinced the government that the Kitsilano Coast Guard base should remain open so that no lives will be lost on the west coast of this country.

Also, I hope the parliamentary secretary will indicate that instead of releasing 763 people from their jobs in the Coast Guard, he will indicate that more well-trained people, as those in the Coast Guard are, will be employed.

Mr. Randy Kamp (Parliamentary Secretary to the Minister of Fisheries and Oceans and for the Asia-Pacific Gateway, CPC): Mr. Speaker, I thank my friend from Cardigan for his intervention on this matter. I am sorry to say that he got many of his facts wrong. I do not have the time to correct all of them, but let me comment on the two major issues he raised.

With respect to the reorganization of the Canadian Coast Guard search and rescue resources and the consolidation efforts in St. John's and Quebec City, I have spoken on this several times. I just want to reiterate that our government would not make a change to search and rescue resources that would jeopardize safety.

The consolidation of the marine rescue coordinators into the joint rescue coordination centres in Trenton and Halifax will not change the quality of service provided in coordinating rescues on the water, or the number of resources available to provide response capacity in the waters off Newfoundland and Labrador, and Quebec.

Adjournment Proceedings

The decision to consolidate the rescue sub-centres in St. John's and Quebec City with the joint rescue coordination centres in Halifax and Trenton resulted from the Government of Canada's strategic review exercise, which provided us with the opportunity to streamline programs and the way services are delivered to Canadians. It was determined that search and rescue coordination services could be delivered in a more efficient and effective manner, with no impact on service delivery or safety. This process ensures that the tax dollars of hard-working Canadians are used in the most efficient way possible, which Canadians demand of us.

The marine rescue sub-centre in St. John's was successfully consolidated into the joint rescue centre in Halifax earlier this year. Our highly trained coordinators will continue to be available to coordinate rescues on a 24/7 basis. As with St. John's, we will continue to commit to not closing the sub-centre in Quebec and consolidating its responsibilities into the joint rescue coordination centre in Trenton until safety can be assured and we know that we can continue to provide the same level of service in both official languages.

Regarding the decision to close the Kitsilano station, we know that a safety gap will not be created, as multiple resources will continue to provide search and rescue support. The Coast Guard, the volunteers of the Royal Canadian Marine Search and Rescue, the Canadian Forces and other local responders will all continue to be available to serve the area for maritime distress calls.

In addition to this, a new in-shore rescue boat station will be established in the Vancouver area and will be available to respond to incidents in the busy summer period. As well, the Royal Canadian Marine Search and Rescue will be increasing its response capacity in the Vancouver area.

We also know that the Coast Guard hovercraft at Sea Island has the capacity to support additional search and rescue calls. In 2011, the Sea Island hovercraft spent only 4% of its available time on search and rescue services, including time to and from incidents. Therefore, we certainly think there is more capacity there as well.

The Coast Guard remains confident that the current level of service will be maintained after the reorganization of resources is complete, and it will continue to effectively support maritime safety in the Vancouver area, as well as the rest of Canada, by coordinating responses to maritime search and rescue incidents using all available resources.

●(1915)

Hon. Lawrence MacAulay: Mr. Speaker, this idea of downsizing and downloading only creates hardship for people.

The report prepared for the City of Vancouver by the deputy city manager indicates that the Vancouver police officers consider the Kitsilano base to be a significant source of crime prevention and needed enforcement on the water. They rely on support from the Kitsilano Coast Guard base for various call types, as the members of the Vancouver police department are not trained in search and rescue and have no paramedic capabilities. They also support the Coast Guard with search and rescue when they can.

Opposite to what my hon. colleague had to say, the conclusion of this report indicates that the Kitsilano Coast Guard base closure creates a significant gap.

The current activities at the Kitsilano Coast Guard base are within the legislative mandate of the Government of Canada. It is the responsibility of the Government of Canada. As my hon. colleague indicated, the people of Canada and Vancouver want the Kitsilano base left open. I hope my hon. colleague understands that.

Mr. Randy Kamp: Mr. Speaker, I live very close to Vancouver, unlike my friend from Prince Edward Island, and what the people of Vancouver want is an effective, efficient network of search and rescue resources.

As is the case across the country, that network includes many other resources in addition to the ones provided by the Canadian Coast Guard. We are continuing to provide that network. We believe that when all of the changes are implemented, including the new inshore rescue boat station, the new hovercraft and the new capacity with the Royal Canadian Marine Search and Rescue, we will be able to provide those services in a very effective way.

●(1920)

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:20 p.m.)

CONTENTS

Tuesday, October 23, 2012

ROUTINE PROCEEDINGS

Auditor General of Canada	
The Deputy Speaker	11323
Commissioner of Lobbying	
The Deputy Speaker	11323
Foreign Affairs	
Mr. Keddy	11323
Office of the Correctional Investigator	
Ms. Bergen	11323
Government Response to Petitions	
Mr. Lukiwski	11323
Canadian Environmental Protection Act, 1999	
Mr. Davies (Vancouver Kingsway)	11323
Bill C-455. Introduction and first reading	11323
(Motions deemed adopted, bill read the first time and printed)	11324
Excise Act, 2001	
Mr. Bezan	11324
Bill C-456. Introduction and first reading	11324
(Motions deemed adopted, bill read the first time and printed)	11324
Grey Cup	
Mr. Van Loan	11324
Motion	11324
(Motion agreed to)	11324
Business of the House	
Mr. Van Loan	11324
Motion	11324
Mr. Van Loan	11324
Motion	11324
(Motion withdrawn)	11324
Petitions	
Katimavik	
Mr. Bezan	11324
Community Access Program	
Ms. Foote	11324
Rail Transportation	
Mr. Hsu	11325
Experimental Lakes Area	
Mr. Scarpaleggia	11325
The Environment	
Ms. May	11325
International Trade	
Ms. May	11325
House of Commons	
Mr. Lamoureux	11325
Questions on the Order Paper	
Mr. Lukiwski	11325

GOVERNMENT ORDERS

Strengthening Military Justice in the Defence of Canada Act	
Bill C-15. Second reading	11325
Ms. Freeman	11325
Mr. Alexander	11327
Mr. Mai	11327
Mr. Angus	11327
Mr. Alexander	11329
Mr. Lamoureux	11329
Mr. Mai	11329
Mr. Bevington	11330
Mr. Alexander	11331
Mrs. Groguhé	11331
Mr. Davies (Vancouver Kingsway)	11331
Mr. Alexander	11333
Mr. Jacob	11333
Mr. Choquette	11334
Mr. Alexander	11335
Mrs. Groguhé	11335
Mr. Nantel	11335
Mr. Alexander	11337
Mr. Mai	11337
Ms. Ayala	11337
Mrs. Truppe	11338
Mrs. Groguhé	11339
Ms. Laverdière	11339
Mr. Alexander	11340
Mr. Dubé	11340
Mr. Dubé	11340
Mr. Morin (Laurentides—Labelle)	11341
Mr. Alexander	11342
Mr. Mai	11342
Mr. Alexander	11343
Mrs. Groguhé	11343
Mrs. Groguhé	11344
Mr. Alexander	11345
Ms. Freeman	11346
Ms. Doré Lefebvre	11346
Mr. Alexander	11347
Ms. Ayala	11347
Ms. May	11347
Ms. Moore (Abitibi—Témiscamingue)	11349
Mr. Lamoureux	11349
Ms. Ashton	11350
Mr. Alexander	11351
Mr. Dubé	11351
Mr. Rafferty	11351
Mr. Alexander	11353
Ms. Ayala	11353
Mr. Garrison	11353

STATEMENTS BY MEMBERS

Hunting

Mr. Breitzkreuz 11354

Veterans

Mr. Morin (Chicoutimi—Le Fjord) 11354

International Day of the Girl

Ms. James 11354

Brain Tumour Awareness Month

Ms. Fry 11354

Oil and Gas Industry

Mr. Jean 11354

Litterless Lunch Challenge

Mr. Donnelly 11355

New Democratic Party of Canada

Mr. McColeman 11355

Automotive Industry

Mr. Watson 11355

Border Security

Mr. Jacob 11355

Border Security

Mrs. Block 11355

Visa Office

Mr. Boulerice 11356

Harvie Andre

Mr. Cannan 11356

Engineering Awards

Mr. Hsu 11356

New Democratic Party of Canada

Mr. Seebach 11356

Member for Medicine Hat

Ms. Ashton 11357

Leader of the New Democratic Party of Canada

Mr. Goguen 11357

ORAL QUESTIONS

Public Safety

Mr. Mulcair 11357

Mr. Harper 11357

Pensions

Mr. Mulcair 11357

Mr. Harper 11357

Mr. Mulcair 11357

Mr. Harper 11358

Budget Implementation

Ms. Nash 11358

Mr. Clement 11358

Ms. Nash 11358

Ms. Raitt 11358

Public Safety

Mr. Rae 11358

Mr. Harper 11358

Mr. Rae 11358

Mr. Harper 11358

Correctional Service Canada

Mr. Rae 11359

Mr. Harper 11359

Finance

Ms. Duncan (Edmonton—Strathcona) 11359

Mr. Flaherty 11359

Ms. Blanchette-Lamothe 11359

Mr. Flaherty 11359

Public Safety

Ms. Doré Lefebvre 11359

Mr. Toews 11359

Mr. Garrison 11359

Mr. Toews 11359

National Defence

Mr. Harris (St. John's East) 11360

Mr. MacKay 11360

Mr. Harris (St. John's East) 11360

Mr. MacKay 11360

Ms. Moore (Abitibi—Témiscamingue) 11360

Mr. MacKay 11360

Ms. Moore (Abitibi—Témiscamingue) 11360

Ms. Ambrose 11360

Mr. Kellway 11360

Ms. Ambrose 11361

Veterans Affairs

Ms. Sgro 11361

Mr. Blaney 11361

Foreign Investment

Mr. Dion 11361

Mr. Fast 11361

Mr. Easter 11361

Mr. Fast 11361

The Environment

Ms. Leslie 11361

Mr. Lebel 11362

Ms. Leslie 11362

Mr. Lebel 11362

Ethics

Mr. Boulerice 11362

Mr. Clement 11362

Mr. Angus 11362

Mr. Clement 11362

Justice

Ms. James 11362

Mr. Nicholson 11362

Foreign Investment

Ms. LeBlanc (LaSalle—Émard) 11363

Mr. Paradis 11363

Mr. Julian 11363

Mr. Paradis 11363

Food Safety	
Mr. Allen (Welland).....	11363
Mr. Ritz.....	11363
National Defence	
Mr. Kellway.....	11363
Ms. Ambrose.....	11363
Mr. McKay.....	11363
Mr. MacKay.....	11363
Ms. Foote.....	11364
Mr. Baird.....	11364
Foreign Affairs	
Ms. Péclet.....	11364
Mr. Baird.....	11364
Mr. Dewar.....	11364
Mr. Baird.....	11364
International Trade	
Mr. Shipley.....	11364
Mr. Fast.....	11364
Food Safety	
Mr. Valeriote.....	11364
Mr. Ritz.....	11365
Quebec Bridge	
Mr. Blanchette.....	11365
Mr. Lebel.....	11365
Canada Mortgage and Housing Corporation	
Ms. Bateman.....	11365
Mr. Flaherty.....	11365
Persons with Disabilities	
Ms. Perreault.....	11365
Mr. Clement.....	11365
Foreign Investment	
Ms. May.....	11365
Mr. Harper.....	11365

GOVERNMENT ORDERS

Strengthening Military Justice in the Defence of Canada Act	
Bill C-15. Second reading.....	11365
Ms. Liu.....	11366
Mr. Alexander.....	11367
Mr. Brahma.....	11367
Mr. Sullivan.....	11368
Mr. Gravelle.....	11369
Ms. Mathysen.....	11369
Ms. Davies (Vancouver East).....	11369
Mr. Aubin.....	11370
Mr. Harris (Scarborough Southwest).....	11371
Ms. Davies (Vancouver East).....	11371
Mr. Sullivan.....	11371
Ms. Morin (Notre-Dame-de-Grâce—Lachine).....	11372
Ms. Davies (Vancouver East).....	11373
Mr. Aubin.....	11373
Ms. Quach.....	11374
Mr. Aubin.....	11375

Mr. Gravelle.....	11375
Ms. Davies (Vancouver East).....	11375
Ms. Perreault.....	11376
Mr. Sullivan.....	11377
Ms. Davies (Vancouver East).....	11377
Mr. Aubin.....	11377
Mr. Harris (Scarborough Southwest).....	11378
Mr. Gravelle.....	11379
Ms. Michaud.....	11379
Mrs. Sellah.....	11380
Ms. Davies (Vancouver East).....	11380
Mr. Lamoureux.....	11381
Mr. MacKay.....	11381
Mr. Dewar.....	11382
Mr. Lamoureux.....	11383
Mr. Gravelle.....	11383
Mr. Julian.....	11384

Business of Supply

Opposition Motion—Food Safety	
Motion.....	11384
Motion negatived.....	11386

Safe Food for Canadians Act

Bill S-11. Second reading.....	11386
Motion agreed to.....	11387
(Bill read the second time and referred to a committee).....	11387

Combating Terrorism Act

Bill S-7. Second reading.....	11387
Motion agreed to.....	11388
(Bill read the second time and referred to a committee).....	11388

PRIVATE MEMBERS' BUSINESS

World Autism Awareness Day Act

Bill S-206. Report stage.....	11388
Mr. Albrecht.....	11388
Motion for concurrence.....	11388
(Motion agreed to).....	11388
Third reading.....	11388
Ms. May.....	11389
Mr. Lamoureux.....	11389
Mr. Galipeau.....	11389
Ms. Davies (Vancouver East).....	11389
Ms. Fry.....	11390
Mr. Lake.....	11390
Ms. Morin (Notre-Dame-de-Grâce—Lachine).....	11391
Mr. Albrecht.....	11392
(Motion agreed to, bill read the third time and passed).....	11392

ADJOURNMENT PROCEEDINGS

International Trade	
Mr. Davies (Vancouver Kingsway).....	11392
Mr. Kamp.....	11393
Search and Rescue	
Mr. MacAulay.....	11394
Mr. Kamp.....	11394

MAIL  POSTE

Canada Post Corporation / Société canadienne des postes

Postage paid

Port payé

Lettermail

Poste-lettre

**1782711
Ottawa**

If undelivered, return COVER ONLY to:

Publishing and Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5

En cas de non-livraison,

retourner cette COUVERTURE SEULEMENT à :
Les Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Additional copies may be obtained from: Publishing and
Depository Services
Public Works and Government Services Canada
Ottawa, Ontario K1A 0S5
Telephone: 613-941-5995 or 1-800-635-7943
Fax: 613-954-5779 or 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Also available on the Parliament of Canada Web Site at the
following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

On peut obtenir des copies supplémentaires en écrivant à : Les
Éditions et Services de dépôt
Travaux publics et Services gouvernementaux Canada
Ottawa (Ontario) K1A 0S5
Téléphone : 613-941-5995 ou 1-800-635-7943
Télécopieur : 613-954-5779 ou 1-800-565-7757
publications@tpsgc-pwgsc.gc.ca
http://publications.gc.ca

Aussi disponible sur le site Web du Parlement du Canada à
l'adresse suivante : <http://www.parl.gc.ca>