



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

House of Commons Debates

VOLUME 146 • NUMBER 199 • 1st SESSION • 41st PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Tuesday, January 29, 2013

Speaker: The Honourable Andrew Scheer

CONTENTS

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

HOUSE OF COMMONS

Tuesday, January 29, 2013

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*English*]

PETITIONS

SHARK FINNING

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, I rise today to present a petition from thousands of Canadians who are calling upon the Government of Canada to ban the importation of shark fins into Canada.

Sharks are apex predators and play a critical role in maintaining healthy, balanced ecosystems. The continuing practice of shark finning, which is the practice of removing the fins and discarding the remainder of the shark back into the sea, is having a devastating effect on shark species around the world. The practice of shark finning results in an estimated 73 million sharks a year being killed for their fins alone. Over one-third of all shark species are threatened with extinction as a result of shark finning. Measures must be taken to stop the global practice of shark finning and to ensure the responsible conservation management of sharks. The citizens, therefore, call upon the Government of Canada to immediately legislate a ban on the importation shark fins into Canada.

HOUSE OF COMMONS

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is with pleasure I table a petition today, signed by many residents of Winnipeg North, who are calling upon the government to not increase the size of the House of Commons.

The petitioners believe that there are better ways of spending tax dollars than bringing more members of Parliament to Ottawa. Examples of that would include our seniors' pensions, health care services and so many other things. The bottom line is that Ottawa does not need to have more than 308 members of Parliament. The petitioners would like the Prime Minister to recognize that fact and to have better priorities in terms of providing government services.

THE ENVIRONMENT

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

The first petition is from residents of my own community in Saanich—Gulf Islands, as well as from residents up in Tofino. The petitioners call upon the House to pay attention to the urgent crisis posed by the climate, global warming threat, which we now hear President Barack Obama has taken seriously, based upon his inauguration speech. The IMF and the World Bank, of all places, are now warning that we have to take action. These petitioners want Canada to develop the plan that was once passed in the House, which would lead to 80% reductions of greenhouse gases by 2050.

FOREIGN INVESTMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition relates to the threat of the China-Canada investment treaty. The petitioners are very grateful that it still has not been ratified.

These petitioners, from the Vancouver area, urge the House to put as much pressure as possible on the Prime Minister and cabinet who, at this point, are in a legal position to ratify this treaty, binding Canada for 31 years without any vote in the House. It is up to us all to hope that the influence of individuals reaching out to the cabinet and saying not to ratify will have the effect that is needed.

SEX SELECTION

Mr. Blaine Calkins (Wetaskiwin, CPC): Mr. Speaker, I have a petition here signed by numerous constituents from my riding of Wetaskiwin, Lacombe, Rimbey, Rocky Mountain House, and even from Red Deer and Blackfalds, who note the injustice of sex-selective abortions.

The petitioners call upon the House of Commons to condemn discrimination against girls through sex-selective abortions and to do all it can to prevent sex-selective abortions from being carried out in Canada.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Speaker: Is that agreed?

Some hon. members: Agreed.

*Government Orders***GOVERNMENT ORDERS****FASTER REMOVAL OF FOREIGN CRIMINALS ACT**

The House proceeded to the consideration of Bill C-43, An Act to amend the Immigration and Refugee Protection Act, as reported (with amendments) from the committee.

[*English*]

SPEAKER'S RULING

The Speaker: There are 27 motions in amendment standing on the notice paper for the report stage of Bill C-43. Motions Nos. 1 to 27 will be grouped for debate and voted upon according to the voting pattern available at the table.

[*Translation*]

I will now put Motions Nos. 1 to 27 to the House.

[*English*]

MOTIONS IN AMENDMENT

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP) moved:

Motion No. 1

That Bill C-43 be amended by deleting Clause 1.

Ms. Elizabeth May (Saanich—Gulf Islands, GP), seconded by the member for Richmond—Arthabaska, moved:

Motion No. 2

That Bill C-43 be amended by deleting Clause 5.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP) moved:

Motion No. 3

That Bill C-43 be amended by deleting Clause 6.

● (1010)

[*Translation*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP), seconded by the member for Richmond—Arthabaska, moved:

Motion No. 4

That Bill C-43, in Clause 6, be amended by replacing, in the English version, line 20 on page 2 with the following:

“may not seek to enter or remain in Canada as a”

[*English*]

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP) moved:

Motion No. 5

That Bill C-43 be amended by deleting Clause 7.

[*Translation*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP), seconded by the member for Richmond—Arthabaska, moved:

Motion No. 6

That Bill C-43 be amended by deleting Clause 8.

Motion No. 7

That Bill C-43 be amended by deleting Clause 9.

Motion No. 8

That Bill C-43, in Clause 9, be amended by replacing lines 12 to 15 on page 3 with the following:

“—other than under section 34, 35 or 37 with respect to an adult foreign national—or who does not meet the requirements of this Act, and may, on request of a foreign national outside Canada—other than an adult foreign national”

Motion No. 9

That Bill C-43 be amended by deleting Clause 10.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP) moved:

Motion No. 10

Que le projet de loi C-43 soit modifié par suppression de l'article 11.

[*English*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP), seconded by the member for Richmond—Arthabaska, moved:

Motion No. 11

That Bill C-43, in Clause 13, be amended by replacing line 21 on page 4 with the following:

“interests, based on a balance of probabilities;”

Motion No. 12

That Bill C-43, in Clause 13, be amended by replacing line 26 on page 4 with the following:

“or process as they are understood in Canada, based on a balance of probabilities;”

Motion No. 13

That Bill C-43, in Clause 13, be amended by replacing line 32 on page 4 with the following:

“referred to in paragraph (a), (b), (b.1) or (c), based on a balance of probabilities.”

Motion No. 14

That Bill C-43 be amended by deleting Clause 16.

Motion No. 15

That Bill C-43 be amended by deleting Clause 18.

Motion No. 16

That Bill C-43, in Clause 18, be amended by replacing lines 40 and 41 on page 5 with the following:

“by a foreign national, declare that the facts established under section 34, paragraphs 35(1)(b)”

Motion No. 17

That Bill C-43, in Clause 18, be amended by replacing lines 12 to 14 on page 6 with the following:

“declaration, the Minister may take into account considerations including national security, public safety, humanitarian and compassionate grounds, and the best interests of a child directly affected, and, in his or her analysis, is”

Motion No. 18

That Bill C-43, in Clause 19, be amended by replacing lines 24 to 26 on page 6 with the following:

“is not detained, an officer may impose on the person any of the conditions referred to in subsection (3), as well as any prescribed conditions.

(5) The conditions imposed under”

Motion No. 19

That Bill C-43 be amended by deleting Clause 22.

Motion No. 20

That Bill C-43 be amended by deleting Clause 23.

Motion No. 21

That Bill C-43 be amended by deleting Clause 24.

Motion No. 22

That Bill C-43, in Clause 24, be amended by replacing line 19 on page 8 with the following:

“in paragraph 36(1)(b) or (c), other than a crime that was punished in Canada by a conditional sentence under section 742.1 of the Criminal Code.

(2.1) This section ceases to have effect at the end of the 15th sitting day of Parliament after December 31, 2014 unless, before the end of that day, the application of this section is extended by a resolution, passed by both Houses of Parliament, that this section continues to be in force.”

Government Orders

Motion No. 23

That Bill C-43 be amended by deleting Clause 25.

Motion No. 24

That Bill C-43 be amended by deleting Clause 26.

Mr. Kevin Lamoureux (Winnipeg North, Lib.) moved:

Motion No. 25

That Bill C-43 be amended by deleting Clause 32.

Motion No. 26

That Bill C-43 be amended by deleting Clause 33.

Ms. Elizabeth May (Saanich—Gulf Islands, GP), seconded by the member for Richmond—Arthabaska, moved:

Motion No. 27

That Bill C-43, in Clause 38, be amended by adding after line 32 on page 16 the following:

“(3) Sections 5, 8, 9, 10, 16, 17, 18, 22, 23, 25 and 26 cease to have effect at the end of the 15th sitting day of Parliament after December 31, 2015 unless and to the extent to which, before the end of that day, the application of any of those sections is extended by a resolution, passed by both Houses of Parliament, that any of those sections continue to be in force.”

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I rise today to take part in the important debate on Bill C-43. The headline of the *Toronto Star* editorial before Christmas says it about as succinctly as possible when it comes to this legislation. It sums it up: “Conservatives’ bill to deport ‘foreign’ criminals goes too far”.

As the editorial points out, “Criminals should do their time. No one disputes that”. Neither do I and neither do my New Democrat colleagues. In fact I think we can all agree that non-citizens who commit serious crimes in Canada should be dealt with quickly. The safety of our communities is paramount.

We said from the time this legislation was tabled that we were willing to work with the government to prevent non-citizens who commit serious crimes from abusing our appeals process, without trampling on their rights. We remain very concerned, however, that this Conservative bill would concentrate more arbitrary power in the hands of the Minister of Citizenship, Immigration and Multiculturalism without any checks and balances.

With an eye towards compromise, I introduced nine reasonable NDP amendments to the bill at the committee stage to curb the excessive powers of the minister and restore some due process. Unfortunately, they were all rejected by the Conservative Party.

I was especially disappointed that the Conservatives rejected moderate NDP amendments to curb the excessive power the bill gives the minister. They even rejected an amendment that sought to codify into the legislation, word-for-word, the minister's own proposed guidelines for keeping people out of Canada on public policy considerations.

What became clear at committee stage was that New Democrats wanted to work across party lines to ensure the speedy removal of serious non-citizen criminals. But the Conservatives did not want to work with us to make the legislation better. Many witnesses and stakeholders from all sides told us that the real problem with serious criminals delaying deportation is that there is a lack of coordination and resources at Citizenship and Immigration Canada and the Canada Border Services Agency.

Numerous auditor generals' reports also confirmed this to be the case. In fact, even a Conservative witness, Mr. James Bisset, told the immigration committee that:

There simply aren't enough enforcement officers in the Canada Border Services Agency to track down some of these very serious cases. They do their best, but there are few resources devoted to that. In the past, the enforcement of immigration has not been something that has been vigorously pursued in the country.

Conservatives members often referenced the case of Clinton Gayle, a dangerous criminal who callously murdered a Toronto police officer, Todd Baylis, while awaiting deportation for other crimes.

However during a federal inquiry into the Clinton Gayle case, associate deputy minister Ian Glen stated, “Quite simply, the system failed”. As to why, he explained that the department's priority at the time was to target unsuccessful refugee claimants who were on the run rather than criminals, because that way the deportation numbers were higher. This is the real problem, and nothing in the legislation before us would address these concerns.

What became clear from witness testimony into Bill C-43 is that this is not a silver bullet when it comes to public safety. We believe that the priority of the government needs to be addressing the lack of training, resources and integration of information and monitoring technologies with the responsible public service agencies.

Unfortunately, exactly the opposite is happening under the Conservative government. The 2012 budget plan announced cuts of \$143 million to the Canada Border Services Agency. These reckless cuts are going to have an impact on the safety and efficiency of our borders.

The Conservatives saying this will not have an impact on our front line services is simply wishful thinking. We know that 325 jobs on the front line of border crossings across the country will be cut; intelligence branch of the CBSA has been hard hit, losing 100 positions; and 19 sniffer dog units are being slashed due to budget reductions. This is outrageous and no way to keep Canadians safe from foreign criminals who will now have an easier time getting across our borders.

● (1015)

Canadians want us to stop criminals and terrorists before they arrive in Canada. However, Conservative cuts will mean that Canadian officials will have to try to do the best they can with less.

As I have mentioned, the official opposition's primary concern with this legislation is the arbitrary power it gives the minister. In fact, it seems as if the Minister of Immigration has not seen a problem that cannot be solved by giving him more power. The concern about the overly broad powers to keep people out of Canada on public policy considerations was perhaps best articulated by the Canadian Civil Liberties Association in its brief on Bill C-43 to the Standing Committee on Citizenship and Immigration:

This vague provision, imbues the Minister with an unacceptable level of discretion in deciding who may be blocked from entering Canada, and politicizes this process.

Government Orders

Even the minister seemed to acknowledge, when he visited the immigration committee, that limits to his power were needed. On October 24 of last year he presented us a set of guidelines, and we took him at his word that he was serious when he said, “the committee may recommend that we codify these guidelines in the bill”. When New Democrats, in good faith, moved to do just that, every single government member rejected it—another modest amendment defeated by the uncompromising majority.

This bill also seeks to limit appeals based on humanitarian and compassionate grounds. Amnesty International told the committee studying this bill that this section runs afoul of international law and that denying individuals access to this process might result in their being sent to torture or persecution.

New Democrats do not believe that the minister should be relieved of the obligation to consider humanitarian and compassionate circumstances, including the best interests of children. We moved reasonable amendments to restore the minister's ability to consider these factors, with a caveat that the minister has reasonable grounds to believe it is justified. Again that was voted down by the other side.

New Democrats also sought to curb some of the harsher provisions that redefine serious criminality and strip permanent Canadian residents of due process rights. Consider a piece in the *Ottawa Citizen* a few months ago, called “Canada's new exiles”, which details the case of a young Somali man being deported to Mogadishu, one of the most violent and dangerous places on earth, despite having no connection to that troubled city. The piece goes on to point out, as many of our witnesses did, that:

It is not uncommon for immigrants and refugees who arrive as children to assume they are citizens, or never put their mind to the question until the government moves to deport them.

Actually, I had such a conversation with a taxi driver just the other day, who was shocked that he was not a citizen.

Finally, I must articulate to the House what I feel is the most egregious element of the legislation before us. It is a public relations stunt. There is no evidence that criminality is more prevalent among visitors or permanent Canadian residents. In fact, it is quite the opposite. There is little evidence to show that the provisions in this legislation will make Canadian communities any safer. Yet again we find the Conservative government offering solutions to problems that do not exist at the expense of addressing ones that do.

New Democrats know that the vast majority of newcomers to Canada are law-abiding people who want to build better lives for themselves and their families. I hope that as a Parliament we can move and spend more effort making sure they are treated fairly, have the resources they need and can be reunited with their families. On this side of the House we believe that the minister should focus less on press conferences that negatively portray newcomers and, instead, work with the Minister of Public Safety to make sure border and law enforcement officials have the resources they need to keep us safe from criminals of all backgrounds.

• (1020)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, is it not interesting that in 10 minutes the member opposite completely avoided the central premise of the bill, the central proposal, which is to bar a time-

consuming appeal to the Immigration and Refugee Board for serious convicted foreign criminals?

First of all, the hon. member keeps referring to non-citizens. There is no such term in Canadian law. I do not know who she is talking about. Presumably she is speaking of foreign nationals who have been convicted by a Canadian criminal court of what is deemed a serious crime under the Immigration and Refugee Protection Act—that is to say, with a penal sentence of six months or more.

Why does the hon. member believe that an individual like Jackie Tran, a Vietnamese gangster who was running a drug gang in Calgary that killed several people, should have been able to delay his deportation from Canada for several years by constantly appealing his removal order to the IRB, and in fact managed to delay his removal for six years? Does she not agree with me and, I suspect, virtually all of her constituents that Jackie Tran should have been on a plane the moment his sentence was over?

• (1025)

Ms. Jinny Jogindera Sims: Mr. Speaker, we think everybody should get due process. In bringing up these cases that are unique, real and very harmful, what I want to point out is that the bill does very little to address cases like that. Those are already covered by the current legislation we have in place.

What we are concerned about is that the bill goes too far. When we look at the fact that the minister can exclude people from coming into Canada for public policy reasons that are there at a whim, I think that should get Canadians' serious consideration.

When we think about enforcement and the lack of resources at our borders, that should make Canadians wake up and say that is where we need enforcement.

For us, this legislation goes too far and captures those it was not meant to capture.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the Minister of Immigration is very selective in the way in which he puts things. He says “foreign criminals”. What he is really talking about is 1.5 million plus people who call Canada their home, their permanent residence. That is one thing we need to recognize.

The other thing we need to recognize is that the minister likes to refer to extreme cases. What about the individual who has been living in Canada for 10, 12 or 14 years, graduates from high school and goes with his buddies to the United States and maybe uses false identification in order to get some alcohol served to him? That is the type of individual who the minister would deport. That is the type of individual the minister likes to use as an example, the extremes.

Government Orders

My question to the member is this. Does she believe that the minister is doing a disservice to Canadians by using extreme examples and bringing in legislation so that the public thinks the government is getting tough on foreign criminals, as the minister likes to label it?

Ms. Jinny Jogindera Sims: Mr. Speaker, we have to think, when people are granted permanent residency and they come to live in Canada, that we have done our due diligence. Once they come here, then there are certain responsibilities we have as a society as well.

Imagine the case of someone who arrives here with family at the age of one. The family has lived here for quite a number of years but has not applied for Canadian citizenship because they assumed that after a certain number of years they would actually become citizens without going through a process. We have had some of those cases. What is really egregious in this bill is that, if that young man should commit a crime at the age of 19 and receive a minimum sentence of six months, he could be deported without an appeal.

Whenever we talk about foreign criminals we forget that we are talking about families who call Canada their home. We absolutely want to make sure that serious criminals are not in the country. However, we have to have a process that is fair and transparent.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I agree with every single point just made by the immigration critic for the official opposition. However, I also believe that if I had been asked the question, which I imagine the Minister of Immigration may ask me, do I not believe that foreign criminals who have committed serious crimes in Canada should not be able to continue to stay here much longer after the deportation order, I would agree with him.

How can I agree with both of them? The essence of my amendments goes to the problem that we have with this legislation, which is that the legislation goes too far. It is overly broad, overly harsh and creates an unlimited discretion that we have not seen in previous immigration acts, allowing the minister, for instance, to deny permanent residency. Thus, someone who is not already in Canada could be denied the chance to come to Canada for a very vague and undefined purpose of public policy reasons.

While I was not a member of the committee, we reviewed the testimony that was given at committee, and the amendments I am putting forward today are drawn from the evidence given at that committee by the Canadian Bar Association, the Canadian Council for Refugees, the Canadian Civil Liberties Association and the Canadian Association of Refugee Lawyers.

I am particularly grateful to Professor Donald Galloway of the University of Victoria for his help in preparing these amendments. He is one of the founders of the Canadian Association of Refugee Lawyers and recently stood for election in Victoria as a Green Party candidate. I am indebted to him for his help.

What we have with this legislation is a public relations title, the faster removal of foreign criminals act. However, it goes beyond that. The bill would affect people who are not accused or convicted of criminality. It would affect people who are relatives of those who have been deemed inadmissible. For instance, an excellent example of where the bill fails to achieve the proper balance is on the subject of misrepresentation. Under Bill C-43, if someone is found guilty of

misrepresentation on their application to come to Canada they are barred for five years. There is no distinction made between deliberate fraud or misrepresentation and the kinds of errors that occur through faulty language skills, such as inadvertent, unintentional misrepresentations.

In the brief time I have been a member of Parliament, I have been exposed to so many immigration cases on behalf of my constituents. I have seen fact sets that I simply would not have imagined occur, but they occur with great regularity. I have Canadian citizens whose child was born in the U.S. and who have come back together and have never got around to sorting out the child's citizenship. These children, for all intents and purposes, are Canadian. However, under Bill C-43, if they run afoul of the law and are convicted of something with a six-month sentence they are going to be inadmissible for further application.

We could see families ripped apart through this legislation. The piece that is missing is the ability to take into account all of the circumstances. One size does not fit all. This legislation makes no distinction, for instance, between conditional sentences, which are given out in the community, usually for lesser offences, and sentences that apply to someone being jailed.

For me personally, and not speaking on behalf of all the organizations that submitted concerns to the committee, the most egregious part of the bill is proposed section 22.1 of the act, because it will give the minister of citizenship and immigration the right to deny temporary resident status for up to three years for what are described as "public policy considerations". These are not defined. In other words, the public policy considerations are not tied to the public relations title of the bill, the faster removal of foreign criminals act. A public policy consideration could be unlimited, given that it is a matter of the minister's discretion. If there is a public policy that we do not want foreign funded radicals opposing pipelines in Canada, I submit that that would be a class of person that a less reasonable Minister of Citizenship and Immigration than the current one would use in the future to bar people from coming to Canada on a whim.

•(1030)

This goes against the grain of everything this country is about, that we as a country have been enriched by accepting and bringing in a wide range of citizens and residents from all around the world. However, this bill would allow children, for instance, who have been here for their whole lives to be deported for relatively minor offences, without access to appeal. This is simply against what Canada and Canadian citizens want. If it were more properly balanced, I do not think anyone on this side of the House would have a problem with it.

Government Orders

The bill states that those falling under section 34, that is, people who are inadmissible on grounds of security, or on the grounds of human or international rights violations under section 35, or on the grounds of organized criminality under section 37, can no longer apply for compassionate, humanitarian consideration. This would be overly broad. As I mentioned, the hon. member for Newton—North Delta has put forward a number of the kinds of circumstances where we would not, in the normal course of things, imagine that Canada would sweep up people, deport them and deprive them of their opportunity for an appeal.

Those of us on this side of the House who want to see the bill amended want it amended so that it would actually focus the minister's responsibilities and those of law enforcement on the removal of those people who are a legitimate threat to peace and security, people who actually fall under the category of criminality, who have been convicted of offences involving crimes of violence.

This legislation does not have any of those caveats that would allow law enforcement agencies, immigration and citizenship agents, and the minister to make a decision, with compassionate and humanitarian Canadian values at play, that we not uproot a person, a child or teenager, who has lived in this country virtually all their life. He or she may not yet have their citizenship. They are permanent residents or are temporary residents. The permanent residents category is very large in this country for people who have literally been here all their lives, except for perhaps the first six months or two years of life. This legislation does not take into account any of those circumstances in deciding if people can be deported, and they will not have access to ministerial discretion and further appeal.

I mentioned earlier that it would deem people inadmissible if they are related to someone else deemed inadmissible. Family members who want to come to Canada for a visit and who have committed no crime can, under Bill C-43, be told that they cannot come to Canada, even though the inadmissible family member is not travelling with them.

This does not seem to fit any public policy rationale. It appears to exclude people through association. Moreover, given that other family members may be residing in Canada, it would only serve to further punish a family that has already had a family member ruled inadmissible and been removed.

If a person released from detention is subject to inadmissibility on grounds of security, they could be released on condition. Essentially, inadmissibility on security grounds could speak to a whole range of reasons. These are not necessarily identified in this legislation, that is, in what way the person is a security danger.

The mandatory conditions do not really need to be added to the bill because we already have adequate measures under existing legislation to deal with most of the circumstances that would be of concern to Canadians.

In closing, I would ask the Minister of Citizenship, Immigration and Multiculturalism whether he is not willing, even at this late date, to consider that the bill may be overly broad. I will not say that the bill's purposes are public relations, because I think there will be circumstances in which Canadians will be glad to see some of the provisions of the bill. However, surely, even at this late date, at

report stage, we could take on board some amendments in line with the recommendation of so many expert witnesses to ensure that Bill C-43 speaks to Canadian values, speaks to the rule of law and our traditions that people have a right to be heard, that their side of the story gets to be heard. These traditions and rule of law go back to the earliest history of our western civilization. They go back to Magna Carta and we should not ignore them.

• (1035)

Extreme examples can be used by the minister. I will also put forward the example of a child who has been in this country virtually all of his or her life. To remove that child without access to humanitarian or compassionate grounds would go too far.

Surely some of these amendments could be accepted by the Privy Council side of the House.

• (1040)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I commend the hon. member for Saanich—Gulf Islands for her constant due diligence. I know it is a particular challenge to effectively be an independent member and yet participate in an informed way in debates on virtually all bills in the House. We all admire her for that even if I do not agree with the substance of her intervention here.

We did consider opposition amendments. The member does not have an opportunity to sit at every committee. However, had she been at the immigration committee during its consideration of Bill C-43, she would have heard a huge number of witnesses supporting the bill in its various aspects.

Let me just address a couple of the points my colleague raised. One was the inadmissibility of family members. In one respect the bill would make it easier for family members of people who are currently inadmissible to come into Canada. If one of the family members is medically inadmissible, currently all members of the family cannot come into Canada. We would end that broad reach of inadmissibility through an amendment in the bill, because we do not think family members should be penalized because of the sickness of one of them.

However, what we are seeking to do on the restrictive side is to render inadmissible family members of those foreign nationals who have committed human or international rights violations or been involved in organized criminality. The member says there is no public policy rationale for this, but in point of fact there is.

In the last Parliament the government was hammered by the opposition for allowing the admission into Canada of close family members of the former Tunisian dictator, Belhassen Trabelsi. There is a reasonable expectation that close family members of a dictator or a mafioso, for example, have profited or benefited from, and are certainly conscious of, the crimes that have been committed. This is one example of where there is a very sound public policy rationale to make sure that the wives and children of dictators, major human rights violators and mafiosi, do not come into Canada. Would the member not agree that is a reasonable public policy?

Government Orders

Ms. Elizabeth May: Mr. Speaker, again the hon. Minister of Citizenship and Immigration has picked the extreme examples, but the terms of this legislation are going to catch quite a lot of other people.

The disallowing of family members visiting the country is overly broad, particularly without giving them the opportunity to establish why they should be considered admissible for a family visit. We know that one person's dictator one day is someone else's best friend the next. I am not suggesting that we want dictators allowed into this country, but many Canadian businesses were doing a lot of business with Colonel Gadhafi and helping out his family members.

I am not suggesting that we open up our immigration system to family members of dictators, but organized criminality as a class, and particularly some of the language that is used here, is overly broad and would not apply to the Colonel Gadhafis of this world or the Trebelsis of this world, but to family members who might have a very clear reason to visit Canada and who should not be deemed inadmissible because another family member has been deemed so.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, after listening to the Conservatives, it would appear to me that they believe that we have no law in this country to stop mafioso or war criminals or international gangbangers coming to Canada, believing that Canada is a place these people have been able to come to. My understanding of our Criminal Code is that we do have laws for that.

Why does my hon. colleague think the Conservatives are hiding behind dictators and war criminals and not addressing the issue—

Hon. Jason Kenney: No we do not. Not to close family members. That is why we are amending it. You asked us to do that; you asked for the amendment last year.

Mr. Charlie Angus: Mr. Speaker, the poor man over there is nearly hysterical. I would ask my hon. colleague to help calm him down so that we can address the fact that we are also talking about the Conservatives getting a big net so they can scoop up a whole manner of people who have done very small things, and then the Conservatives will get to crow to their base.

Ms. Elizabeth May: Mr. Speaker, I am not going to presume to imagine the motives of the Minister of Citizenship and Immigration nor of his caucus, but I do think this bill goes too far. Every single public policy expert, every single organization that analyzes the impact of laws on our country, the Canadian Bar Association, the Canadian Civil Liberties Association, the Canadian Council for Refugees, organizations that function on a public policy basis, all find this legislation as going too far.

● (1045)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I want to comment on Bill C-43 and the amendments that are being proposed at this stage.

It is important to recognize that throughout the committee process we listened to a wide variety of presenters, experts and different types of stakeholders. At the end of the day numerous amendments were brought forward. There was a great sense of disappointment from the Liberal Party and, I believe, the other opposition members as well, in regard to the government's refusal to recognize that it has gone too far.

I have had the opportunity outside Ottawa to talk about Bill C-43 and to express the general concerns we have, including the attitude that the Minister of Citizenship, Immigration and Multiculturalism and the government have toward immigrants. It is not an immigrant friendly government. Going forward we will see the true colours of this Reform-Conservative party unfold, as we have witnessed first-hand in terms of some of the changes that the government has made to immigration programming, the delays a person experiences in being able to acquire citizenship, and in general the manner in which the government portrays refugees in a very negative way. We are now seeing the very negative connotation of 1.5 million-plus permanent residents being labelled as foreigners.

When I think of the amendments at this stage, they are nowhere near as extensive as they could have been had the minister been open to receiving amendments and allowing committee members on the government side to support what I believe were good, solid amendments to the bill by the Liberals and other opposition members. We listened to a number of presenters at committee. I want to comment on a couple of amendments.

Motion No. 25 is a transitional provision that would make the bill retroactive. It would be simply unfair to have Bill C-43 apply to those who commit offences before the bill actually comes into force.

Richard Kurland is an immigration lawyer who comes before the citizenship and immigration committee as a witness on a regular basis. He said:

Imposing, with retroactive effect, the penalty of removal from Canada is incompatible with some of the tenets of our criminal justice system. The sentencing judge did not have the opportunity at the time of sentencing to deal with the individuals, so, ironically, rather than expedite the removal of criminals from Canada, it may well retard that effort, given the legal issues that are raised by the issue of retroactivity.

The Canadian Bar Association stated on that particular point:

The retroactive application of Bill C-43 has the potential to create significant unfairness. Bill C-43's transitional provisions would deny appeal rights even if the offence or conviction in question was before the amendments, unless the case has been referred to the Immigration Division before the provisions come into force. The timing of the referral is not an equitable basis on which to decide who ought to be stripped of appeal rights. In the course of sentencing, criminal courts take a holistic view of an offender's circumstances and the consequences of the sentence imposed. The loss of a right to appeal a deportation order is an important and valid consideration for a sentencing court. The retroactive nature of the provisions is particularly harsh for individuals who have received a longer sentence on the basis that they would be allowed to serve their sentences in the community under conditional sentence orders.

Throughout the process, we heard very striking presentations which pointed out many of the mistakes in Bill C-43. It is a flawed piece of legislation. It the minister wanted to do the House a favour, I would suggest that he would seriously look at putting this bill on hold. At the very least, maybe he could allow for a new bill to be brought in to deal with the issues the government chose to ignore at committee. The mistakes are fairly extensive, and that is just referring to the motions that are before us, not to mention the different amendments that were brought forward at committee which we were not able to reintroduce at report stage.

Government Orders

•(1050)

Specifically dealing with other motions, we could talk about deleting clause 8 which would allow for the use of public policy considerations to deny entry. We do not support the minister's ability to determine based on "public policy considerations" an individual's inadmissibility.

If we listen to what the witnesses had to say, Barbara Jackman, a constitutional lawyer stated, "I have no doubt that the public policy grounds will lead to denying people admission on the basis of speech."

Michael Greene from the Canadian Bar Association stated:

We believe this power is unlimited, unaccountable, un-Canadian, and unnecessary. It doesn't have a place in a free and democratic society that cherishes civil liberties and fundamental freedoms. It's wrong to say that the minister is currently powerless. We have nine different inadmissibilities to Canada. We also have hate crime laws and anti-terrorism laws that specifically target people who promote violence against vulnerable groups in society. People with track records or an intention to engage in hateful rhetoric in Canada are inadmissible under existing immigration laws.

Motion No. 7 would delete clause 9. This clause in Bill C-43 would remove the H and C access for those inadmissible under sections 34, 35 and 37. Again, we do not support the restricted access to humanitarian and compassionate grounds for applications as the process itself does not delay deportation. Witnesses testified that sections 34, 35 and 37 are broadly interpreted by courts. Individuals who may get caught by sections 34, 35 and 37 should be given access to humanitarian and compassionate grounds.

Again, individuals like Barb Jackman stated:

What you don't understand, or what I think you need to understand, in terms of that legislation is that for persons for whom there are reasonable grounds to believe they were members of a terrorist organization, or at some point in their youth they may have been involved in street gangs or something like that, and they have grown up and left it behind them, it leaves them without any remedy whatsoever on humanitarian grounds. That is not a piecemeal change to the legislation. That is a fundamental change to our immigration history. From the time we got legislation in 1910 there has always been a broad discretion on the part of the minister or a body like the immigration appeal division to allow people to remain in Canada on humanitarian and compassionate grounds in recognition of the fact that hard and fast rules don't fit with the fact that people are human beings. This legislation will mean that for the first time ever there will be classes of people who don't get any kind of discretion, who don't have access to any kind of discretion, who won't have anybody looking at their case. That is so out of keeping with our humanitarian tradition in terms of the way our legislation has always been structured.

Angus Grant, another immigration lawyer, stated:

—the parameters for finding someone inadmissible under sections 34, 35 and 37 are extremely broad. Whereas in criminal law there is the requirement that to find someone guilty we have to establish that they are guilty beyond a reasonable doubt, in immigration law we don't even have to find that they have done an act on a balance of probabilities, in other words, a 50% plus 1% chance that the person committed an act that is proscribed by the IRPA. All we have to show is that there are reasonable grounds to believe that an individual committed an act or was a member of a group that committed an act that is proscribed by the bill.

There is so much more that I could talk about. There were stakeholders and individuals who brought to the table a great deal of background, education and real life experience. They have asked the Conservative government to make changes to Bill C-43 so that we could have better immigration law in Canada. However, the government has chosen to ignore the many amendments, which I believe has ultimately led to the bill that we have before us today being fundamentally flawed.

We appeal to the Minister of Citizenship, Immigration and Multiculturalism to do the right thing and start looking seriously at voting in favour of amendments so that we can minimize the flaws in this piece of legislation.

•(1055)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, first, I would sincerely like to thank the hon. member for Winnipeg North for his forthright opposition to the bill, because nothing could more clearly demonstrate how far removed the Liberal Party has become from the common sense of Canadians on matters of immigration and national security than his opposition.

The member quoted from a wide array of left-wing immigration lawyers who have a stake in the broken status quo. They are the folks who make the appeals.

It is interesting. We have immigration lawyers who, funny enough, he did not quote, who have done some of these appeals and who agree with the bill. He should know one of them, Reis Pagtakhan, who ran against him for his nomination. He said that the bill deserves support in the "provision that eliminates the right of permanent residents to appeal removals to the immigration appeal division for sentences of six months or more in prison. While some"—like some of the far left lawyers he quoted from, like Barbara Jackman—"argue that this would unfairly penalize long-term permanent residents who may be deported for their actions, what is missed in this argument is that the permanent residents who face deportation are criminals. It should be stated that these individuals are not alleged criminals; they are not accused; they are not innocent. They have been convicted of a crime in a court of law".

Similarly, Julie Taub said:

I have represented those who have been found to be criminally inadmissible to Canada, and I have gone to the Immigration Appeal Division to get a stay of removal for them, successfully in almost all cases.... Unfortunately, the majority of the clients I have represented reoffend or they breach their conditions.... I listen to their heartfelt apologies and promises, but time and time again they reoffend and they breach the conditions.... I really support this bill because criminals remain in Canada who are not Canadian, and it's almost impossible to deport them.

Why did the member not listen at committee to the victims of violence, to the crime victims organizations, to the immigrant organizations, to the Canadian Association of Chiefs of Police, to the Canadian Police Association, all of whom endorsed this bill? Why did he disregard their pleas for us to deport serious convicted foreign criminals more quickly?

Mr. Kevin Lamoureux: Mr. Speaker, the minister's question is flawed on many points.

First and foremost, I would suggest to the minister that I listened to far more hours of debate at the immigration committee than he did to all of the different stakeholders who came before the committee.

Government Orders

Second, his information is flawed. Reis Pagtakhan, the individual he referred to and whom he actually quoted, did not run against me in the nomination. He was a good supporter of mine, but he did not run against me in the nomination.

If he wants me to quote Reis Pagtakhan, because after all he quoted Reis Pagtakhan, I will provide a quote that he gave at committee. Had the minister been there maybe he would have been able to reflect on this particular quote.

In relation to clause 8 and the minister's grab for more power, Reis Pagtakhan stated:

This section is troubling in that the ministerial discretion opens up the possibility of decisions being made without clearer criteria. Canadians are entitled to know what actions could cause a person to be barred from coming to Canada.

That is why I say that just because the minister has said something it does not mean that it is true. Quite often it is not true. That is one of the issues we have to address.

At the end of the day we want to see immigration policy that is well thought out and immigration policy that makes sense. Had the minister actually listened to what was being said at the citizenship and immigration committee, the bill would not be in its current form because amendments would have been passed at the committee stage that would have made the legislation better for all Canadians.

● (1100)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I appreciate the consideration of all members, particularly those of the Standing Committee on Citizenship and Immigration, for their review of this important legislation, Bill C-43. We have already heard about the number of the amendments proposed to the Immigration and Refugee Protection Act and other statutes proposed here, although I believe there has been a number of mischaracterizations of the bill.

The bill seeks to do three things primarily. First is to make it easier for the government to remove dangerous foreign criminals from our country. These are convicted serious foreign criminals. Second is to make it harder for those who may pose a risk to Canada to enter the country in the first place. Third is to remove barriers for genuine visitors who want to come to Canada.

There is a number of provisions, the most prominent of which would be the elimination of access to the Immigration Appeal Division for foreign nationals who have been convicted by a Canadian criminal court of what IRPA currently deems “a serious crime”, that is to say a crime which has resulted in a penal sentence of six months or more.

On this point, there has been a lot of obfuscation from the opposition members who have suggested that we will lower the bar for defining what constitutes a serious crime in immigration law. That is completely inaccurate. In 2002, when Parliament adopted the Immigration and Refugee Protection Act, it decided in its wisdom, under the leadership of a former Liberal government, to define “serious criminality” under the Immigration and Refugee Protection Act as a crime that had resulted in a penal sentence of six months or more. That is the law and we would not change the law in that respect. We hear all sorts of completely bizarre, risible scenarios from the opposition about how this would be applied.

The member for Winnipeg North just imagined that Canadians who bought alcohol when they were not of the age of majority in the United States would get a six-month penal sentence in Canada. I do not know what planet he is living on, but that is not an offence in Canada at all and it is certainly not a criminal offence that carries a six-month penal sentence.

We have heard from opposition members that poor, innocent young Canadians who just happen to have six marijuana plants will be caught by police and they will be thrown out of the country preemptively because of this. Again, it is an effort by the opposition members to mislead. The criminal offence to which they refer is possession of a substantial amount of narcotics, in that case six marijuana plants, with the intention of trafficking.

Why did Parliament impose a mandatory minimum sentence for possession of six plants with intention for trafficking? It is precisely because that is how the organized drug gangs operate. They get a bunch of people to cultivate relatively small numbers of plants so that in the past if they were caught, they would not have faced a serious penal sanction. Parliament decided to render that a serious crime with a mandatory minimum prison sentence for trafficking drugs to kids. However, anyone who knows anything about actual sentencing practices will realize that a six-month penal sentence is, according to Parliament, quite appropriately a sentence that carries a penal sanction of six months or more.

The opposition members constantly try to diminish the gravity of these offences, but they do not seem to recognize that these offences create victims in Canada. That is why Sharon Rosenfeldt of the Victims of Violence has said:

As an organization that works with victims of violent crimes and their families, we applaud this proposed change. We feel that streamlining the deportation of convicted criminals from Canada will make our country safer. Limiting access to the Immigration and Refugee Board's Immigration Appeal Division, and thus reducing the amount of time that convicted criminals may spend in Canada, is an important proactive step in ensuring the safety of all Canadians.

Similarly, the Canadian Police Association has said that it:

—welcomes the introduction of [this bill]...particularly with respect to the enhanced prohibitions against those who have committed serious crimes abroad from coming to Canada....This legislation will help us by streamlining the procedures necessary to remove individuals who remain at-risk to re-offend.

Similarly, the Canadian Association of Chiefs of Police said that it:

—supports the efforts of [this bill] to provide for a more expeditious removal from Canada of foreigners who are convicted of committing serious crimes against Canadians. As well, we support measures to prevent those with a history of committing criminal offenses, or who pose a risk to our society, from entering Canada. The Act will help to make Canadians and those who legitimately enter Canada safer.

● (1105)

Let the record be clear that the opposition is disregarding the voices of victims' rights organizations, our police and those who are charged with keeping our society safe. What the government seeks to do is when foreign nationals have received a serious criminal sentence of six months or more, the CBSA will then issue a removal order against them, an exclusion order, deeming them inadmissible to stay in Canada. They will no longer be able to appeal that to the Immigration Appeals Division as a result of the bill.

Government Orders

In the past, by appealing to the IAD of the Immigration and Refugee Board, that would typically gain foreign criminals about nine months for that appeal to be heard. If that appeal was refused, they would then appeal that negative decision to the Federal Court. Occasionally they would then be able to further appeal the negative decision by the Federal Court to the Federal Court of Appeals. That takes serious convicted foreign criminals, who have already benefited from due process, including the presumption of innocence in our criminal system, and allows them to delay their deportation for, in that case, two to three years.

That is how Canada ends up with people like Jackie Tran, whom I mentioned before, who was running a Vietnamese drug gang in Calgary. The gang was responsible for the deaths of several people. Like most capos in organized criminal groups, this fellow was too smart to actually pull the trigger, as far as we know. Instead he had other henchmen do that for him. There is no doubt he was in charge. The problem was the police were only able to get him on relatively minor offences, like assault with a weapon, drug trafficking, drug possession and failure to comply with court orders. Because of the current provision in IRPA, which allowed him to appeal his removal order to the IAD for sentences of two years less a day, he managed to delay his removal by six years.

• (1110)

[*Translation*]

Patrick De Florimonte, a Guyanese national, was found guilty of several criminal offences.

[*English*]

Charges included assault with a weapon, assault causing bodily harm, uttering threats, multiple counts of theft, drug possession, drug trafficking and failure to comply with court orders. He managed to use these loopholes, which we would close, to delay removal by four and a half years.

Then there is the case of Gheorghe Capra, who had over 60 convictions of fraud, forgery, conspiracy to commit fraud, obstructing a police officer, failure to comply with court orders. Again, because those sentences were all less than two years, he managed to appeal those and delay deportation for five years. He reoffended and created new victims.

I honestly cannot imagine why any member of this place would want to allow someone like Mr. Capra, who has no right to be in Canada, is not a Canadian citizen and lost through his own volition the privilege of staying in Canada through his criminal recidivism, to continue to delay his removal from Canada and claim new victims.

For example, there is the case of Mr. Jeyachandran Balasubramaniam, who was convicted of assault with a weapon, drug possession, drug trafficking and failure to comply with court orders. Again, through the same procedures we would close, he managed to delay his removal for seven years.

That clearly demonstrates why the provisions to limit appeals to the IAD are so broadly supported.

Let me address a couple of the other points in the short time available to me. The member from Winnipeg talked about how terrible it was that we would close access to humanitarian and

compassionate consideration for certain people. What he failed to mention was that the people we would exclude from H and C consideration would be those who had been found by our legal system to be inadmissible on security grounds for human and international rights violations and for organized criminality.

I will give the House one example. Léon Mugesera was one of the members responsible for inciting the Rwandan genocide that led to the slaughter of hundreds of thousands of innocent civilians. He got to Canada.

[*Translation*]

When it was learned that he was involved in the genocide, efforts were made to have him deported from Canada, but he delayed his removal by nearly 20 years. I do not think that the vast majority of Canadians feel that a man involved in genocide should have his application considered on humanitarian and compassionate grounds. This man had no compassion and did not consider the humanity of the victims in the Rwandan genocide.

And that is why we are supporting this bill.

[*English*]

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I thank my hon. colleague for going over this legislation, which the opposition still believes is too overarching. As I said earlier, we tried to present very reasonable amendments. We tried to codify and to make the bill more reasonable so we could support it. We believe and are seriously committed to ensuring that serious criminals are deported and kept out of Canada. However, that also requires some investment from the government to border security and all those things.

This new law relieves the minister of the obligation to consider humanitarian and compassionate consideration. Is this the kind of Canada we want and why would the government and the minister want to be relieved of considering the best interests of children in possible deportation cases?

Hon. Jason Kenney: Mr. Speaker, I would not. In fact, children are a consistent principle for consideration by the Canada Border Services Agency in handling removals.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the minister started his comments by using the example that I made reference to in terms of a youth who would come to Immigration Canada maybe at an early age of four to six or whatever age one wanted to put on it, but spent 12 years in Canada. After graduating high school, he would take a trip to the United States with his buddies after graduation and use some false identification to be served alcohol. The minister seemed to be of the same opinion that I was, that this kind of thing happened and it did not justify being denied the opportunity to appeal.

Government Orders

Is the minister prepared at this point to make a very clear statement on this issue? In that situation, which was raised on numerous occasions at the Standing Committee on Citizenship and Immigration, it will not exist in the sense that there will be no form of any limiting of the rights of that type of a scenario. Could he provide that assurance to the House today? He seemed to imply it relatively strongly in his remarks. Will he take the next step and say that the individuals who made that point in their presentations were wrong in that his legislation would not do that?

Hon. Jason Kenney: Mr. Speaker, if the offence of purchasing alcohol is illegal in the United States, it is not a criminal offence in Canada. I have no idea what the member is talking about. This is completely bizarre.

The bill would allow us to deny access to the Immigration Appeal Division for foreign nationals who received a penal sentence in Canada for a serious crime defined under IRPA as a penal sentence of six months or more. I simply do not understand how a misdemeanour in the United States becomes a serious criminal offence in Canada.

[*Translation*]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, I would like the minister to know that it is primarily young Americans who come to Quebec to drink because it is easier for them.

This seems like a great bill and it seems like it will work. I would like to point out one situation and have the minister respond because I know that he loves to name names and cite specific cases.

There is a titled British citizen who got out of prison and, with no difficulty whatsoever, became a Canadian citizen. I am not talking about a young Vietnamese murderer or a person whose appearance we do not approve of. This is a well-dressed billionaire, a respectable man who was knighted by the Queen herself. He had just gotten out of prison when he arrived here.

Will this legislation be applied retroactively to this man?

• (1115)

Hon. Jason Kenney: Mr. Speaker, quite frankly, I do not understand the question.

Foreign nationals are ineligible to enter Canada if they have received a serious criminal sentence that would correspond to a sentence of two years or more in Canada.

That said, apart from people convicted of war crimes or human rights violations, anyone can apply for a temporary resident permit to challenge their ineligibility. That is a standard process that is not affected by this bill.

[*English*]

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Thank you, Mr. Speaker, for the opportunity to speak to Bill C-43.

I had a chance this morning to listen to the members in opposition speak to the bill, which also reminded me of the time we spent at committee.

It may not be the most exciting part of our parliamentary responsibilities for the public to watch, but to suggest in any way, shape or form that the bill did not receive a thorough going-over at committee, after serious and significant debate, presentation of amendments, response to those amendments and the clause-by-clause review of each and every piece of the bill, would be incorrect.

To state that opposition members did not have the opportunity to call their fair percentage of representatives and witnesses, that they did not have the opportunity to present their amendments to the bill and that they did not have the opportunity to speak to their amendments to the bill would be, and is, completely incorrect.

I would note the hon. member from the Liberal Party for Winnipeg North did present a number of amendments, one of which we spent a lot of time speaking about and gave due consideration, and we did see an amendment to the bill. It had to do with clause 13, if I could describe it very briefly. The opposition was looking for representation in some report or in some thorough review in the House of Commons of each and every individual who, by the Minister of Immigration, would have been denied entry into the country for specific reasons that obviously relate to Bill C-43.

We took that advice and took back the amendment. We made a significant change to the piece of legislation in clause 13 of Bill C-43 to do exactly what the opposition was concerned about, which was to ensure that the report that is submitted to the House of Commons by the Minister of Immigration, the review that takes place on an annual basis on all of the work that has taken place at the ministry for a given year, be reported and tabled in the House of Commons.

Each and every one of those individuals who will have received a decision based on the minister's interpretation and understanding of the bill, will be printed in that document and will obviously be presented here on the floor of the House of Commons. Members of the opposition asked for transparency, demanded transparency and came to committee expecting transparency. To suggest that we did not listen, respond or make a strong indication and change to the bill in order to represent that position is simply false.

The minister did a good job of defining the three areas upon which the bill is focused: first, to make it easier for the government to remove dangerous foreign criminals from our country; second, to make it harder for those who may pose a risk to Canada to enter the country in the first place; and third, in a very positive way, to remove barriers for genuine visitors who want to come to Canada.

I did not hear anything from the opposition on the third part of that piece in which we now, under the bill, have ensured that those who wish to come to Canada, and barriers have been placed in front of them, will have the opportunity to get here in a much quicker fashion, or to get here at all in some cases.

When I listen to the opposition members talk about the need for an appeal process, no one on this side of the House would ever suggest that an individual should not have a mechanism to appeal. That is just, fair and how our Canadian society approaches issues such as immigration.

At the same time, I listened to what Jacques Shore from Gowlings said. He said:

Government Orders

—I support clause 24, which removes the appeal rights for persons convicted of crimes and sentenced to imprisonment for six months or more. This will speed up deportation of those convicted of serious offences. Criminals should not slow down the Canadian justice system by relying on years of appeals and giving them the opportunity to reoffend....

Bill C-43, if passed, could prevent people who have demonstrated track records of blatant lack of respect for our society's cherished values from coming to Canada....

—Bill C-43 is a step in the right direction. It will prevent criminals from taking advantage of our overly generous appeals process.

● (1120)

I did a little review and had a look at what Mr. Shore brought forward to committee. In fact, in 2007, there were 830 appeals. In 2008, there were 954; in 2009, 1,086; in 2010, 849; and in 2011, 564 appeals. On average, since 2007, there have been over 850 appeals annually to the IAD by serious criminals trying to delay their deportation.

As of May 2012, there were 2,747 appeals pending to the IAD on the basis of criminality. That means one of every four appeals to the IAD comes from those who have been convicted of a serious crime and have now used the appeal process, not for reason of defence but for reason of offence. The offence is that they have committed a serious crime and they are using every trick in the book in an attempt to stay here in Canada because they do not want to face the responsibility of a conviction for their crime.

If that is acceptable to the opposition, I understand why they stand here today and oppose the bill. If that is part of the reason they do, that is their right. However, on this side of the House, when we speak about serious crime and those who have taken advantage of the opportunity to come here as permanent residents, this government will stand on behalf of the millions and millions who have come to this country, earned permanent residency, earned Canadian citizenship and have done so in a way that is respectful, shows dignity and allows all of us in Canada to take pride in the immigration system that we should have in this country.

We have also said the legislation will ensure the deportation of foreign criminals will actually take place properly instead of in unjust delay.

The member from Winnipeg brought up questions about what defines serious criminality, at committee and here in the House, and the minister has responded on three separate occasions. The Canadian Police Association has said that while the overwhelming majority of those who come to Canada make a tremendous contribution to our shared communities, there does remain a small minority who flout Canadian law and take advantage of drawn-out proceedings to remain in the country at a risk to public safety.

We heard at committee, from witnesses and from the opposition, that the definition of a serious crime is one that results in a sentence of six months or more. The member from Winnipeg has, on a number of occasions, used an example that the Minister of Immigration has pushed aside as being an improper and, in fact, wrong example.

For the sake of the record, what we spoke about at committee and also what we are speaking about here in the House of Commons as the bill moves forward is moving from serious criminality of two years to serious criminality of six months, in terms of conviction and sentence.

Let me state for the record some examples of offences from actual cases where terms of imprisonment of six months or greater were imposed: assault with a weapon, which resulted in 13 months in jail in one case and two years less a day in jail in another; possession of a schedule 1 substance for the purpose of trafficking; sexual assault; breaking and entering; possession of tools of breaking and entering and theft; robbery; multiple counts of forgery; possession of counterfeit mark; possession of instruments to be used to commit forgery; causing death via criminal negligence; manslaughter; and finally, murder.

When we talk about serious crimes, those are the examples that we are referring to. To take up examples that do not even border on the edge of serious criminality is really inexcusable. What that does is it gives the impression that there is something that is not right with the bill, when in fact when you look at the content, each and every clause of the bill, it speaks very significantly and very specifically to what a serious crime is and how an individual, from permanent residency, is forced to at least live through the responsibility of the act they committed.

● (1125)

I will conclude by stating that we went through the bill from one end to the other. We listened when we needed to make a change that makes sense from a legislative perspective. It should have happened years ago, but we now have a bill to ensure that foreign criminals will be removed on an expeditious basis and those who are responsible for those serious crimes will have to serve the sentence.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I want the parliamentary secretary to speak directly to one clause of the bill which as I mentioned in my speech I find to be the most egregious. It is not tied, as I can see it, in any way, shape, or form to criminality or criminal behaviour. Clause 8, which creates new section 22.1, states:

The Minister may, on the Minister's own initiative, declare that a foreign national, other than a foreign national referred to in section 19, may not become a temporary resident if the Minister is of the opinion that it is justified by public policy considerations.

I have looked through the bill and there is no definition or criteria with respect to "public policy considerations". Why does this clause stand alone in blocking temporary residents without any connection whatsoever to the various issues that the parliamentary secretary has told us are the driving force of the bill, in other words, criminality? No criminality is mentioned in clause 8 as an exclusion for people coming to Canada.

Mr. Rick Dykstra: Mr. Speaker, the committee spent a great deal of time dealing with proposed section 22.1.

It should be clear that the provision would create a new authority that would allow the Minister of Citizenship and Immigration to declare that a foreign national may not become a temporary resident where the minister is of the opinion that such a decision is justified on the basis of public policy considerations.

Government Orders

As the member knows, and she has been here long enough to understand, there is the legislative side of how we deal with a particular implementation strategy of a law and there is the regulatory side of a piece of legislation, which supports the clause and which comes into direct implementation when the bill receives royal assent and implementation begins.

I should let the member know and she should understand that while we dealt in great detail with how we would formulate this, the ministry officials, the assistant deputy minister and in fact the deputy minister, indicated that regulations regarding how this piece of legislation would be implemented and carried out would be defined within the regulatory framework that would support this piece of legislation.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I wonder if the parliamentary secretary would provide comment on an issue that was raised quite a bit during the committee hearings. There is a great deal of concern for those individuals who come to Canada at a very early age, at one, two, three years of age. They arrive here as infants and they become a part of our system. They take part in our nursery programs and attend our educational facilities. They might not have been born in Canada, but for all intents and purposes they know no other land but Canada. There is absolutely no exemption whatsoever for these individuals to be given any form of discretionary or compassionate review in regard to what this legislation is going to be implementing.

France and other countries have recognized there is a difference when a two-year-old comes to a country as an immigrant. Why does the government not recognize that there is a difference between a two-year-old and a 35-year-old arriving as immigrants?

• (1130)

Mr. Rick Dykstra: Mr. Speaker, I can say with confidence that if that is what is left as the opposition's offence to this piece of legislation, we stand on pretty good ground on this side of the House.

The member knows we dealt with the issue at committee. We talked about what mechanisms an individual like that would have in terms of the basis of an appeal.

Let us think of the millions of those who have come to our country, as my parents did as very young individuals. They grew up here, were trained here and received an education here and then became citizens of this country.

There is a point at which one has to say enough with the extreme examples and let us get down to what the legislation actually does, how it works for Canadians and how it tells those who want to come to this country that they need to do so on the basis of not committing a crime.

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, I thank the House for the opportunity to speak to this important bill on behalf of my constituents of Surrey North.

It is safe to say that dealing with those non-citizens who commit serious crimes in Canada is essential and something in which we as New Democrats strongly believe. Unfortunately, the bill leaves much to be desired. Bill C-43 misses the mark and fails to address any of the holes with regard to training, allocation of resources and

monitoring within the public service agencies that deal with non-citizens. Moreover, the bill would not protect public safety as the Conservatives would like everyone to believe.

Not only is the bill flawed in its content, but it also paints newcomers in a negative light. The bill redefines serious criminality for the purpose of access to an appeal of termination of admissibility. The bill would place increased discretionary powers in the hands of the Minister of Citizenship and Immigration by bluntly removing all necessary checks and balances that are in place.

Newcomers arrive on Canada's shores with the same goal as those who have been living here for generations. They want to build a better life for themselves and their families. The majority of newcomers never break the law, yet the Conservatives would paint with the same brush the few criminals and the many non-violent, non-criminal newcomers who arrive in Canada each year.

Let me be clear. We strongly support the quick removal of violent and dangerous non-citizen criminals.

Unfortunately, Bill C-43 would not succeed in its aims, but rather would give sweeping discretionary powers to the Minister of Citizenship and Immigration while completely ignoring much needed training and resources.

A number of people who spoke at committee pointed out that law enforcement agencies and immigration services are severely lacking resources. Our public service employees are lacking the resources to deal with people who do not comply with the current citizenship and immigration regulations and laws. The Conservatives know it is unfair to ask these already overburdened agencies to do more with fewer resources.

The Conservatives also know it is inappropriate to relieve the immigration minister of the responsibility to examine humanitarian circumstances.

The fact of the matter is that the Conservatives do not care. What they do care about is ramming through their radical Conservative agenda while hiding from oversight and avoiding accountability. The government has avoided accountability before. We saw it with the F-35s. The Conservatives are not taking responsibility for that fiasco. We also saw it with the Minister of Agriculture with regard to the meat poisoning that happened in Alberta. The government has failed to take responsibility and has failed to account for those serious flaws.

Clearly, the Conservative government's objective is to introduce measures that would contribute to a less transparent and more arbitrary approach to immigration.

As a responsible opposition, we have attempted to restore some vital checks and balances to this bill. We New Democrats have asked the government to work with us. We asked Conservative members at committee stage. In that effort we introduced a number of amendments to work across party lines to make the system better, to deal with violent offenders. However, the Conservatives would not entertain any of the amendments that were offered to them. This has happened not only with respect to this bill but with other bills that have been introduced. The Conservatives continually fail to look at some amendments.

Government Orders

● (1135)

Surely, of the thousands of amendments we have introduced at committee stage and report stage some of them would make sense. The government has failed to take a reasonable approach to our immigration system and other measures that have been put forward in this House. The amendments that were introduced were all rejected in favour of an irresponsible approach with no checks and balances and no accountability.

This is a bill that does not help our communities, nor does it respect our judicial process. Instead, it removes any discretion for a judge to consider the nature of the crime and the context in which it was committed. This includes any potential mental illness of refugees from war-torn countries. One can imagine coming from a war-torn country. Clearly, this bill does not address that.

Safe communities have long been a priority in my constituency of Surrey North and across the country. The objectives in the preamble of this bill make sense. Members can all agree that non-citizens who commit serious crimes should be dealt with quickly. For those reasons the NDP supported the bill at second reading in the hope that the Conservative government would be reasonable and would look at some of the amendments we had to offer to look at ways to improve the system. Yet again, like all the other bills that have come through the House, it has failed to entertain any one of those amendments. Once again we see the Conservatives pushing through their agenda at the expense of new and existing Canadians. This has been pointed out. The so-called foreign criminals, while there are 1.5 million permanent residents, is how these individuals are classified.

It is difficult to understand why the government is paying lip-service to the problem of non-citizen criminals and not addressing the important issue of shortage of resources. It is continuing to make cuts to the Canada Border Services Agency, Correctional Service Canada and the RCMP. Basically, while the minister is given more power, those on the front lines are once again being asked to do more with less. Members saw the report from the PBO's office yesterday where more services, front line workers and officers are being cut than at the back end. Clearly, the priorities of the government are not aligned with what needs to be done.

When I talk about priorities, there are constituents of mine who have come into my office wanting to be reunited with their parents and loved ones. They are having to wait six to eight years. Members have seen the long lineups and wait lists in a number of categories. The government has failed to address the wait lists for reuniting families.

I am an immigrant. I came to this country 33 years ago. It was through family reunification that I was able to come to this wonderful country. Now the same system is in place but the wait time is eight years to reunite with loved ones. That is not acceptable.

We believe we can prevent non-citizens who commit serious crimes from abusing our appeals process. We also believe this can be achieved without undermining their rights. Once again, the Conservatives plan to do exactly what they want to do with no regard for the people of this country or the democratic processes by which it should be governed. There is the rule of law.

Members all know what Conservatives do when they do not like rules. They break them or they undermine Parliament to change them. This is exactly what is happening with Bill C-43. We have seen this with Bill C-38 and Bill C-45, and the omnibus crime bill. If they do not like the rules, they will change them in such a way to drive the Conservative agenda.

In summary, we agree that non-citizens who commit serious crimes in Canada should be dealt with quickly. However, we cannot ignore the fact that this bill would concentrate more arbitrary power in the hands of a minister without the appropriate checks and balances.

● (1140)

My sincere hope is that the Conservatives will take a step back and think about the consequences of painting law-abiding newcomers who arrive in Canada each year with the same tainted brush.

We know that the method by which we go about removing foreign criminals from Canadian soil is flawed. We know it needs to be fixed. Bill C-43 fails to do this and hurts both Canadians and newcomers.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I must admit a certain degree of skepticism about the member's concluding assertion that the NDP knows that the current process for removal of foreign criminals is flawed and must be changed. My skepticism is based on the fact the NDP has not made any proposals, ever, to streamline the process for the removal of convicted foreign criminals.

Second, the member says that the bill somehow undermines the rights of foreign nationals facing removal. Perhaps he could clarify. Does he not understand that the denial of an IAD appeal for someone facing removal for conviction of a serious offence follows all of the normal procedures of a criminal proceeding, where the foreign national is presumed to be innocent, goes before a Canadian court of law and is convicted and sentenced to a serious penal sentence, and of course has appeal rights from that? What more rights does the member think that person should have? Does he think there is a right for foreign criminals to stay in Canada?

Finally, he comments on ministerial authority to exercise negative discretion against people who promote terrorism or hatred, and yet he and most members of the opposition are constantly asking me, as the minister, to exercise uncontrolled positive discretion under the Immigration Act to admit foreign nationals either under temporary resident permits or for permanent resident reasons. Why is he in favour of ministerial discretion for positive discretion, but not negative discretion?

Government Orders

Mr. Jasbir Sandhu: Mr. Speaker, clearly the NDP introduced a number of amendments at committee stage, hoping we could have a balanced approach. There is no doubt on this side of the House how we should deal with people who commit serious crimes, and we would like to work with the Conservatives to that end, to look at serious criminals and deal with them appropriately.

What we do not agree with is this concentration of arbitrary power with the minister to deal with these issues. We were hoping that the Conservatives would have a balanced approach, that they would look at some of the reasonable amendments we offered to make the bill better and make our system a lot better. It certainly is not working right now; some of what is in place is not working. We introduced amendments, but Conservatives clearly did not want to go in a different way from their own agenda.

• (1145)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, one of the aspects of the bill that is rarely talked about is that the government would now increase from two years to five years a person's ability to apply to immigrate to Canada where there has been an issue regarding misrepresentation. The government has failed to recognize that there is unintentional misrepresentation. There is bad immigration advice, and as a result it is a fairly profound consequence to increase the time from two years to five years before that individual would be able to apply.

At committee we heard examples of cases where there was a great deal of sympathy, that five years would not be proper to give. I wonder if the member could provide comment on that aspect of the legislation.

Mr. Jasbir Sandhu: Mr. Speaker, clearly this is one of the examples that misses the whole point of how we administer our immigration system. There are a number of other points in the bill that do not address or take into consideration some common sense, yet it gives more power to the Minister of Citizenship, Immigration and Multiculturalism to deal with these issues. Clearly it is not balanced. The bill is basically flawed. It needs a lot of review. We offered that review and pragmatic, practical solutions to address some of those issues that the member for Winnipeg North raised. But again, the Conservatives are bent on pursuing their agenda in a tunnel. That is not addressing the general immigration system in this country.

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, I appreciate the opportunity to contribute to this debate today on Bill C-43, the faster removal of foreign criminals act.

I do want to acknowledge, at the outset, the work done by all members of the parliamentary committee on citizenship and immigration in reviewing this bill in detail, clause by clause.

I also want to acknowledge the tremendous work of two individuals, the Minister of Citizenship, Immigration and Multiculturalism and the parliamentary secretary, for leading, in my view, what was perhaps the broadest reform of the immigration system in Canada in a positive way and also for their very active participation in this debate, both showing their respect for Parliament. I genuinely appreciate that, and I think all members of the House do as well.

Bill C-43, if implemented, would not only be an important contribution to safeguarding the integrity and security of our

immigration system, but it would also enhance the safety and security of all Canadians.

The measures in the bill would close the loopholes that currently allow individuals found inadmissible to Canada to remain in this country long after they have worn out their welcome. These tough but fair measures would ensure that serious foreign criminals would not be allowed to endlessly abuse Canadians' generosity.

There are, unfortunately, countless examples of convicted criminals who have used the endless appeals currently available to delay their deportation for years. I will refresh the memory of this House with respect to one example: the case of Joselito Rabaya Arganda, who came to Canada from the Philippines in 1995.

Arganda was sentenced to two years in prison, in 2007, for a wide variety of crimes, among them forgery, credit card fraud, possession of counterfeit money and possession of goods obtained by crime. These are very serious crimes. In fact, in this example with respect to identity theft and financial crime, this Parliament has taken some action to deal with these crimes because they are as serious as any other type of crimes. These are, in fact, not victimless crimes. People suffered and paid dearly because of Mr. Arganda's crimes.

I would also like to make note that Mr. Arganda's trip to prison was not, unfortunately, a story of rehabilitation and redemption. In fact, it was quite the opposite. When he got out of prison, he returned to his life of crime. He was sentenced again in 2009 for possession of property obtained by crime and for failing to comply with court orders. The following year, he was sentenced for possession of a weapon.

Perhaps the critics of this legislation and those who oppose this legislation need to pause for a moment and ask themselves what that weapon was intended to be used for or for whom it was intended.

Arganda is not just a dangerous foreign criminal but a repeat dangerous foreign criminal, someone whom I suspect anyone of any political stripe on either side of this House would like to see deported immediately and accordingly.

On May 10, 2010, the Immigration and Refugee Board issued a removal order. Under the existing rules, Arganda had no right to appeal because individuals sentenced to two years or more are not eligible to appeal their deportation.

However, this individual managed to find a unique way to get around this. He got the Manitoba Court of Appeal to grant him permission to appeal the previous two-year criminal sentence he received—a sentence he had already served.

To relay what happened next, let me quote from *Winnipeg Sun* columnist Tom Brodbeck:

Government Orders

If he could get it reduced to two-years-less-a-day retroactively, he would have the right to appeal his deportation. But what court would do that?...That's exactly what... the Manitoba Court of Appeal did.... They reduced the guy's sentence by one day so he could appeal his deportation, even though he had already finished serving his sentence. Madness.

It is time to close these loopholes, stand up for Canadian families and Canadian communities and not stand with dangerous foreign criminals.

I sincerely do not believe that anyone can listen to the details of this case, and others, and not conclude that it is an assault on our immigration system.

Worse yet, it sends a message to the Canadian families we all stand here and represent: that there are two tiers of justice and that dangerous foreign criminals have the lenient end of it.

Perhaps the opposition should carefully consider this legislation. I know it has done so at committee, but it should consider it again and support this bill at report stage and again at third reading.

Under Bill C-43, convicted serious foreign criminals, like the individual mentioned, who were given a sentence of more than six months, as well as those who have committed serious crimes outside Canada, would no longer be able to appeal their deportation before the Immigration Appeal Division of the Immigration and Refugee Board. This change would help expedite the removal of serious foreign criminals from Canada.

Canadians rightly expect a fair immigration system that is not open to abuse. Bill C-43 contains other measures that would help do exactly that.

●(1150)

For example, foreign nationals who are inadmissible on particularly serious grounds—war crimes, for example—would be barred from accessing a program that is meant for exceptional cases deserving humanitarian and compassionate consideration. This would ensure that Canada is not a safe haven for these dangerous criminals. In fact, in many ways the measures we are debating here today are no-brainers that are long overdue and would close long-standing loopholes in the immigration system. Canadians should never have to be endangered by a dangerous foreign criminal who has exploited our system.

Newspaper columnist Lorne Gunter captured this perfectly when he wrote, several months ago, that Bill C-43 "...is so sensible it will probably surprise most Canadians that the new policy is not already the law of the land". In that spirit, I urge all colleagues to support these sensible measures and ensure that Bill C-43 passes into law.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, getting policy right in Parliament is not always easy and when we pick an arbitrary number to determine whether individuals are serious criminals is always a question of subjectivity.

In Canadian law, the general historical rule for determining whether something is a serious offence is a sentence of two years or more. If it is a sentence of two years or more, they do federal time; if it is two years or less, they do provincial time. We recognize that there are different levels of services offered, based on which side the sentence is on.

I am curious about the use of the term "serious foreign criminals" for people who get a sentence of six or seven months. Nobody in this House would ever say that a criminal sentence is not serious. Anytime a person is going to prison, obviously that is something that is worthy of sanction. However, in terms of taking permanent residents and deporting them from a country they may have lived in for 20 or 30 years, based on getting a sentence of seven or eight months, is something that is worthy of debate.

Does my hon. colleague have any comment on whether he thinks that moving serious criminality from two years to six months, or keeping six months, is an appropriate demarcation that would result in such consequences like deportation from the country in which someone may have grown up?

●(1155)

Mr. James Rajotte: Mr. Speaker, it is obviously a legitimate debate. In my view, the six-month penal sentence is an appropriate time period.

Going back to what the minister said earlier in debate, these are people who are actually convicted of a serious crime. These are people who go through the Canadian legal system, have the presumption of innocence and proceed through the legal system, as other Canadians would, and are convicted at the end of that. The six-month demarcation, in my view, is an appropriate time limit to establish. Beyond that is a serious penal offence that would require the measures that are proposed in this piece of legislation.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, earlier today I posed a question to the minister, and now I have the quote and I wonder if the member might provide a comment. It is in regard to an earlier question. The minister is here and maybe he could also have one of the other members provide comment on it at a later time.

In the committee it was stated:

Using a false or fraudulent document is an offence under section 368 of the Criminal Code carrying a maximum potential penalty of 10 years. A 20-year-old permanent resident who is convicted of using fake identification to get into a bar while visiting in the United States is inadmissible under IRPA for a foreign conviction. It doesn't matter that the U.S. court punished him only with a \$200 fine. IRPA section 36(1)(b) does not require any particular sentence, only a foreign conviction.

This would then apply to the story that I made reference to for the Minister of Citizenship, Immigration and Multiculturalism. Is this particular member prepared to say that this particular statement is wrong?

Mr. James Rajotte: Mr. Speaker, I know the minister and others will want to address the member opposite's question in substance as well.

Government Orders

With respect to this issue, however, I refer back to the point that someone has to be convicted of an offence in Canada and that conviction has to exceed the six-month demarcation. That is the standard that would be used in this legislation, only to the extent that it would affect the appeal process beyond that. So they have gone through the legal system in Canada and I believe that six-month demarcation period would be sufficient for the measures that are in this legislation, which then would restrict the appeal process beyond that.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I hope I can prevail on my hon. colleague to help me get to the bottom of an earlier answer that I got from the parliamentary secretary.

I think in error the parliamentary secretary misread clause 8 and thought it was a regulatory empowerment clause, which it is not. I trained as a lawyer and know how to do legislative drafting. Clause 8 revises section 22 of the act to give the minister discretion. It is not an empowerment section; it has nothing to do with regulation making.

I wonder if the hon. member for Edmonton—Leduc would agree with me that section 22 stands on its own. It is not about setting out regulations for the rest of the bill. It is a stand-alone section that gives the minister the discretion to refuse temporary residence if the minister is of the opinion that it is justified by public policy considerations.

Mr. James Rajotte: Mr. Speaker, with respect to discretion, the minister pointed out in response to an earlier question by a member that the minister currently has positive discretion and, therefore, the question is why the minister should not exercise negative discretion.

Also, there are public policy criteria, which I know the member opposite will know well, that the minister would use, if this legislation passes, in applying that negative discretion. I reviewed the criteria with the minister directly and I think those criteria are sufficient for guiding this minister or any future minister with respect to the use of that negative discretion.

[*Translation*]

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, I am pleased to rise to speak to Bill C-43. Since I am a member of the Standing Committee on Citizenship and Immigration, I was there to hear for myself what the witnesses and experts had to say about the problems inherent in this bill.

Some of the measures in this bill are at odds with Canada's international obligations. These measures favour what could be described as the exile of criminals who have permanent resident status, rather than opting for a responsible position towards criminals for the safety of all citizens. Furthermore, certain measures in this bill attack the very foundation of our justice system, which includes a fair trial and the right to appeal. Other measures cast such a wide net that this bill will undoubtedly cover situations that will penalize innocent people, just so the Conservative government can create the illusion of security.

The Conservatives' rhetoric and the measures they are proposing do not promote the principles of justice, prevention and rehabilitation—all important Canadian values that truly guarantee stable and lasting security.

This bill was unfortunately not designed to improve the immigration system, but instead was designed as a smokescreen. All of the Conservatives' material outlining why this bill is needed, including the information on the department's website, is based on five exceptions. The five reasons on the Citizenship and Immigration website for taking away the right to appeal in the removal of foreign criminals are all individual cases. These reasons are not based on sound research and statistics.

Public policy should not be based on a few examples. In the House we pass legislation that is supposed to benefit all Canadians, as well as all people living in Canada.

In addition, in the cases raised by the Conservatives, the act was not the problem: no legislative amendments were needed. The problem was in how the act was enforced and in particular the lack of resources. The real problem is that the government insists on amending legislation without ensuring that peace officers and public servants have the tools to enforce it.

The Conservatives claim that they want to change things with this bill. They should be in contact with the different departments to ensure that the changes will be effective in practice, and they should provide the departments with the proper resources. The Conservatives are trying to ignore all that with this amendment to the act, which is nothing more than smoke and mirrors.

The Conservatives' cuts and underfunding of public safety are affecting our country's security. I will give two examples of recent cuts. By 2015, huge cuts will have been made to public safety, to the tune of \$687.9 million. The Canada Border Services Agency, the Correctional Service of Canada and the RCMP will bear the brunt of those cuts.

Furthermore, there is no money to meet the needs of front-line police officers. The federal government is refusing to renew funding for the Police Officers Recruitment Fund, which was created in 2008. The government supported the fund with \$400 million over five years so that the provinces could recruit more front-line police officers. This is having a direct impact on our country's security.

Here is an example of the strange and unfortunate decisions that the minister is making: one of the changes proposed in this bill gives the minister the discretionary power to deny access to foreign nationals for public policy considerations.

● (1200)

This seems a bit political to me and, unfortunately, it is no way to govern for everyone. Even without these exceptional powers, the minister is abusing his authority for partisan reasons. In 2009, for example, even without the powers that the minister is seeking in the bill, the minister denied a British MP for inappropriate reasons.

The Federal Court recognized that the minister made this decision for political reasons. Is it reasonable for him to now ask us to grant him even more power to make such decisions?

Government Orders

The committee proposed nine reasonable amendments. One of them was to include guidelines for ministerial decisions in the bill. It is not surprising that the Conservatives voted against this amendment to include guidelines in the bill. What is really surprising is that the witness who suggested these guidelines to the committee was the minister himself. That is a complete turnaround. It means that this change could potentially occur without Parliament having the right to consider public interest guidelines. One has to wonder about such a situation.

In committee, the minister recognized that the powers granted to him by this bill were excessive unless meaningful criteria were put in place to keep those powers in check. That is why he presented these criteria. Of course, they were reasonable. However, it is not every day that changes are made to determining criteria, such as the risk that a group represents. This is a point that Parliament could have examined but that the minister did not want to include in the bill.

I would like to remind members of a great quote by Benjamin Parker: “With great power comes great responsibility.” The Conservatives do not seem to understand this conventional wisdom, whether we are talking about orange juice, helicopter rides, the use of ministerial websites to announce partisan business or even the introduction of good public policies, which rarely happens these days. The Conservatives are not governing in a way that includes everyone.

• (1205)

When even a Conservative minister's suggestion is rejected solely because it was proposed by the NDP, we see that we are truly dealing with a government that is wilfully blind. It is very strange. The Conservatives are not serious politicians who are truly seeking to improve the bill. As parliamentarians, it is very disappointing for us to be unable to work with them.

The amendments we proposed were well thought out, considered and pertinent. They were based on the evidence given by experts who appeared before the committee. We tried to amend the bill to ensure that it could be implemented effectively, in keeping with the goal of enhancing security and with Canadian law and our values of justice. That seems to have been forgotten in this bill.

In response to an unacceptable amendment of the law, we proposed, for example, an amendment so that people of good faith who make a minor mistake in their application are not treated like dangerous criminals or barred from entering Canada for five years just because of a simple typo in their name or because they failed to list a job they held for a month at the age of 18. Those are the kinds of mistakes that can be made and that will prevent the person from entering Canada for five years. The Conservatives also rejected this amendment without any justification.

The bill reinforces punitive measures without really improving the immigration system or the safety of Canadians, and at the same time attacks our rights and Canadian values. It is truly important to remember that the NDP would like to work with the other parties to ensure the safety of Canadians by taking swift and effective action when non-citizens commit serious crimes. Unfortunately, our offer to collaborate was refused, and I am very disappointed. Consequently, I will not be supporting the bill.

• (1210)

[English]

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, I would like to welcome you and everyone else back. This is my first time speaking in this venerable place this year of 2013.

I have a question for her. We often hear, where I am from in Davenport and in Toronto, parents concerned about some of the measures contained in the bill, because of the fact that sometimes young people make the wrong choices and get into a little trouble. Some of these immigrant parents are concerned that because of measures contained in the bill that their youth are at risk of falling within the confines and ultimately being sent back to their home country. This will create further problems for families. It does not seem like the right way to go about this kind of approach.

Could my colleague speak to the issue of young people and the concerns that have been raised?

Ms. Mylène Freeman: Mr. Speaker, my colleague from Davenport reminded me that this is the first time I have stood in the House this year. Happy new year to everybody. I am very glad to be back.

We heard in committee that there were many people who came to Canada as small children a couple months old or a year old. The only country they know is Canada. They are, for all intents and purposes, Canadians, but have not necessarily become citizens yet.

That is very scary for a person who has grown up in Canada and who may fall into the wrong crowd or make a few mistakes, which is completely normal. If these people have been raised by Canadian society, it is our responsibility to understand that they are not non-Canadians or individuals who are foreigners who we can just deport because they do not have their citizenship yet.

We have to take responsibility for the fact that these people, for all intents and purposes, are Canadian.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, here we go. The NDP has been claiming all along that it knows the current system for removal of foreign criminals is too slow and should be streamlined, but it never supports any specific measure to do so.

Now we have an NDP member saying that foreign nationals who have grown up in Canada should not be subject to deportation if they commit a serious crime. Not only does the NDP oppose our measures to streamline the deportation of convicted serious foreign criminals, it is actually in favour of making it even more difficult or in fact barring the removal from Canada of convicted serious foreign criminals.

The member for Vancouver Kingsway had suggested that under law a serious crime was defined as one that lead to a penal sentence of two years or more. I would point that member and the member for Argenteuil—Papineau—Mirabel to section 64(2) of the Immigration and Refugee Protection Act that says, “For the purpose of subsection (1), serious criminality must be with respect to a crime that was punished in Canada by a term of imprisonment of at least six months”.

Government Orders

I just want to clarify. Is the member suggesting that foreign nationals who have been convicted of a serious criminal offence, as defined by the immigration act, should not be deported from Canada?

Ms. Mylène Freeman: Mr. Speaker, we all agree that non-citizens who commit serious crimes in Canada should be dealt with quickly and efficiently.

However, we are very concerned that the bill is far too stretching. Did the minister just say “six months”? Did he just admit to that? I do not really consider that serious criminality. For instance, for people who have grown up in Canada and commit crimes that puts them in prison for six months, we need to accept that this is far overreaching and the government has gone too far with its bill this time.

Frankly, we made very reasonable amendments at committee that would have curbed the excessive power and the overreach and would have ensured that we followed judicial process in the country and they were rejected. Had these very reasonable amendments been accepted, we would have been able to support the bill through the House to ensure that Canadians were safer.

Unfortunately, the Conservatives refused to work with the opposition. Therefore, we cannot support the bill.

• (1215)

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, I rise in support of Bill C-43, the faster removal of foreign criminals act. I do not support the opposition's amendments and do not support the NDP and the Liberals attempt to try to prevent this important legislation from becoming law. I would like to thank the minister for his courage and conviction in ensuring that our immigration policy never puts Canadians at risk.

However, members do not have to take it from me why the bill is necessary. Countless organizations and experts support Bill C-43 and I know Canadians will as well.

I would like to take this opportunity to inform all members of the House of the important testimony we heard from Mr. Tom Stamatakis, president of the Canadian Police Association, in hopes that the NDP and Liberals will listen to the experts, to our law enforcement officials, and stop playing games with the safety and security of Canadians and support the faster removal of foreign criminals act.

Mr. Stamatakis summed up the Canadian Police Association support for Bill C-43 when he stated:

Let me be absolutely clear. Canada as a nation is a stronger country because of immigrants who come here to enrich our communities through a shared culture. Police services across Canada, from Vancouver where I serve as a police constable to Halifax and all points in between, count among our members a number of first and second generation immigrants who serve their adopted country with honour and pride every day, and I'm one of them.

Unfortunately, there are those that come to Canada and choose not to respect and follow our laws. In fact, I was surprised to note, in preparing for my appearance today, that since 2007, according to the Department of Citizenship and Immigration, there have been an average of 900 appeals of deportation orders filed per year by serious criminals, over 4,000 in total. Surely, we can agree that our communities would be safer, and our police would be helped by streamlining this process in removing these security concerns as quickly as possible.

Under the current regime, criminals who are currently serving a sentence of less than two years are eligible to file an appeal to the immigration appeal division. The

CPA entirely supports the measures contained within this bill to reduce that time to sentences of less than six months. We also support the new measures that would make it more difficult for criminals, who have been sentenced outside of Canada to access the immigration appeal division.

These are not my words, but the words of the president of the Canadian Police Association. We are talking about police officers who are in the streets every day, who put their lives on the line to protect and support us, who have real life experience and they support Bill C-43.

Mr. Stamatakis then proceeded to tell us a story, which cannot be repeated enough, of the tragic death of Todd Baylis. Mr. Stamatakis told the story in a way that bears repeating. He said:

On the night of June 16, 1994, Toronto Police Service Constables Todd Baylis and Mike Leone were on foot patrol in a public housing complex on Trethewey Drive in west Toronto when they encountered Jamaican-born Clinton Gayle. Gayle was a 26-year-old veteran drug trafficker who had with him a fully loaded nine millimetre handgun and pockets filled with bags of crack cocaine. Clinton Gayle struck Constable Baylis and attempted to flee the scene. He was caught by the two young Toronto officers and a gun fight erupted. Tragically, Constable Baylis was shot in the head and killed in the line of duty, after only four years' service, leaving behind family, friends, and colleagues who continue to honour his sacrifice.

Unfortunately, this is one of the very real dangers that face our police personnel every day. What makes this case so particularly tragic and why I am here before you today is that this case was entirely preventable, if only the provisions within Bill C-43 were in effect then.

Clinton Gayle had been under a deportation order because of a number of criminal convictions he had on his record for various serious issues such as drugs, weapons, and assault. Despite these convictions, Clinton Gayle had used his time in prison to appeal his deportation order. At the conclusion of his sentence in 1992, he was allowed to go free by an immigration department official after posting a meagre \$2,000 bail.

We now know that between 1990 and 1996, the government had made a number of efforts to deport Mr. Gayle, efforts that ultimately proved to be unsuccessful, and that red tape and abuse of the system by a known criminal is what led to the tragic murder of one of our colleagues, Constable Baylis, as well as serious injuries to his partner, Constable Leone.

Todd Baylis' story deserves repeating because it is important that we remember the consequences of having a broken system that puts criminals ahead of victims and law-abiding Canadians, that allows endless appeals for dangerous foreign criminals so they can remain in Canada and use that time to commit more crimes and create more unfortunate victims.

• (1220)

The most important part of Mr. Stamatakis' testimony is that he debunked the ridiculous claim made constantly by the NDP members and Liberals that criminals who has received a sentence of at least six months had not committed crimes that should be considered serious. For example, someone found growing six marijuana plants for the purpose of trafficking is not a serious criminal. This is what the president of the Police Association had to say:

I think that in this country anybody who receives a custodial sentence of six months would have had to commit a serious crime.

As a front line officer, whether you're talking about a criminal act where innocent citizens in our country are being victimized by violence or other activities like that, or about a white-collar crime, where you have people who are losing life savings and having their entire lives destroyed, where there is a custodial sentence of a duration of six months, I think somebody has committed a serious crime, and I think 800 is too many...Drug trafficking is drug trafficking. We've had police officers who've been either seriously injured or killed on duty or in the line of duty by people who aren't even involved in criminal activity at the time.

Government Orders

I could not agree more with the Canadian Police Association.

What is especially telling, though, is that the NDP members did not ask the representative from the Police Association a single question, not a single one.

Here is a respected senior member of the police force whose organization represents over 50,000 front-line enforcement personnel from across Canada, serving in over 160 different police services, including police officers from federal, provincial, municipal and first nations police organizations, with probably more expertise on the bill and the issues surrounding it than any other stakeholder the committee hears, yet the NDP members did not ask a single question.

It shows yet again that unfortunately the NDP will not listen to Canadians, will not listen to the experts and will continue to put the rights of criminals ahead of victims and of law abiding Canadians.

I urge the NDP members and the Liberals today to listen to organizations like the Canadian Police Association and stop using amendments to try to prevent the bill from becoming law. I implore the opposition to work with our Conservative government to ensure the speedy passage of the bill.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the example of the member is fundamentally flawed. Let me share with him an email that I received and summarily presented before the committee. It makes reference to his case. It makes reference to what the minister had said earlier during the day on a CBC Morning interview, and that was what ultimately led to this email. It states:

Referring to the minister, he specifically cites the cases of Clinton Gayle, 1991 to 1994, and the two B.C. street racers, that would be Bhalru and Khosa, and claimed that these were both cases where the foreigners appealed deportation orders and committed further crimes in the interim. The minister is wrong. Gayle did appeal the deportation order, yes, but lost. The Immigration Department then lost his file and then failed to get the travel document. Gayle was not removed and he subsequently killed Officer Baylis. The department, not the appeal division, was sued by the police force for their negligence, and the department settled the suit. The reason Gayle remained in Canada was because of the department. It was not the appeal division.

Maybe the member would want to comment on that?

Mr. Ted Opitz: Mr. Speaker, the hon. member says everybody is seriously flawed when he asks a question. What is not seriously flawed that Clinton Gayle killed a police officer, and that is the bottom line.

I can cite other cases. Jackie Tran from Vietnam was charged with assault with a weapon, drug trafficking, drug possession, failure to comply with court orders, sentences ranging from \$100 fine to two years less a day of imprisonment. Did he appeal? Absolutely. The removal order was given in April 2004 and he was finally removed in March 2010, nearly six years of delay while this guy was on the streets committing further crimes against innocent Canadians.

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, it is interesting to hear the very pointed angle from my colleague, who is also a member of the citizenship and immigration committee and knows that from witness after expert after lawyer

after refugee expert, we heard how the bill was not appropriate, that the bill was possibly unconstitutional, that the bill could put so much extra power in the hands of the minister, one person, rather than a tribunal or board.

What does my hon. colleague have to say about the fact that the bill would concentrate an excessive amount of power in the hands of one minister within the cabinet?

• (1225)

Mr. Ted Opitz: Mr. Speaker, the bill is entirely appropriate because, at the end of the day, it safeguards honest, hardworking Canadians from foreign criminals who threaten their livelihood and lives.

The member is also on the immigration committee and had an opportunity to question the police witnesses, and yet no questions were put to those expert witnesses at that time.

The bill would do three things: it would make it easier, make it harder, and remove barriers. It would make it easier for the government to remove dangerous foreign criminals from our country. It would make it harder for those who may pose a risk to Canada to enter the country in the first place. It would remove barriers for genuine visitors who want to come to Canada and take advantage of all this country has to offer.

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, I am pleased to have the opportunity to speak again on Bill C-43, the faster removal of foreign criminals act.

Sitting on the Standing Committee of Citizenship and Immigration is certainly a privilege and responsibility that I take very seriously. Immigration issues are the number one issue that constituents in the fantastic riding of Scarborough—Rouge River come to me my office about when looking for assistance and support. They are concerned with the direction of Canada's immigration policy as well as the priorities of the government when it comes to immigration.

The citizenship application process in this country can take over three years. Some families are waiting four years or more to be reunited with their loved ones and visitor visas continue to be denied without a reasonable explanation. The residents of Scarborough—Rouge River are looking for action from the government on these problems.

Since the vast majority of newcomers to Canada are actually law-abiding people who want to build a better life for themselves and their families, the Conservatives should be making a greater effort to ensure that they are treated fairly, have the resources they need and can be reunited with their families.

It is clear to me that it is the New Democrats who stand with newcomers and who want the government to focus on making the immigration system faster and fairer for the vast majority of people who do not commit crimes and who follow the rules. That is what my constituents are asking for.

Government Orders

During the study of Bill C-43, committee members were able to hear hours of expert testimony. We all agree that non-citizens who commit serious crimes in Canada should be dealt with quickly. However, the NDP, along with many of the witnesses who came to speak on the bill, had some serious concerns with what the government was proposing. Lawyers, front-line service workers and policy experts all had a lot to say about the bill. It is disappointing that their concerns are not reflected in the bill now back before the House. New Democrats wanted to work across party lines to ensure the speedy removal of serious non-citizen criminals. Disappointingly, the Conservatives did not want to work with us to make this legislation better.

A particular concern of ours is the extraordinary discretionary powers given to the minister in this bill without any checks and balances. Bill C-43 concentrates more power in the hands of the minister by giving him or her a new discretionary authority over the admissibility of temporary residents. The minister can declare a foreign national inadmissible for up to 36 months “if the Minister is of the opinion that it is justified by public policy considerations”. The minister may also at any time revoke or shorten the effective period of a declaration of inadmissibility—but public policy considerations are never spelled out for us or defined. Bill C-43 relieves the minister of the responsibility to examine humanitarian concerns. It also gives the minister a new discretionary authority to provide an exception for a family member of a foreign national who is inadmissible.

It was extremely disappointing that the Conservatives rejected the reasonable NDP amendments that addressed this chief concern and would limit the excessive new power the bill gives to the minister. The NDP moved an amendment that would have enshrined the minister's own proposed guidelines, word for word, on negative ministerial discretion into Bill C-43. Even that was rejected, despite the fact the minister himself suggested to the committee that we look at such an approach.

Another concern of witnesses and the NDP with the bill was the loss of the right of appeal. Previously, a conviction in Canada resulting in a prison sentence of two years or more constituted an automatic revocation of a permanent or temporary resident's right of appeal at the Immigration Appeal Division of the IRB. Bill C-43 would revoke the right to appeal a determination of inadmissibility where there is a conviction of six months or more. The bill would remove any discretion of a judge to consider the nature of the crime and the context in which it was committed, including potential mental illness in refugees from war-torn countries.

We need to have a fair, transparent and impartial process to review removals and take into consideration individual circumstances. We do not support closing the door to an appeal process, as it is an essential component of checks and balances in our immigration system.

● (1230)

In addition, we heard from numerous witnesses who argued that this bill casts too wide a net. As one expert argued:

The vast scope of the inadmissibility provisions, combined with the dismantling of the only available legal safeguards, will result in the removal from Canada and exposure to persecution of clearly innocent people....

We were also warned that the bill would have a serious impact on the young and people with mental health issues. In committee the New Democrats introduced nine reasonable amendments to this bill, taking into account the concerns of the experts who testified, in order to curb the excessive powers of the minister and to restore some due process. Yet these were all rejected by the Conservative majority on committee.

We support the principle of removing dangerous, violent non-citizen criminals in a timely manner, which is why we introduced reasonable, moderate amendments that would have made the legislation fairer. Unfortunately, once again, these were rejected by the Conservatives on the committee.

New Democrats want to prevent non-citizens who commit serious crimes from abusing our appeals process, but to do so without trampling the rights of the innocent. I would add that rather than tabling legislation that portrays newcomers negatively, the government should focus on giving border and law enforcement officials the proper resources they need to keep Canadians safe from criminals of all backgrounds. We need to stop criminals and terrorists before they arrive in Canada. However, the Conservatives' cuts will mean that Canadian officials will have to do the best they can with less.

The 2012 budget plan announced cuts of \$143 million to the Canada Border Services Agency. These reckless cuts are certainly going to have an impact on the safety and efficiency of our borders. Members know, from the customs and immigration unit, that 325 jobs on the front line at border crossings across the country will be cut. The intelligence branch of the CBSA has been hard hit, losing 100 positions, and 19 sniffer dog units are being slashed due to the budget cuts.

In addition, the government needs to address the lack of training, resources, and integration of information and monitoring technologies within the responsible public service agencies. These are not my own recommendations, but have been repeated by the Auditor General for years.

We should focus on making improvements to the current system and administration of laws currently in place, including proper training, service standards, quality assurances, and checks to improve our Canadian border security and public safety.

Government Orders

Members have just returned from their constituencies. I always enjoy speaking with constituents and sharing in community events throughout Scarborough, a great and dynamic community. However, community safety and well-being are on the minds of constituents. The constituents of Scarborough are looking for leadership on these issues, including support and prevention strategies to keep our communities safe. Instead we are being subject to a huge, \$687.9 million cut to public safety by 2015, the bulk of which will fall on the Canada Border Services Agency, at \$143 million; the Correctional Service Canada, at \$295.4 million; and the RCMP, at \$195.2 million.

Proper training and resources are certainly ways to increase border security and public safety. The government needs to stop criminals and terrorists before they arrive in Canada. However, thanks to Conservative cuts, Canadian officials have to try to do the best they can with less and less.

The government needs to start listening to Canadians. It needs to listen to newcomers, who have repeatedly said they want a faster and fairer immigration system, not a process that may be beyond recognition once the government is finished with it, given the current direction the immigration minister and the Conservatives are taking immigration policy in this country.

In this bill alone there is a system that concentrates power in the hands of the minister and removes appropriate checks and balances; negatively portrays newcomers; calls permanent residents foreigners when in reality they are residents of our communities who work, pay taxes and raise their families here in our country and communities; and relieves the minister from taking into account humanitarian and compassionate considerations.

New Democrats had hoped to be able to work together to prevent non-citizens who commit serious crimes from abusing our appeals process, without trampling on people's rights but upholding our Canadian values. Regrettably, this was rejected by the government. That is why we cannot support this bill.

• (1235)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, the hon. member for Scarborough—Rouge River said there should be an appeals process before serious convicted foreign criminals are deported from Canada. Is she not aware that there is an appeals process in the criminal justice system? A Canadian citizen or a foreign national who is charged with an offence can go before a Canadian criminal court. If found guilty, they can appeal that conviction. In fact, they can also, in most cases, appeal the sentence. Does she not understand there already is an appeal in the criminal process?

The second question I have is for the hon. member who spoke just before the hon. member for Scarborough—Rouge River.

[*Translation*]

The hon. member for Argenteuil—Papineau—Mirabel who spoke earlier said that the current definition of a serious crime under the Immigration and Refugee Protection Act is one involving a sentence of at least six months. She said that that was inappropriate, that it was too harsh.

[*English*]

Her colleague said that six months was too high a bar for a sentence leading to the deportation of a foreign criminal. Does she agree? Does she think we should raise the bar from six months for triggering the deportation of foreign nationals?

Ms. Rathika Sitsabaiesan: Mr. Speaker, I thank the minister for being here and participating in this dialogue, because his Conservative colleagues at committee were absolutely not interested in dealing with the issues before us, with what immigration experts, refugee rights lawyers, and mental health professionals testified at committee about their real life experiences with newcomers to this country, refugee appellants and people who come here to start a new life.

At committee the minister's colleagues did not really want to hear what witnesses had to say, but wanted to push forward with their own agenda. That is clearly what happened when the NDP, time and time again, brought forward reasonable amendments to address the concerns the minister raised at committee. Yet, I guess under his guidance, the parliamentary secretary and the rest of his Conservative team chose to vote against him and all of the reasonable changes we put forward at committee.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I wonder if the member would comment on the fact this legislation would break up families quite significantly. There could be a family where one person is being deported because of an action. Such an action does not have to be one where that person is sentenced to jail, but could be a conditional sentence. Say a happily married father of three who has been in Canada for 15 or 20 years falls on the wrong side of the law on one occasion and gets a six month conditional sentence. That person would have to be deported without access to appeal.

Would the member comment on the destructive force this legislation potentially could have on families who are permanent residents in Canada?

• (1240)

Ms. Rathika Sitsabaiesan: Mr. Speaker, I thank my hon. colleague for his question and the work he does at the immigration committee. He is absolutely right when he says that the bill has the real potential of breaking up families. The example he gave is very real.

There could be cases where someone has immigrated to this country and is a permanent resident or refugee claimant, whatever it may be, and starts an entire family here but gets caught for a minor misdemeanour, resulting in a sentence of six months. That person could be deported if he is not a citizen of this country.

Another example could be that of a woman who, as a young teenager, handed out leaflets on a topic deemed inappropriate under public policy considerations, and who would be deported as a result from Canada. When sent back to her home country, she could be killed because she had distributed those flyers as a young teen.

In short, we could be splitting families but also sending innocent people to be killed.

Government Orders

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, the minister referenced a number of abuses of the immigration system, how the deportation process has been abused and the need, with which we concur, to improve the immigration system to ensure that serious criminals should not enjoy sanctuary in Canada and to provide necessary security for Canadians. All these are matters in which the House can concur.

However, Bill C-43 purports to address serious foreign criminality, which in fact is the aim of the parent bill, the Immigration and Refugee Protection Act. However, some of the provisions of Bill C-43 continue to remain troubling and some, in fact, may well contravene the charter. My colleague from Winnipeg North has suggested amendments, which I trust will enjoy support from all in this place.

My remarks this morning will first address some of the specific concerns with Bill C-43, including charter concerns. Second, and not unrelated, I will raise the question of why no report of charter inconsistency has yet been tabled by the Minister of Justice, pursuant to the exigencies of section 4.1 of the Department of Justice Act.

Before turning to these considerations there are two troubling situations from last year that warrant mention at the outset. In both cases a young permanent Canadian resident was deported to a war-torn, impoverished country. As these two young men were alone and unable to speak the local language, they were susceptible to the many criminal terrorist organizations in that country, Somalia, that prey on vulnerable youth. Indeed, in one of the cases the United Nations Human Rights Committee found that Canada jeopardized the right to life of the young man in question and was therefore in violation of its obligations under the International Covenant on Civil and Political Rights.

These two young permanent residents of Canada, Saeed Jama and Jama Warsame, though they had been here since childhood, had indeed committed offences, mostly drug related, and as such deportation proceedings were initiated against them following their convictions. That is as it should be. When non-citizens commit crimes in Canada deportation is a reasonable option. However, I offer the case of Mr. Jama and Mr. Warsame to illustrate the perspective nuances and complicating factors that might arise in deportation cases and to underline the importance of due process and the right to appeal deportation orders, not only in matters of the criminal processes the minister has rightly mentioned and referenced but notably on humanitarian and compassionate grounds.

As we seek, quite rightly, to streamline our immigration and deportation processes it is critical to ensure that humanitarian and compassionate considerations, as well as charter rights to security of the person and fundamentals of due process are not marginalized in the name of short-run expediency. Regrettably, the effect of the bill before us does precisely that. First, it reduces the threshold at which a conviction results in automatic deportation with no possibility of appeal from a sentence of two years to a sentence of six months.

The Minister of Citizenship and Immigration has defended this change by arguing that judges have been issuing sentences of two years less a day in order to circumvent the statute. In fact, judges issue such sentences because two years is the dividing line between federal and provincial incarceration. Canadian citizens regularly

receive sentences of two years less a day, thus demonstrating that immigration status is patently not the reason for such sentencing.

Furthermore, if the government is so concerned about sentences of two years less a day, why is it no less concerned about sentences of six months less a day? The standard should not be any arbitrary number of months but rather the qualitative seriousness of the offence. This brings me to the point that has been noted in prior debate on the bill. Many of the offences that result in six month sentences in no way justify automatic deportation with no possibility of appeal.

●(1245)

Bill C-43 would establish a situation where a person could be brought here as an infant, be raised here, be as much a Canadian as the rest of us and then be automatically expelled without due process for making a recording in a movie theatre or, since the coming into force of Bill C-10, for possessing six marijuana plants. At a time when the government is intent on ushering in new and longer mandatory minimum sentences with respect to new offences, it can hardly be said about the Canadian justice system that there is necessarily a correlation between the length of a sentence and the seriousness, let alone the serious criminality, of the offence.

In particular, if the Conservatives wish to evince a genuine desire to rid Canada of serious criminals to ensure that these criminals would be brought to justice pursuant to our international obligations in this regard as well, why do they not commit adequate resources to the war crimes program to prosecute war criminals in Canada, as I have repeatedly urged them to do? Indeed, the remedy of deporting a war criminal may result either in a serious war criminal not being held accountable for justice violations at all, or in the reverse, being sent to a country where there is a substantial risk of torture or other cruel or degrading punishment. In either case, what we need at this point is an enhanced war crimes program so that we can deal with the serious war criminals in this country for whom the deportation remedy is not a remedy at all.

A second problem with the legislation is that it would allow the Minister of Citizenship, Immigration and Multiculturalism to deny temporary resident status for up to three years on the basis, as has been mentioned, of undefined public policy considerations. Even given the requirement that was added at committee, that the government produce an annual report listing and justifying such denials, this change would still carve out a sphere of unaccountable ministerial discretion and could lead to the further politicization of our immigration system. As a matter of fundamental fairness, people affected by government decisions should be informed of the reasons leading up to those decisions and allowed to present evidence in their favour. Bill C-43 would deny them that right. The legislation would also prohibit the minister from considering humanitarian and compassionate concerns in certain cases, which could also violate a number of Canada's international obligations.

Government Orders

In fact, several elements of the bill may contravene not only international agreements but our own Charter of Rights and Freedoms. The automatic deportation of individuals to situations of torture, terror and grave danger raises serious concerns with respect to section 7, the right to life, liberty and security of the person. As well, by denying the right to appeal the deportation orders and by empowering the minister to deny entry on arguably arbitrary and ill-defined grounds, the bill may violate the principles of fundamental justice.

These inconsistencies with the charter brush up against section 4.1 of the Department of Justice Act. Here, the Minister of Justice must, as stated in the act:

—examine...every Bill introduced in or presented to the House of Commons by a minister of the Crown, in order to ascertain whether any of the provisions thereof are inconsistent with the purposes and provisions of the Canadian Charter of Rights and Freedoms and the Minister shall report any such inconsistency to the House of Commons at the first convenient opportunity.

Yet, the Minister of Justice has tabled no such report on any bill or on this bill. This is not the first time that he has failed to do so when the government has introduced legislation that poses constitutional concerns. When I raised this issue at the justice committee hearings on Bill C-45 as well as in the House, the minister avoided the question. Indeed, a justice department employee is suing the government because he claims that he was suspended for raising this issue in court. I am not suggesting that the minister is deliberately violating the Department of Justice Act, but I await the minister's explanation of why he has apparently not been acting in accordance with it with respect to a number of bills, particularly if one takes the omnibus set of bills such as Bill C-10 with arguably constitutionally suspect provisions, as well as the one before us today in the so-called faster removal of foreign criminals act.

The title of the legislation is sufficiently disconcerting that I cannot close without addressing it. Many of these so-called foreign criminals referred to in Bill C-43 are long-time Canadian residents. To put that title on the bill is to pejoratively and prejudicially mischaracterize them at the outset and does harm to all our constituents.

• (1250)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, at this point, I frankly do not understand it. Under the Immigration and Refugee Protection Act, and Canadian law more broadly, we refer to people who are not Canadian citizens as foreign nationals. Therefore, to say that a foreign national who has been convicted in a Canadian court for having committed a serious crime is a foreign criminal is a normal statement of legal fact. It is a reflection of the legal appellation of a foreign national.

The opposition seems to be suggesting that if foreign criminals are sufficiently sympathetic, then somehow even though they are not citizens, they become Canadians. That is simply not true.

One of the provisions of the bill I would like to ask the member about is the inclusion of so-called negative discretion for the minister to deny the admission into Canada of people on such grounds as those who have promoted terrorist organizations, promoted violence and so forth. In the past we have had situations where, for example, the Quebec National Assembly asked me to prevent the admission of

Abdur Raheem Green and Hamza Tzortzis, who were extremist imams promoting anti-Semitism, homophobia and violence against women. There is no current tool within IRPA to prevent the admission of such individuals because the promotion of hate crimes in some foreign jurisdictions is not a crime and therefore is not grounds for inadmissibility to Canada.

Would he not agree that there is a need for some tool to exclude such people, who either promote violent extremism or extreme forms of hatred, from entering into Canada?

Hon. Irwin Cotler: Mr. Speaker, as I said elsewhere and reaffirmed today, I do not question the minister's motives. I think they are well-intentioned and I understand the manner in which he would like to use the public policy consideration for the purpose of achieving certain objectives.

Our problem with it is that, as it now reads, without any definable criteria, it does provide a prospective risk of untrammelled and arbitrary discretion. As well, it is not only this minister who will be exercising it, if he would so exercise it and would do so in a proper manner, but it is any other minister, once this legislation is passed, who may not, at the time, exercise it with the due diligence that should normally be warranted and which due diligence should better be prescribed with the criteria. The member for Winnipeg North proposed some of these criteria at committee, and I still would hope that those amendments may yet come into law.

• (1255)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I wonder if the member would provide further comment. At the very end of his speech, he made reference to foreign criminals. When I look at documents that come from the department, they include the faster removal of foreign criminals act, backgrounders on foreign criminals and press releases on getting rid of foreign criminals. In fact, with regard to these foreign criminals, what we are really talking about is the fact that the legislation would apply to an estimated 1.5 million permanent residents who call Canada their home.

There is something to be said about the way in which the minister uses his words to try to make a larger percentage of the population look bad, when it is a relatively small percentage of permanent residents who we are talking about in the first place.

Hon. Irwin Cotler: Mr. Speaker, the very title of the legislation, the faster removal of foreign criminals act, may suggest that Canada is somehow overrun with foreign terrorists, escaped convicts, war criminals and the like.

Ironically enough, the very war criminals who are in this country, and who should be addressed, may in fact end up being deported to a country where they will not face any justice, which will put us in breach of our international responsibilities under the International Criminal Court treaty and the like, or they will be deported to a country where there is a risk of torture.

On the one hand, we are not dealing with the serious war criminals in this country as we should, but we may be dealing with long-term Canadian residents, some of whom have lived here since childhood, and prospectively applying, however inadvertently, a pejorative label in the title of the legislation.

Government Orders

Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC): Mr. Speaker, I am glad to take part in this debate concerning the government's Bill C-43, also known as the faster removal of foreign criminals act.

I speak not only as a member of the immigration committee but also as the representative of a riding where people take great stock in and put great importance on the integrity of our immigration system.

Before I explain why I genuinely believe in the necessity of this legislation and consequently strongly oppose the amendments that have been put forward by the opposition in order to delay and gut the bill, I would like to relate to the House a story about a woman named Irene Thorpe.

Ms. Thorpe was a mother of two. Although I did not know her personally, she was also a daughter and a friend to many. She was actually described in a newspaper as having “a life apparently brimming with goodness”. On a very sad day in November 2000, she was killed.

Ms. Thorpe was killed while crossing the street. It happened too fast for her to see the car coming. She was killed by a man who was street racing, one of the most mind-numbingly irresponsible and reckless things someone can do in a car. The man behind the wheel was Singh Khosa. He was racing at about 140 kilometres per hour.

Ms. Thorpe and her dog were crossing a street where the posted maximum speed was 50. Singh Khosa's case was widely reported by news media over many years. He had been granted permanent resident status when he arrived in Canada as a teenager in 1996. What he did was beyond a mistake. It was careless. It was dangerous. It killed someone.

Irene Thorpe was a victim, and her family members were also victims. They will never be the same. Her children are growing up without their mother. What makes her story even more tragic is that her death was so easily avoidable. In 2002, after two years of court proceedings, Mr. Khosa was finally convicted of criminal negligence causing death. He was given a conditional sentence of two years less a day. That sentence, two years less a day, is worth noting, and I will describe why that is the case.

Based on his conviction, reckless and dangerous foreign criminal Singh Khosa was found to be inadmissible to Canada and was ordered deported in April 2003, but it took six years to clear all the roadblocks to remove him from the country. Why did it take so long?

It comes back to that sentence of two years less a day. Under our current system, a permanent resident who receives a sentence greater than six months but less than two years is subject to removal but still can appeal that removal to the Immigration Appeal Division of the Immigration and Refugee Board. It is worth noting that in cases like that of Mr. Khosa, two years less a day is a common sentence.

Not surprisingly, Singh Khosa took full advantage of his access to the appeals process. His appeal before the Immigration Appeal Division, and subsequent related hearings before various courts enabled him to delay his deportation for the better part of seven years.

Irene Thorpe was killed in a matter of seconds. We all know how her family felt about a seven-year appeal process to finally deport the person responsible, who was convicted beyond a reasonable doubt in the criminal courts.

As members of this House, we must keep the safety of Canadians at the forefront of our decisions and take action to repair a system that allows foreign criminals to delay their removal from this country for years and years. We must put the interests of victims and of law-abiding Canadians ahead of the interests of criminals.

Fortunately we have a great opportunity to do so by ensuring that the measures in the faster removal of foreign criminals act become the law of our land. There is a number of measures in this bill that would improve the system and create a greater sense of justice and fairness for victims of criminals such as Mr. Khosa.

As a lawyer myself who has stood for the human rights of Canadians in the courts of our land, I still believe we need to keep dangerous foreign criminals from having access to endless appeals to delay their deportation. We need to take them off the streets and out of our country. I sincerely urge my friends in the opposition to stop playing partisan games and to listen to victims organizations, police associations, immigration lawyers and experts and Canadians all across the country who have told us loudly and clearly that they support the faster removal of foreign criminals act.

• (1300)

These are not partisan issues. These are common sense issues. Without a doubt, these tough but fair measures are welcome and long needed. They improve the integrity of the immigration system without compromising its generosity.

Well-known media commentator Lorne Gunter put it well in a recent column when he wrote the following:

If you wish to move here and become a citizen... Why should Canada have to keep you if you demonstrate your danger to the community during your probationary period?...

It is not mean or hard-hearted to deny them citizenship and punt them from our shores more quickly...

If you want to come to Canada and make a new life, welcome. We love to have you. But if you commit a crime while awaiting citizenship, don't claim to be a victim if we make you leave.

An editorial in *The Globe and Mail* argued, and I quote:

—it is difficult to argue with the bill's main thrust. The immigration process can be enormously complex, but one principle should be fairly straightforward: The tiny share of immigrants and refugees who lack citizenship and are convicted of serious crimes on Canadian soil forfeit their right to be here.

I emphasize the word “tiny” to my friend across the way who suggested that this was to characterize a large number of people as criminals.

I do not imagine that too many Canadians would disagree with this editorial. In fact, I am sure that most Canadians would be shocked to know how easy it is under existing rules for foreign criminals to avoid removal for years on end.

Government Orders

Canadians are generous and welcoming people, but we have no tolerance for criminals and fraudsters abusing our generosity. Our Conservative government is putting a stop to foreign criminals relying on endless appeals to delay their removal from Canada, during which time they continue to terrorize innocent Canadians.

Once again, I appeal to all of my hon. colleagues in the New Democratic and Liberal parties to stop opposing this bill. Listen to Canadians and help us ensure the speedy passage into law. Today is a day we can stop Canadians from being victimized by dangerous foreign criminals who have avoided deportation and remain in the country due to a system that provides them with endless appeals.

• (1305)

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, first of all, I think all of us in this House can agree that we want due process for non-citizens who commit serious crimes in Canada, and we want them dealt with quickly. However, we are very concerned that this Conservative bill would concentrate even more arbitrary power in the hands of the minister and that it is too overreaching.

Specifically, rather than demonizing the entire population of new Canadians because of a microscopic minority of foreign criminals, why are the Conservatives not acting to help new Canadians reunite with their families and find work that matches their skills? If the government is so concerned in preventing foreign criminals from entering the country, why has it failed to live up to its 2006 promise to put more police on the streets in cities and communities? Why will the government not focus on making our communities safe from criminals of all backgrounds rather than focusing all its attention on demonizing newcomers?

Mr. John Weston: Mr. Speaker, I thank my colleague from Newton—North Delta for her work on the immigration committee, on which I also sit.

In fact, I heard the concerns about the minister having too much discretion. We know that, no matter which party is in power, things may change and we have to look at the government in a non-partisan way when we look at bills like this. That is why I brought in an amendment to add an annual report, which would be required of the minister so that there would be transparency when he applied this discretion. This report would require him to be very much in the light of public scrutiny before he used that discretion.

I take my colleague's concern very seriously. We added an amendment at committee, and I am very proud of that amendment, as somebody who cares very much for the human rights of Canadians.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is important to note that, when the minister first introduced the legislation in June last year, he gave us five reasons for the legislation and then he gave five extreme cases. A couple of Conservatives have stood to cite some of those cases. If members of the House were canvassed, we would find very little sympathy for individuals who commit the types of crimes referenced, and there needs to be a consequence to those crimes.

However, this legislation is fairly extreme. It has an impact on many individuals, to the degree in which it should not have that type of impact. I used the example of false identification, a 20-year-old

who has lived in Canada for 18 of those 20 years being deported away from mom, dad and siblings as a result of this legislation.

The member for Mount Royal made reference to making a recording in a movie theatre, which could ultimately lead to a deportation without appeal. The legislation is extreme, and it would be better if the government would open its collective mind and recognize the need to make amendments to the legislation.

Why does the member not recognize the valuable contributions of the 1.5 million excellent residents who live in Canada as permanent residents, and yes, at times some of them might—

The Acting Speaker (Mr. Barry Devolin): Order, please. The hon. member for West Vancouver—Sunshine Coast—Sea to Sky Country.

Mr. John Weston: Mr. Speaker, certainly this government applauds the contribution of new Canadians, and that is why our government has admitted on an annual basis more new Canadians than have ever been admitted in the past. We are proud of that record and we continue to support immigration to our country.

In the case of this bill we have to remember the three reasons why it is in the House and why hopefully it will become law, certainly if my friends from the opposition put down their partisan cudgels and join to pass this legislation: first, to remove dangerous foreign criminals from our country, something all Canadians support; second, to make it harder for those who pose a risk to Canada to gain admittance to our country; third, to remove barriers for genuinely contributing visitors to our country and the vast number of those who would immigrate to Canada with good intentions to enrich our fabric.

• (1310)

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, it is with great pleasure that I rise to speak in strong support of C-43, the faster removal of foreign criminals act, at report stage and to oppose the irresponsible amendments introduced by the opposition.

Canadians have a long tradition of being welcoming and generous. In fact, our Conservative government has maintained the highest sustained levels of immigration in Canadian history. We have increased the number of refugees we are resettling into Canada by 20%. In order to maintain that tradition, Canadians need to have confidence in our immigration system.

For too long, Canadians have seen countless stories of people who view Canada as a doormat, a light touch, whose immigration system is an easy target for fraudsters and criminals. Understandably, Canadians have had enough. They have made it clear that they want us to restore the integrity of the immigration system. I am pleased to say that our Conservative government is doing just that.

This long overdue bill would make it easier for the government to deport dangerous foreign criminals from our country, make it harder for those who may pose a risk to Canada to enter into the country in the first place, while at the same time remove barriers for genuine visitors who want to come to Canada.

Government Orders

Unfortunately, the opposition has introduced several amendments to try to gut this bill. The opposition members are using these amendments as a partisan tactic to try to delay and prevent passage of this very important piece of legislation. They are playing procedural games, but these games have real consequences to Canada and to Canadians. I will explain the consequences of the games the opposition members are playing by using these amendments to delay passage of the bill.

The bill would ensure the speedy deportation of dangerous foreign criminals. It would ensure that dangerous foreign criminals are taken off of the streets in Canada more quickly and removed from our country. This means that they would no longer be able to commit more crimes in Canada and would no longer be able to victimize more innocent Canadians.

It is shocking to me that there would be anyone who would oppose this legislation, but shamefully, the NDP and Liberals oppose it. The opposition's amendments would delete the entire bill. The NDP and Liberals do not seem to have any problem with these dangerous foreign criminals staying on our streets and living in our communities. I certainly have a problem with that. It shows just how out of touch they are with Canadians in all parts of the country and in all ridings, including mine of Scarborough Centre, who widely support our bill.

Time and time again the NDP and the Liberals put the interests of criminals ahead of the rights of victims and hard-working, law-abiding Canadians. Our Conservative government is the only party in the House that truly cares about victims, that cares about innocent law-abiding Canadians. We are the only party that is cracking down on crime. We introduced the fast removal of foreign criminals act because we know that Canadian families care about safety and security.

Unfortunately, the NDP and Liberals do not share the same concern and are proving that yet again by shamefully voting against the bill and trying to prevent it from becoming law. The NDP and Liberals are not just ignoring Canadians who overwhelmingly support the bill; what is worse, they are ignoring the support the bill has received from stakeholders and experts. They are ignoring the Canadian Association of Chiefs of Police, which stated that it:

—supports the efforts of the Faster Removal of Foreign Criminals Act to provide for a more expeditious removal from Canada of foreigners who are convicted of committing serious crimes against Canadians. As well, we support measures to prevent those with a history of committing criminal offences, or who pose a risk to our society, from entering Canada. The Act will help to make Canadians and those who legitimately enter Canada safer.

The opposition is also ignoring the Canadian Police Association, which stated that it:

—welcomes the introduction of the Faster Removal of Foreign Criminals Act, particularly with respect to the enhanced prohibitions against those who have committed serious crimes abroad from coming to Canada.

While the overwhelming majority of those who come to Canada make a tremendous contribution to our shared communities, there does remain a [number] who flout Canadian law and have taken advantage of drawn-out proceedings to remain in the country at a risk to public safety. This legislation will help us by streamlining the procedures necessary to remove individuals who remain at-risk to re-offend.

Ensuring that public safety is one of the considerations with respect to admissibility to Canada is a clear step in the right direction.

●(1315)

The New Democrats and Liberals like to use hypothetical examples and situations during debate, but the fact is that the consequences of this bill not becoming law would be very real. They would be the most real to the unfortunate victims of these dangerous foreign criminals.

Let us take the very real example of Babak Najafi-Chaghabouri. As per recent media reports, this criminal was charged with several crimes, including aggravated assault. He received a prison sentence of 18 months which under the current system allowed him to appeal his deportation to the immigration appeal division which granted him a stay of his removal and allowed him to remain in Canada. Subsequently and sadly, he murdered Ronak Wagad. In fact, he used a hatchet to chop the back of Mr. Wagad's head five times.

An hon. member: Disgusting.

Ms. Roxanne James: Yes, it is disgusting.

The B.C. Supreme Court justice who sentenced this criminal described the murder as horrendous.

These are the criminals the New Democrats and the Liberals want to keep in Canada. These are the very real consequences of providing endless appeals to dangerous foreign criminals. Mr. Wagad's family knows these consequences all too well and will not forget them for the rest of their lives.

We know that the list of real examples is a long one. There are countless unfortunate examples. It is very difficult for me to understand how the New Democrats and Liberals can oppose this bill, but what is worse is that they are using procedural games through irresponsible amendments to try to delay and prevent its passage. The criteria to maintain permanent residency are very simple. People have to live in Canada; they have to obey the law. The vast majority of permanent residents have no trouble doing this. In fact, the vast majority of citizens have no problem meeting these criteria either. However, if people do break the law, there are consequences, even if the New Democrats and Liberals would prefer there not to be.

Our Conservative government is putting a stop to foreign criminals relying on endless appeals in order to delay their removal from Canada, during which time they continue to terrorize innocent Canadians. Canadians are generous and welcoming people, but they have no tolerance for criminals and fraudsters who abuse their generosity. The measures included in the faster removal of foreign criminals act are tough but they are fair. They are necessary, and quite frankly, long overdue. We want an immigration system that is open to genuine visitors while at the same time prevents the entry of foreign criminals and denies them the ability to endlessly abuse that generosity.

I urge the New Democrats and the Liberals to stop trying to prevent passage of this bill, to help us ensure its speedy passage and work with our government to help protect the safety and security of Canadian families.

Government Orders

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, once again I reiterate that the NDP is fully committed to ensuring that serious criminals are dealt with in an expeditious way. To that effect, we put forward some very reasonable amendments. As a matter of fact, at the time, at least two of my colleagues on the other side acknowledged how reasonable those amendments were. The amendments we moved would have codified in the legislation the reasons for which we would be keeping someone out of Canada and would have reinstated an appeal process for those who received a sentence of six months. We thought they were very reasonable amendments and yet they were turned down.

With all the cuts that are occurring to border services and the lack of cohesion between CBSA and CIC, which we have heard about a number of times in the Auditor General's report and from witnesses, would our energy not be better spent addressing those issues rather than telling stories that are so far out that those—

The Acting Speaker (Mr. Barry Devolin): Order, please. Before I go to the hon. member, I know we are just back from a break, but I remind all hon. members to pay attention to the Chair and when their time is expired they will be given that indication. That way, more hon. members will have the opportunity to ask questions.

The hon. member for Scarborough Centre.

• (1320)

Ms. Roxanne James: Mr. Speaker, I am a bit concerned that the member suggests we should use our energy in other areas. The responsibility of any government is the safety and security of its citizens. I personally believe as a Conservative member of Parliament that any legislation we put forward that would do just that is not a waste of time.

With respect to the member's comments regarding the six-month period, I remind the House that a six-month sentence is not going to be for some minor misdemeanour. It is for a serious crime. We had witness after witness testify to that effect. I will leave it on the table that six months is justifiable for serious crimes and that this government will continue to focus on the safety and security of our citizens.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I do not know whether I am more offended by the fact that the hon. member for Scarborough Centre continues to attack the Liberals and the New Democrats and leaves out the Green Party, because most of these amendments were put forward by the Green Party, or that she thinks the purpose of the amendments is simply to waste time in some sort of political game.

The amendments I put forward are substantive, detailed, precise. They go toward creating balance of probability considerations for a minister to consider. They go toward providing more criteria around the minister's discretion.

Nowhere could anyone read my amendments and think that the goal was to keep dangerous foreign criminals in Canada. Also, the assertion, which I am sure she did not write herself but came from the PMO in some talking point, that people on this side of the House do not care about victims, is deeply offensive.

Ms. Roxanne James: Mr. Speaker, I apologize to the member opposite if I missed the Green Party in my speech. Unfortunately, as

the member knows, the Green Party does not have official status in this House, having only one seat, and is not actually a member of the immigration committee.

Having said that, I would like to point out that this particular legislation actually goes to three different directions. It makes it easier for the government to remove dangerous foreign criminals. It makes it harder for those who pose a risk to Canada to enter Canada. Importantly, a point which is left out of a lot of the questions asked by the opposition, including the party of the one person in the corner, is it actually removes the barriers for genuine visitors who want to come to Canada and expedites that process. That is important also to note.

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, it is an honour to rise in the House and speak on behalf of my constituents in the riding of Davenport, in the great city of Toronto. This issue is one of grave concern to many people in Toronto. It is an issue that strikes at the core of families in our cities.

There seems to be some confusion on the other side that somehow we on this side are not in favour of a system that really deals with violent criminals who are not Canadian citizens. That is just a fabrication. If the Conservatives want to speak about partisan politics, that is partisan politics at its worst because it is a gross mischaracterization.

I want to talk a bit about two stories that are very close to me. These people both come from my riding. I had a call from a very distraught mother whose 14-year-old was violently assaulted, in fact so much so that this young person will need a couple of years to recuperate. Those who were arrested for the crime were not Canadian citizens. The mother was in pieces, as anyone could understand a parent to be. She wanted to know how this could happen to her child on the streets of Toronto, which by the way are generally safe streets.

It brings to mind the fact that if the government is serious about dealing with violent criminals, then how can it justify the cuts that it has made, for example to border services? In the 2012 budget there were cuts of \$143 million to the Canadian Border Services Agency.

The bulk of guns, for example, that are used in violent crimes in the city of Toronto are illegal guns, smuggled in from the United States. What does the government do? Instead of protecting Canadian citizens and communities, the child or the mother who phoned me last week, it has cut at the very spot where we actually need more protection and security. We need more thorough checks because it is easy to smuggle in a gun, evidently, because we are awash in them and the government has systematically cut the very agency that we need.

When we talk about Bill C-43, we heard time and time again from stakeholders, who held a variety of opinions on this issue, that the most important thing was to deal with the system we had and make it more efficient. The government has a lot to answer for to the woman in my riding. This legislation is not the answer. This is cold comfort for my constituent and her child.

Government Orders

This is part of the reason why we on our side rejected this. We presented balanced, prudent, moderate amendments to the bill that would have dealt with the very thing that my constituent called me about, which was a regime that was more efficient in dealing with violent criminals who were not Canadian citizens.

That is one story that came to me over the course of the break.

The other story came earlier. It was from a parent who came into my office extremely concerned because her child had been picked up by the police in what sounded like a random pickup. This was a young person, a racialized youth from an immigrant community and a newcomer to Canada. The family was just getting a foothold in our country. This young person was extremely scared and acted a little inappropriately. These things happen with young people from time to time. Mistakes are made.

•(1325)

The concern that the parent had was that if the son was sent back to the home country, there would be nobody there for him. If he was troubled, he needed the support of his family. I think that is something everyone in this place would agree with, that for young people in trouble one of the biggest issues is family support.

This person came to me with a real concern. It is a concern that our party shares. We are concerned about the broad sweep of the bill. We are concerned about the fact that more and more power is being requested by the minister.

This is a government with ministers who do not have a great record of the kind of behaviour that would make Canadians feel secure and safe in giving them even more power and less accountability and transparency. We have a minister who writes a letter to the CRTC, another minister who has overspent in his election and another who likes to take helicopter joyrides. There is a laundry list of transgressions by ministers on that side.

Now we have legislation, and this is not the first one, where the minister is trying to gather more and more power for himself or his office, with less and less accountability. We have heard from stakeholders who hold a variety of views on this issue. They have raised those concerns and they are legitimate ones.

When we talk about public safety, we have to underscore that the government's actions undermine public safety. They undermine communities' desires to be safe and secure in their communities.

The Conservatives are saying that cuts to border services do not have any impact on front-line services at the border where guns do come across. It is wishful thinking. We know from the Customs and Immigration Union that over 300 jobs on the front line of border crossings will be cut. A lot of them are happening in the GTA. We have a multicultural community and many newcomers.

Let us be clear. The government is speaking as though newcomers to Canada are some kind of troublesome thing for Canadian society. The bulk of newcomers to Canada are peaceful, peace-loving, hard-working, positive additions to the Canadian family. We should be proud of this and we should embrace that fact.

We should be looking for ways to support them, to support their families, to support family reunification and not to pick out a very

small important sector of Canadian society that does commit violent crime. We should think more about those families that really need the support so they can get the firm footing in Canadian society that we promise them. That is the most important thing.

•(1330)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I find this confusion the NDP has between serious convicted foreign criminals and normal law-abiding permanent residents completely bizarre. I find that those people in our country who most eagerly want us to deport more quickly convicted foreign criminals are typically new Canadians. They have come here to pursue a life of opportunity in a safe and peaceful society and have zero tolerance for those who have come here and violated the only thing that we require a permanent resident to stay, which is not to commit a serious criminal offence. That is why I announced the policy now found in the bill during the last election as a platform item in Vancouver's Chinatown in front of the ethnocultural media precisely because new Canadians had asked us to more quickly remove from Canada the small number of people in their communities who were creating havoc.

When Jackie Tran was delaying deportation and his criminal gang were shooting people in Calgary, it was typically other Canadians of Vietnamese origin. New Canadians are disproportionately the victims of this kind of crime.

Does the member believe we should deport from Canada foreign nationals who are convicted of a crime with a custodial sentence of six months or more?

Mr. Andrew Cash: Mr. Speaker, we on this side agree that non-citizens who commit serious crimes in Canada should be dealt with quickly. We have to understand that the examples the minister just gave were of individuals who had sentences of more than two years. Therefore, the measures he is referring to are not necessarily contained here anyway.

There is no question on this side of the House that we need to deal with violent criminals. The issue is the broad sweep of the bill. If the government were actually serious about working with the opposition, we tabled nine prudent, measured amendments to the bill that would have dealt with some of these issues that the minister referred to, but it rejected these out of hand and so here we are.

•(1335)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, would the member provide further comment in regard to the minister who likes to stand on a pedestal from coast to coast to coast and label and generalize. Now we are talking about foreign criminals trying to give the impression that permanent residents in Canada are bad people or there is a good percentage of bad people out there who are foreigners and we have to get them out of our country as soon as possible.

Government Orders

We have over 1.5 million permanent residents living in Canada, the vast majority of whom are excellent residents and for whatever reasons they do not get citizenship. At the end of the day we are talking about a very small percentage. The minister, through labelling, puts a negative image on a much larger number of residents in Canada. Would the member comment on that point?

Mr. Andrew Cash: Mr. Speaker, the issue of new Canadians and newcomers to our country is one that is a completely simplified issue and the government loves to paint things in very simple lines. The fact is it is not simple. We have families that come to our country and they contribute greatly. The newcomers of today are the excellent citizens of Canada tomorrow. This is the history of our country.

With the rhetoric that constantly comes from the other side, one would think that new Canadian communities were a hotbed of criminal activity. It is just not the case. We have to deal with violent crime and violent criminals. The bill overreaches, oversteps and most experts share that opinion.

Mr. Devinder Shory (Calgary Northeast, CPC): Mr. Speaker, I am pleased to have this opportunity to debate Bill C-43. If passed, the faster removal of foreign criminals act will go a long way toward ensuring the safety and security of Canadians, and for that, I wholeheartedly support it.

Unfortunately, the opposition has put forward several amendments that would essentially gut the bill and prevent it from becoming the law. In other words, the NDP and Liberals are trying to prevent us from protecting the safety and security of Canadian families.

Canada's immigration system is rightly regarded to be among the most open and generous in the world. Immigration has always been a sustaining feature of Canada's history, and continues to play an important role in building our country. In fact, our Conservative government has welcomed the highest sustained levels of immigration in Canadian history.

Our immigration system works really well, but it is not perfect. No system is, but with Bill C-43 we are taking action to correct one glaring problem afflicting our immigration system.

We see time and time again that foreign criminals who have committed serious crimes on our soil are able to endlessly delay their deportation by using an avenue of appeal that exists under the current law. There are many examples of convicted foreign criminals who have abused our generosity and tested our patience by drawing out their removal process via this avenue. They include fraudsters, drug traffickers, rapists and child abusers, some of the worst people humanity has to offer.

Take the case of Cesar Guzman, who was issued a deportation order after being convicted of sexually assaulting a senior citizen. As Nadia Moharib reported in the *Calgary Sun*, his victim was an 87-year-old woman at a senior care facility where he was employed. Despite the seriousness of his loathsome and sickening crime, this sexual predator, a man who preyed on and violated one of the most vulnerable members of our society, was sentenced to only 18 months in prison.

To make matters worse, the short length of that sentence allowed this sex offender to appeal his deportation order. This man should have been sent packing back to Peru as soon as he walked out the

prison gate after serving his sentence, but because of the avenue of appeal that opened for him, the removal process ended up dragging on for years. Having initially been ordered deported in May 2007, Mr. Guzman was not removed from Canada until April 2011, amounting to nearly four years of delay.

Canadians can be forgiven for seething with rage when they hear the details of this disturbing case. The bottom line is that this man should never have had the opportunity to appeal his deportation in the first place.

Currently, a permanent resident or foreign national may be ordered deported if they could receive a maximum sentence in Canada of at least 10 years for their crime, or if they receive an actual sentence of more than six months.

The problem is that under the current system, as long as their sentence is less than two years, a permanent resident can appeal their deportation order to the Immigration Appeal Division at the Immigration and Refugee Board. If they lose their appeal at the IAD, they may then apply for leave and judicial review of that decision at the Federal Court, and on it can go from there.

As a result, serious foreign criminals are often able to delay deportation from Canada for many months, even years on end. In all this time, while their victims suffer, they are free to walk on the street. What is worse is that many of these convicted criminals have gone on to re-offend while they are in Canada, endangering Canadians and making a mockery of our laws.

With Bill C-43, we want to send a clear message to foreign criminals. If they commit a serious crime in Canada, they will get their day in court, but they will then be sent packing as quickly as possible. Under Bill C-43, any permanent resident who receives a sentence in Canada of six months or more would no longer be able to appeal their deportation to the IAD. Also, those who have committed serious crimes outside Canada will be barred from accessing the Immigration Appeal Division. In addition, those who are inadmissible on the most serious grounds, such as organized crime or war crimes, would no longer have access to a program that is meant for exceptional cases deserving of humanitarian and compassionate grounds.

• (1340)

Yet another key change would give the Minister of Citizenship, Immigration and Multiculturalism a new authority to deny entry in exceptional cases to the foreign nationals who give rise to public concern, such as individuals who encourage or incite hatred likely to lead to violence. This would close a loophole in our current system whereby certain foreigners who are not admissible to Canada are admissible even though they might represent a risk to us. Those foreigners may, for example, have a long track record of promoting hatred and inciting violence against vulnerable groups.

Individuals with immediate family members who are inadmissible on grounds of security, human or international rights violations, or organized criminality would also be barred from visiting Canada under Bill C-43, even if they are travelling alone. That being said, we would facilitate the visits of those individuals with immediate family members who are inadmissible on less serious grounds, such as health.

Government Orders

The government is committed to the safety and security of Canadians and Bill C-43 is a strong expression of that commitment. Indeed, the proposed changes in this legislation would increase our ability to protect Canadians from criminals and security threats, including newcomers who have come here to find peace and build a new life. At the same time, we would also strengthen our immigration program and facilitate entry for some low-risk visitors. These tough but fair measures would ensure that foreign criminals are not allowed to abuse our generosity endlessly.

I hope that my hon. colleagues in the NDP and Liberal parties will stop opposing this bill and join us in supporting Bill C-43 and help make these measures a reality.

• (1345)

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, in my constituency of Surrey North, there are many Canadians waiting to be reunited with family members abroad. Under the present Conservative government, that lineup has gotten longer and longer. Not only that, but there are also qualified individuals here who have come from different countries whom the government has failed to help find appropriate jobs.

Why is my colleague demonizing immigrants instead of focusing on improving the broken immigration system that is in place?

Mr. Devinder Shory: Mr. Speaker, I thought the member for Surrey North would be asking a question on Bill C-43.

However, as he has asked about visa issues, my colleague should know that this government has brought in the maximum number of immigrants into Canada. This is the government that has been trying to fix the broken immigration system put in place by the previous government. This is the government that has issued the maximum number of visas. For example, in Chandigarh, the rate was 32%, but now it is above 50%. The member should know better.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the member listens to the minister's propaganda a little too much.

It was the Liberals who established the office in Chandigarh. It was the Liberals who created the nominee program that has allowed the current government to hit the immigration numbers it is hitting. At the end of the day, we do not mind sharing our successful programs with the Conservatives, but we do take exception when they mess up on legislation. This is one of those cases. A specific example of that within Bill C-43 deals with misrepresentation.

I am sure the member is aware of unintentional misrepresentation, which occurs by accident or through a bad immigration consultant or lawyer, and a mistake is made on the application. Through Bill C-43, the government would increase the wait time from two years to five years, which seems very harsh when many innocent mistakes are made when filling out an application. That is why we have the term "unintentional misrepresentation" for issues such as immigration lawyers who give bad advice. However, with Bill C-43, there seems to be a fairly heavy consequence for this.

Why would the government not be open to an amendment that would keep the wait time at two years as opposed to five years, especially where it is proven that an unintentional mistake was made?

Mr. Devinder Shory: Mr. Speaker, my colleague from Winnipeg North should know, first of all, that I am an immigrant. The vast majority of immigrants who come to this country want to work hard and play by the rules. They value Canada and seek to be productive members of our great nation.

Those who would come to this country and break our laws and victimize our fellow Canadians do not deserve a break. That is my belief, and I deal with immigrants on a day-to-day basis in my riding, because mine is one of the most multicultural ridings in Canada.

[*Translation*]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, Bill C-43 is problematic. In fact, the title is the only thing that makes any sense and the only thing we all agree on. The thing that offends me the most is that the Conservatives are accusing us of trying to protect criminals and stonewalling the bill. Clearly, it will be impossible to have any kind of reasonable, intelligent debate as long as the other side of the House continues to use abusive language and give such extreme examples. They describe all kinds of horrible things for weeks, but that will do absolutely nothing to advance the debate.

I occasionally meet people in my riding who came to Canada as immigrants or refugees. They tell me that what bothers and offends them the most is to see powerful people, people with tremendous resources, who manage to beat the system and come to Canada with certain privileges. Those people are the hardest to deport in many cases. The sluggishness and inefficiency of the whole immigration system really bothers many of these people when they want to bring the rest of their family to Canada.

It makes me laugh to hear the Liberals and Conservatives argue about this, since the system's inefficiencies go back about 100 years. Both parties have been equally incompetent ever since the system was first created.

When the Conservatives decide to fix something, they always take aim at whatever is not broken. For example, although there are problems with border security and delays in processing immigration files, they find it easier to attack a very small number of people with unpronounceable surnames. They ask them to talk about all the horrible and repugnant things they have done in order to maintain a sort of fear in society. That is what they do. They put all their energy into that, instead of thinking about the issue and having an intelligent discussion with people who, like us, are actually trying to protect citizens from a minority of people with bad intentions who really represent a threat to our society.

The Conservatives are repeating all the mistakes made by Australia. This is nothing new and it is not insignificant. Canada's treatment of aboriginal peoples is based on the Australian model, which turned out to be horrible. Australians apologized and continue to work on fixing the damage they caused. More recently, they reformed their immigration system and made terrible mistakes, which they are now correcting.

Statements by Members

Now we are implementing their model. I do not understand where the Conservatives look for their ideas. That is the danger with all extreme positions. There is no room for reflection in extremism. They only know how to be derisive instead of thinking things through. In the long run, they will destroy our country and its reputation. This is going nowhere.

The Conservatives accuse us of not wanting to collaborate or make constructive comments. However, every time they open their mouths, they accuse us of being criminals.

• (1350)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): That is odd, Mr. Speaker. The member just said that we are destroying the country because we want to expedite the deportation of dangerous foreign criminals. That is something else.

My question is very simple. Does the member agree that we should remove foreigners from this country if they have been found guilty in a Canadian criminal court and have been given a sentence of six months or more?

Does he believe that it is acceptable to delay deportation of these criminals for years, or does he believe that we should remove them as quickly as possible to keep our communities safe?

• (1355)

Mr. Marc-André Morin: Mr. Speaker, obviously I agree that dangerous criminals who have been given a sentence for a very serious offence should be sent home to their own country. We do not want to bring criminals to Canada; we want to bring people who will work and contribute to society.

The danger with the minister's comments is that people end up forming associations in their minds. If people only ever hear about extreme cases and base their judgment on those cases, they begin to associate temporary residents or refugees with criminals. It is that aspect of the government's attitude that I find shocking.

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the government and this particular Minister of Citizenship and Immigration have been soundly criticized by many stakeholders across the country in regard to the way in which the department, through the minister, is going to be treating, in particular, young individuals who come to Canada at two, three, four years of age and are raised in Canada. In essence, these children would not have had any association whatsoever with their parents' homeland and might not even speak the language of that country. Under this legislation they could be deported shortly after turning 18 or 19 years of age if they commit relatively minor, yet some would argue serious, offences such as making a video recording of a recently released movie at a movie theatre or using false identification in the United States in order to acquire a drink.

This is not what I believe Canadians want to see. This would be extreme and is one of the reasons the legislation must be amended before it is ultimately passed.

I would like the member to comment on this.

[*Translation*]

Mr. Marc-André Morin: Mr. Speaker, I always appreciate the examples given by my colleague, even though sometimes I get the impression that I have already heard them.

The danger does not necessarily reside in specific extreme cases but in the long-term effects of such action, which would create two classes of people. In my opinion, we should start treating people who have lived here for 20 years and those who may have even been born here as citizens.

How many people could be deported without notice as a result of this legislation? In the long term, there is really no limit. Are we going to choose other categories, other types of people that we do not like?

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I would like to thank the hon. member for his remarks. A question came to mind as I was reading the provisions of Bill C-43. I came across the clause that prohibits the invocation of humanitarian and compassionate grounds. In my opinion, this is quite serious.

By eliminating this possibility, we are preventing the minister from taking into account the best interests of children, which goes against Canada's obligations under the Convention on the Rights of the Child.

I am wondering what my colleague thinks about this about-face. Once again, the Conservatives are ignoring international rules to which Canada has already agreed.

Mr. Marc-André Morin: Mr. Speaker, the precedent was already set, in their minds at least, when they spoke about imprisoning children of refugees who are considered to be irregular arrivals. It does not really bother them to deport someone to a country where he would not last five minutes because the situation there is so dire.

There are countries that have already done this and regretted it. The Americans deported many young California street gang members to El Salvador. These young people came back armed and with the support of drug trafficking networks. They are now the biggest problem in the streets of El Salvador and California.

• (1400)

[*English*]

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

STATEMENTS BY MEMBERS

[*Translation*]

CLARITY ACT

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, yesterday, the masks came off.

Not only did the NDP reiterate its support for the Clarity Act—legislation that allows members of the House of Commons and all of the other provincial and territorial legislatures to restrict Quebecers' freedom to control their future—but it also added insult to injury by introducing its own bill that would give the federal Parliament the right to veto the referendum question.

Statements by Members

The NDP is no different than the Liberals and the Conservatives. Whether they are supporting the current Clarity Act or hastily drafting a new one to try to please everyone by offending no one, their intentions are the same. They are trying to shackle Quebec and place it under trusteeship, as Claude Ryan said. And how ironic it is that a member from Toronto is the one suggesting the right questions to ask to determine the validity of a referendum on Quebec sovereignty.

Either way, what was true before the Clarity Act is still true today: the Quebec nation is master of its own fate. The National Assembly is sovereign, and when we decide to take our place at the table of nations, it will be our choice.

* * *

[*English*]**ELMWOOD—TRANSCONA**

Mr. Lawrence Toet (Elmwood—Transcona, CPC): Mr. Speaker, 2012 was a year of many great celebrations and accomplishments for the wonderful people of Elmwood—Transcona.

From Happy Days on Henderson to Canada Day celebrations and the Transcona Centennial celebration, we gathered to celebrate our community.

From the Disraeli Freeway completion to the construction agreement for the Plessis underpass, we are working together to improve our community and to continue to support projects that will increase opportunities for employment and in valued skilled trades and economic prosperity for our community.

Our government has invested in improved lighting for sports fields, playground and building improvements for area community centres, and improvements to daycare facilities. These are the priorities of the community, and our government is helping fulfill these needs and is creating jobs for our community.

I have also had the pleasure of awarding the Queen's Diamond Jubilee Medal to some truly inspiring community members, each of whom has contributed his or her time and energy to make our community stronger. We each have our memories of what our community was and a vision of what it will be if we continue working together at building on a foundation of helping each other.

I am thankful for the support of my constituents whom I proudly represent.

* * *

SEARCH AND RESCUE

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, today marks the one-year anniversary of the disappearance of Burton Winters of Makkovik, Labrador. The 14-year-old walked 19 kilometres before he lay down on the ice, removed his hat, mitts and goggles, and died. His body was found after three days. Search and rescue was called, but the help came far too late.

Burton's family never wanted him to become the poster boy for all that is wrong with search and rescue in Newfoundland and Labrador, but he has become just that, the poster boy of needless tragedy.

Today the story in the news back home is about how the search and rescue centre in Halifax referred to the Port au Port Peninsula on Newfoundland's west coast as Port-au-Prince, as in Haiti. "It was a slip of the tongue", they said, but in terms of search and rescue these mistakes can cost lives. That is the point that is lost on the government.

Today we remember Burton Winters and hang our heads with the shame that this child of Labrador did not have to die.

* * *

THE ENVIRONMENT

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, the Highland Companies have withdrawn their application for the proposed megaquarry in Melancthon Township in my riding of Dufferin—Caledon.

I want to thank the members of the North Dufferin Agricultural and Community Taskforce, and in particular Carl Cosack, Dale Rutledge and Fred von Veh.

I want to thank Robert and Donna Wells for their photographic and fundraising contributions.

I want to thank chef Michael Stadlander and the organizers of Foodstock and Soupstock, which spread the message about the megaquarry well beyond the borders of Dufferin—Caledon and into the GTA.

Finally, I want to thank the tens of thousands of Canadians from all across the country who signed the petitions which I presented in this place virtually every week over the past year and a half.

Thanks to the efforts of these and countless others, prime Ontario farmland has been saved and our valuable water sources protected.

* * *

● (1405)

KITSILANO COAST GUARD BASE

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, on January 19, I attended yet another rally to save the Kitsilano coast guard base, organized by the Union of Canadian Transportation Employees in B.C.

The Jericho Sailing Centre was packed with boaters, rescue volunteers and politicians from every level of government and political party, including former Conservative MP John Cummins. Notably absent were B.C. Conservative MPs.

Vancouverites will not back down. A City of Vancouver study and experts from the Vancouver police and fire departments confirm that the closure of Kitsilano base will increase response times by up to 60 minutes and will cost lives. They are not impressed by the government's solution to dock a Zodiac in Coal Harbour staffed by volunteers during summer, when it is in winter that a few minutes in frigid water can mean death.

Statements by Members

What is worse, the federal government never consulted the city nor the province prior to these decisions which directly affect British Columbians. This disrespect for regional governments and stubborn disregard of expert advice has become a dangerous pattern. Keep Kitsilano base open.

* * *

DOROTHY KOSTRZEWA

Mr. Mark Strahl (Chilliwack—Fraser Canyon, CPC): Mr. Speaker, I rise in the House today to celebrate the life of a remarkable woman, Dorothy Kostrzewa. Born Dorothy Chung on August 17, 1928, she and her family would survive a devastating fire that destroyed Chilliwack's Chinatown. While others left, her family would stay and Chilliwack is grateful that they did.

In 1971, Dorothy was elected to Chilliwack's city council, making her the first Chinese Canadian woman to hold elected office in Canada. It would be a position she would hold for 31 years. The accolades she received for public service are too numerous to mention, so allow me to provide just a few highlights. Dorothy was awarded the Order of Chilliwack. She was named the woman of the year, millennium woman of the year and one of one hundred Chinese Canadians making a difference in B.C.

While the community mourns the passing of Chilliwack's grand lady, we celebrate her incredible legacy. We are thankful for having had the privilege of knowing her and thank her family for sharing this remarkable woman with us.

* * *

[Translation]

CITIZENSHIP AND IMMIGRATION

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, a family in my riding is currently awaiting extradition to Mexico, where they really fear for their safety.

These people left Mexico in 2009 to flee the armed assaults and blackmail they were being subjected to. They found refuge in my riding, Saint-Hyacinthe—Bagot.

Today the parents have good jobs at a Canadian company. Their two daughters are doing well at school. They all speak excellent French and are very active in their community. They are an example of an immigration success story.

Unfortunately, their refugee claim was denied and they are now living in fear. No one flees their homeland without good reason. This family had friends, a business and a whole life there. They fled Mexico because they had no other choice.

Last Saturday over 200 people came together to show their support. On behalf of all those people, I humbly ask the minister to intervene.

This family is a credit to our community. These parents must be allowed to raise their daughters here, in a safe place.

[English]

CARNAVAL DES COMPAGNONS

Mr. Jay Aspin (Nipissing—Timiskaming, CPC): Mr. Speaker, I want to recognize an important cultural event held by the francophone community in my riding of Nipissing—Timiskaming. Later this week, Les Compagnons will celebrate their 50th annual winter carnival, *c'est vrai, leur anniversaire d'or*, from February 1 to February 10.

[Translation]

The Carnaval des Compagnons is the second largest French-Canadian carnival in Canada. It attracts visitors from all over the region who want to celebrate la Francophonie and experience a truly unique cultural event.

[English]

As their member, I am proud of the Carnaval des Compagnons. I encourage my colleagues to make the trip to North Bay this week and join in the fun.

• (1410)

[Translation]

In the words of Les Compagnons, “S'amuser au carnaval, y a pas de mal”.

[English]

Come out and enjoy.

* * *

CALGARY CENTRE

Ms. Joan Crockatt (Calgary Centre, CPC): Mr. Speaker, I want to take this opportunity to wholeheartedly thank the voters of Calgary Centre for electing me to represent them in Canada's Parliament. I am tremendously grateful for their support and I am determined to represent every constituent in my riding to the best of my ability.

I would also like to thank the members from Papineau, Ottawa South and Outremont for their contributions to my success, however inadvertent.

I am honoured to represent the heart of the new west at this pivotal moment in Canada's history, when our nation is poised to become a global superpower, thanks in large part to generations of visionaries from Calgary Centre who seized opportunity. Not only have they built an industry that is providing jobs from coast to coast to coast, but they have also inspired folks in every region to seize their own opportunities for resource development.

This is our national dream for the 21st century and I look forward to working with all members of the House to achieve our destiny.

Statements by Members

[Translation]

CITIZENSHIP AND IMMIGRATION

Mr. Matthew Dubé (Chambly—Borduas, NDP): Mr. Speaker, on December 31, right in the middle of the holidays, the Suarez family received a letter from the Minister of Citizenship, Immigration and Multiculturalism for the deportation of Omar Andrés Burgos Suarez, 14, and his mother, Edith Suarez Gutiérrez. The family has been living a nightmare ever since.

Young Omar arrived in Canada in 2008 and has since fully integrated into his host society. He speaks French perfectly and is doing very well in a number of his courses at École secondaire de Chambly, which he has been attending for more than three years.

I would like to point out that my entire community wants to help the Suarez family. The students and teachers at École secondaire de Chambly gave me a petition signed by more than 500 people asking the ministers concerned to review this file.

Therefore, I am asking the Minister of Public Safety to grant a stay of removal in order to allow young Omar to finish his school year. I am also asking the Minister of Citizenship, Immigration and Multiculturalism to show compassion and to review this file so that mother and son can remain with their family here in Canada.

* * *

[English]

CITIZENSHIP AND IMMIGRATION

Mr. Costas Menegakis (Richmond Hill, CPC): Mr. Speaker, today, during the report stage debate of Bill C-43, the faster removal of foreign criminals act, I was shocked to hear several NDP MPs repeat that they do not believe that criminals convicted with a sentence of six months or more have committed serious crimes and should be deported from Canada. That is right. The NDP does not think that criminals convicted of crimes such as drug trafficking, robbery and theft, assault with a weapon, or even sexual assault, have committed serious crimes.

With today's shameful comments, they have made it clear that they, in fact, want to make it harder for serious criminals to be deported from our country. The NDP has proven once again that it will always put the interests of criminals first.

It is our Conservative government that is standing up for victims and law-abiding citizens and it is only our Conservative government that will put the safety and security of Canadians first, always.

* * *

[Translation]

THE CONSERVATIVE GOVERNMENT

Ms. Manon Perreault (Montcalm, NDP): Mr. Speaker, during the break I met with a number of Canadians who shared their concerns with me.

I met with people who are worried about the changes to EI and how they will negatively impact the agricultural sector.

I met with people who are very worried about underemployment and who are having a hard time making ends meet.

I met with people whose communities do not have the resources they desperately need for infrastructure.

I met with organizations representing persons with disabilities and veterans that are watching the government slowly withdraw the crucial support they depend on.

I remind the members opposite that these are also their fellow Canadians. When the government hurts Canadians and these members do nothing, they are also responsible.

It is a new year; they must remember that they have been called upon to represent all Canadians and not to pick and choose.

* * *

[English]

TAXATION

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, in recent weeks, Canadians from coast to coast to coast have faced chilling deep-freezes. These annual deep-freezes are nothing new in Canada. Every year, Canadians budget for increased home heating bills. Every year, Canadians make sacrifices to pay those bills. That is why our government has taken steps to make life more affordable for Canadians. Since 2006, we have cut taxes more than 140 times.

However, while our government is cutting taxes, the NDP is proposing a massive \$21 billion job-killing carbon tax that would increase the cost of gas, groceries and home heating. For Canadians struggling to stay warm this winter, it is clear which party is on their side: our Conservative government.

* * *

● (1415)

SUPERINTENDENT OF THE YEAR AWARD

Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.): Mr. Speaker, I rise today to pay tribute to an accomplished educator, Robert Mills, director general of the Lester B. Pearson School Board, which encompasses primary, secondary and professional schools in the western Montreal region.

Mr. Mills was recently named the 2012 Superintendent of the Year by the Canadian Association of School Administrators. He was also awarded the Xerox Excellence in Educational Leadership Award at the CASA national conference in July 2012.

Throughout the many stages of a career that began in the classroom, Bob Mills has helped manage major changes in Quebec's educational system, some truly tectonic, such as the transition from confessional school boards to linguistic boards. The mark of a true leader, Bob Mills has had the foresight to partner and plan for difficult challenges ahead so as to preserve the exceptional educational programs that have defined Lester B. Pearson School Board's reputation for excellence.

Oral Questions

A nation that values education is one that will know social progress and economic prosperity. On behalf of all members of the House, I thank Bob Mills for his recognized contribution to making Canada such a nation.

* * *

[Translation]

NEW DEMOCRATIC PARTY OF CANADA

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, Canada's debt is by far the lowest of all the G7 countries, and our record on job creation is the best, with over 900,000 net new jobs created since July 2009.

We are working to improve the economy, but the NDP wants to impose a \$21 billion job-killing carbon tax on Canadians.

The NDP's \$21 billion carbon tax would have a devastating impact on Canadian families because it would raise the price of everything from gas to groceries to electricity and all other goods and services.

Our government has held over 200 economic consultations over the past six weeks, and it is clear that Canadians do not want an NDP-style carbon tax.

Our priorities are jobs and long-term economic growth, and that is why Canadians trust our government.

* * *

NEW DEMOCRATIC PARTY OF CANADA

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, a new year is a time for making resolutions. And the Conservatives had plenty of options.

They could have finally decided to be transparent, to stop selling off our natural resources to foreign countries at bargain basement prices, to manage public funds prudently instead of getting involved in the F-35 fiasco, to put an end to the series of ethical scandals or to respect seniors instead of slashing their old age security pensions.

Unfortunately, yesterday I saw that not much has changed.

In contrast, the NDP will use 2013 as an opportunity to continue our relentless efforts. In 2013, with a staunch defender of Canadian interests at the helm, with a united, solid, competent team and with an unyielding commitment to hold this irresponsible government to account—the NDP will prove yet again that it is ready to build a greener, more prosperous and fairer Canada.

* * *

[English]

NEW DEMOCRATIC PARTY OF CANADA

Mr. Ted Opitz (Etobicoke Centre, CPC): Mr. Speaker, two days back and already the spinning begins.

Yesterday my NDP colleague from Scarborough Southwest said that his party will offer practical solutions. What he fails to mention is that the NDP solution is a new \$21 billion job-killing carbon tax.

He says their solutions will be fair, but that is NDP code for “it will cost all Canadians dearly”. The NDP's job-killing carbon tax

will raise the price of everything from gas to groceries to electricity. He said that their solution will build a more prosperous Canada, but that is code for “the NDP's \$21 billion job-killing carbon tax will raise billions on the backs of hard-working Canadians”.

In fact, that is the entire purpose of the NDP plan and not some idea that has altruistic environmental goals. His leader said that he had proposed a system of carbon pricing that will produce billions. The NDP's job-killing carbon tax is simply bad for Canada. Our Conservative government will continue to stand up against this reckless and irresponsible job-killing policy.

ORAL QUESTIONS

● (1420)

[Translation]

THE ECONOMY

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, yesterday, one of the world's leading rating agencies downgraded the ratings of Canada's five biggest banks.

Today, another rating agency sounded the alarm. Fitch said that rising Canadian household debt is “the main domestic threat” to the stability of our entire financial system.

Does the Prime Minister realize that families in Canada carry more debt than those in any other OECD country? What is he going to do about it?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government has already recognized Canadians' rising debt levels.

We have taken measures that have begun to produce positive results. Speaking of Canada's banking system, once again, the World Economic Forum has said that ours is the most stable system in the world. Yesterday, Moody's said that Canadian banks are among the most highly rated of those it tracks around the world.

[English]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, under the Conservatives household debt in Canada has skyrocketed to 167% of disposable income. Over the past three decades the income of the richest 20% of Canadians has increased, while for the other 80% net income is in fact down. The middle class is being squeezed as never before. Savings are down, and more and more families are relying on credit cards just to make ends meet. Household debt is not just hurting families; it is now threatening the stability of our financial system itself.

Oral Questions

When is the Prime Minister going to start taking this problem seriously and acting?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, Canadians have obviously felt in a position to take on greater mortgage debt. The government and the Governor of the Bank of Canada have indicated some concerns about that. We have taken some steps that have indeed moderated that particular trend.

However, when we are talking about the banking sector, I do have to point out that once again this past year the World Economic Forum has rated Canada's banking system the strongest in the world. Even yesterday, with the decision, Moody's said that Canadian banks still rank among the highest rated banks in our global rating universe.

* * *

ABORIGINAL AFFAIRS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, we are talking about the poverty of Canadian families, not about the banks. They made \$33 billion in profit.

Today in Canada, first nations schools receive nearly a third less funding than the schools of other Canadian children. Canada and first nations are grappling with some difficult issues—resource royalties, treaty rights, rebuilding our nation-to-nation relationship—but the principle that our children all deserve an equal shot in life, that is basic, that is fundamental.

A year ago the Prime Minister promised to fix the funding gap for first nations schools. Funding is still at a third less. Why has the Prime Minister failed to act?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the leader of the NDP did ask about the banks, but he did also ask other questions. In fact, under this government we have seen moderating of that income gap because of actions this government has taken, like cutting the GST for ordinary Canadians, something the NDP voted against, providing tax credits for families, something the NDP voted against, and specifically when we talk about aboriginal Canadians, building 260 new schools, something the NDP of course did not—

The Speaker: Order, please. The hon. member for Nanaimo-Cowichan.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, actually of the money that was announced in the last budget, virtually none of it went into classrooms. Even kids get this.

On Valentine's Day school children across Canada will take part in Have a Heart Day, demanding equal funding for on-reserve schools. On-reserve schools receive nearly one-third less per student in government funding than provincial schools.

Why will the minister not agree that the status quo must end now and equal funding must be provided for children on reserve?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we are committed to structural reforms. We cannot throw money at a problem. We need to make structural reforms.

In December I launched an intensive consultation process that will take place with first nations parents, students, educational leaders and educators from coast to coast to coast. The first of these sessions

took place last week. I have written to every community to invite them to these sessions. Their input will be critical to the development of the national first nations education act.

● (1425)

[*Translation*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, Canadians are fed up with the status quo.

During the January 11 meeting with first nations, the Prime Minister said he would put someone in cabinet in charge of aboriginal issues to ensure that promises made during the meeting are kept.

Can the Prime Minister tell us who he put in charge of this file and whether that person will report to Parliament on progress with the talks?

[*English*]

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, as a result of the January 11 meeting at which the Prime Minister and I met with first nation leaders to discuss economic development treaties and comprehensive claims, there was a commitment for a high-level dialogue on the treaty relationship and comprehensive claims, enhanced oversight from the Prime Minister's Office and the Privy Council Office and meeting with the National Chief in the upcoming weeks to review next steps. We believe that working together with first nations is the best way to achieve our shared objective.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, in November 2011, the House voted to approve a resolution that said we need to bring safe, clean, running water to all communities on an urgent basis. That was in November 2011, but since 2006 when the Conservative government took office, there has been a 23% increase in the number of first nation reserves that are living under boil water advisories, from 95 communities to 117. The problem the government faces is that the facts on the ground do not match the rhetoric in this place. That is the reason for the skepticism among first nations.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this government has made massive investments in first nations water, precisely to address these problems that had been ignored for so long. As always, the Liberal Party and the other opposition parties voted against these investments, but they are important and there is also legislation before the House on this specific matter, and I would encourage all the opposition parties to give that legislation their support.

[*Translation*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, there is currently no legislation before the House of Commons about the resources needed to fix this problem.

In 2011, 73% of first nations water systems were categorized as risky. That was not in 2006, 2007 or 2008. That was in 2011. So the problem remains. The facts on the ground do not match the Prime Minister's rhetoric.

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, there were problems with water systems long before the Conservative government took office, and we have made massive investments to deal with those problems. Unfortunately, the Liberal Party voted against those investments. There is currently legislation before Parliament on this specific matter, and I would encourage the opposition to support that legislation.

* * *

[English]

PARLIAMENTARY BUDGET OFFICER

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, it is clear after the Minister of Finance's attack on the Parliamentary Budget Officer, Mr. Kevin Page, that it is the Prime Minister's intention to turn the taxpayers' watchdog into his personal lapdog. That is the plan the government has.

The government having fired Marty Cheliak, Pat Stogran, Linda Keen, Peter Tinsley, Paul Kennedy, Adrian Measner, Munir Sheikh, Steve Sullivan and Rémy Beaugregard, why is the name of Kevin Page being added to this list of people who are being thrown out of the bus because they had an independent opinion about something?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, of course it was this government that created the Parliamentary Budget Officer to ensure that Parliament has independent and non-partisan information on the financial position of the government. We are committed to that and want to make sure in future that the office does credible and non-partisan work.

* * *

[Translation]

ABORIGINAL AFFAIRS

Mr. Jonathan Genest-Jourdain (Manicouagan, NDP): Mr. Speaker, after decades of inaction, it is time to walk the talk.

Over a year ago, the Prime Minister committed to build a new relationship with aboriginal peoples, but he has not kept this promise. If the Conservatives had honoured their commitments, there would be no Idle No More.

On January 11, the Prime Minister once again committed to begin high-level dialogue, but nothing has happened since.

Can the Prime Minister tell us what meaningful action will result from his meeting with aboriginal leaders?

● (1430)

[English]

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we are proud of the concrete steps we have taken to improve living conditions and economic opportunities for aboriginal communities. We have built or renovated hundreds of schools, built thousands of homes, invested in safe drinking water and introduced measures to create economic opportunities. While we have made progress, we recognize work still needs to be done. We will continue to work with aboriginal leaders who choose to work with the government to create jobs and economic opportunities.

[Translation]

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, the problem is that the Conservatives have not honoured their commitments to aboriginal peoples. If they had done so, there would be no protests in the streets here in Canada or around the world. Nor would there be an emergency meeting with aboriginal leaders.

In aboriginal communities today, one in four children lives in poverty. The suicide rate among young aboriginals is five to seven times higher than among young Canadians.

What exactly does the Prime Minister plan to do to address those two specific problems?

[English]

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, as I have mentioned, we continue to work with willing partners on shared priorities including education, economic development and access to safe drinking water. Our government will continue to take action because we believe that first nations deserve the same opportunities as all Canadians.

* * *

THE ECONOMY

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, since he refused to discuss it yesterday, let me remind the Minister of Finance of yesterday's bad economic news: a downgrading of the credit rating of the major six Canadian banks, and today another report on the real Conservative record. Corporations now get a much better tax deal than everyone else. Conservative policies mean corporate taxes go down and household debt goes up.

When will the Minister of Finance stop putting his well-connected friends ahead of the rest of Canadians?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, it would help at the outset if the hon. member got her facts straight. In fact, debt on credit cards declined nearly 4% in the last year, with demand for new credit at its lowest level in five years, down 11% from 2007.

With respect to corporate taxes, I understand the CLC supports the NDP. I understand it supports the NDP high-tax agenda. However, our Conservative government is focused on leaving more money in the hands of investors and entrepreneurs and ultimately growing the workforce, at which we have been incredibly successful.

Oral Questions

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, talk about denial. It is unbelievable. The fact is that Conservative policies leave individual Canadians with higher debt and bearing more and more of Canada's tax burden, while corporate tax freedom day is now months before everyone else's. It is no wonder that the minister wants to turn the Parliamentary Budget Officer into his own personal cheerleader. So much for fiscal accountability.

We all know the minister just does not like criticism, so why would he not just admit his plan is to gut the role of the Parliamentary Budget Officer and turn the Conservatives' back on the Federal Accountability Act that they themselves brought in? When is he going to admit that?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, in the first place, it is this Minister of Finance, this Prime Minister and this government that cut the average tax for the average Canadian family by \$3,000, and we are very proud of that.

When it comes to the Parliamentary Budget Officer, we created that office, we are committed to that office's continuing to exist and we want to ensure that in the future we have a Parliamentary Budget Officer who is non-partisan and credible.

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, let us talk about credibility. Every time the Parliamentary Budget Officer released a report and the Conservatives publicly contradicted him, they had to do an about-face and admit that he was right.

The Conservatives want to get rid of the Parliamentary Budget Officer so he will not shed light on some of the Conservatives' bad decisions. Take the example of the Conservatives' corporate tax policies. They have obviously not had the desired effect because the profits resulting from these tax cuts have not been reinvested in the economy.

Why do the Conservatives insist on staying the course to the detriment of our public services and infrastructure?

• (1435)

[*English*]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, contrary to what the Canadian Labour Congress and the New Democrats say, business investment across Canada has actually rebounded since 2009. It is 6.2% higher than before the recession. No other country in the G7 can match that record.

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, I would like to point out that the Minister of Finance himself criticized businesses for failing to reinvest profits made as a result of lower corporate taxes.

The most recent economic news is troubling. Canadian household debt is much too high and that was a significant factor in the decision to downgrade the ratings of six major Canadian banks. The Conservatives' laissez-faire approach to public finances is hurting our economy.

Will the minister replace failed policies with new initiatives to respond to the challenges faced by our economy, or will he just repeat his same old attacks on the NDP?

[*English*]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, there are two aspects to personal indebtedness, and one is mortgage insurance. We have moved four times to tighten that market and the Office of the Superintendent of Financial Institutions also has in the past year. That has had a moderating effect on mortgage interest, which is important in Canada, and on the real estate market.

On the other hand, on credit cards, I have already explained. The facts are that credit card debt is going down in Canada. Canadians are getting the message to be careful about personal debt because interest rates are bound to rise inevitably.

* * *

[*Translation*]

NATIONAL DEFENCE

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, after being harshly criticized by the Auditor General for not having a management plan for National Defence's real property, now, the Conservatives are getting involved in a risky experiment: privatizing the management of the department's real property across the country. The Conservatives are taking a leap into the unknown without a business plan or an impact study.

Why are they still undertaking risky experiments at the Department of National Defence?

[*English*]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I am very proud of the significant investments we have made through the Canada first defence strategy to infrastructure on bases across the country. The Department of National Defence continues to ensure that members of the Canadian Forces and their families have the necessary infrastructure to train, to live, to do the important work that we ask of them. The department will leverage private sector capabilities with the realignment of internal resources to oversee the right mix of in-house and external delivery options.

We also continue to work with our partners, including the construction dialogue, in appropriate consultation forums with the employees' unions.

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the poor management of buildings and infrastructure at National Defence is so bad that many locations do not even meet the national fire code.

Blindly giving up the management of military bases to the private sector with no clue on how it will affect military communities or the bottom line is not a plan. It looks more like an ideological solution, not sound management.

Could the minister tell Parliament what services will be transferred to the private sector and how much it will cost Canadians?

Oral Questions

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, ignoring the usual inflammatory and ignorant language of the member opposite, what I will do is ensure him that the investments that we have made have significantly improved the infrastructure across the country. This is a clear attempt to work with the private sector to ensure that we have the proper mix and the proper balance when it comes to the necessary needs of the Canadian Forces, the members and their families.

* * *

SEARCH AND RESCUE

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, the minister should know I was quoting the Auditor General and the national fire code.

Another case of blatant mismanagement by the Conservative government is the failure to improve search and rescue in Canada despite its claims to the contrary.

A year after the tragic death of young Burton Winters in Labrador there has been no improvement in search and rescue response times. In fact, the search and rescue role in Goose Bay has actually been downgraded. The Conservatives even defeated our common sense motion to improve the response times in line with other countries.

When will the government finally take action to fix search and rescue?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, I note, and the member opposite would know coming from Newfoundland and Labrador, this is the week of the anniversary of the death of young Burton Winters. Our thoughts are with his family and the community of Makkovik at this time.

In response to that particular incident and the necessity to make improvements, we did place another helicopter at the base in Goose Bay, Labrador. We have also changed the protocol. We are working much closer now with provinces and territories to coordinate ground search and rescue. We will continue to make necessary investments in improvements to search and rescue. Our SAR techs do a spectacular job in that regard.

* * *

●(1440)

THE ECONOMY

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, with the Finch report on the personal debt bubble in Canada, it is clear that Canadians are struggling just to get by and meet their obligations with \$1.67 of personal debt for every \$1 of annual income.

The minister just boasted of having tightened the rules recently. Will he admit that it was under his reign as Minister of Finance that the rules were loosened in the first place? It was under the present minister that 40-year mortgages with no down payment were brought in to Canada. Will he admit for the first time in the House his own personal responsibility for helping to create the personal debt bubble in Canada?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, Canadians value their homes. They like to invest in their homes. It is the most important investment that most Canadians will ever make

in their lives. With interest rates being where they are, we are pleased that they have been able to afford more in the way of housing.

Having said that, we have tightened the market with respect to residential insurance four times because of excessive demand and some price spirals that we saw in certain markets, particularly condo markets in Vancouver and Toronto.

* * *

[Translation]

PARLIAMENTARY BUDGET OFFICER

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, the Minister of Finance does not like to be reminded of his mistakes and he has just made that clear once again. No doubt that is why he has such a grudge against the Parliamentary Budget Officer.

Does he have a grudge against the Parliamentary Budget Officer for pointing out his mistakes regarding the cost of old age security at age 65, the F-35s, the elimination of the deficit for 2013, the projections for employment insurance premiums and the budget transparency to which all Canadians are entitled?

Is that what the Minister of Finance is so worked up about?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I repeat: we created that office and we are committed to keeping it in place. The government will ensure that Parliament is able to find a credible replacement.

* * *

[English]

SEARCH AND RESCUE

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, experts warned that closure of the maritime rescue sub-centre in St. John's would result in a critical loss of local knowledge and put lives at risk.

A call to the search and rescue centre in Halifax today about a hunter missing on the Port au Port Peninsula was recorded as a hunter missing off the Port-au-Prince peninsula. The problem is that Port-au-Prince is in Haiti. Port au Port is in Newfoundland and Labrador.

No helicopter available for Burton Winters, medical calls routed to Rome, mixing of locations, when will the government reinstate the search and rescue centre in St. John's?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, with respect to the incident in question, there was a Royal Canadian Air Force Cormorant helicopter dispatched. It searched the area for two hours in search of the hunter. Unfortunately, that hunter has not yet been located.

The ongoing search, in coordination with the RCMP and local fire and rescue, continues and our thoughts and prayers are with that family and those who are conducting the search.

Regarding the reference to the misspeaking of an official, this individual is an experienced navigator who had spent a lot of time in Haiti and simply misspoke when he said Port-au-Prince. He clearly meant Port au Port, and he corrected that as soon as it was noted.

* * *

[Translation]

ETHICS

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, it is sad and upsetting, but the Conservatives keep getting away with murder.

The ethics commissioner made it clear that the Minister of Finance broke the rules by trying to influence the CRTC on behalf of a radio station. This is odd because he should have been aware of the rules, seeing as they are his own government's—his own Prime Minister's—rules. If the Conservatives cannot even follow their own rules, things are looking pretty grim.

Will the Minister of Finance own up to breaking the rules, and will he please apologize for trying to influence the CRTC?

[English]

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I think we have noted that the minister personally added a line to the letter to ensure it was clear he was writing as the member of Parliament for Whitby—Oshawa and instructed that the letter be put on MP letterhead. He fully intended the letter be sent in his capacity as a member of Parliament.

He has acknowledge the administrative oversight, and we again thank the ethics commissioner for the advice she has provided in this case.

[Translation]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, they just cannot admit that sometimes they are wrong.

Also under dubious ethics, the NDP has learned that flying the Prime Minister's armoured cars to India—for reasons that remain somewhat unclear—cost taxpayers over \$1 million. The Conservative aristocracy wasted that million dollars even though the Indian government offered to provide armoured vehicles. The Conservatives are not interested in saving taxpayers' money. Belt-tightening is for everyone else, not for them.

How can they say that they are managing public funds soundly when they wasted \$1 million to send limousines halfway around the world?

• (1445)

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, we trust the RCMP in such matters.

[English]

The NDP has decided to reopen the national unity debate with a bill to scrap the Clarity Act and set out a process for a referendum on the breakup of the country.

Oral Questions

Now that NDP members have raised this debate, this divisive question, I would like to invite the hon. member to rise now and indicate that in such a referendum, how would he vote?

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, this is a government that has the nerve to tell senior citizens that the cupboard is bare, but money is no object when it comes to their cabinet perks, like Bev Oda, like the Muskoka member who lived like the limo king over in Davos, like the fact that taxpayers paid over a million dollars to fly the Prime Minister's limo to India and that the Globemaster fleet was used to carry this personal Taj Mahal taxi.

India offered high security armoured vehicles. It was good enough for the prime minister of Australia, but not good enough for our leader. Where is the accountability?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, the people of India have paid a very heavy price when it comes to the war on terror. They have lost 2 prime ministers in the last 25 years and more than 11 people were killed in the terrorist attacks in Mumbai.

When we look to the security of our Prime Minister, we consult the experts, those who are experts in security. When it comes to the national security and the security of our Prime Minister, we will take advice from the RCMP over the NDP every time.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, it is unfortunate that the Conservatives are dismissing the work of the government of India on safety.

With the government, when Canadians see rules, they see loopholes. Let us look at the Conservative House leader's inability to admit that the Minister of Finance and the parliamentary secretary for health broke the rules when they tried to intervene in a CRTC dispute.

Did he not read the ethics commissioner's ruling that said that he not only broke the rules, but told him not to pull those stunts again? How about a change here? How about "I am sorry?" How about "The government will not break the rules anymore?" How about that?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I think I have answered that clearly.

It is not unheard of for MPs to write to the CRTC. In fact, I have a letter here that says, "Freedom of speech is an essential fabric in our Canadian culture" this MP said, writing to the CRTC. "It is something we treasure and preserve". Then, with regard to the application, he said, "I whole heartedly support this venture and urge the CRTC to approve the application".

It is signed by the NDP MP for Timmins—James Bay. That is what he wrote to the CRTC.

*Oral Questions***INTERNATIONAL TRADE**

Mr. Ed Holder (London West, CPC): Mr. Speaker, Canada exports world-class goods, services and expertise to markets around the world as a key part of our government's economic action plan. It is designed for jobs, growth and long-term prosperity.

Africa is one of the most dynamic regions in the world. According to the International Monetary Fund, 5 of the world's 20 fastest-growing economies are in sub-Saharan Africa.

Would the Parliamentary Secretary to the Minister of International Trade share with the House how our government's focus creates new opportunities for exporters in my city of London and for companies across Canada as we open up markets in this region?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, Canada is committed to creating opportunities for Canadian businesses and workers, including in London West.

This week the Minister of International Trade is leading a trade mission to Ghana and Nigeria. He is accompanied by representatives from 28 Canadian companies, promoting industries in high demand in developing countries.

Canadian companies are creating jobs and prosperity throughout Africa. This is yet another example of how deeper trade is a win-win for Canadians and for our trading partners around the world.

* * *

• (1450)

[*Translation*]

EMPLOYMENT INSURANCE

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, never have so few unemployed Canadians been eligible for employment insurance. This is a failure. The Conservative reform penalizes the economy in the regions that rely on seasonal work and limits workers' access to the benefits they themselves paid into.

The Quebec National Assembly, the Association québécoise de l'industrie touristique, the Fédération québécoise des municipalités and thousands of protestors have spoken out against these changes.

Why has the minister not taken action?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, these changes are meant to clarify the responsibilities of employment insurance claimants. One of their responsibilities is to make a responsible effort to look for another job.

Employment insurance exists to help these people and to provide support while they look for a new job. We are helping these people find jobs, but if they cannot find one, EI will obviously be there for them, as always.

[*English*]

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, the minister knows full well that her EI changes will force out-of-work Canadians to accept a pay cut of up to 30% in their next job, driving down wages and likely pushing some people into poverty.

The minister wants unemployed workers to simply accept low skill, low wage jobs or risk losing their benefits altogether. These are benefits that the workers paid for, not the government.

Jobs are scarce in many parts of our country. Why are the Conservatives punishing Canadians for the government's failure to manage the economy and create decent jobs?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, in fact, there are skills and labour shortages in many parts of this country, including in areas of high unemployment. We are trying to help connect those who are out of work with the jobs that are available in their geographic areas and their areas of expertise so that they and their families will always be better off when they are working than when they are not. We are trying to help connect Canadians with jobs. I wish the NDP would help us help them.

[*Translation*]

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, the minister can try to sugar-coat these reforms, but the resource regions are not buying it.

Workers from all over the Gaspé and New Brunswick are very worried. Up until now, the minister has refused to meet with representatives for the workers or for the economic sectors affected.

Will the minister stay in her ivory tower or will she visit these places to see the full impact of her reform?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the NDP needs to stop fearmongering.

We have said it many times: claimants have a responsibility to make an effort to find work. However, if they cannot find a new job in their community and in their field of expertise, EI will be there for them, as always.

We are trying to help people find a job. They will receive much more money if they are working than if they are not working.

* * *

[*English*]

REGIONAL DEVELOPMENT

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, thousands of people throughout eastern Quebec and Atlantic Canada have mobilized against the Conservatives because they know an attack on their communities when they see one. It is blatant and it is not just EI.

Oral Questions

Conservatives allowed Enterprise Cape Breton Corporation to give millions of dollars for a marina with little local benefit but strong Conservative ties while singling out ACOA for cuts. When will the minister stand up for Atlantic communities and stop the short-sighted Conservative cuts to regional development?

Hon. Bernard Valcourt (Associate Minister of National Defence and Minister of State (Atlantic Canada Opportunities Agency) (La Francophonie), CPC): Mr. Speaker, as a matter of fact, if the hon. member cares to look at the budget of ACOA, he will find that all programs, either for community development or business development, are fully and solidly funded. As a matter of fact, we have turned down no application for lack of funds. We continue to help small and medium-size businesses to create jobs in Atlantic Canada. By the way, they are taking advantage of the huge naval shipbuilding initiative which will create thousands of jobs all across Atlantic Canada.

* * *

•(1455)

CITIZENSHIP AND IMMIGRATION

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, while the Minister of Citizenship, Immigration and Multiculturalism keeps himself busy with photo ops and junkets, he ignores the serious problems in his department. Under his watch, the department is in chaos and does not have the proper resources to process applications. Nineteen regional offices have closed. Front-line services across Canada have been slashed. Visa offices have closed abroad. Citizenship processing times can reach over five years.

When will the minister stop focusing on rhetoric and start improving immigration services?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, as usual, the member is entirely wrong.

Since coming to office, this government has admitted 1.6 million new permanent residents, an average of 256,000 per year, which is 16% more than was the case for the 13 years under the previous Liberal government. We have welcomed 1.2 million new Canadian citizens to our national family, an average of 176,000 new citizens every year, which again is more than under the Liberals.

When we came to office, we inherited from the Liberals a backlog of 840,000 people waiting eight years for a decision on their permanent residency applications. I am pleased to announce, thanks to the measures taken by this government, which were opposed by the Liberals, that we have almost cut in half the backlogs and the wait times.

* * *

**HUMAN RESOURCES AND SKILLS DEVELOPMENT
CANADA**

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, I have a quick update on the lost student loan files.

First, over half a million Canadians had their private information stolen. Next, the minister offered to pay for coverage that is already free to Canadians in eight out of ten provinces. Then, the company providing that service said that the protections are not enough. Now

we find the government's own Financial Consumer Agency advises to use at least twice the level of protection as a minimum.

Canadians are once again left paying for this government's incompetence. When is the minister going to find a real solution to this very real problem?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, without doubt, this loss of information was absolutely and completely unacceptable. That is why we brought in the Privacy Commissioner. That is why we brought in the RCMP to investigate. Fortunately, there is no evidence so far that any of the data has been fraudulently used.

We are going one step further. We are helping protect the credit ratings and information of these individuals. We will be doing so for six years at no cost to them.

To prevent further episodes of this nature, I have instructed significant change to the way that data are handled by the department so that no one else has to be at this risk.

* * *

CONSUMER PROTECTION

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, while the Minister of Finance was out there breaking ethics rules lobbying the CRTC in his capacity as minister, thousands of regular Canadians were also out there trying to make their voices heard about a new unfair billing practice. Over 10,000 people have already signed a petition against forcing Canadians to pay a fee just to receive their bill in the mail, the way they always have.

It is a simple question. When will the Conservatives stand up and protect Canadians from being ripped off?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, we have the code of conduct that all of them signed on to. I know the NDP voted against it. I know the Retail Council of Canada was in favour of it. I know that consumer groups were in favour of it and that small businesses were in favour of it, but the leader opposite laughs at all of them because he does not care what their views are about protecting consumers in Canada.

That is the purpose of the code. The code functions well. It is being used across the country.

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, it is a code that is not working if one is a senior. It is the most vulnerable being hit here: seniors, people on fixed incomes, people with little or no access to the Internet. The CRTC has said the fee is "an increased burden on consumers on limited incomes".

Instead of going to bat for their big business buddies and their insider friends who are well connected, when will the Conservatives stand up and protect Canadian seniors from this ripoff?

Oral Questions

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, if the hon. member is speaking of banking fees, there are some differences in the fees being charged and some changes that are being made by some of the large Canadian financial institutions. I welcome consumers across Canada, as informed Canadians, to make sure that they exercise choice not only between banks, but also credit unions and other financial institutions in Canada.

* * *

FOREIGN AFFAIRS

Mr. Joe Daniel (Don Valley East, CPC): Mr. Speaker, the situation in Mali continues to cause us great concern. The number of internally displaced people continues to rise and the humanitarian situation continues to worsen.

Canada has been among the most generous countries in the world in its humanitarian work in Mali over the past few years. Could the Minister of Foreign Affairs please give the House an update on our government's most recent announcement to help the people of Mali?

• (1500)

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, I commend the member for Don Valley for his interest in this issue.

As we speak, the Minister of International Cooperation is in Ethiopia at meetings of the African Union. Earlier today he pledged \$13 million to support the people of Mali in their humanitarian needs during this crisis.

[Translation]

Since last year, Canada has provided more than \$75 million in humanitarian aid. The people of Mali can continue to count on Canada's support during this crisis, and we will help them move towards stability, security and prosperity.

* * *

*[English]***THE ENVIRONMENT**

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, a recent Conference Board of Canada report has again ranked Canada as scraping the bottom of the barrel in environmental performance, ranking 15th out of 17 countries. This is another embarrassing grade for the government on the environment.

The Conservatives could help improve their negative performance by changing their reckless decision to close the world-renowned Experimental Lakes Area.

Would the Minister of Fisheries and Oceans do the right thing and restore funding to this valuable scientific facility?

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, over the past five years our government has provided significant funding in new investments in research and science. Economic action plan 2012 continues that trend by committing to cleanup efforts for Lake Winnipeg and Lake Simcoe and supporting research, education and training with new funding for universities, granting councils, and leading research institutions, such as Genome Canada.

*[Translation]***CO-OPERATIVES**

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, in response to the Special Committee on Co-operatives, all the Conservatives did was transfer responsibility for co-operatives to Industry Canada. That is worrisome.

They have already gutted the Rural and Co-operatives Secretariat and cancelled the Co-operative Development Initiative. Industry Canada is also facing major cuts.

In light of this, can the minister tell us what additional resources he will provide to help co-operatives flourish?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, a parliamentary committee studied this issue and one of its key recommendations was to transfer the secretariat to Industry Canada. That is what we did. It was a key recommendation that we followed through on because we are listening.

We know that co-operatives help drive the economy. I would remind my colleague that the Business Development Bank of Canada created an investment fund to boost economic activity for co-operatives.

* * *

*[English]***WORKPLACE SAFETY**

Mr. Phil McColeman (Brant, CPC): Mr. Speaker, each year at this time we hear stories of workers losing their life in a workplace accident due to winter conditions. Such tragedies exemplify that as much as snow and ice bring joy to sports fans and outdoors enthusiasts, these same conditions present a real danger for workers.

Would the Minister of Labour provide the House with an update on the government's efforts to ensure that workers return home safely at the end of their workday?

Hon. Lisa Raitt (Minister of Labour, CPC): Mr. Speaker, I would like to thank my colleague from Brant for bringing up a very timely question.

Indeed, employers and employees all have to work together to ensure that they protect themselves particularly during this winter season. However, we are becoming more aware, because I am very pleased to report that the rate of disabling injuries in federally regulated workplaces dropped 33% between 2000 and 2010 and again is trending downward for 2011. These are positive results and everybody involved should be very well proud of them.

The Government of Canada is committed to preventing accidents and injuries in the workplace.

Speaker's Ruling

[Translation]

CITIZENSHIP AND IMMIGRATION

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, a country as rich as ours should not deny health care services to pregnant women, people with cancer or children. Yet that is what has happened to hundreds of refugee claimants who have sought asylum in Canada.

Because of confusion about the new rules, some doctors even refused to help people who were actually eligible for services. This restrictive policy is at odds with the Canadian values that thousands of immigrants cherish.

Will the minister change his mind before lives are lost?

● (1505)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, once again, it is clear that the NDP wants Canadian taxpayers to be on the hook for health care for illegal immigrants who have no right to be in Canada. These illegal immigrants are bogus and failed refugee claimants who are delaying their deportation from Canada.

Taxpayers are under no obligation to pay for health insurance for visitors, illegal immigrants or failed refugee claimants. We are here for legal immigrants. We will support genuine refugees.

* * *

[English]

ENVIRONMENT CANADA

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today with a genuine concern and I hope the Prime Minister can allay my fears.

I have heard from credible sources within the government that there is a proposal to eliminate Environment Canada by merging it with Natural Resources Canada.

If it had not been from credible sources, I would not be putting this question to him. I would like assurances that no such plan is under consideration.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I would be delighted to meet any of these credible sources to correct any misinformation they may be giving the hon. member.

* * *

POINTS OF ORDER

ORAL QUESTIONS

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, on a point of order, we were all on this side very happy to see the Minister of Fisheries and Oceans on his feet today in question period.

Some hon. members: Hear, hear!

Hon. Bob Rae: Perhaps it is appropriate from time to time that we take note of colleagues who have undergone some challenges. Although I do not often agree with what the minister has to say when he is here, we are delighted to see him back. It is great to have the hon. member for Fredericton back in the House.

QUESTIONS ON THE ORDER PAPER—SPEAKER'S RULING

The Speaker: I am now prepared to rule on the point of order raised on November 29, 2012, by the member for Charlottetown regarding the relevance of the government's response to written question Q-465.

● (1510)

[Translation]

I would like to thank the hon. member for having raised this matter and the hon. Parliamentary Secretary to the Leader of the Government in the House of Commons for his comments.

[English]

In raising his point of order, the member for Charlottetown contended that the response provided to his written question Q-465 had no link to the question asked. Specifically, he had requested certain information related to all websites accessed by the Minister of Justice and the Minister for Public Safety on government-issued computers and devices within a specific two-week period. The answer received explained, by way of reference to Bill C-30, that the information requested would not be provided. Asserting his right as a member of Parliament to ask questions to hold the government accountable, the hon. member argued that the government does not have the right to decide which questions to answer and which ones to ignore.

[Translation]

In response, the parliamentary secretary reminded the House of the ruling that the chair gave on November 27, 2012, which can be found at pages 12536-7 of *Debates*, on the appropriateness of answers to written questions.

As to the appropriateness of the answer provided, members are well aware that it is a well-established practice that Speakers do not judge the quality of government responses to questions, whether written or oral. In fact, *House of Commons Procedure and Practice*, second edition, at page 522, states:

There are no provisions in the rules for the Speaker to review government responses to questions.

[English]

That being said, I did state in the November 27 ruling to which the parliamentary secretary referred, at page 12536 of *Debates*, that "As always, however, the Chair remains attentive to these matters and is ready to assist in any way it can in ensuring that written questions continue to serve members as an important channel of genuine information exchange".

I think all members would agree that members of the House have the right to expect that reasonable answers be given to reasonable questions, particularly given the critical role of written questions in our parliamentary system.

[Translation]

In a ruling on June 14, 1989, at page 3026 of *Debates*, Speaker Fraser provided an interesting comment on government responses to questions, stating:

Government Orders

It should be understood that there is no obligation on the Government to provide a perfect answer, only a fair one. A Member in framing his or her question would accept part of the responsibility for the quality of the answer.

[English]

As I reminded the House on November 27, 2012, *House of Commons Procedure and Practice*, at page 522, states that “It is acceptable for the government, in responding to a written question, to indicate to the House that it cannot supply an answer”. At the same time, it is expected under our practice that the integrity of the written question process be maintained by avoiding questions or answers that stray from the underlying principle of information exchange.

[Translation]

As is stated in O’Brien and Bosc, again at page 522, “no argument or opinion is to be given and only the information needed to respond to the question is to be provided in an effort to maintain the process of written questions as an exchange of information rather than an opportunity for debate.”

[English]

For reasons already given, the Chair is not in a position to delve into the content of answers to written questions. However, as Speaker, I have a duty to remind the House that our written question process is intended to be free of argument and debate. To protect its integrity, I enjoin those submitting questions and those preparing answers to bear that principle in mind, remembering that it remains acceptable for the government to say in response to a question, simply, “We cannot answer”.

The Chair hopes that all those involved in the written question process will bear this ruling and my ruling of November 27, 2012 in mind so that every effort is made to ensure that information is exchanged in such a way as to serve the needs of members while protecting the integrity of the written question practices that have served us so well for many, many years.

I thank all members for their attention.

GOVERNMENT ORDERS

[English]

FASTER REMOVAL OF FOREIGN CRIMINALS ACT

The House resumed consideration of Bill C-43, An Act to amend the Immigration and Refugee Protection Act, as reported (with amendments) from the committee, and of Motions Nos. 1 to 27.

Mr. Parm Gill (Brampton—Springdale, CPC): Mr. Speaker, I appreciate the opportunity to debate Bill C-43, the faster removal of foreign criminals act.

Since 2006, our Conservative government has welcomed the highest sustained level of immigration in Canadian history. On average around 250,000 immigrants have come to Canada every year, and the vast majority of these newcomers are honest, hard-working and law-abiding. They expect their fellow newcomers and all Canadians to be the same.

While Canadians are open and welcoming toward immigration, we also insist on vigilance against people who seek to abuse our generosity and openness. One of the basic requirements for newcomers to stay in Canada is that they respect our laws. This is the very least we can expect from Canadian citizens, and the vast majority of us do so. Therefore, when we ask newcomers to respect our laws, we are not asking too much of them. It was in this spirit that we introduced Bill C-43, which would prevent foreign criminals from abusing our generosity.

The Immigration and Refugee Protection Act clearly states that should foreign nationals fail to respect our laws, they will be sent home. What prevents the timely removal of foreign criminals is the fact that they have access to the Immigration Appeal Division as long as their sentence is less than two years. Should their appeal fail, they then file an application for leave and judicial review with the Federal Court, and the process can go on for years and years. Many foreign criminals deliberately use these multiple avenues to delay their removal, even though they know they have no chance of staying here permanently. While they prolong their stay in Canada, many foreign criminals go on to commit more crimes.

Over the course of this debate, the House has become aware of the case of Clinton Gayle. He delayed his deportation for several years by using the appeal mechanism, which Bill C-43 would shut down for foreign criminals. The fact that he was able to delay his deportation for so long should disturb all Canadians. What is most distressing of course is that during that time, the Jamaican national murdered a Toronto police constable. While there were differences between the immigration legislation in force at the time and the situation now, we want to prevent a similar situation from happening again in the future by preventing foreign criminals from roaming our streets before being removed. If Mr. Gayle had been deported to Jamaica when he should have been, this horrible crime could not have happened in the first place. What is more, Canadian taxpayers are also on the hook for his crime, paying for him to subsist in a Canadian prison while he serves a life sentence. Foreign criminals have too many opportunities to stay in Canada and we must put a stop to this.

Another example is the case of Geo Wei Wu. He came to Canada from China as a student and gained permanent residency as a spouse in 1990. Over the next two decades he was convicted of a series of crimes, including attempted theft, dangerous operation of a motor vehicle, criminal harassment, assault causing bodily harm, break and enter, fraud and the list goes on. He served time for each of these convictions and by 2008 was found inadmissible and a removal order was issued. Under the current rules, he was entitled to appeal this order. The appeal process took almost two and a half years and ultimately failed. Wu's appeal was dismissed. Wu then disappeared. After failing to show up for his pre-removal interview, the CBSA posted his information on its wanted website last summer. This past summer, the media reported that he is now wanted by Peel Regional Police in connection with the kidnapping last year of two men in Mississauga. He is still at large.

Government Orders

•(1515)

The cases of Geo Wei Wu and Clinton Gayle underscore the need for Parliament to support Bill C-43, which would streamline and accelerate the removal process for serious foreign criminals.

By limiting access to the Immigration Appeal Division, the government estimates that the amount of time certain criminals might remain in Canada would be reduced by up to 14 months. If the bill's measures are implemented, there would then be no chance for convicted criminals like Clinton Gayle or Geo Wei Wu to remain in Canada for years beyond their welcome while they gum up the justice system with appeals and, potentially, commit more crimes.

Canadians do not want our doors to be open to people who endanger our national security and the safety of our communities. That is why the government is unwavering in its determination to safeguard national security and protect the safety and security of the Canadian public.

Also, in order to maintain Canadian support for immigration we must ensure that our immigration system is characterized by the consistent application of fair rules. This means that we must protect our system from those who would seek to abuse Canada's generosity by violating our laws. In other words, we must stop placing the rights of foreign criminals before those of Canadian citizens, meaning that we must be able to deal with cases of this nature more efficiently.

I ask my fellow members to think of the victims. Think if it were one of their own family members victimized by a serious foreign criminal allowed to stay in Canada for several years through endless abuse of the process. Imagine if Todd Baylis, the Toronto police constable who was murdered by a convicted foreign criminal appealing his own deportation order, was a member of one's own family. We would then think it were a serious problem needing to be fixed.

The passage of Bill C-43 would send a strong message to all newcomers in Canada that if they commit a serious crime they will be sent home.

Bill C-43 would reinforce the integrity of our immigration system and public confidence in it, and ultimately help maintain public support for immigration in Canada.

I support Bill C-43 because it is fair, necessary and a long overdue piece of legislation. For these reasons, I urge my fellow members of the House to do the same. I urge them to listen to the police associations, the victims associations, the immigration lawyers and experts who support the bill. I urge them, for once, to stop putting the interests of criminals first and instead put the rights of victims and law-abiding Canadians and the safety and security of Canadian families at the forefront.

•(1520)

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I would like to thank my colleague for his speech.

The Conservative government has not kept its 2006 promise to put more police officers on the streets in cities and communities.

Why is the government demonizing newcomers instead of focusing on protecting our communities?

[*English*]

Mr. Parm Gill: Mr. Speaker, during the last election our party campaigned on this promise. It was very clear that our government was committed to keeping our streets and communities safe. Our platform promised to expedite the deportation of foreign criminals. Our government has followed up on that promise by introducing Bill C-43.

Canadians are a very generous and welcoming people, but they have no tolerance for criminals and fraudsters who are abusing our generosity. Bill C-43 clearly addresses this issue, which is what Canadians expect of us.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I wonder if the member could provide his opinion on an example, which hopefully will simplify things. Imagine two 19-year-olds who attend a movie. They are a little mischievous and they record what they are watching at the movie theatre. If they were to publish it or use it, that would be a violation and would ultimately see, if one of the 19-year-olds was not a Canadian citizen but came here when he was one year old, that he would be deported. On the other hand, the other 19-year-old might get a conditional sentence, not have to spend any time whatsoever in jail.

Would the member say to his constituents and Canadians that is fair, Conservative justice?

•(1525)

Mr. Parm Gill: Mr. Speaker, instead of going into hypothetical questions and answers, I would be happy to provide the hon. member with real cases. For example, Jackie Tran committed a series of crimes including assault with a weapon, drug trafficking, drug possession and failure to comply with court orders. His removal was ordered in April 2004. It took nearly six years for the government to get him out of the country. There are many other examples, such as Patrick de Florimonte, who was charged and convicted of multiple assaults with weapons, assault causing bodily harm, uttering threats, multiple counts of theft, drug possession, drug trafficking and failure to comply with court orders. For that it took about four and a half years to get him out of the country.

These are the sort of cases for which Canadians have no patience or tolerance. They expect results.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Speaker, I listened to my hon. friend and also listened during question period to some of the responses that the Minister of Citizenship, Immigration and Multiculturalism made to questions posed to him. One of the most important things we do in this place is to bring the opinions and desires of our constituents and to live up to our commitments.

The hon. member mentioned this bill was part of our platform. In his community has he gone out and talked to his constituents? Perhaps he could explain to us how his constituents feel about this proposed legislation and perhaps share the comments he received during the campaign and recently. I know he comes from a community where this is a very important piece of legislation, and the opinions of his constituents are very important. Could he elaborate and answer that for the House?

Government Orders

Mr. Parm Gill: Mr. Speaker, I was an immigrant to this country at a very young age. There are many new immigrants and new Canadians living in my riding. They migrate to this country for an opportunity. They have seen struggles and the undemocratic process in certain countries, and they want peace in Canada. They are the ones who have absolutely no tolerance when they see a very small percentage of their fellow newcomers who commit these crimes.

[*Translation*]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, today we are talking about Bill C-43. We completely agree with the underlying principle of this bill. Non-citizen criminals must be deported. I want to be very clear about that because the Conservatives are so quick to say that the NDP supports criminals. That is not true. It is our responsibility to spot flaws in bills and fix them. That is what all parliamentarians should do as part of their job in the House.

Bill C-43 does many things, which I will summarize briefly. It gives more powers to the minister by giving him the authority to rule on the admissibility of temporary residence applicants. This means that the minister will have the power to declare a foreign national inadmissible for up to 36 months if he is of the opinion that it is justified by public policy considerations.

Furthermore, Bill C-43 will remove the minister's responsibility to examine humanitarian grounds. I would like to emphasize this point, because this is quite serious. Currently, the minister has the obligation, at the request of a foreign national or on his own initiative, to review any humanitarian considerations related to the case of a foreign national who is deemed inadmissible on grounds related to security. As a country that is recognized for its humanitarian standards, we cannot send someone back to a country where we know what will happen to him or one that could be dangerous.

Furthermore, the bill grants the minister a new discretionary power to issue an exemption for a member of the family of a foreign national who is deemed inadmissible and amends the definition of "serious criminality" to restrict access to the appeal process following an inadmissibility ruling. By doing so, it removes the right to appeal if the prison sentence imposed is six months or more. This aspect really needs to be considered.

The bill increases the penalty for misrepresentation and clarifies the fact that entering the country by resorting to criminal activities does not automatically lead to inadmissibility.

We see some shortcomings. This bill gives the minister considerable discretionary power, which is very troubling. Australia, whose legislative system is quite similar to ours, did the same thing. The Australian Migration Act gave the minister enormous powers. The minister could summarily dismiss the claims of someone who has appealed a decision. That is also being proposed here. However, in many cases, Australian immigration ministers have reversed decisions handed down by tribunals and deported individuals without a trial. That is not exactly my idea of democracy.

The Australians are in the process of correcting their mistakes. So, as a country and as parliamentarians, we must move forward, learn from others' mistakes and ensure that we have suitable laws and systems in place. We should not do what other countries have tried

only to find that it did not work. I realize that the context may be different depending on the country and the legislative framework; however, with this bill, we are heading in the wrong direction.

We want to work with the government and the other parties to make this a good bill. I repeat: we completely agree with the principle of removing foreign perpetrators of major crimes from Canada. It is not a good idea to keep them in Canada. However, the things I have outlined cause problems and often generate concerns. My colleagues, who work very hard on the immigration file, presented nine amendments.

● (1530)

These nine amendments would have fixed the flaws in this bill, so that it would represent a positive for Canada. Unfortunately, as we all know, the Conservatives reject anything that comes from another party. They say that we always vote against their bills, but they also vote against our suggestions, even when they are good.

I want to point out that the minister said that one of the amendments we had proposed was something that should be considered. So it does not make sense that he would reject the amendment.

These amendments would limit the powers granted and would restore a fair process for trials and possibilities for appeal.

First, I would like to give an example and speak about the negative picture that the government is painting in Canada. The government always talks about extreme cases. Yes, there are extremely tragic cases. I hope these types of things never happen in our country, in my community or in any other community. These extreme cases are not a fair representation of the immigrant community here in Canada, in my community and in communities throughout the country.

Immigrants come to Canada and make a tremendous contribution to our society and our communities. They enrich our country, the province of Quebec and my community. At a luncheon that was held on Saturday in my riding, I had the honour of congratulating new Canadian citizens who had just received their citizenship. It was really wonderful. I was able to meet new citizens who are fitting into the community very well. They have good jobs. They care a lot about their community and are very dedicated to it. They are truly outstanding citizens.

It is truly misguided to portray all refugees, asylum seekers and immigrants as criminals who are not good for Canada. We should really be making it known that immigrants enrich our communities and are very positive.

Another point should be made. In the last budget, the Conservatives made \$143 million in cuts to the Canada Border Services Agency. They want to prevent criminals from coming to Canada and committing crimes. Logic dictates that these people should be prevented from entering the country. However, such deep cuts to services obviously limit the ability of border services officers to prevent these foreign criminals from entering Canada.

Government Orders

I see that I am almost out of time. In conclusion, I would like to reiterate that the NDP agrees 100% that serious criminals who are not Canadian citizens must be deported. However, we disagree with some of this bill's measures. We would like to work with the other parties to create a bill without flaws and shortcomings that is positive for Canada.

• (1535)

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, I would like to thank the member for her very informative speech.

I know that many people are openly opposed to this bill. I would like to quote an op-ed piece from *Embassy* magazine. It is titled [English]

“Bill could mean barring of innocent human rights heroes”.

[Translation]

This piece says that if Bill C-43 is passed as is, it will have an immediate and serious effect on many refugees and immigrants and their families. It also talks about the vast scope of the inadmissibility provisions.

It also says that if this bill were to pass, certain individuals—who should be considered human rights heroes and advocates—would be removed from Canada. Nelson Mandela is one of those people.

What are your thoughts on the extreme measures set out in the bill? What are the implications for people who are convicted under unfair laws in their own country?

Ms. Charmaine Borg: Mr. Speaker, I would like to thank the member for her question, which is very relevant.

Laws differ from one country to another. It is true that Mr. Mandela was considered a criminal at the time and was imprisoned. But he is admired by society. He built a nation and fought long and hard against a grave injustice in his country. He should not be someone who could be deported from Canada. That is just one of many examples we could give.

Some people may be considered criminals because it is against the law in their country to be a homosexual. Would we also consider them criminals and deport them from our country? That is a question we need to ask ourselves before we pass this bill.

• (1540)

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, my colleague has surely noticed, as I have, that since arriving here, the majority government opposite often introduces bills that are negative. This bill is punitive and detrimental for a small fraction of the population.

Does my colleague also ever wonder why the Conservatives do not introduce humanitarian bills and bills that would benefit a greater number of people?

For example, could this bill focus on family reunification instead of punishing just a few immigrants?

Ms. Charmaine Borg: Mr. Speaker, every week if not every day, many people come to my office to tell me that they have been waiting for two years for a decision on their application for reunification with their wives. We are talking about their wives; these people are married. Their wives cannot come to Canada

because the Department of Citizenship, Immigration and Multiculturalism has not gotten around to reviewing their case.

The Conservatives do not see that it would be a positive step for Canada. They are making cuts instead of concentrating on a major problem at the department. People waiting for family reunification—and I am talking about immediate family—are facing completely unreasonable delays.

At the same time, the government has cut aid to Haiti just because it felt there was too much garbage there. That is truly what the minister said.

First, we have to wonder about Canada's role on the international scene. Next, we have to wonder about our role as a country that welcomes these immigrants. We should be promoting reasonable waiting periods for family reunification so that people can be with their loved ones. I realize that it takes time to study a file. However, a two-year waiting period shows that the government does not have its priorities straight.

[English]

Mr. Chungsen Leung (Parliamentary Secretary for Multiculturalism, CPC): Mr. Speaker, I am pleased to be part of this debate on Bill C-43, the faster removal of foreign criminals act.

The legislation would go a long way toward rectifying a situation that should cause Canadians great concern. There are far too many foreign criminals in Canada who manage to remain in this country long after they have been ordered deported. This highlights the need to reform our immigration appeals system, and that is exactly what Bill C-43 would do. That is why I am speaking today in favour of the bill and against the opposition amendments that have been put forward to try to prevent the bill from becoming law.

As long as they receive sentences of less than two years, permanent residents and certain foreign nationals who have committed crimes in Canada can appeal their removal orders from this country to the immigration appeal division of the Immigration and Refugee Board. I am talking about criminals convicted of serious crimes, including drug trafficking, weapons violations, domestic abuse, sexual abuse and more. As long as they have received a sentence of not longer than two years less a day, they can use the immigration appeals system to remain in Canada for what often turns out to be years.

Dealing with appeals from people who should not even be in the country squanders a vast amount of time, effort and public resources through our legal system. Worse than that, too many of these cases are tinged with tragedy. My colleagues have listed several examples of dangerous foreign criminals using the current system to delay their deportations, many of whom committed more crimes while they were allowed to remain in Canada. They have made strong arguments for why the provisions to deport foreign criminals are necessary and long overdue, so I will not use my time to duplicate these.

Government Orders

Instead I want to speak about portions of the bill that have not received much, if any, attention from the opposition. While the bill does make it easier to remove dangerous foreign criminals, it also includes other important provisions.

It makes it harder for those who pose a risk to enter Canada in the first place. Most members of the House will think I am only referring to the discretion provided to the minister in the bill to prevent those who seek to incite hate and violence but are currently admissible to Canada. In fact, I am referring to another part of the bill. I think Canadians would be shocked to learn that under our current system, if someone is found to be inadmissible on the most serious grounds of security, international or human rights violations or organized criminality, they can apply for permanent residency on humanitarian and compassionate grounds.

Yes, that is right. War criminals, terrorists and gangsters involved in organized crime can apply to permanently immigrate to Canada under compassionate grounds. Under Bill C-43, the government is putting an end to these despicable criminals having this avenue to apply to come and remain in Canada. This important change is consistent with the government's no safe haven policy and is more than overdue.

I am shocked to hear that the Liberals and NDP oppose this change and have called for the worst sorts of criminals to continue to have access to an avenue of appeal meant for people who have compelling cases but who are not otherwise eligible under our immigration laws. Furthermore, the opposition members' claim that the bill takes away the appeal and makes it harder to enter Canada shows they do not fully understand the bill. They have not once spoken to the portion of the bill that actually removes barriers for genuine visitors who want to come to Canada.

Let me explain that. Currently, if a family travels to Canada and it is discovered that one of the family members is inadmissible to Canada on non-serious grounds, for example medical reasons, the entire family is found inadmissible and denied entry into the country, even if the other members of the family are admissible. One can imagine that this causes a lot of frustration and can cost a lot of money and time for the families affected.

Under Bill C-43, the government is improving the current system. If and when the bill becomes law, if one member of a family is found inadmissible on non-serious grounds, the rest of the family will no longer be found inadmissible along with that inadmissible individual. Furthermore, the admissible family members would be allowed to enter Canada. Surely the opposition agrees with this change to facilitate the travel of low-risk genuine visitors to Canada. Yet they conveniently ignored this portion of the bill in the committee and in the debate today.

In fact, our Conservative government has taken several steps to facilitate the entry of low-risk genuine visitors to Canada. We introduced a multiple-entry visa, lifted visas from several countries and are introducing biometrics, which will help facilitate the identification and entry of legitimate visitors. In the first half of 2012 we have let in a record number of visitors to Canada.

● (1545)

The faster removal of foreign criminals act will indeed do just that. It will allow us to deport criminals faster. This is a very laudable and worthwhile change. However, it does a lot more than that. It will also ensure that war criminals, terrorists and organized gangsters are no longer able to apply to live in Canada permanently under humanitarian considerations. It ensures that Canada will no longer be a safe haven for those despicable criminals.

What has been almost completely ignored by the opposition is that the bill will help remove barriers to legitimate visitors to Canada.

Bill C-43 is part of our Conservative government's plan to transform Canada's immigration system. As a whole, our changes would move Canada away from the Liberal system, which was a slow, rigid system, riddled with long processing times and massive backlogs in which immigrants were facing unemployment and underemployment and criminals were using our country as a doormat to abuse our generosity. It will move to a system that is just-in-time, that processes applications quickly and attracts the immigrants our economy needs today and into the future, a system in which immigrants are working in their fields as soon as they arrive in Canada, a system in which those who pose a risk are prevented from entering Canada in the first place and in which foreign nationals who commit crimes are taken off the streets and swiftly deported.

Canadians have a long tradition of being welcoming. Our country is one of immigrants. I myself am one. However, in order to maintain that generosity, Canadians must have confidence and integrity in our system. They want to know that we are letting in honest, law-abiding visitors and immigrants while keeping out dangerous foreign criminals and others who pose a risk to the country. This is not too much for them to ask, and it is exactly what Bill C-43 strives to do.

I urge my Liberal and NDP colleagues to stop trying to prevent the bill from becoming law and instead to support our government in ensuring its speedy passage.

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I thank my hon. colleague for his speech.

If the government cares so much about reducing crime among non-citizens and speeding up the deportation of non-citizens who commit crime, why does it not invest more money in the federal agencies responsible for identifying and deporting these non-citizen criminals?

Government Orders

• (1550)

[English]

Mr. Chungsen Leung: Mr. Speaker, we indeed have invested more into our system. As is well-known in the Senate committee, we are looking into biometrics. We are looking at sharing data with other countries that are also open to immigrants, such as the United States, New Zealand, Australia and the U.K.

These are all measures that are set up and that we have invested in to better identify the criminality of immigrants.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, in addressing the bill the member made reference to the Conservatives' speaking notes in regard to how wonderful the Conservatives are with respect to immigration, and we know that to not be true. I will cite the backlogs that the member refers to.

We have to recognize that this particular Minister of Immigration added to the backlog significantly in one year, with over 180,000 people. Then he decided to try to fix the problem that he created and what does he do? He hits the delete button, deleting tens of thousands of people who were already in the queue, waiting to be able to immigrate to Canada. That is not how you solve or resolve problems.

Then we have Bill C-43 and the naming of the bill and how the government or the minister wants to call permanent residents foreign criminals. Does the member not agree with the Liberals and others inside the House who would say that a vast majority, 95% plus, are actually wonderful, outstanding permanent residents and that the minister is wrong to try to label and generalize, giving the impression that immigrants commit a lot of crimes when we know that is just not the case?

Mr. Chungsen Leung: Mr. Speaker, when the Conservative government took power, we inherited a backlog of 800,000 cases and that was growing. We are trying to eliminate the backlog and one of the measures was to eliminate 280,000 foreign skilled workers. In the Conservatives' opinion it is almost inhuman to ask someone to wait seven or eight years for an application to be processed. Therefore, we have given them a better chance through the provincial nominee program and a just-in-time program where they can find a match for their jobs before they immigrate. The process would take less than 18 months or so. These are fairer things that we are doing.

In regard to the member's question about foreign criminals, our job as parliamentarians is to protect the borders of Canada. Our job here is to save taxpayer money. Therefore, "foreign criminal" is a nomenclature that refers to criminals who are not Canadian citizens. The fact that they are permanent residents and have not made that commitment to become Canadian citizens, perhaps they could be described as "foreign". Therefore, the reason that we refer to them as "foreign criminals" is that they are not Canadian citizens.

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, some of the discussion is about newcomers to Canada and the fact that the opposition members seem to believe we are targeting a specific group of people. In fact, newcomers to Canada fall victim to those people who commit criminal acts in Canada and are not Canadian citizens themselves.

Could the parliamentary secretary speak to why the legislation we have put forth from the Conservative side appeals to so many Canadians and newcomers to Canada?

• (1555)

Mr. Chungsen Leung: Mr. Speaker, immigrants come to Canada from all countries and it is unfortunate that there are elements of immigrants who will prey upon people from their home ethnicity because of linguistic difficulty and so on. I cite the case of Chinese immigrant, Mr. Weizhen Tang, who scammed over \$60 million from other Chinese immigrants to promise this Ponzi scheme of investment. As I canvassed my community, 60% of which are immigrants, they are all in favour of this bill.

Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC): Mr. Speaker, it is with great pleasure that I rise today to speak in support of Bill C-43, the faster removal of foreign criminals act.

This bill is very popular among all the Canadians I have spoken to, including the constituents of my riding, Mississauga East—Cooksville, whom I am very proud to represent.

It is difficult for me to understand how it is that the NDP and Liberals can oppose a bill which would help protect the safety and security of Canadians. I am disappointed that they are using amendments to delay and try to prevent the passage of such a necessary and important bill.

The reasons for this bill are strong and, unfortunately, numerous. Many of these criminals go on to commit more crimes while they are allowed to remain Canada.

We have already heard several examples of cases of foreign criminals who were able to delay their deportation. However, the list is so long that I feel it necessary to provide even more just to make it clear these examples are not extreme or rare cases. In fact, since 2007, an average of almost 900 appeals by serious criminals trying to avoid deportation have been made. This number is not insignificant. I would guess that Canadians would be quite shocked by this high number.

Dangerous foreign criminals like Jackie Tran from Vietnam have taken advantage of the endless appeal process under the current system. Despite committing assault with a weapon, drug trafficking and failure to comply with court orders, conveniently, he was convicted to two years less a day and, accordingly, able to appeal. This violent gangster who terrorized the city of Calgary was able to delay his deportation by an astonishing five years.

There is also the case of Gheorghe Capra from Romania. After being charged with over 60 counts of fraud, forgery, conspiracy to commit fraud, obstructing a peace officer, among other things, he was also sentenced to two years less a day. He used the endless appeal process to delay his deportation by over five years.

Finally, there is the case of Mr. Balasubramaniam from Sri Lanka. He was charged with assault with a weapon, drug trafficking, among other things and sentenced to only 18 months. He was able to delay his deportation by seven years.

Government Orders

The NDP and Liberals have repeated in the House that they do not think that drug trafficking is a serious crime, that they do not think that dangerous foreign criminals should be removed from Canada. However, I am confident in saying that Canadians disagree with the NDP and Liberals.

Canadians do not want people like Jackie Tran walking our streets. Canadians want to feel confident in the integrity of our immigration system. They want the government to put the interests of victims and law-abiding Canadians ahead of criminals.

I will take a moment here to talk about victims. The NDP and Liberals have used their entire speaking time today to claim that dangerous foreign criminals are victims and that the families of these dangerous foreign criminals are victims. They also claim that a six-month sentence should not result in someone being considered a serious criminal.

Very clearly the NDP and the Liberals are wrong. Innocent Canadians who are killed, sexually assaulted and robbed by these dangerous foreign criminals are the victims and the lives of their family members are forever altered because of these terrible crimes.

I have been clear in my support for Bill C-43. However, what is most telling about the bill is how much support it has received from a wide variety of stakeholders across the country, including police associations, victim rights organizations and immigration lawyers and experts.

● (1600)

Let me just give members a few of many supportive quotes from witnesses when they appeared before the immigration committee.

One of the most compelling witnesses that appeared was immigration lawyer, Julie Taub, who has actually represented foreign criminals in the past. This is what she had to say:

I have represented those who have been found to be criminally inadmissible to Canada, and I have gone to the Immigration Appeal Division to get a stay of removal for them, successfully in almost all cases.... Unfortunately, the majority of the clients I have represented reoffend or they breach their conditions.... I listen to their heartfelt apologies and promises, but time and time again they reoffend and they breach the conditions.

She goes on to say, "I really support this bill because criminals remain in Canada who are not Canadian, and it's almost impossible to deport them. There's no choice with Canadian citizens".

Another immigration lawyer, Reis Pagtakhan, had this say to say:

The portion of the bill that deserves support is the provision that eliminates the right of permanent residents to appeal removals to the immigration appeal division for sentences of six months or more in prison. While some argue that this would unfairly penalize long-term permanent residents who may be deported for their actions, what is missed in this argument is that the permanent residents who face deportation are criminals. It should be stated that these individuals are not alleged criminals; they are not accused; they are not innocent. They have been convicted of a crime in a court of law.

Members of Parliament should also keep in mind that criminals could avoid deportation by simply being law-abiding. The Criminal Code of Canada is designed to codify what we Canadians view as criminal behaviour. These individuals have chosen the path of criminal behaviour...it is not too much to expect an individual who immigrates to Canada to respect the law. Frankly, it is not too much to expect Canadian-born individuals, such as me, to respect the law. We expect people to respect the law, and that is why we have a criminal justice system. People who break the law face consequences.

The Canadian Police Association president's testimony was also very compelling. He said:

Under the current regime, criminals who are currently serving a sentence of less than two years are eligible to file an appeal to the immigration appeal division. The CPA entirely supports the measures contained within this bill to reduce that time to sentences of less than six months. We also support the new measures that would make it more difficult for criminals, who have been sentenced outside of Canada to access the immigration appeal division.

These are common sense solutions that are necessary to help our members protect their communities. The problem has become that the criminals we catch are becoming increasingly aware of ways to game the system, abusing processes that were put in place with the best of intentions.

The issue for me as a front line officer and what I get from my members is this. I support fair process. It's obviously an important piece of our society and what Canada stands for, but you have to balance the rights of Canadians to live in their homes and not be afraid of being victimized against the rights of people who were convicted of serious criminal offences and whom we see all the time, particularly on the criminal side, continuing to commit offences while they're appealing. I say we shouldn't use Canadians as an experiment.

These are not my words. These are words from individuals who have first-hand, real-life experience with immigration law, with dealing with criminals and victims. They support Bill C-43.

Therefore, the opposition should not take it from me, but should listen to the experts and stop trying to prevent passage of the bill, which would help protect the safety and security of Canadians. I urge it to work with our Conservative government to support the speedy passage of the bill.

● (1605)

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, for the one-thousandth time in this Parliament, let me again put it on the record that the NDP is not opposed to the expeditious deportation of serious criminals, nor do we want serious criminals coming into the country. We will support those measures. Nor am I, as a mother, grandmother and a lifelong teacher, a supporter of drug traffickers. I am getting tired and fed up that every time we question legislation from the government, the government tries to silence our voice by throwing out that we support drugs and child molesters, that we do this and we do that.

We are not here to do popular things all the time. We are here to look at what is a fair process.

We moved an amendment. My question is directly to do with the amendment. That amendment would have codified in legislation the reasons the minister could use to exclude somebody from entering the country. Why did the Conservatives turn down that very reasonable amendment, which was suggested by the minister himself when he came to the committee?

Mr. Wladyslaw Lizon: Mr. Speaker, every country has the right to decide who can come into the country and who is inadmissible, either for a short visit or as a permanent resident.

We have the right to protect all Canadians. That is what Canadians expect from us. If there is a reason not to admit a person to Canada, we have the full right to do that.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I want to add my comments to what the NDP critic just put on the record.

Government Orders

It is ridiculous for the Conservatives to imply that Liberals would support dangerous criminals. We do support victims. Not only do we support victims of individuals who are permanent residents who commit crimes, but we also support victims of crimes perpetrated by Canadian citizens.

It is not only permanent residents who commit crimes in Canada. I do not know if that is new to the Conservative government, but that is the reality of it.

The bottom line is that we have 1.5 million-plus permanent residents in Canada, and yes, some of them do commit crimes. We want there to be consequences for those crimes, but we also want to ensure there are fair consequences for individuals who are Canadians who commit crimes.

I take exception to the way in which the Conservative government, this Reform-type government, targets immigrants. The Conservatives use the label of foreign criminals. That is a bad thing.

Why do they single out immigrants? Why do they try to give the impression that it is foreign immigrants that commit all the crimes in Canada? That is just not true.

Mr. Wladyslaw Lizon: Mr. Speaker, I am totally confused. I do not think I understand the question.

I do not know if there is any word in the bill that says all permanent residents should be deported. The bill is aimed at people who are here either visiting or are permanent residents and commit punishable crimes.

In the history of Canada there were thousands, millions of people who came to this country. Law-abiding people came to build the country. I am one of them.

What the hon. member said is absolutely out of context.

• (1610)

[*Translation*]

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, I have been listening very carefully to the various speeches on this bill and I would like to come back to the crux of the problem.

Wanting to deport dangerous criminals is one thing. However, they have to be caught first, regardless of their status—whether they have Canadian citizenship or not, whether they have a visa, and so on. In order to catch them, whether they belong to a gang or are involved in organized crime, it takes money.

Why does this government want to cut funding for police recruitment? For the Eclipse squad in Montreal, for instance, which specializes in fighting street gangs and violent crime, these cuts will likely cause its demise.

Before they can be deported, they have to be caught first.

[*English*]

Mr. Wladyslaw Lizon: Mr. Speaker, the hon. member's question does not relate directly to the bill that is being debated. The bill is aimed at people who are convicted of criminal activities.

On the issue the member has raised, of course more can always be done and that is how our government works. We are always working to improve things for law enforcement so we can address the issue of criminal activities.

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I am pleased to take part in the debate on Bill C-43, which is intended to reform the procedures for removing foreign criminals.

First, this bill provides for faster deportation of foreign nationals and permanent residents who have been convicted of a serious crime in Canada or outside Canada, by denying them access to the Immigration Appeal Division. The bill provides a new definition of the concept of serious criminality, as follows: “crime that was punished in Canada by a term of imprisonment of at least six months”, as compared to the two-year period set out in the present act.

Second, it gives the Minister of Citizenship and Immigration broader discretion, including the power to agree or refuse to grant a person temporary resident status for a maximum of 36 months for public policy reasons. It is unfortunate that this concept itself is not defined.

Third, it imposes conditions on permanent residence for foreign nationals who have been found to be inadmissible on grounds of security.

And last, the bill seeks to eliminate any duty or ability of the minister to review a humanitarian and compassionate application by a foreign national who is inadmissible on grounds of security, violating human or international rights, or organized criminality.

In its usual spirit of openness, the official opposition wanted to co-operate with all parties and so had supported the bill at second reading. The bill was then sent to the Standing Committee on Citizenship and Immigration, which held nine meetings to study it. At that crucial stage of the legislative process, time allocation was imposed by the Conservatives and the nine amendments proposed by the NDP were unfortunately rejected.

Those amendments related to several points: first, reducing the powers given to the minister, which we consider to be extreme and arbitrary; second, reintroducing reasonable processes into the deportation system; third, excluding conditional sentences of imprisonment from the definition of serious criminality; and fourth, addressing the narrow scope of the questions put to foreign nationals by the Canadian Security Intelligence Service. One of our amendments contained recommendations made by the Minister of Citizenship, Immigration and Multiculturalism himself.

The New Democrats wanted to co-operate with the other parties and guarantee speedy deportation of serious criminals who do not have Canadian citizenship. Unfortunately, the Conservatives did not want to work with us so that improvements could be made to this bill.

As a result, at third reading, we are now opposed to this bill in its present format.

Government Orders

In addition to the Minister of Citizenship, Immigration and Multiculturalism and representatives of Citizenship and Immigration Canada, 16 groups and individuals testified before the Standing Committee on Citizenship and Immigration. Some of that testimony makes it clear that Bill C-43 is flawed. It may have negative repercussions for a category of immigrants who could potentially be subject to removal to a country of origin with which they have few or no cultural or emotional ties.

In addition, those people could find themselves facing dangerous situations when they return to their country of origin, such as arbitrary arrest, persecution or even torture.

● (1615)

In its brief to the Standing Committee on Citizenship and Immigration, Amnesty International said: “Eliminating the possibility of humanitarian relief for these types of people runs afoul of international law. Denying individuals access to this process might result in them being sent to torture...or persecution...”.

Similarly, the print media published analyses concerning the bill we are debating today. I am going to read an excerpt from an opinion piece written by Andrew J. Brouwer that was published in *Embassy*. “If passed as is, Bill C-43 will have an immediate and serious effect on many refugees and immigrants, and their families. The vast scope of the inadmissibility provisions, combined with the dismantling of the only available legal safeguards, will result in the removal from Canada and exposure to persecution of clearly innocent people—including some who, like Mr. Mandela, should properly be considered human rights heroes.”

Another pitfall in the bill was mentioned by a number of witnesses at committee stage. The problem with serious criminals delaying deportation is there is no coordination whatsoever between the Department of Citizenship and Immigration and the Canada Border Services Agency.

The NDP believes it is essential that the government examine this problem and come up with meaningful solutions, by providing more resources to better train the public servants who work in immigration and to encourage integration of information and monitoring technologies within the public service agencies in question.

This brings me to some more general comments about the impact of this bill. The government is introducing a new bill dealing with immigration, but its approach to the subject is skewed. Instead of focusing on removing criminals who do not have Canadian citizenship, would it not be more logical to provide the Canada Border Services Agency with more resources so that it can arrest those people when they enter Canada? At the risk of repeating myself, when I talk about resources, I mean hiring more front-line officers and improving monitoring techniques and technologies.

What has the government done in this regard? It cut \$143 million from the Canada Border Services Agency in the 2012 budget implementation plan. Those irresponsible cuts will have an impact on the security and effectiveness of our borders. This issue is of particular importance to me, because part of the area within my riding is on the border, and these cuts are already being felt.

In conclusion, this government is once again on the wrong track when it comes to immigration reform. A majority of the immigrants

Canada takes in every year obey the laws of our country and aspire to prosper in Canadian society. It is the duty of the government to provide appropriate services to newcomers by giving them access to resources that match their needs.

● (1620)

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I would like to thank my colleague from Brome—Missisquoi for his very interesting speech.

We have worked together on a number of files somewhat related to the bill before us, but also related to the Conservatives' philosophy and their way of handling our immigration system. The Stanstead border crossing, where there have been some irregularities over the past few months, comes to mind. My colleague is very familiar with that issue.

What is the real issue we should be debating? Does my colleague think that the recent cuts to public safety and border services are catastrophically huge and that they will have a major impact on our legal and immigration systems?

That is not a very hard question to answer. I would like to know what he thinks.

Mr. Pierre Jacob: Mr. Speaker, I would like to thank my esteemed colleague for her excellent question.

The porous Compton—Stanstead border has attracted a lot of refugees who have claimed refugee status after being arrested. That is fine, but the ones I am worried about, given repeated cuts to the RCMP and border services, are those who avoid the border crossing entirely, who smuggle weapons or cigarettes or participate in human trafficking and so on. That is what really worries me.

[English]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I want to turn to one aspect of the bill that is not talked about very much but is very important. It is in regard to the whole idea of misrepresentation. In Bill C-43 the government would extend from two years to five years the time when people would be able to reapply if there is misrepresentation in their file. The concern is that unfortunately, for a number of reasons, there is unintentional misrepresentation. That is when something occurs and it was not the intent of the applicant to misrepresent whatsoever; or immigration consultants or lawyers might provide bad advice, which is followed.

Government Orders

There is no exemption that allows people with those types of misrepresentations the opportunity to appeal. It would be very important to try to allow for some sort of an appeal for those individuals who unintentionally had misrepresentation or had had advice from an immigration lawyer, an immigration consultant or a global employment agency that ultimately led to misrepresentation on the application. Would the member agree that the legislation should not extend the time from two years to five years before immigrants would be able to apply because of something of that nature?

• (1625)

[*Translation*]

Mr. Pierre Jacob: Mr. Speaker, I would like to thank my esteemed colleague for his question.

Like him, I believe that the right to appeal is an absolutely fundamental part of any legal process. I am therefore inclined to reply that we should ensure a basic right to appeal for all individuals affected by this law and the associated legal process.

[*English*]

Mr. Corneliu Chisu (Pickering—Scarborough East, CPC): Mr. Speaker, thank you for the opportunity to speak today to Bill C-43, the faster removal of foreign criminals. I am proud to stand in support of the bill and against the opposition amendments that try to gut this important bill.

Over the past few months, the Government of Canada has put forward a number of initiatives aimed at bringing transformational change to the country's immigration system. In doing so, the government has two broad but complementary goals.

First, we aim to foster an immigration system that can fill significant labour shortages across the country and help us meet our economic needs more quickly and efficiently. It is a system designed to give newcomers the best possible chance to succeed.

Second, as we move forward with these changes we are implementing policies that safeguard the integrity and security of our immigration system. I believe that the security and integrity of the immigration system go hand in hand with that system's ability to best serve our society, our economy and our country.

Through Bill C-43 we are fulfilling a longstanding commitment to take action on a problem afflicting our immigration system. Measures in the bill would close some of the loopholes that allow individuals found inadmissible to Canada to remain in the country long after their welcome has worn out.

The government is committed to the safety and security of Canadians. The bill is a strong expression of that commitment. Indeed, the changes proposed in the legislation would increase our ability to protect Canadians from criminal and security threats. At the same time, we are also strengthening our immigration program and facilitating entry for some low-risk visitors. These tough but fair measures would ensure that foreign criminals would not be allowed to endlessly abuse our generosity.

The fact is that the vast majority of immigrants to Canada are honest, hard-working, law-abiding Canadians, and they rightfully expect all Canadians, including all newcomers, to be the same. As a

result they, maybe more than those born in Canada, want the government to crack down on criminals and to remove them from our country.

In every culture and community I visit there is strong support for the bill. Canadian families, whether they moved here from another country or were born here, want to feel safe. They want the government to protect their safety and security. Bill C-43 would do just that. Unfortunately, there are many examples of how convicted foreign criminals are delaying their deportation and committing more crimes while they remain in Canada: murderers, drug traffickers and thieves, some of whom are on most-wanted lists.

Let me relate just two out of the countless examples. Geo Wei Wu, born in China, came to Canada as a student and gained permanent residency as a spouse in 1990. Over the next two decades he went on to be convicted of a series of crimes including attempted theft, dangerous operation of a motor vehicle, criminal harassment, assault causing bodily harm, break and enter, fraud and the list goes on. He served time for each of these convictions and by 2008 he was found inadmissible and a removal order was issued. Under the current rules he was entitled to appeal the order. The appeal process took almost two and a half years and ultimately failed. Wu's appeal was dismissed. Wu then disappeared after failing to show up for his pre-removal interview. The CBSA posted his information on its wanted website last summer. Just a few weeks ago media reported that he is now wanted by the Peel Regional Police in connection with a kidnapping last year of two men in Mississauga. He is still at large.

Here is another example. Patrick Octaves de Florimonte arrived as a permanent resident from Guyana in 1994. Within two years of his arrival he was convicted of a serious crime, assault with a weapon. Less than a year later he was convicted of two more crimes, theft and possession of a narcotic. Six months later he was convicted once again of assault. Just six more months passed and he already faced yet another conviction, uttering threats. We can already see a pattern here. In December 2005, de Florimonte was convicted of five counts of trafficking in crack cocaine. For this crime he received his first sentence of longer than six months. Shortly after serving his 13-month sentence he was convicted once again of assault with a weapon and uttering threats.

Government Orders

•(1630)

De Florimonte was deported for criminal inadmissibility in October 2006, but he was able to delay his removal when he filed an appeal with the Immigration Appeal Division. His appeal was declared abandoned after he failed to show up for his hearing, but he was then able to reopen his appeal. The IAD automatically dismissed his appeal, but he was able to further delay his removal once again when he asked the Federal Court to review his decision. The court denied his request in March 2011, and in October 2011 when he failed to report for his removal, a warrant was issued for his arrest. That is five years after he was initially ordered deported for criminal inadmissibility.

Under our laws, if foreign nationals are sentenced to six months or more, those individuals are subject to removal, but under the current system they still have access to the Immigration Appeal Division as long as their sentence is less than two years.

Another example among many possible examples is the case of an individual named Jackie Tran, who was born in Vietnam and became a permanent resident in January 1993 when he was 10 years old. By his late teens he had become known to law enforcement officials in Calgary and was first convicted at the age of 19 for cocaine trafficking. We attempted to deport him for six years, yet despite having a long criminal record as a gangster and a major drug trafficker, he had never received a sentence of more than two years less a day. Thanks to repeated appeals, he was able to continuously delay his deportation. He was first ordered deported in April 2004 and was not removed from Canada until March 2010.

Another example would be Gheorghe Capra, who had more than 60 counts of fraud, conspiracy to commit fraud and so on. His sentences ranged from two days to two years less a day. He was given a removal order in 2003 and was finally removed in 2009.

Under the current system, too many of these foreign criminals have been able to appeal deportation orders and extend their time in Canada following convictions. Serious criminals sentenced to imprisonment for any time less than two years have been able to delay or permanently set aside their removal orders. Last year alone 250 foreign criminals were able to appeal their deportation. As the president of the Canadian Police Association has said, 850 is too many.

The fact is that the current system needs to be fixed. Bill C-43 would do just that. It would ensure that while foreign criminals receive due process, they do not receive endless process. It would ensure that serious foreign criminals are deported from Canada more quickly, and in doing that it will help protect the safety and security of hard-working, law-abiding Canadians.

I urge the NDP and the Liberals to stop opposing this bill and to work with our Conservative government to ensure Bill C-43's speedy passage.

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): Before we go on to questions and comments, 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 Edmonton

—Strathcona, Food Safety; the hon. member for Algoma—Manitoulin—Kapusking, Rail Transportation.

The hon. member for La Pointe-de-l'Île.

•(1635)

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, I am quite amused by the Conservatives' patriotic spirit. They love this great country of ours. But this great country of ours, Canada, has a Canadian Charter of Rights and Freedoms and abides by fundamental principles. We see that too many arbitrary and discretionary powers are being placed in the hands of ministers. For example, the fundamental right to appeal is a Canadian value that the Conservatives love to brag about to the world.

What about these values? What do the Conservatives have to say about this? All we are asking is that they respect the Canadian Charter of Rights and Freedoms, respect fundamental justice and not treat refugees like criminals. Is that asking too much?

Are they prepared to abandon and violate the fundamental rights that their ancestors fought for just for the sake of ideology? I would like the member to answer the question.

[*English*]

Mr. Corneliu Chisu: Mr. Speaker, the Canadian Charter of Rights and Freedoms is for Canadians. It is not for criminals.

The fact is that we need to remove criminals from this country for the safety of our country. The former legislation came with a heavy cost. Let us look at this legislation. How much can the taxpayers be expected to pay for the removal of a criminal from this country when it takes six, seven or eight years? That is a very important point. I invite my colleague to support Bill C-43, which will do exactly that. It will remove foreign criminals from the country and will save the Canadian taxpayers' money.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I am not sure if that is the government's policy, that the Charter of Rights is not for criminals. Whether one is a Canadian or a permanent resident, the Charter of Rights is there to protect all of us who call Canada our home. The member may want to contemplate that last statement.

My question is in regard to misrepresentation, something that I asked the previous speaker. I wonder if the member would acknowledge that there is an unintentional misrepresentation that occurs when someone answers a question, after maybe misinterpreting the question, and it can be very easily illustrated that there was a misinterpretation of the question, or when an immigration lawyer, an immigration consultant or a global employment agency has someone apply and misrepresent themselves.

Those people are now being penalized through Bill C-43 in the sense that instead of a two-year wait, they will now have to wait five years before they can reapply. Does the member believe there is such a thing as unintentional misrepresentation or that there are bad immigration lawyers or consultants, and would that justify having some sort of an exemption for those cases?

Mr. Corneliu Chisu: Mr. Speaker, first of all I am not a lawyer. I am a professional engineer.

Government Orders

Misrepresentation is misrepresentation. I am doubtful that misrepresentation is the fruit of some bad lawyers. I have a great respect for the law profession. Our bill raises the bar to five years because people should not lie. We will not encourage lying in this country.

• (1640)

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): Mr. Speaker, I am pleased to rise in the House for my first speech of this year. I would like to take this opportunity to welcome back all my colleagues on all sides of the House. It is very nice to see them in such good form here today to discuss Bill C-43, An Act to amend the Immigration and Refugee Protection Act, or the Faster Removal of Foreign Criminals Act.

Before I get down to business, I would like to thank our official opposition critics who have done a remarkable job on Bill C-43. They worked so hard on this file in committee to present reasonable amendments. Those amendments were unfortunately defeated by the Conservatives, but the work had been done. I thank the member for Newton—North Delta, our main immigration critic, and the member for Saint-Lambert, the assistant immigration critic, for the great work they have done. They are helping us enormously today in our work on Bill C-43.

Bill C-43 is a long bill that I took the liberty of plowing through. I also looked at the various positions of the groups that have expressed an interest in the bill in recent weeks and months and of those who appeared before the committee. It was extremely interesting to read their concerns.

First of all, the official opposition agrees that dangerous foreign criminals should be removed. However, it has concerns: we must treat refugees in a fair and equitable manner and we must have a fair and transparent judicial system. For a country as rich and industrialized as Canada, the least we can do is have those kinds of bodies.

I have a lot of concerns about the way the Conservatives treat our immigration system. Let me explain. In my riding, we had quite a high-profile removal case on January 18. It concerned the Reyes-Mendez family, a Mexican family consisting of a father, a mother and two children. One of the children attended Mont-de-La Salle secondary school, and the daughter had just been accepted at the CEGEP. They had exemplary academic records.

The entire family had been in Canada for four years and had completely integrated into their neighbourhood in the eastern part of Laval. They were well known to local organizations, they were involved in the community and the church, and the children were very much involved at school. Without warning, they received a document informing them that they were to be removed to their country.

The problem is that Mr. Reyes-Mendez had previously been removed to Mexico several times. We therefore feared for their lives, and that is still the case since none of our requests to the Minister of Public Safety and the Minister of Immigration has been granted.

We went to the airport to support the family on the day they were removed. I believed right up to the last minute that the decision

would be reversed and that it was utterly impossible that these people's lives would again be jeopardized. But no, 20 minutes before the aircraft took off, we received a one-line email stating that the minister would not intervene in the case. I have some major concerns about the way they look at the immigration system on the other side of the House.

I would like to thank the members of my team for the work they did with regard to the Reyes-Mendez family. They worked tirelessly, day and night, for several weeks. It was really intense, particularly during the last week, when emotions were running high. A wonderful team worked on the file but, unfortunately, was unsuccessful.

I want to get to the point and speak about Bill C-43. I already have concerns about the Conservatives' positions. It is easy to imagine the concerns I have about this bill.

• (1645)

I picked out the aspects of this bill that I was most opposed to, and I listened to what several stakeholders had to say to better understand their position. The thing on my list that concerns me the most is the clause that prohibits humanitarian and compassionate relief.

I did some research and found a brief that was submitted by the Canadian Council for Refugees on October 26, 2012. This clause is also one of the main concerns of the members of this council with regard to Bill C-43. I would like to quote the council since I found that it had a worthwhile approach to this issue. Here are its concerns regarding the clause that prohibits humanitarian and compassionate relief.

These inadmissibility sections (34, 35 and 37) are extremely broad and catch people who have neither been charged with, nor convicted of, any crime, and who represent no security threat or danger to the public. While the current Act causes considerable hardship and injustice because of the breadth of these provisions, it does at least contain mechanisms by which individuals' particular circumstances can be taken into account—by grants of Ministerial relief or, in appropriate circumstances, a waiver of inadmissibility on humanitarian and compassionate grounds. This bill would eliminate both remedies. Section 18 of the bill would make Ministerial relief meaningless in most cases...By also eliminating access to H&C relief..., the bill will leave no mechanism to respond to compelling humanitarian circumstances or to ensure that those who are innocent or who present no danger to Canada are not unjustly targeted.

I would like the members opposite to pay attention to the next paragraph.

The elimination of access to H&C will prevent consideration of the best interests of any affected child, contrary to Canada's obligations under the Convention on the Rights of the Child.

There are some examples provided, and I could not get over what was on the list. There are several examples, but I will choose one at random. This is an example of who could be caught by these provisions:

Someone who is or was a member (even at a very low level, and without any involvement with violence) of a national liberation movement such as the ANC, or a member of an organization opposed to repressive dictators such as Gaddafi or Pinochet...

An hon. member: Come on.

Ms. Rosane Doré Lefebvre: Mr. Speaker, I had the exact same reaction as my colleague. I thought, "Come on." Quite frankly, it is outrageous to see that in the legislation.

Government Orders

As we can see, this is a glaring error that is not covered by Bill C-43. I, personally, am in utter shock. There was also much talk about the sweeping new discretionary powers that will be given to the minister. It is extremely worrisome, as my colleagues mentioned.

I also looked into what the Barreau du Québec said about this. It feels that placing more discretionary powers in the hands of the minister is one of the most troubling aspects of Bill C-43. The president of the Barreau du Québec is asking that this part be taken out of the bill because it is completely unjust.

The brief is worth reading. I do not know if my colleagues on the other side of the House have had a chance to read it, but I hope so, because it is very interesting.

And where does that lead us? We can look at Bill C-43 and see that it has several major flaws, but what is the real debate we should be having here?

Sadly, it is clear from these glaring omissions—and I hope these are omissions by the Conservative government—and this approach that the government has failed to deliver on public safety and cross-border security issues. But these problems need to be addressed.

• (1650)

The government across the way is proposing to make budget cuts of more than \$685 million to the Canada Border Services Agency, the Correctional Service of Canada and the RCMP by 2015. These cuts will only make the problem worse. Bill C-43 attacks people who are far too vulnerable.

Unfortunately, I am out of time. I am available to answer any questions my colleagues might have.

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I thank the hon. member for her comments.

Quite frankly, I am a little confused about her concerns regarding family members of dictators. She mentioned the families of Augusto Pinochet and other dictators. The problem here is that in the previous Parliament, the NDP and the Bloc Québécois on the opposition side widely criticized the government because we could not stop close family members of the former Tunisian dictator, members of the Trabelsi family, from entering Canada.

This problem stems from the Immigration and Refugee Protection Act. This means that the current Immigration and Refugee Protection Act does not allow us to deny entry into Canada for immediate family members of a dictator, an individual convicted of serious crimes against humanity or terrorism, or a member of organized crime. Those family members can enter Canada.

Finally, we were criticized because family members of Italian mafiosos were allowed to enter Canada. That is why we are introducing this power in Bill C-43: to prevent such people from entering Canada.

Would my colleague not agree that this legislation needs to include such a power, in order to prevent close family members of dictators and members of organized crime from entering Canada?

Ms. Rosane Doré Lefebvre: Mr. Speaker, I thank the Minister of Citizenship, Immigration and Multiculturalism for rising to ask me a question.

However, I think he misunderstood my comments. I am really sorry to have to call out the minister. I did not talk about family members of dictators, but rather about people who have opposed a dictatorial regime. The minister really missed the point. I am talking about people who would have been part of an opposition party, for instance.

I can even give another example. Consider the example of a young girl who distributes literature to explain what is going on in a dictatorship, and who could then be deported.

I was talking about people at the complete opposite end of the spectrum. Unfortunately, those people could be deported if this bill is passed.

I would remind the House that I am not talking about family members of terrorists, but rather about people who oppose a dictatorial regime.

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, I am pleased to put a question to my colleague, who as usual has made an excellent speech. I will ask her a more general question, one that I have previously asked in connection with other bills.

The Conservatives are in the habit of introducing bills in reaction to specific situations in time, bills that will subsequently have an impact on all citizens or on the entire group of persons concerned.

In my colleague's opinion, is the right approach for us, as legislators, to amend or introduce new legislation in reaction to specific cases? This is what has happened. Should we not instead promote bills that address broader problems and not simply one, two or four specific cases?

I would like to hear my colleague's comments on that. I do not want to have to state my view, but I would like to hear what she has to say on that subject.

• (1655)

Ms. Rosane Doré Lefebvre: Mr. Speaker, I would like to thank my colleague from Sherbrooke, who has raised quite an important point: our responsibility as legislators in this House.

When we look at certain bills the government has introduced in this House, it is sad to see that they sometimes look like something hastily written on the back of an envelope. The government seems to do this to satisfy public opinion, but the consequences are disastrous. Most of the bills we have seen will have a truly significant impact on our judicial system. They will completely change the face of our country and what it means to be Canadian.

This brings to mind minimum sentences, which are so harsh and remove considerable discretionary authority from judges, who unfortunately no longer have any leeway in sentencing. The same kind of thing is happening here. We get the impression that cases that receive a lot of media coverage are being used as a pretext to introduce bills that do not at all correspond to what we should be doing as legislators. What we should do is be responsible and not make cuts to public safety or border services, as the Conservative government is currently doing.

Government Orders

[English]

Mr. Costas Menegakis (Richmond Hill, CPC): Mr. Speaker, let me begin by wishing you, and through you, all the members of this House a very happy new year. We are all back here in Ottawa assuming our responsibilities after six weeks in our constituencies looking after the people who gave us the right to represent them here.

I am glad for the opportunity to speak to Bill C-43, the faster removal of foreign criminals act. As its title implies, this important piece of legislation would expedite the removal of dangerous foreign criminals from Canada, thereby enhancing the safety and security of Canadians.

I simply do not understand how the NDP and Liberals do not support this legislation which is so popular with most Canadians. Even more, I cannot understand why they are trying to delay passage of the bill by introducing this ridiculous amendment.

Everyone in this House is aware of the most well-known aspects of this legislation. Currently, any dangerous foreign criminal can appeal their deportation if they receive a sentence of less than two years and go on to commit further crimes and victimize more Canadians while they remain in Canada. Unfortunately, we have many examples where that has transpired.

Bill C-43 fixes that by taking away the ability of foreign criminals to rely on endless appeals to delay their removal from Canada and stopping them from continuing to terrorize innocent Canadians. There are also other provisions in this bill that help keep those who pose a threat to Canada out.

Members may recall that in October 2011 the Quebec legislature unanimously passed a motion to demand that the federal government refuse entry to Canada of Abdur Raheem Green and of Hamzad Tzortzis, given their hate speech, which is homophobic and minimizes violence against women.

There has also been a lot of media interest in unapologetic hate-mongers like Fred Phelps and the Westboro Baptists. This group vehemently accosts gays, lesbians, women, and our brave soldiers in uniform. They have made clear their unapologetic hatred for Canada specifically.

The best rationale for this new provision is simply to take a moment to review what these hate-mongers have said and done. I am sure anyone will quickly agree that these individuals should never be allowed to come into our great country.

For years, immigration ministers have been asked to keep people who promote hatred and violence out of Canada. I think most Canadians assume the immigration minister has this ability. The truth is the minister does not. Unfortunately, under the current system, if someone meets the criteria to enter Canada, there is no mechanism to deny that person entry.

Bill C-43 would change that to ensure that those who pose a risk to Canadians, who spew hate and incite violence, will be barred from entering Canada. This new authority would allow the government to make it clear to these foreign nationals that they are not welcome here, not to travel to Canada and refuse them temporary resident status.

We have been transparent about the guidelines that would be used by the minister, so transparent that the minister tabled the guidelines at the committee and they are posted on the department's website for all Canadians to see. Those who would be barred include anyone who promotes terrorism, violence and criminal activity, as well as foreign nationals from sanctioned countries, or corrupt foreign officials. I think all members of this House can agree that these are common sense and I find it hard to believe anyone would disagree with them. The NDP and Liberals pretend they have concerns with this new provision. In fact, the NDP members liked the guidelines so much they wanted to enshrine them in law.

We worked with the opposition in committee to improve accountability by requiring the immigration minister to report on how often he uses this power and for what reasons. Nevertheless, the NDP and the Liberals oppose the bill, which aims to prevent the entry of dangerous and reckless individuals into Canada.

• (1700)

What is more, Canada lags behind some other countries that already have similar powers in place. In fact, most countries have powers that are much more discretionary than those in Bill C-43. For example, in the U.K., the Home Office has barred the entry of individuals whose presence is considered "not conducive to the public good".

In Australia, the Minister of Immigration and Citizenship has various powers to act personally in the national interest. It is up to the minister to determine whether a decision is warranted. In addition, Australia's immigration law allows for visa refusals based on foreign policy interests if an individual is likely to promote or participate in violence in the community.

In the United States, the Secretary of State may direct a consular officer to refuse a visa if necessary for U.S. foreign policy or security interests. The Secretary of Homeland Security can delegate the authority to immigration officers to revoke a visa. Additionally, the president may restrict the international travel and suspend the entry of certain individuals whose presence would be considered detrimental to the United States.

Here in Canada, gay and lesbian groups and women's groups, among others, have pressed the minister in the past to use such a power. It is unfortunate that the NDP and the Liberals are ignoring these groups by opposing the bill.

Until this legislation becomes law, we will be unable to stop these foreigners from spewing their hateful, misogynistic, minority-hating, bigoted venom on our soil. Bill C-43 would enable the minister to bar such extremists from entering Canada in the future.

Government Orders

The advantage of the new discretionary authority for refusal is that it would be flexible, allowing a case-by-case analysis and quick responses to unpredictable and fast-changing events. It would allow the minister to make a carefully-weighted decision, taking into account the public environment and potential consequences.

Ultimately, the Minister of Citizenship, Immigration and Multiculturalism would be accountable to the House of Commons and Canadians for the decisions made. However, let me make it perfectly clear that this power is intended to be used very sparingly. We anticipate that it would only be used in a handful of exceptional cases each year, where there are no other legal grounds to keep despicable people out of our country.

Among others, immigration lawyer Julie Taube testified that she not only supported the bill but also its new ability to deny entry to those who pose a risk. She said:

This is just a question of hate-mongers.... Anybody wanting to promote hatred in Canada, be it against homosexuals, Jews, women, Muslims, etc.—they should all be barred.

I agree with Julie Taube.

The faster removal of foreign criminals act is common sense legislation. It would make it easier for the government to remove dangerous foreign criminals from our country and make it harder for those who pose a risk to Canada to enter the country in the first place.

It is time that the NDP and the Liberals start putting the interests of victims and law-abiding Canadians ahead of criminals and hate-mongers.

I urge all hon. members of the House to join me in opposing the amendments put forward to delay the passage of this bill. I urge them to help us speed the passage of the faster removal of foreign criminals act, Bill C-43.

• (1705)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I sit across from the hon. member at the immigration committee and always enjoy his comments. It is not very often that I give the government some credit, but here is one situation where, after a considerable number of presentations made at committee, the government was flexible in response to a Liberal amendment, even though it changed the amendment dramatically and put it in the form of an annual report to the House where the minister would have to report on cases in which he had denied someone access to Canada.

There were many presenters but one specific presenter, Barbara Jackman, who is a constitutional lawyer—

Hon. Jason Kenney: She's just a left-wing hack.

Mr. Kevin Lamoureux: Mr. Speaker, the minister says she's a hack. She is a constitutional lawyer. The Minister of Immigration may not like her, but that is okay. He is entitled not to like everyone in Canada. We know that is a very large order.

This is what Ms. Jackman had to say in regard to clause 8, which the member is referring to: "I have no doubt that the public policy grounds will lead to denying people admission on the basis of speech".

Whether the minister himself wants to recognize it or not, there are many who fear that the government is going—

The Acting Speaker (Mr. Bruce Stanton): Order, please. I am going to ask the hon. member to get to his question. I know other hon. members wish to put questions to the hon. member for Richmond Hill. Please go ahead with the question and we will get going.

Mr. Kevin Lamoureux: Mr. Speaker, would the member not acknowledge that a number of excellent presentations were made at committee raising that concern, and that maybe the government should go further in acknowledging it?

Mr. Costas Menegakis: Mr. Speaker, I too enjoy the member's input at the Standing Committee on Citizenship and Immigration, although I must confess that I do not agree with him too often. However, I am pleased to see that on occasion he puts partisan lines behind him and supports certain aspects of legislation, at least in this legislation.

Canadians are a generous and welcoming people. We have opened our borders and welcomed people from all over the world. Canadians have come from every nation around this planet. They are telling us, "Please keep criminals and fraudsters out. If we have a choice of who comes to Canada, please do not bring in the people who spew hate speech. We do not want them in our communities. We do not want them around our families. We do not want them around our children. We do not want criminals. We want law-abiding citizens to be our co-citizens living next to us, shopping with us and enjoying Canada".

• (1710)

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, I know the member for Richmond Hill personally to be a fair-minded and objective person. I am always disappointed when mischaracterizes the positions of the NDP, as he sometimes does, based perhaps on advice from the minister, although I am not sure who is giving him advice on this legislation.

My question relates to a very specific change in the law, the proposed change in Bill C-43 to remove the obligation of the minister to consider humanitarian and compassionate grounds when dealing with the removal of foreign nationals.

I wonder if the member for Richmond Hill has considered the possible impact on children and families by removing that obligation. The current situation does not require the minister to allow people to stay on humanitarian and compassionate grounds, but the minister is at least required to consider the plight of children and immigrants.

I see that the member is getting more advice from the minister now, but has he considered the possible impact on families and children?

Mr. Costas Menegakis: Mr. Speaker, I do not accept the premise that I mischaracterized the NDP's position. The NDP's position has been very clear. New Democrats oppose every piece of legislation that we bring to the House, legislation that really speaks to doing what we are supposed to be doing to make Canada a better place in which to live, even though I happen to believe it is already the best country in the world to live.

Government Orders

To respond to the member's specific question, I do not think he understands what we are speaking about. We are talking about terrorists. We are talking about murderers. We are talking about people who spew hatred. Without any disrespect to the hon. member, whom I happen to like, I find ludicrous the thought of the humanitarian impact on the wives or children of such people staying around.

The Acting Speaker (Mr. Bruce Stanton): Before resuming debate, I would just remind hon. members that during this time when we have five minutes of questions and comments, quite often there are a number of members who wish to pose a question or a comment to the member who just spoke but the members speaking take a bit more time than they might with their preambles. We know this is not a time for speeches, but a short preamble and a question or comment to the hon. member is great. That way more members will have the opportunity to pose their question or comment to hon. members. Therefore, I ask and encourage members in their questions and comments, and similarly other hon. members in their responses, to keep those concise and relevant and then more members will be able to participate.

Resuming debate, the hon. member for Miramichi.

Mrs. Tilly O'Neill Gordon (Miramichi, CPC): Mr. Speaker, I am grateful for the opportunity to speak in this House today in support of Bill C-43, the faster removal of foreign criminals act.

As its name implies, this legislation would make it easier to remove dangerous foreign criminals from Canada and enhance the safety and security of all Canadians. Currently, foreign criminals can appeal their deportation if they receive a sentence of less than two years. Bill C-43 would restrict access to the Immigration Appeal Division at the Immigration and Refugee Board to those who receive a sentence of less than six months. This change would reduce the amount of time serious criminals may remain in Canada by 14 months or more, reducing their ability to delay their removal and commit more crimes on Canadian soil.

Serious criminality under the Immigration and Refugee Protection Act is, in part, defined as a conviction for which a sentence of more than six months has been imposed. These changes are therefore more consistent with other provisions in our immigration legislation.

One high-profile case perfectly illustrates the glaring problem with our current system and why we need to further limit access to the IAD. Many Canadians are familiar with street racer, Sukhvir Singh Khosa, whose terrible crime and the infuriatingly slow removal process that happened afterwards were widely reported in the media. Hon. members will recall that in 2002, Mr. Khosa was convicted of criminal negligence causing death after he lost control of his vehicle and killed an innocent bystander while street racing in Vancouver. Obviously, this man was a danger to society having shown selfish and callous disregard for the safety of those around him. What was his sentence? It was a mere slap on the wrist in the form of a conditional sentence of two years less a day. With that one-day discount, he was able to delay his deportation for six years.

He was ordered deported from Canada in April 2003, but he was not deported until April 2009. It was the multiple levels of immigration appeals and the subsequent hearings before the Federal Court and the Federal Court of Appeal that enabled him to delay his

deportation for so long. First the Immigration Appeal Division dismissed Mr. Khosa's appeal and the Federal Court upheld that decision. However, the Federal Court of Appeal then overturned the Federal Court's decision and ordered the Immigration Appeal Division to provide him with a new hearing. It was at this point that the government said that enough was enough and appealed this decision all the way to the Supreme Court, which, thankfully, allowed the appeal and restored the Immigration Appeal Division's original decision.

Under the current system, too many foreign criminals like Mr. Khosa have been sentenced to six months or more, but manage to game the system and delay their deportation for years on end, sometimes more than a decade, costing taxpayers money. Worst of all, many convicted foreign criminals have used the time they have bought appealing their deportation to reoffend, and sometimes commit even worse crimes. The fact these foreign criminals can freely walk our streets when they should have been sent home at the earliest opportunity should deeply disturb all Canadians.

Foreign criminals use appeals as a delaying mechanism and ordinary, law-abiding Canadians can only shake their heads in disbelief and disgust. Needless to say, when Canadians pick up a newspaper and read about dangerous foreign criminals who are still in Canada long after they have worn out their welcome, it erodes public confidence in both our justice and immigration systems. The bottom line is this: If someone is not a Canadian and commits a serious crime on our soil, that person should no longer have the privilege of living here. That is the law in Canada

• (1715)

The New Democrats and the Liberals think that deporting foreign criminals is somewhat unfair. They ask us to consider the hardships that the criminals and their families will face. Do these same critics ever stop to think about the hardships faced by the victims of these crimes? If they actually listened to the victims, they would be supporting the bill and not opposing it.

Victims' organizations across the country have voiced their support for Bill C-43. Sharon Rosenfeldt from the victim' rights organization, Victims of Violence, had this to say:

The government's action to date is that they have indeed listened to victims and to law-abiding Canadians who want our laws to differentiate between the majority of offenders for whom rehabilitation is a realistic option and the repeat offenders for whom the justice and correctional system is a revolving door, which does include foreign individuals who repeatedly break our laws....

We see Bill C-43 as a long-awaited piece of legislation which in part is designed to facilitate and make easier the entry into Canada for legitimate visitors and immigrants, while giving government stronger legal tools to not admit into Canada those who may pose a risk to our country. Most important to crime victims is the removal from Canada of those who have committed serious crimes and have been convicted of such crimes by our fair judicial system.

We agree with [the minister], who states that the vast majority of new Canadians will never commit a serious crime and they, therefore, have no tolerance for the small minority who do, who have lost the privilege to stay in Canada.

We also agree with [the minister] on due process and natural justice in the rule of law...that even serious convicted foreign criminals should get their day in court and that they should benefit from due process.

Government Orders

He agrees, as we do, that they should not be deported without consideration by the Immigration and Refugee Board. However, [that does not mean] they should get endless years in court and be able to abuse our fair process....

We strongly believe that if all the amendments in Bill C-43 are supported and implemented, the safety of Canadians will be further enhanced.

One of the few requirements for people to maintain permanent resident status in Canada is that they do not go out and commit a serious crime. We do not think that is too much to ask of people who are enjoying life in the greatest country in the world. With Bill C-43, we would streamline the process to deport convicted foreign criminals by limiting their access to the Immigration and Refugee Board's immigration appeal division. These measures would be tough but fair. We want an immigration system that would be open to genuine visitors, while at the same time preventing the entry of foreign criminals and those who would harm our country and denying them the ability to endlessly abuse our openness and our great generosity.

The bill would send a clear message to foreign criminals: If they commit a serious crime in Canada, we will send them packing as quickly as we possibly can.

The changes proposed in the faster removal of foreign criminals act would be reasonable, common sense measures that would ensure the safety and security of Canadians. I urge all hon. members of the House to join me in supporting Bill C-43 to help protect Canada's borders and Canadian society against those who pose a danger and take advantage of our great generosity.

• (1720)

[*Translation*]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I thank the member opposite for her speech.

Our concerns are not about the criminals themselves, but rather how we will determine who is a criminal and who is not. Once again, the minister is giving himself discretionary powers. That is always our concern. This is not the first time this has happened.

How will we tell the good from the bad in this system?

[*English*]

Mrs. Tilly O'Neill Gordon: Mr. Speaker, the bottom line is that people who are not Canadian and commit a serious crime on our soil should no longer have the privilege of living here. That is the law in Canada. Our government wants safe streets and safe communities for all Canadians. Is this too much to ask of those visiting Canada? These are our tax dollars being spent.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have a very specific question for the member.

Let us say someone came to Canada at age one, has now been in Canada for 18 years, and after their 19th birthday they make a mistake. They might have used false identification to get alcohol while down in the States celebrating the fact that they graduated high school with some of their friends, or maybe there was another incident.

Is it appropriate for that individual, who came to Canada at age one, to be deported and deprived of being with parents, siblings and others because they used false identification in order to be served

alcohol or because they videotaped something at a movie theatre with their telephone? Is that an appropriate consequence?

Mrs. Tilly O'Neill Gordon: Mr. Speaker, I want to thank the member for his question even though he asked a similar question just a few minutes ago.

Mr. Speaker, you and I know that it is a great privilege to become a Canadian. Therefore it is definitely not too much to ask anyone who is living in this country to refrain from crime. Our government is committed to helping keep our streets and communities safe.

I want to say at this time that Miramichiers and all Canadians will be shocked to learn that the opposition parties actually oppose the bill. They oppose the safety of our streets and our communities. It is hard to believe.

• (1725)

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, I would like to thank my hon. colleague for her wonderful speech.

I have been sitting in the House today and I keep hearing excuse after excuse from the opposition as to why someone should not be deported after committing a serious crime. I sit on the immigration committee, and I heard the same things again and again in the committee. The Liberal member for Winnipeg North even used this as an excuse: a lot of good people make some mistakes. Forgetting to put out the trash is a mistake. Committing a serious crime in Canada is not.

I just wonder whether the member for Miramichi would comment on why she thinks the NDP and the Liberals would rather support the criminals in this country than the law-abiding citizens and those who fall victim to crime?

Mrs. Tilly O'Neill Gordon: Mr. Speaker, I want to say that this is the same kind of question that all Canadians, and Miramichiers especially, will be asking. The opposition members will have to answer that themselves.

In our platform, we promised to expedite the deportation of foreign criminals, and our government has followed up on that promise by introducing the bill. Our government continues to do what is best for all Canadians. We must remember that while our government is working to do this and we have opposition to this, it is costing our country taxpayers' dollars.

Hon. Jason Kenney: Mr. Speaker, on a point of order. I just clearly, audibly, heard the member for Malpeque say twice, "They are a bunch of racists".

This is disgusting and beneath that member, beneath any member of this place. I would ask that he stand and withdraw.

The Acting Speaker (Mr. Bruce Stanton): Members will know, of course, that these types of words and references are not helpful to civil debate.

Hon. Wayne Easter: I withdraw.

The Acting Speaker (Mr. Bruce Stanton): I thank the hon. minister for his intervention and the hon. member for Malpeque.

BILL C-43—NOTICE OF TIME ALLOCATION MOTION

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, on a point of order. Bill C-43, the faster removal of foreign criminals act, will put a stop to foreign criminals relying on endless appeals in order to delay their removal from Canada and during which they can commit more crimes. For that reason it is very important this law be put in place to protect Canadians.

However, I must advise that an agreement has not been reached under the provisions of Standing Order 78(1) or 78(2) concerning the proceedings at report stage and third reading of Bill C-43, an act to amend the Immigration and Refugee Protection Act.

Under the provisions of Standing Order 78(3), I give notice that a minister of the Crown will propose at the next sitting a motion to allot a specific number of days or hours for the consideration and disposal of proceedings at those stages.

REPORT STAGE

The Acting Speaker (Mr. Bruce Stanton): I am sure the hon. members appreciate the notice of the government House leader.

We will get started with the Parliamentary Secretary to the Minister of Foreign Affairs. We only have two minutes. He will start and then he will pick up the remainder of his time when the House next considers the question before the House.

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, I am happy to rise in the House today on Bill C-43, the faster removal of foreign criminals act. I think that title is very important.

As we all know, Canada has long been a destination of choice for immigrants. We have one of the highest per capita rates of permanent immigration in the world, and we accept so many immigrants that one in five Canadians today was born outside of Canada. In my riding of Mississauga—Erindale, 65% of my constituents were born outside of Canada.

I raised the issue of the bill just this last Sunday at a New Year's levee in my riding. There were 400 people in the room. I would say 300 of those 400 people were born outside of Canada. When I raised the topic of the bill, there was a standing ovation. This is what Canadians want us to do.

Canadians are generous and welcoming people, but they have no tolerance or patience for foreign criminals who abuse our generosity by fighting a futile battle to stay here long after they have worn out their welcome. Make no mistake, there are countless examples of convicted criminals who have done just that, including drug traffickers, murderers and even child abusers.

The faster removal of foreign criminals act would ensure that foreign criminals, who had been sentenced in Canada for serious crimes, cannot endlessly delay their deportation. It would do so by removing the right of appeal to the immigration appeal division at the Immigration and Refugee Board, which would help expedite the removal of anyone who receives a sentence of six months or more.

The legislation would also bar those who have committed serious crimes outside of Canada from accessing the immigration appeal division. By limiting access to the immigration appeal division, the

Private Members' Business

government estimates that the amount of time certain criminals may remain in Canada would be reduced by 14 months or more.

Currently, a foreign criminal may be ordered deported if they could receive a maximum sentence in Canada of at least 10 years for their crime, or if they receive an actual sentence of more than six months. The problem is that under current law, as long as their sentence is less than two years, a permanent resident may appeal their deportation to the immigration appeal division, and if they lose that—

• (1730)

The Acting Speaker (Mr. Bruce Stanton): Order, please. The hon. parliamentary secretary may wish to mark that spot and he will have eight minutes remaining for his speech, and of course the usual five minutes for questions and comments, when the House next considers the question before the House.

PRIVATE MEMBERS' BUSINESS

[*Translation*]

THE CRIMINAL CODE

Mrs. Maria Mourani (Ahuntsic, BQ) moved that Bill C-452, An Act to amend the Criminal Code (exploitation and trafficking in persons), be read the second time and referred to a committee.

She said: Mr. Speaker, after a number of years of work and consultation, it is a great honour for me to introduce in the House Bill C-452, which seeks to help victims of human trafficking obtain justice in an environment in which they are better protected.

This bill also seeks to help the police officers and prosecutors who are working to combat this new form of slavery—let us say it—get the tools they need to lay charges and ensure that criminals are given sentences that reflect the seriousness of their crimes.

I would like to thank the individuals and groups who worked with me to put this bill together, including police officers from the SPVM morality branch and child sexual exploitation unit, criminal lawyers from the Barreau du Québec and women's and human trafficking victims' advocacy groups, such as the Comité d'action contre la traite humaine interne et internationale, Afeas, the Regroupement québécois des centres d'aide et de lutte contre les agressions à caractère sexuel, Concertation-Femme, Concertation des luttes contre l'exploitation sexuelle, the Association québécoise Plaidoyer-Victimes and Maison de Marthe. These groups were very involved in the drafting of this bill.

I would also like to thank everyone else who has supported this bill, namely the Collectif de l'Outaouais contre l'exploitation sexuelle, the diocèse de l'Outaouais de la condition des femmes and, of course, the Conseil du statut de la femme du Québec.

Before introducing the bill, I would like to quickly describe human trafficking in Canada. Unfortunately, it is a rather significant problem in Canada and also in Quebec.

Private Members' Business

There is no question that, in Canada, an estimated 80% to 90% of the victims of trafficking are destined for the sex trade. There are also victims exploited for forced labour in Canada. This is quite atypical, but it does exist nevertheless.

Canada is unfortunately considered to be a country of recruitment, destination and transit, transit to the United States in particular. The most popular cities are Fort Lauderdale, Miami, New York and Las Vegas, as you can imagine. Canada is also considered a tourist destination: not just the usual tourism, but also sex tourism.

Contrary to what one might think, this sort of thing does not happen only in developing countries. Criminal Intelligence Service Canada indicates in its 2001 report that, in Canada, the average age of entry into prostitution is 14. In Canada, the majority of victims of trafficking are women between the ages of 12 and 25.

According to 2004 figures from the U.S. State Department, every year an estimated 1,500 to 2,000 persons are victims of trafficking from Canada to the United States. It is estimated that traffickers bring approximately 600 women and children into Canada to service the Canadian sex industry.

The main points of transit and destination for victims of interprovincial and international trafficking are Montreal, Toronto, Winnipeg and Vancouver. The Sûreté du Québec estimates that 80% of the strip clubs in Quebec under its jurisdiction are owned by criminal groups, often under fronts. So this is an industry that is dominated by organized crime and, unfortunately, street gangs.

Girls recruited in Atlantic Canada can wind up in Quebec, Ontario, Alberta or British Columbia, and vice versa. They are on the move. That is typical of human trafficking. Although this odious trade is dominated by organized crime, street gangs have become new players in recent years. The Montreal police service has declared human trafficking to be one of its priorities in the fight against crime.

It is thought that since the end of the 1990s, street gang members have transitioned from small-time recruiters to high-level pimps, specializing in child prostitution of young girls, mostly between the ages of 11 to 25. A girl can bring in around \$280,000 a year, depending on her looks and age. Twenty girls could bring in around \$6 million. That is a lot of money.

This is a business with little risk and is inexpensive to manage. Most of these guys say that they just have to beat, rape or torture the girl or give her some drugs and she will go to the meeting on her own. As it stands right now, the punishments are insignificant. For example, a pimp in Peel region exploited, tortured and raped a 15-year-old girl for two years. This earned him about \$360,000 a year and he was sentenced to three years.

• (1735)

This bill would bring justice to the victims and make it easier for police officers and prosecutors. What does the bill do? Many prosecutors and police officers I spoke to told me that, in general, human trafficking was seen as an international phenomenon and that people were trafficked either from Canada to other countries or from other countries to Canada. Unfortunately, the Criminal Code is misinterpreted.

This misconception is gradually disappearing, but there are still some people who believe it. Young people from the regions of Quebec or from aboriginal reserves across Canada are unfortunately ending up in trafficking rings that bring them to large Canadian cities and tourist areas such as Niagara Falls or Montreal during the Grand Prix.

Domestic trafficking definitely happens in Canada. In my opinion, it accounts for a significant proportion of criminal activity in Canada. Victims of this type of human trafficking are between 14 and 25 years of age. The bill before us improves subsection 279.01(1) by making it clear that human trafficking is not only an international phenomenon, but also a domestic one. I have added the phrase, "Every person who, in a domestic or international context, recruits, transports..." This clarification will ensure that individuals, police officers and prosecutors understand exactly what that section means.

The current section 279.04 includes provisions on trafficking in organs and forced labour. As we all know, most human trafficking is for purposes of sexual exploitation, and as such, I added subsection 279.04(1.1), which is specifically about sexual exploitation. This definition, if I can call it that, is drawn from the Palermo protocol on human trafficking and international crime, which Canada ratified on May 13, 2002. This addition addresses all aspects of sexual exploitation, thereby enabling Canada to fulfill its Palermo protocol commitment.

On another note, human trafficking and procuring offences are often associated with other violent crimes. However, even when several charges are associated with a particular incident, traffickers often get away with short sentences because they are served concurrently. Unfortunately, sentences for human trafficking are softer than sentences for drug trafficking.

This is despite the fact that these people, whom I would call slavers, commit very serious crimes. Victims are tortured, confined, raped, forced into prostitution and so on. It is important to take all of the factors related to an incident into account. This bill would ensure that sentences for human trafficking or procuring and associated crimes are served consecutively.

The other problem that police officers and prosecutors have raised is their ability to help or persuade a victim to testify. Those practising in this area of the law often find that victims do not want to testify. Why? Because they are experiencing severe post-traumatic stress and are, quite naturally, afraid of being victimized. Many groups that work with these victims have told me that the victim should no longer have to bear the burden of proof.

Subsection 212(3) of the current Criminal Code already includes the notion of reversal of the burden of proof in cases of procuring. The same reversal of the burden of proof for the offence of trafficking was therefore added to this bill in subclause 279.01(3).

Private Members' Business

•(1740)

Therefore, as soon as the police have enough proof to lay charges, they will not necessarily need a victim's testimony. The reversal of the burden of proof exists for procuring. I believe that it should simply also be applied to human trafficking.

My favourite part of this bill deals with the forfeiture of proceeds of crime. Unfortunately, it is well known in the policing world that human trafficking is very profitable. It is profitable because a girl can bring in a lot of money for a pimp and it is highly unlikely that she will file a complaint against him. The pimp does not need to manage anything or make large purchases to run the business. So the pimp makes a lot of money.

Currently, subsection 462.37(2.02), which deals with forfeiture of proceeds of crime, allows for criminally obtained goods to be seized in cases of criminal organization offences punishable by five or more years of imprisonment and offences under section 5, 6 or 7 of the Controlled Drugs and Substances Act.

I feel that human trafficking and procuring offences should also be covered by this section. This bill adds those two provisions to section 462.37.

To conclude, I would like to ask my colleagues to do something meaningful for victims of human trafficking. We need to remember that we do not need to go to Thailand to see children as young as 12, 13 or 14 in this business. And, unfortunately, we cannot forget that adults are victims of this business as well. The majority of the victims of this business—if we can call it that—are women, young girls and children. I feel it is more a form of slavery. I believe that we need to rise above partisan politics on this issue. It is our duty to strengthen the human trafficking provisions of the Criminal Code.

I would like to thank the members, and I ask them to support this bill in the name of justice and, above all, in the name of humanity.

•(1745)

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, I would like to commend my colleague on her touching speech. It is not every day that we are given explanations on this type of violence. When it comes to violence against women, the media often talks about pimping and prostitution, and that is how we learn a little more about this topic.

As my colleague explained, we often forget one common denominator, and that is human trafficking, particularly the trafficking of women. My colleague is a recognized expert on street gangs and we often consult with her on this topic. In my opinion, a link can also be made between the harmful actions of street gangs and the trafficking of women. Unfortunately, street gangs are using the trafficking of women more and more to help their repulsive trade prosper.

I would like the hon. member to explain a little about the link between the trafficking of women and street gangs.

Mrs. Maria Mourani: Mr. Speaker, I thank my hon. colleague for this excellent question.

Unfortunately, for the past five or six years in Quebec and Canada, street gangs have been becoming more and more involved in trafficking in young girls. Those groups used to recruit girls to dance

in biker bars or to sell them to organized crime, but now these gangs have trafficking networks across Canada. These networks are very present in Niagara, an area I know very well. These networks no longer need biker gangs or the mafia for escort agencies, massage parlours or street prostitution. Their child prostitution networks are so sophisticated that it is basically their trademark.

Some gang members do nothing else. They no longer sell drugs. They do only that, because it is extremely lucrative and it is really hard to gather enough evidence to lay charges against them.

For instance, in the RCMP's most recent report with the latest figures, it clearly states that the first charges for human trafficking in Canada were laid by Peel Regional Police in 2008. That was the first time. Yet human trafficking has existed in the Criminal Code since 1995. But the first charge was not until 2008 by Peel Regional Police. That is unbelievable.

[English]

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I would like to thank my colleague for her comment about members of the House trying to make Canada a better place and her comment that the trafficking of women and children in this country right now is appalling.

Two weeks ago in Edmonton a girl was rescued from a trafficking ring. It was just a classic case of how these predators work.

I would like the member for Ahuntsic to explain what a classic case looks like, because people need to be aware that this could happen to the girl next door.

[Translation]

The Deputy Speaker: The hon. member for Ahuntsic has one minute to reply.

Mrs. Maria Mourani: Mr. Speaker, I thank my hon. colleague for the question. Given that we often work together on the issue of human trafficking, I would like to congratulate her on what she has done to improve the Criminal Code regarding this matter.

If I understand the question correctly, how these people operate can vary greatly, depending on whether they belong to a street gang, are a member of organized crime, or are even independent traffickers who have absolutely nothing to do with any criminalized groups. They always manipulate the victim, often through modelling agencies. Sometimes they go and recruit the girls directly at night clubs or in schools, anywhere, really.

Private Members' Business

Things happen in stages. First there is the honeymoon period, when the criminal tells the victim that she will make lots of money, that he is there for her, that he loves her. She might even believe that her abuser is actually her boyfriend. It is very complicated. Then there is the breaking-in period, when she is beaten, raped by 15 men in a row in a seedy apartment. The abuser tortures her and takes away her ID. All of this happens not in some other country but right here in Canada. The victim is sexually assaulted. Her family is threatened and she is told that if she escapes, the abuser will get her little sister.

I have met many victims. People involved in these trafficking rings have told me their stories. I will never forget the car on its way from Montreal to Quebec City with a 12-year-old girl in the back seat and a 16-year-old girl in the front. Four years later, that 16-year-old, now 20, told me that she could hear the 12-year-old crying in the back because they were on their way to Quebec City to live in a seedy duplex where criminals kept the people they forced into the industry.

Let us never forget one thing. The reason 12-year-old kids are being sold in Quebec is that men are buying. That is another problem we have to tackle. Members of Parliament must have the courage to deal with prostitution in Canada. We need a law—just one—stating that it is a crime to buy sexual services in Canada. I hope that the day will come when we have the political courage to attack the johns, because if there are no johns, there will be no prostitutes.

• (1750)

[English]

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am pleased to join in the second reading debate on Bill C-452, an act to amend the Criminal Code (exploitation and trafficking in persons). I believe the bill addresses a matter of utmost importance: the criminal justice system must respond effectively to the crime of human trafficking.

Bill C-452 seeks to achieve the important goal of strengthening the criminal justice system's response to this heinous crime. Bill C-452's predecessor, Bill C-612, an act to amend the Criminal Code (trafficking in persons), also sponsored by the member of Parliament for Ahuntsic, proposed similar amendments but died on the order paper at second reading with the dissolution of Parliament in 2011.

The objectives of the bill merit support. Its proposals seek to hold offenders accountable, impose penalties that befit the severity of the crime and assist in ensuring that offenders do not reap the rewards of their wrongdoing. There are, however, some legal issues raised by the bill's proposals, which I have no doubt can be addressed through amendments.

Bill C-452 proposes to amend the Criminal Code in a number of different ways.

First, it seeks to require that sentences imposed for procuring, section 212, and trafficking offences, sections 279.01 to 279.03, be served consecutively to any other sentence imposed. It also seeks to clarify that the main trafficking offence, section 279.01, would apply regardless of whether the crime occurred in a domestic or international context.

Further, it would add a presumption that an accused is exploiting a trafficking victim if he or she is shown to be habitually in the company of that victim. It would modify the definition of exploitation for the purposes of the trafficking offences to include specified means.

It would also modify the provision that imposes a reverse onus for forfeiture of proceeds of crime for certain offences to apply to both procuring and trafficking offences. Finally, it would make a small technical amendment to the French definition of exploitation, in section 279.04.

One concern raised by certain proposals in the bill involves the Bedford case, which is currently before the Supreme Court of Canada. Bedford involves a Charter challenge to three prostitution-related Criminal Code provisions, including living on the avails of prostitution offence, paragraph 212.(1)(j), which is contained in the procuring provision, section 212. Any amendments impacting on this provision could compromise the government's defence of its constitutionality.

Another concern is that some of the proposals relate to issues already addressed by former Bill C-310, An Act to amend the Criminal Code (trafficking in persons), which was sponsored by the hon. member for Kildonan—St. Paul and came into force in June 2012.

Former Bill C-310 extended extraterritorial jurisdiction for all Criminal Code trafficking offences and clarified the definition of exploitation in section 279.04 by creating an interpretive tool to assist courts in determining whether a person has exploited another for the purposes of the Criminal Code trafficking offences.

New amendments that overlap with recently enacted reforms could cause confusion in the law, which may create inconsistency in enforcement and interpretation. These concerns and others could be addressed through amendments to ensure consistency and clarity in the law and manage legal risk.

The bottom line, however, is that we should all support any proposals that would strengthen our response to a crime that is as pernicious and heinous as human trafficking. This crime is commonly referred to as a form of modern-day slavery.

There has been some confusion, both within Canada and internationally, about the nature of this crime. Given the breadth of the issue, the complicated way in which it can be carried out and the diversity of both its victims and its perpetrators, it is no wonder that the global community has struggled with defining it.

However, I can say to Canadians that our government continues to take steps to improve our responses to this very destructive criminal activity.

• (1755)

On June 6, 2012, the government launched Canada's national action plan to combat human trafficking to enhance our ability to prevent this crime, better support victims and ensure that traffickers are held accountable. We are directing more than \$25 million over four years to implement this plan.

Specifically, the national action plan emphasizes the need for awareness in vulnerable populations, support for victims, dedicated law enforcement efforts and for all Canadians to prevent the trafficking of individuals.

Among other things, the national action plan launched Canada's first integrated law enforcement team dedicated to combatting human trafficking; increased front-line training to identify and respond to human trafficking and enhance prevention in vulnerable communities; provides more support for victims of this crime, both Canadians and newcomers; and strengthens the coordination with domestic and international partners who contribute to Canada's efforts to combat human trafficking.

Further to this, Canada ratified the United Nations protocol to prevent, suppress and punish trafficking in persons, especially women and children. The protocol's definition of human trafficking is consistent with Canada's four specific trafficking in persons offences, which provide us with a comprehensive domestic definition of this horrible crime. There are also many other Criminal Code offences that can be used to address related conduct.

As I mentioned, we have four trafficking-specific offences in our Criminal Code. The main offence of trafficking in persons, section 279.01, protects all persons by prohibiting the recruitment, transportation or harbouring of a person for the purposes of exploitation.

The child trafficking offence, section 279.011, is the same as the main trafficking offence, with the exception that it imposes mandatory minimum penalties for trafficking in children. It was enacted by another bill sponsored by the hon. member for Kildonan—St. Paul, former Bill C-268, An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years), which came into force in June 2010.

I noticed that my colleague from the Bloc, who was speaking, mentioned a person under the age of 12. This unfortunately is something that does touch our children.

The two other trafficking-specific offences prohibit receiving a material benefit from the trafficking of a person and withholding or destroying documents in order to facilitate the trafficking of a person, sections 279.02 and 279.03. The Criminal Code also defines exploitation for the purposes of these offences in section 279.04.

Bill C-452 would add heavier penalties to this important group of offences by requiring the imposition of consecutive sentences for engaging in this type of reprehensible conduct. No one would disagree that penalties for this type of offence should be severe.

Bill C-452 would also require a sentencing court to order the forfeiture of offenders' property unless they disprove that their property is the proceeds of crime. We must ensure that traffickers are not permitted to keep the financial benefits of their insidious exploitation of others.

Bill C-452 would also create a presumption that would assist prosecutors in proving the main trafficking offences by proving a related fact, that the accused lived with or was habitually in the company of an exploited person. This type of offence is very

Private Members' Business

difficult to investigate and prosecute, especially given that witnesses are usually afraid to come forward due to threats and intimidation. In particular, such a presumption could assist in holding an accused accountable or the prosecution's case rests heavily on the fact that the accused was living with or habitually in the company of an exploited person. However, this proposal requires amendments to ensure that it applies equally to the child trafficking offence, and the language should also be consistent with other Criminal Code presumptions so that the proposed presumption achieves its goal. These amendments would assist in securing convictions, ensure that punishment is proportional to the severity of the crime and deprive offenders of their ill-gotten gains.

I believe these are goals we can all support.

● (1800)

The Deputy Speaker: Before resuming debate, I understand the hon. government House leader has a request for unanimous consent to a motion.

* * *

BUSINESS OF THE HOUSE

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I believe if you seek it, you will find unanimous consent for the following motion, which has been discussed among the parties. I move:

That, notwithstanding the provisions of any Standing Order, for the remainder of the 41st Parliament, when a recorded division is to be held on a Tuesday, Wednesday, or Thursday, except recorded divisions deferred to the conclusion of oral questions, the bells to call in the members shall be sounded for not more than thirty minutes.

The Deputy Speaker: Does the House agree to give unanimous consent to this motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

[Translation]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-452, An Act to amend the Criminal Code (exploitation and trafficking in persons), be read the second time and referred to a committee.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I am very proud and happy to rise in this House today to speak to Bill C-452, which was introduced by the member for Ahuntsic. This is not exactly her first try, but I hope it will be the last and that it will be successful, possibly just as successful as the work that was done by the member for Kildonan—St. Paul on Bill C-310. I had the pleasure of examining this bill, debating it and discussing it. It opened my eyes.

Private Members' Business

I come from Gatineau and we do not often hear about human trafficking there. I learned about it when we examined the bill from the member for Kildonan—St. Paul. This will sound strange, but I also met with the US ambassador-at-large, who came to speak to me about human trafficking and how this problem exists all over the world. I was then able to see that issues that we sometimes consider foreign are also going on right here at home. It can be quite ugly, even horrific, as described by the member for Ahuntsic, and it is often happening right under our noses and we have no idea.

As the justice critic for the official opposition, the New Democratic Party, I can say that we will support sending our colleague's Bill C-452 to committee. I have also taken note of some of the comments the Parliamentary Secretary to the Minister of Justice made.

When it comes to justice issues, the NDP always wants to be reasonably satisfied with the laws that are passed and that have a significant impact in terms of justice. These laws must pass the tests they will be subject to when they go before the courts. As legislators, we must do our job properly.

I wish I had a little more time. Five minutes is not long enough to ask questions. We have to talk about reversing the burden of proof. In cases like this one, that is a real concern given the seriousness of the offences. Still, we have to see if this passes the test to which the courts usually subject such a reversal of the burden of proof. This always seems counter to the presumption of innocence that is central to criminal law in Canada.

It is also important to ensure that laws do not contradict one another. The parliamentary secretary alluded to that. Will the passage of Bill C-310 cause parts of Bill C-452 to be reviewed? Are some of these elements in conflict? At first glance, I do not think so. However, we will consider all of these issues during meetings of the Standing Committee on Justice and Human Rights once we complete our two hours of debate here. From what I have seen, I do not think that our colleague will have any trouble getting her Bill C-452 referred to committee. That will give us the opportunity to hear from witnesses.

The fact that we have the right to debate these issues, to have our say and to hear from witnesses is extremely important. As I said, if not for Bill C-310, even people who watch television, who are well-informed and up to date, would not have had the opportunity to hear first-hand about what is going on, often under their very noses, what is happening to society's most vulnerable people, to women and children. The situation is appalling. It would serve us well to hear about other specific cases.

I was pleased to see that in my region, the Outaouais, there was a great deal of support in the community from women's groups. My colleague mentioned the Collectif de l'Outaouais contre l'exploitation and the diocèse de l'Outaouais, among others, but I know even more groups that have told me that they support this bill.

I will support any law that we can enact to eliminate these scourges. We have to do everything we can and use every tool we have to stop this.

• (1805)

The message I would like to send to my friends opposite is that it takes people to implement these great laws. If we have good laws against human trafficking, then we have to ensure that we have the police officers needed to do the work and to find these vile human traffickers. We must drag them before the courts and they must serve these sentences so that one day we will no longer have to adopt such laws. When we go home, we have to be able to say that we did a good job because the most vulnerable are not being sexually exploited, tortured or are afraid to speak out and stop being victimized. Would it not be wonderful to have a society where there are no victims?

In addition to these fine speeches and bills, we have to ensure that there is a coherent approach. If we say that we support the victims and that we want to be there to help them, then we have to provide assistance and services. If we say that we are against the criminals, then we have to ensure that we catch these damn criminals and that we have enough police officers. We can reverse the burden of proof all we want, but if the victim is terrified and will never report the horror experienced, all this work is in vain.

We have to realize that this is happening in our communities. It may be happening in a street not far from our own homes. It is scary, but it does happen. We have to have our eyes wide open and realize that a bill such as this one solves real problems. However, it takes more than that.

• (1810)

[English]

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I am pleased to rise in debate on Bill C-452, on the question of human trafficking and how best to combat it. In particular, this legislation would seek to strengthen the provisions that punish exploitation and trafficking in persons.

[Translation]

I would like to congratulate my colleague from Ahuntsic for this bill and this very important step.

The true measure of a society's commitment to equality and human dignity is the protection it affords its most vulnerable members. And victims of human trafficking are some of the most vulnerable.

[English]

Accordingly, we must recognize and denounce human trafficking as the persistent and pervasive assault on human rights that it is, while providing increased protection for those who are most vulnerable to this massive criminal violation of human rights, namely women and children. At the same time, we must work to bring the perpetrators to justice and ensure that human traffickers are held to account fully for this reprehensible criminal conduct. My remarks this evening will focus on the implications this bill would have for the justice system, while situating the debate in the broader context of how we ought to combat human trafficking.

The crime of human trafficking, as I have said many times in this House, is one of the most pernicious, persistent and pervasive assaults on human rights. According to the 2012 United States Department of State report on human trafficking, an estimated 27 million people worldwide each year are victims of various crimes of exploitation and servitude, while an estimated \$32 billion is generated by this immoral and illegal trade, making it one of the fastest growing criminal industries in the world today. The struggle to eradicate this crime, therefore, must certainly include legal tools to prosecute the offenders. It must also include policies to protect and support the victims while engaging in public education efforts to promote awareness of the trends and the means used to exploit and traffic the victims.

Accordingly, a holistic approach to this problem would require addressing the social factors that allow the crime of exploitation to occur in communities across our country, while working with all levels of government and community leaders to identify trends and patterns of exploitation, to communicate with the victims and to support the victims and their families during these moments of tremendous vulnerability. I commend the member for Ahuntsic for her involvement in this regard with the various stakeholders for this purpose.

[*Translation*]

To combat human trafficking, we need to do more than just impose new criminal penalties. For example, we need to correct the flaws in our immigration system because they leave temporary and foreign workers open to exploitation and abuse by their Canadian employers.

[*English*]

Bill C-452 makes a number of important amendments to the Criminal Code. First, it provides for consecutive sentences to be served for human trafficking convictions. Second, it grants the Canadian judiciary jurisdiction over human trafficking offences whether they are committed in Canada or abroad. Third, the bill clarifies the provisions related to human trafficking involving sexual exploitation. Fourth, it creates a presumption regarding the exploitation of one person by another. Finally, the bill adds the offences of procuring and trafficking in persons to the list of offences to which the forfeiture of proceeds of crime apply.

All of these proposed changes are indeed well intentioned, but some are somewhat flawed, particularly when viewed from a charter perspective. The Liberal Party will support this legislation and vote to send it to committee for further study and review in the hope that the concerns may be appropriately addressed.

I will begin with a provision that I wholeheartedly support.

The legislation expands the scope of the human trafficking provision in the code to the international arena. This is an important and most welcome change to our law. Simply put, the reach of this egregious trafficking crime is beyond our national borders and our laws must therefore reflect this reality.

• (1815)

For many human trafficking victims, exploitation may bring them to Canada. However, the original incident of abuse or threats made to their families occurs in far distant lands. We must seek justice not

Private Members' Business

only for the final leg of this crime, but for the full scope of the abuse and cruelty inflicted on victims by their abusers.

Accordingly, while I support that provision and the provisions relating to human trafficking that include sexual exploitation, as well as extending or adding the offences of procuring and trafficking to the list of offences to which the proceeds of crime would apply, I am concerned by some other sections of the legislation. For example, Bill C-452 provides that sentences imposed upon a conviction of human trafficking are to be served consecutively to any other sentence imposed and punishment for an offence arising out of the same event or series of events.

I understand the well-intentioned motive behind this recommendation. My concern is that doing this could limit judicial discretion in a way that not only encroaches on judicial independence but may, however inadvertently, result in sentences that infringe upon charter-protected rights. Certainly these heinous acts should be punished severely. However, there may be situations where the imposition of consecutive, rather than concurrent sentencing is inadvisable. This is why judges should be allowed to retain their discretion in this regard, though certainly at committee we could address whether it might be best to encourage such sentences while perhaps not specifically requiring them.

As well, the bill establishes a presumption under section 279.01(3) of the Criminal Code that may be overly broad. It reads:

—a person who is not exploited and who lives with or is habitually in the company of or harbours a person who is exploited shall, in the absence of evidence to the contrary, be deemed to be exploiting or facilitating the exploitation of that person.

While one of the major issues in combatting trafficking since the crime of exploitation was first introduced in our Criminal Code has been the low number of criminal convictions for this crime, we should nonetheless be very mindful of casting too wide a net as this could raise both charter and common law concerns. Again, I am hopeful this can be addressed at committee.

Another change proposed by the legislation, which I support, modifies section 279 of the Criminal Code by enumerating the various elements of the crime of exploitation, particularly sexual services. This is an important change, in part because our own Department of Justice has found that trafficking for sexual exploitation is more prevalent in Canada than any other form of exploitation, especially in our large urban centres. By adding these new provisions in the code, we would provide law enforcement officials with additional tools to take on this challenge and better protect the Canadian public.

Private Members' Business

Let me reiterate that while it is vital that our criminal justice system be equipped to handle the full prosecution of this brutal crime, any success on this issue will only come with greater public awareness, mobilization and participation in combatting the crime to begin with. Because the perpetrators of human exploitation count on various social stigmas to isolate their victims, it is vital that we remove these stigmas and those barriers that prevent victims from seeking assistance. We must strengthen our grassroots strategy to detect and prevent human trafficking to begin with, as well as to support and protect victims in a manner that would enhance their co-operation and ability to report this abuse. As a country looking to address this challenge, we must not only seek to punish those who do harm to the innocent, we must also seek to heal and care for those who have been harmed in this fashion.

In summary, I am hopeful that the bill will be improved in committee. I applaud my colleague from Ahuntsic for bringing it forward and for her hard work on this issue, as well as that of the member for Kildonan—St. Paul. I am hopeful that by working together we can eradicate this evil of human trafficking in Canada once and for all.

● (1820)

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, tonight I am so pleased to have the opportunity to support Bill C-452, An Act to amend the Criminal Code (exploitation and trafficking in persons).

As I have listened to the speeches tonight. It warms my heart to see members in the House who have worked together, and are continuing to work together, to stop this heinous crime in our country.

The member for Mount Royal has done much over the years to stand up for human rights. His Bill C-49 did much to bring the awareness of human trafficking to the forefront, and I thank him for that.

I also want to thank you, Mr. Speaker, as the member for Windsor—Tecumseh. When I first started working on my Bill C-268, I remember your support and your questions. I remember your input in making that bill go through.

As parliamentarians we are standing up against the perpetrators who feed on innocent victims in our country. Now public awareness is coming to the forefront. This is a pressing issue that we are addressing. Human trafficking, as we all know, continues to be a violation of fundamental human rights whose protection forms a basis of our free and democratic country. I want to thank all members for the input we have heard today.

Before I turn to the proposals in the bill itself, I would like to make some general comments on the nature of human trafficking and its severe impact on the victims to underscore the importance of ensuring the strongest possible criminal justice response to this crime.

Traffickers force victims to provide labour or services in circumstances where they believe their safety or the safety of someone known to them will be threatened. If they fail to provide that labour or service, they are deprived of the very rights that

underpin a free and democratic society, a society that we hold dear in Canada.

The reality is that victims often suffer physical, sexual and emotional abuse, including threats of violence or actual harm to their loved ones. It does not only encompass the victims. One technique the predators have is to threaten their siblings and their relatives by telling them that they will be next. I have numerous cases where that has happened. That is how they control the victim from whom they earn so much money. Records show right now that a perpetrator earns between \$250,000 and \$260,000 a year from a victim. It is all about money. It is all about a despicable crime that is happening in our country that touches everybody. Everybody should be aware of it because sooner or later they will hear about it or be touched by it.

In Parliament today we are taking one more step to ensure that Bill C-452 is passed, examined in committee to make it even stronger. By working together, we can make this happen.

To further aggravate the human trafficking problem, the type of criminal conduct is not just something that happens occasionally on the margins of society. Rather, it is widespread in our communities as evidenced by the global revenues generated by it, which are estimated to be about \$10 billion U.S. per year. This puts human trafficking within the top three money-makers for organized crime. However, it is not just organized crime that is involved in human trafficking. So too are entrepreneurial people who feed off the suffering of innocent victims and control them so they can have money in their pockets to have a better life.

What are we doing about it? I am pleased to report that the government's response to this crime is strong and multifaceted.

First, we have a veritable arsenal of criminal offences that apply to this reprehensible conduct. In 2003 three trafficking offences were added to the criminal code. In 2010 a new offence of child trafficking was enacted through Bill C-268, An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years), which was sponsored by myself at that time. This offence imposes mandatory minimum penalties on those who traffic in persons under the age of 18.

● (1825)

In 2012 former Bill C-310, An Act to amend the Criminal Code (trafficking in persons), which was another bill sponsored by myself, extended extra territorial jurisdiction for all Criminal Code trafficking offences and enacted an interpretative tool to assist the court in interpreting the trafficking in persons provisions. Why did that happen? When we sat in a court, we heard lawyers trying to prove that the victim initially was not afraid. Was not afraid, why? How perpetrators work is the victim is not afraid. Most perpetrators come on as the victim's friends. They give the victims everything they want. It is only after they separate them from their infrastructure, family, community and friends and get them alone and take all their identification does the relationship change.

That is when the victims are beaten, raped and shot up with drugs. They are unrecognizable when they are seen on the street corners. These are innocent victims who need the love, care and rescuing to renew their lives. Many young girls who have been rescued are doing phenomenal things.

I was at a special event for Walk With Me, with Timea Nagy, a former trafficking victim in our country. She has done much to rescue victims, much to help restore the lives of these innocent victims.

All of these things, in addition to the trafficking specific offence contained in the Immigration and Refugee Protection Act, section 118, which prohibits transnational trafficking and the numerous Criminal Code offences that address trafficking-related conduct, such as forcible confinement, kidnapping, sexual assault and uttering threats, are few examples of the arsenal of crime bills that we have to protect the innocent victims in our country.

That is not all. In recognition of the multifaceted nature of this problem, our government launched the national action plan to combat human trafficking June 6, 2012. The action plan recognizes that a comprehensive response to human trafficking must involve efforts to ensure what we refer to, and I know everyone here in the House is familiar with, as the four Ps: the protection of victims; the prosecution of offenders; partnerships with key players; and the prevention of the crime in the first place.

All activities are coordinated through the human trafficking task force, which is led by Public Safety Canada. This is without a doubt a comprehensive response to a complex problem, but more can always be done. Where more can be done, more should be done, especially when efforts serve to address a crime as insidious as human trafficking.

That is why I commend the member for Ahuntsic who has put forward Bill C-452, which proposes a number of reforms that would strengthen the response I have just described.

It seeks to impose consecutive sentences for trafficking offences and any other offence arising out of the same event or series of events. The bill would also create a presumption that would assist prosecutors in proving the main human trafficking offence. It would require a sentencing court to order the forfeiture of the offenders property unless they could prove their property was not the proceeds of crime.

The very first trafficking case that came to justice in Canada was a very short while ago. It was the Imani Nakpangi case where a 15 and a half year old girl was trafficked. He made a lot of money out of her, over \$360,000 that we know of today. The forfeiture of the proceeds of that crime is so important. Bill C-452 has that element in the bill.

Although some amendments would be required to address specific legal concerns, Bill C-452 would undoubtedly strengthen the response to human trafficking and as such merits all our support.

Legal concerns would have to be addressed. For example, the bill should not overlap with amendments that have already been enacted by previous bills, such as Bill C-310, as this would cause confusion in the law. We do not want that to happen. The bill should also avoid compromising the government's efforts to defend the living on the

Private Members' Business

avails offence along with other prostitution-related Criminal Code offences. These are the kinds of things that we will examine and work on in committee, and we are very proud to do that.

I want to thank the member once again for her hard work on this human trafficking issue. I want to thank all members in the House for taking up this cause and protecting the rights of innocent victims.

[Translation]

The Deputy Speaker: Resuming debate, the hon. member for Notre-Dame-de-Grâce—Lachine has the floor for only two minutes.

• (1830)

[English]

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Mr. Speaker, the bill allows an important discussion on an issue that is little spoken of in regular daily life in Canada. Very few Canadians realize the severe impact of human trafficking in Canadian society and the growing presence of human trafficking inside our borders. As a result, Canadians are often shocked when they hear the very real and terrible stories of human trafficking victims.

Canada is known internationally as a great place to live, to raise a family and to live a safe life. I am proud of this welcoming and inclusive heritage, but unfortunately this is not true for all Canadians. This reality is destroyed by those who choose to exploit men, women and youth who are looking for a better life in Canada. Human traffickers ultimately take away their victims' dreams.

We members of Parliament need to work together to prevent human trafficking and provide better care and services for victims. The suggested amendments to the Criminal Code seek to ensure that victims are provided the best possible aid and are given the ability to speak up to their aggressor in court.

The official opposition is receptive to the amendments brought forward by the hon. member for Ahuntsic, and we look forward to discussing them further at committee to see what they actually entail.

The member for Ahuntsic consulted several community-based groups and victims organizations that deal with human trafficking in her riding and in Quebec, but these efforts need to be repeated across Canada.

I am pleased with the effort in the bill to remove the monetary profit of trafficking from the pockets of traffickers, profit has been taken by violating the victims' rights. It is also important that we remove the incentives that draw these traffickers to Canada, and to ensure that we do as much as we can to put prevention and victim care first. We must uphold victims' rights.

[Translation]

The Deputy Speaker: The hon. member will have eight minutes to continue or finish her speech when the House resumes consideration of the motion.

Private Members' Business

The order is dropped to the bottom of the order of precedence on the order paper.

[*English*]

Pursuant to Standing Order 30.7, the House will now proceed to the consideration of Bill C-425 under private members' business.

* * *

CITIZENSHIP ACT

Mr. Devinder Shory (Calgary Northeast, CPC) moved that Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces), be read the second time and referred to a committee.

He said: Mr. Speaker, it is an honour to rise today in this House for the second reading of my first private member's bill, Bill C-425, an act to amend the Citizenship Act (honouring the Canadian armed forces).

I would like to start by thanking my family for putting up with the crazy hours and travel schedule of a member of Parliament who is also a husband and a father. I thank my wife, Neetu, my children Jatin, Chetan and Arisha, and also my dearly missed parents, Bindra Ban Shory and Maya Shory, who have already gone before me but whose love and blessing on my life I still feel every day.

I also thank the staff and volunteers who have helped me work on this legislation, men and women whose creativity, insight and hard work have helped make the second reading of this legislation possible today. They are: Laura Koch, a member of the Canadian Forces and my legislative assistant who helped with the formulation of this bill in its infancy; Wala Azimi, a proud Canadian who was born in Afghanistan and who nevertheless is understanding my Punjabi more and more each day; Kenton Dueck, my former executive assistant in Calgary Northeast, a man who has been as passionate about this as I am; Patrick Tuns from my Ottawa office and Daniel Boucher from my constituency office, both of whom have demonstrated their support for this bill from their first day; and, my constituency assistants, Sukhi Dhaliwal and Raman Brar, who eagerly help my constituents of Calgary Northeast each and every day.

I would be remiss if I did not thank the hard-working ministerial staff, Chris Champion and Leigh Johnston, as well as Madame Marie-Andrée Roy from the House of Commons legal team who helped put these thoughts into bill form.

I would also like to thank my colleagues on both sides of the aisle who have offered their support for this bill.

In this legislation, my goals are to promote integration, to better recognize permanent residents who serve Canada, to honour our Canadian troops and to underscore the immense value of Canadian citizenship.

To some who see the colour of my skin or hear my accent, the word "immigrant" probably immediately jumps into their minds. I may have been born, raised and educated in Barnala, Punjab, India, but the fact is that I have lived in Canada for more than 23 years and Canada is now my home. Like millions of others, whether they were born here, flew here or drove here, I believe that our wonderful democracy, Canada, is the best in the world and worth protecting

with every resource at our disposal. In that spirit, I tabled this legislation and encourage the support from all sides of the House.

Canadians not only expect but have also told us again and again that they want us to restore the value of Canadian citizenship.

I want to thank the Minister of Citizenship, Immigration and Multiculturalism for introducing a new citizenship guide to inform newcomers of their rights and responsibilities when they come to Canada. The minister not only introduced a citizenship fraud tip line, but also recently announced efforts to crack down on citizenship fraud, which are paying off.

My Bill C-425 adds to our government's efforts to strengthen Canadian citizenship and would also reward those who are willing to put their lives on the line. It provides citizenship more quickly to those who take on the responsibility honourably serving our country. At the same time, it takes the privilege of Canadian citizenship away from those who betray Canada and everything it stands for.

I urge all members to support this bill going to committee for a thorough review. I am open to looking at any amendments from that review that respect the spirit of this bill and strengthen Canadian values.

It would be safe for me to assume that we all are committed to strengthening the value of Canadian citizenship. We also recognize the importance of the Canadian Forces and its commitment to serving Canada in defending its values, interests and sovereignty.

Along those lines, the House is a place where tough determinations are made on behalf of Canadian men, women and children and our brave men and women in uniform. The House is the place where we debate military budgets and deployments.

● (1835)

Unfortunately, these debates can sometimes become politicized and doing the right thing for our country and our troops can become obscured by the spin and rhetoric. Nevertheless, we all share a duty to support our troops and to do so with our very best judgment on behalf of our constituents.

We parliamentarians from all sides are entrusted to make the kinds of decisions that affect not only Canada, but also the brave souls into whose hands we place our security. I felt it was crucial for me to experience first-hand a glimpse of a day in the life of our courageous Canadian forces. That is why I spent several days in a uniform alongside our Canadian army during a reserve training exercise in Wainwright, Alberta in August 2009, along with colleagues from both sides of the House, as well as my "brother from a different mother", the member for Medicine Hat. It is also why I spent time at sea off the east coast aboard the HMCS *Fredericton* in the summer of 2010.

I also want to thank the Minister of National Defence for ensuring that the Canadian Forces have the people, equipment, infrastructure and readiness required to defend Canada and Canadian interests now and well into the future.

Private Members' Business

Since 2006, under the solid leadership of the Minister of National Defence, the defence budget has grown by over \$6 billion and key acquisitions have been made. Our men and women in uniform not only deserve the best equipment to get the job done, but also the best, the brightest and the bravest to be fighting alongside them and to have them at their back.

When Canadian permanent residents who are not yet Canadian citizens answer the call to serve under the red and white banner of this great nation, they are not just performing a duty. They are not simply working nine to five. They are putting their lives on the line for their new home for millions of Canadian men, women and children in the greatest country in the world.

For their demonstrated honour and courage to stand in the gap when least expected, but when most required, a one-year credit toward Canadian citizenship is the least we can do. Under the proposed change, a permanent resident who is a member of the Canadian Forces and has completed basic training and has signed a minimum three-year contract to serve the forces will be given a one-year credit toward his or her residence requirement for acquiring Canadian citizenship.

Also, under the proposed change Canadian citizens with dual citizenship and permanent residents applying for citizenship would lose their citizenship or become ineligible to become citizens if they commit an act of war against our troops.

I remember once seeing a bumper sticker that said “Stand behind our troops...otherwise, please feel free to stand in front of them”. Of course, the humour was dark, but the underlying truth about our parliamentary responsibility still rings true.

Canadian citizenship is extremely valuable. Members of the Canadian Forces risk their lives to defend it, so it makes sense that those individuals who choose to attack our Canadian Forces should not have the privilege of calling themselves Canadian citizens.

In referring to another key aspect of the second half of this legislation, I would like to make a very simple and direct point about safeguards. Most of us have sprinkler systems in our homes and hope they will never have to be used. Most of us have airbags in our cars and hope they will never have to be deployed. However, safeguards stand in place to protect our homes and protect our lives.

I pray that, like the fire sprinkler in our homes and the airbag in our cars, the second half of my legislation will never have to be used.

I firmly believe this is an excellent bill for Canadians from all walks of life. It is good for longstanding Canadians and good for new Canadians. It is another pathway to promote integration by encouraging new Canadians to serve alongside our armed forces. It supports our troops. It also underscores the immense value of Canadian citizenship.

● (1840)

Therefore, it is with deep Canadian pride and gratitude for our men and women in uniform, the new Canadians who bravely join them in the air, on land and sea, and it is with a profound respect for the Canadian citizenship you and I share, Mr. Speaker, that I proudly stand today on behalf of the men and women of Calgary Northeast in seeking support for my first private member's bill, Bill C-425, An

Act to amend the Citizenship Act (honouring the Canadian Armed Forces). I look forward to receiving the support of all members so that it can be sent to committee for a detailed review.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I am wondering if the member could provide some comment in terms of the reserves. Many individuals see the reserves as a wonderful opportunity to serve our country. Has any consideration been given to Canada's reserves?

Mr. Devinder Shory: Mr. Speaker, the bill would apply to people who sign the minimum three-year contract and complete basic training. Although we do not have specific numbers at this time, we do know that it would affect a number of skilled members of our Canadian armed forces. It would also serve as an added incentive for new talented immigrants to join our military.

● (1845)

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I am a person who supports the idea that our provincial, municipal and federal institutions should reflect the full diversity of our population. Our young children need to see themselves when they look at those who govern us and those who serve us.

We all honour the service of those who are in the armed forces and we support that. Did my colleague consider other important contributions to our country made by doctors, firemen, police officers, nurses, teachers, et cetera?

Mr. Devinder Shory: Mr. Speaker, the bill was inspired by my belief that our troops deserve the highest respect. Service in Canada's military is unique because it calls on its members to lay down their lives for their fellow countrymen and women. It is for this reason that I believe we should reward their demonstration of patriotism by shortening the amount of time they must wait to become Canadian citizens. Furthermore, this is another pathway to integration.

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Mr. Speaker, I would like to thank the member opposite for his speech.

Given that the term “legal resident” is not defined, this bill is at risk of rendering citizens stateless, which is in contravention of international law.

Could the member please explain how this term might be interpreted?

[*English*]

Mr. Devinder Shory: Mr. Speaker, my colleague should know that my bill would apply to those who have dual citizenship. This bill would strengthen the value of Canadian citizenship by rewarding those who bravely serve our country.

Private Members' Business

However, those who commit an act of war against our Canadian armed forces would forfeit the right of Canadian citizenship. Of course, due process would be available and would be followed. Individuals would have the right to make their case before a judge. It would go before a judge and then the Federal Court and on and on. That due process would be done. Of course we would always comply with the Convention on the Reduction Statelessness. This bill would make no exception to that.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, I rise today to take part in this important debate on my hon. colleague's private member's bill.

The Conservative sponsor of this bill seems to be trying to do two contradictory things: to fast-track citizenship for some and then to make it easier to strip it from others. I would like to address each of those issues separately.

The bill would offer a new ministerial power to shorten permanent residency requirements for members of the Canadian armed forces who are seeking citizenship.

I want to make it clear that New Democrats support efforts to honour the permanent residents who serve in the armed forces as indeed we should honour all our veterans and current service members.

We also believe strongly in a military that is reflective of Canada's diversity.

In 2006, the Canadian immigrant population rose to 6.2 million, accounting for almost 20% of the Canadian population. It is projected that by 2017 the visible minority population will represent approximately one in five Canadians. However, data from the 2008 census also shows that the Canadian Forces do not reflect the same level of ethnocultural diversity. A small proportion of Canadian Forces personnel, only 6%, were non-Caucasians compared with 17% of the regular working population.

If my hon. colleague's intention is to bring greater diversity to the military, then that is a concept I can support. However, I think it is important for the House to examine this aspect of the legislation very carefully. The reality is that circumstances under which a permanent resident would be able to enrol in the Canadian Forces appear to be extremely narrow. In fact, the Canadian Forces website and a call by my office to the Ottawa recruitment centre have made it clear that a permanent resident may not enrol in the Canadian Forces. It appears that the only way for a permanent resident to serve is if he or she is authorized by the chief of the defence staff to fill a special need or it is in the national interest.

I do become concerned that yet again we have a Conservative member proposing legislation that would affect a tiny minority while ignoring the broader concerns of the majority of newcomers. In fact, the member belongs to a government whose radical overhaul of Canada's immigration system is turning Canada into a less welcoming country. The changes the Conservatives have made limit the possibilities for newcomers to be reunited with their families and help build stronger communities. Under the Conservative government too many newcomers are not getting the fair treatment they deserve. Instead of welcoming skilled immigrants and addressing

Canada's long-term needs, the Conservatives are prioritizing temporary work visas to help big businesses pay lower wages.

I want to return to the issue of honouring the armed forces by making another point. Headline-grabbing legislation is not enough. We need real action to truly honour all of those who serve.

A few months ago it was revealed that nearly 70% of applications for financial help to bury homeless or low-income veterans are rejected by the Conservative government. This latest report just adds to the many embarrassing failures of the Conservatives on the veterans affairs file, from debilitating red tape to failing to transition ill and injured personnel to civilian life due to harmful budget cuts.

It is our collective duty to care for the veterans who gave us the freedom and peace we enjoy in this country. To undermine the sacrifices they made is to take everything we have today for granted. This is not a partisan issue. Canada's veterans fought for all of us.

The second part of the bill seems to strip citizenship from those who are engaged in acts of war against a member of the Canadian armed forces. On its face, this too may seem reasonable. We certainly want to make sure that Canadian citizenship has real value and that we protect our service men and women as much as possible. However, the aspects of the bill that deal with the renunciation of Canadian citizenship raise more questions than they answer and seem ill-considered. I will explain in more detail what I mean.

● (1850)

The bill is not clear that due process before the law is necessary to determine whether someone has committed an act of war, nor is it clear who would make such a determination. Perhaps this is not surprising, given that the members of the government seem fond of stripping due process with very little accountability.

Additionally, some key terms are not defined. The terms "acts of war" and "legal resident" are not defined anywhere in Canadian law.

Without a definition for what would constitute a legal resident of another country, the bill would pose a serious risk of rendering Canadian citizens stateless, in contravention of the UN Convention on the Reduction of Statelessness, to which Canada is a signatory.

The Conservative sponsor of the legislation has framed it as creating another pathway to integration for permanent residents, as well as underscoring the incredible worth of Canadian citizenship and honouring the contribution of our men and women in uniform.

Private Members' Business

On these principles, members will not hear any argument from this side of the House. Like many things from my Conservative colleagues, the devil is in the details or, in this case, the troubling lack of details.

As I have mentioned, Bill C-425 attempts to legislate the time within which certain permanent residents may apply for citizenship, but my New Democratic colleagues and I think the government ought to be working to address the exceptionally long processing times for citizenship more broadly. At the current rate, no one gets their citizenship recognized anywhere near the time they are legally entitled to it. As such, Bill C-425 is making a hollow promise to these permanent residents.

Our citizenship application processing backlogs only seem to be increasing. The data make it clear that even though CIC has been receiving more citizenship applications year after year, the department has been processing fewer and fewer, and there are far longer wait times.

Instead of supporting the immigration department with more resources to reduce the backlog, the government is cutting its budget and closing down its regional offices.

Last week we learned there has been a 73% drop in the number of permanent residents receiving Canadian citizenship under the Conservative government. The minister even acknowledged it is because there are fewer people to process more applications. That is not good enough and it is a failure of the ministry for which he is ultimately responsible.

We know the department is cutting almost \$200 million over the next two years and has closed 19 regional offices. These cuts are affecting front-line services and causing backlogs to grow.

A perfect example of this is that nearly two years after paying the required fees and sending their permanent residence applications to Buffalo, thousands still have not received a response from Citizenship and Immigration Canada.

To make matters worse, their files still have not been assigned to agents, and the Minister of Citizenship, Immigration and Multiculturalism will not even bother to answer their questions.

This Conservative boondoggle transformed the Canadian dream of thousands of people into a total nightmare. I only wish my hon. colleague were spending more time pressuring his government to make the immigration system more fair and accountable to newcomers and Canadians alike.

In closing, I want to reiterate my very strong support for our men and women in the armed forces. We should honour their tremendous sacrifice and do all we can to keep them safe.

However, I would urge members to take a close look at what is in the bill and, more important, what is not.

The bill would do nothing to fix some of the tremendous problems we see in our immigration system. It would do nothing to speed up processing times for hard-working newcomers who want to become citizens. It would do very little to truly honour and support veterans who have served this country with honour.

Let us take a serious look at this proposal, but let us look at the bigger picture.

• (1855)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I appreciate the opportunity to address Bill C-425. I also acknowledge the efforts of the member.

I listened to the member's opening remarks in the introduction of the bill, and a number of thoughts came to mind. One of them is that we do have a citizenship and immigration committee and it would be wonderful for us to have some sort of discussion about the benefits of citizenship and how it can be used to promote and encourage what we think is important not only to select groups but to all Canadians.

It was not that long ago that I had an interesting discussion with someone who was talking about volunteers. Many immigrants who come to Canada spend endless hours volunteering for many worthwhile organizations, charitable groups and so forth. We were discussing whether there would be an opportunity for us to be able to do something with regard to that.

More specific to the topic we have at hand, I approach this particular bill with an open mind. I have had the opportunity to check the website that the Canadian Forces provides on the Internet. If one hits the Apply link, for example, one will find there are certain restrictions. One has to be a Canadian citizen in order to apply to become a member of the Canadian Forces. I suspect that is something that needs to be looked at.

The minister responsible for the Canadian Forces will find that the Liberal Party is open to good ideas. Maybe we need to relax the way in which we recruit members of the Canadian Forces from our country. Should only Canadians be allowed to apply? Why not encourage landed immigrants to become members of the Canadian Forces? If we agree that should be done, then let us look to the minister responsible for the Canadian Forces and allow that to take place. All day today I have been talking about 1.5 million landed immigrants in our society. That is a very conservative number to which I have been referring. It is actually a lot greater than that. According to the Canadian Forces website, these people would not be eligible to apply to become members.

We do need to have a debate. That is what I like about Bill C-425. The member has brought forward a piece of legislation that could ultimately pass to committee stage. There is some value in having the citizenship and immigration committee look at the bill. I would like us to possibly go further, however. As much as I believe there could be opportunities in granting citizenship to those who would serve in the Canadian Forces, I am more interested in how more landed individuals could participate in our Canadian Forces.

Members of the forces get an immense sense of pride serving our country. I was a member of the Canadian Forces. I remember going to the recruitment office and signing up. I thoroughly enjoyed the privilege and the honour of being a member. I would not want to deny that opportunity to others, whether they are Canadians or permanent residents who really want to become members of the forces. There would be some benefit to having that dialogue in committee. I recognize that the government does have a majority, but given that this is a private member's bill, there is a very good chance it will pass and go to committee.

Private Members' Business

●(1900)

Therefore, the challenge I would put to the Conservative Party is to do what I am going to be recommending my Liberal caucus do. That is to approach the committee in a very open fashion. Given the importance of our Canadian Forces, given the importance of our citizenship, there is great value in allowing for that debate to occur.

The member will not receive any opposition from me in trying to encourage that debate to occur. In fact, what I would like to do is to have a page provide a copy of the Canadian Forces website that I am referring to, where it states one has to be a Canadian citizen. That is one of the things we should be talking about.

I was somewhat touched by the member's comments. He talked about how he came from the Punjab and how Canada is his new home. It does not necessarily mean one forgets about one's old home, but one takes a great sense of pride in one's new home. We want to be able to encourage people who have chosen Canada as their home to participate in our many different national institutions. I believe there are many who would have an interest in serving our great country.

To that extent, I suggest that we allow Bill C-425 to pass second reading. I do have other concerns that I would like to address, but I believe that the issues I have and would like to see addressed will be addressed in a forum that would ultimately allow for a bill to pass that makes sense. Hopefully, we will see the minister responsible for the Canadian Forces see the merit in what we can do to encourage the Canadian Forces, as one of our national treasures, to possibly consider incorporating more landed immigrants.

With that, I look forward to the ongoing debate. I will have a page bring over the sheet, which is a printout of the Canadian Forces recruitment website.

●(1905)

Mr. Chungsen Leung (Parliamentary Secretary for Multiculturalism, CPC): Mr. Speaker, I am pleased to have the opportunity to address Bill C-425, put forward by the hon. member for Calgary Northeast. Bill C-425 proposes to fast-track citizenship for members of the Canadian Forces who are permanent residents, by reducing their residence requirement for citizenship by one year. This would be for the Canadian Forces members who have signed a minimum three-year contract and have completed basic training. It also proposes to take citizenship away from, or deny citizenship to, those who engage in an act of war against the Canadian Forces. Such individuals would permanently be barred from reapplying for citizenship.

I applaud the hon. member for Calgary Northeast for introducing this important and worthwhile bill. Indeed, Bill C-425 is consistent with the government's commitment in the 2010 and 2011 speeches from the throne to support Canada's armed forces and to protect the safety of our citizens and defend against threats to our national security. Bill C-425 is also consistent with key objectives of Canada's immigration system, such as ensuring that newcomers and citizens participate to their full potential in fostering an integrated society. For all those reasons, we support Bill C-425 moving forward to committee stage for a thorough review and study to determine if it could be effectively implemented and that Canada's international obligations would be respected.

The Government of Canada recognizes the importance of the Canadian Forces and our commitment to serve Canada in defending its values, interests and sovereignty. We are committed to ensuring that those who serve Canada are recognized for their service.

Generally speaking, Canadian citizenship is a requirement for enrolment in the Canadian Forces, but permanent residents may also be employed in exceptional circumstances. The problem is that their lack of citizenship and challenges related to security clearance and passport arrangements can make it difficult to deploy them for service abroad. Introducing a fast-track to citizenship for permanent residents serving in the Canadian Forces, as proposed in Bill C-425, is a win-win situation as it would honour their services to Canada and make their deployment abroad much easier.

In fact, last fall our Conservative government announced that members of the Order of Military Merit at the colonel level and above are now eligible to preside in citizenship ceremonies. The Order of Military Merit, established in 1972, recognizes distinctive merit and exceptional service deployed by the men and women of the Canadian armed forces. Many of these individuals demonstrated dedication and devotion beyond the call of duty, and the order honours them for their commitment. It is therefore fitting that recipients of this award can preside at citizenship ceremonies, an occasion at which we reflect on the value of Canadian citizenship and the responsibilities we carry as Canadians, a value that the members of our armed forces so courageously defend.

In regard to the proposal to take citizenship away from, or deny it to, those who engage in acts of war against the Canadian Forces, I was interested to learn that some of the provisions to take away or bar citizenship already exist in the United States, Australia, New Zealand and the United Kingdom. Canadian citizenship is extremely valuable. Members of the Canadian Forces risk their lives on a daily basis to defend it. So, it is definitely worthwhile to further study the proposal that those who would attack our Canadian Forces should not themselves have Canadian citizenship. Canadian citizenship is about far more than the right to carry a passport or to vote. Citizenship defines who we are as Canadians, including our mutual responsibility to one another. This is why we launched a citizenship action plan three years ago, to strengthen the value and meaning of citizenship.

As part of the action plan, we produced a new citizenship study guide entitled "Discover Canada: The Rights and Responsibilities of Citizenship". The guide provides essential information for anyone preparing to become a Canadian citizen. This helps ensure that all newcomers have more knowledge of the country they are joining. "Discover Canada" provides a much better overview of Canada's tradition, value and history, including our immigration history, than its predecessor. The old guide contains no reference to the Remembrance Day poppy, for example, and little mention of the stories and symbols that make us who we are today.

Private Members' Business

●(1910)

We are pleased that it has been a tremendous success, popular with citizenship applicants and established Canadians alike. Furthermore, our government has taken action to crack down on citizenship fraud. We are ensuring that anyone who lies about who they are, their residency in Canada or hidden past criminal activities would have their citizenship stripped.

We have also taken action against unscrupulous immigration representatives who fraudulently establish evidence of residents in Canada while living abroad most if not all of the time. This is perpetrated so that individuals can fraudulently maintain their permanent residence status and later apply for citizenship. There are currently 11,000 fraud investigations under way, including 3,100 for citizenship fraud. We are sending a clear message that Canadian citizenship is not for sale. We are applying the full strength of the law to those who have obtained their citizenship fraudulently.

I am sure all hon. members would agree that the bill has a worthwhile objective. Its spirit is laudable. It deserves a thorough study at committee to ensure that the bill achieves what it intends to achieve, that it can be effectively implemented and that Canada's international obligations continue to be respected.

I look forward to working with the sponsor and the members of the Standing Committee on Citizenship and Immigration in the hope that the good intentions of Bill C-425 are achieved.

[*Translation*]

Ms. Christine Moore (Abitibi—Témiscamingue, NDP): Mr. Speaker, I rise today to speak to Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces). The bill would create a new ministerial power to reduce the length of residency in Canada required for a member of the Canadian armed forces to obtain citizenship.

This bill would make it possible to renounce Canadian citizenship from a Canadian citizen who is also a citizen or a legal resident of a country other than Canada if he engages in an act of war against the Canadian armed forces.

The same goes for a permanent resident who has applied for Canadian citizenship. The application would be deemed to have been withdrawn if he engaged in an act of war against the Canadian armed forces.

I will focus on the accelerated citizenship process that the minister could request for a member of the Canadian armed forces.

This bill grants the minister a new power. This power would allow him, on request and to alleviate cases of special and unusual hardship or to reward services of an exceptional value, to lower the length of residency in Canada required for a member of the Canadian armed forces who wants to obtain citizenship from three years to two, provided that the member in question has signed a minimum three-year contract and has completed basic training.

I want to make it clear that since we are talking about a member who has signed a contract for at least three years, we are of course talking about a regular forces member. Members of the reserve forces do not sign three-year contracts. We are definitely talking about a regular forces member.

This bill is divided into two parts. The first part is about members of the Canadian Forces obtaining Canadian citizenship and the second part is about revoking Canadian citizenship when a CF member engages in an act of war against someone.

I would like to come back to the first part of the bill. I would point out that it is really quite rare for someone who is not already a Canadian citizen to serve in the Canadian Forces.

When I read the bill, I immediately wondered about the relevance of introducing such a bill. You cannot be a member of the Canadian Forces unless you are a Canadian citizen. I began to wonder if what I remembered was incorrect. So I went to the website, and it said repeatedly that you have to be a Canadian citizen in order to become a member of the Canadian Forces. So then I asked the Library of Parliament to do a little research, and I was shown the regulations in question, the *Queen's Regulations and Orders for the Canadian Forces*, which included the following exception:

...the Chief of the Defence Staff or such officer as he may designate may authorize the enrolment of a citizen of another country if he is satisfied that a special need exists and that the national interest would not be prejudiced thereby;

Such exceptions are therefore quite rare and I must say, I doubt that most recruitment officers are even aware that this exception exists. When you go into a recruitment centre, they tell you that you have to be a Canadian citizen. If someone says they are a permanent resident, they are usually told to come back once they have obtained their citizenship. Since this is an exception, I have to wonder about the usefulness of such a measure, but I understand why it is there.

If we want to have this provision in place for highly exceptional cases, then I think we must examine this issue and determine whether the enlistment process for the Canadian armed forces needs to be reviewed. This would allow landed immigrants or even people from safe allied countries to enlist. For example, could an Australian say that he wants to serve in the Canadian Forces, since Canada is a relatively safe Commonwealth country?

●(1915)

An Australian has an allegiance to the same Crown and this would be reasonable, for example. Could this person with very specific training enlist in the Canadian Forces any way other than with authorization from the Chief of Defence Staff? We must think about that, but in this bill there is unfortunately no reference to the changes that could be made to the National Defence Act regarding enlisting in the Canadian Forces. I think that is the main flaw.

I will support sending the bill to committee, but I think this type of bill cannot be introduced without also introducing measures or making suggestions about the parameters of enlisting in the Canadian Forces or what reforms are necessary.

Private Members' Business

At the time, when I read the bill for the first time, I spoke briefly to the Minister of National Defence to find out whether he planned to change the laws on the requirements for joining the Canadian Forces so that permanent residents could serve. However, no changes were planned. I do not believe that he was against such changes either. I will therefore support the bill, but I think that we really have to have this discussion about whether National Defence's rules can be changed to allow people who are not Canadian citizens to join the Canadian Forces, whether those rules are still appropriate and whether they should be modernized and updated. It seems strange to me to have a bill that pertains to exceptional cases.

I served in the Canadian armed forces for three years. Many of my colleagues in the House served for a number of years. I, for one, have never met a soldier who was not a Canadian citizen. All the soldiers with whom I worked were already Canadian citizens.

Introducing a bill such as this that pertains to an exceptional case seems a bit strange to me and I am not sure that it is necessarily useful. I think that this bill should have included measures that establish who has the right to join and then it would have been useful to also refer it to the Standing Committee on National Defence. Unfortunately, such is not the case.

As I said, I will support the bill, but I think that there is really something missing. I understand the intention of the member who is introducing this bill, but I think he simply did not realize just how exceptional it is for people who are not Canadian citizens to serve in the Canadian Forces. Perhaps he did not realize that this measure is not necessarily very relevant in the context of serving in the Canadian armed forces. I understand the point of the bill and I thank my colleague for introducing it, but I really believe that he should find a way to make this discussion happen.

• (1920)

[*English*]

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, I am grateful for the opportunity to add my comments to Bill C-425, an act to amend the Citizenship Act (honouring the Canadian armed forces). I would like to extend my congratulations to my hon. colleague, the member of Parliament for Calgary Northeast, who introduced this private member's bill. By doing so, the hon. member has demonstrated an admirable commitment to recognizing the exemplary service of Canada's men and women in uniform, the very worthy individuals who stand on the front lines and put their lives at risk to defend our safety and liberty.

This private member's bill proposes to fast-track citizenship for members of the Canadian armed forces who are permanent residents by reducing the residence requirements for citizenship by one year for those members. It also proposes to take citizenship away from or deny citizenship to those who engage in acts of war against the Canadian armed forces.

Canadian citizenship is extremely valuable and I commend the member for recognizing this through his private member's bill. Canadians, whether established or new, must take our responsibilities as citizens very seriously. From generation to generation, thousands upon thousands of Canadian soldiers have given their lives for this country. Countless more risk their lives and some are doing so right now.

While enrolment in the Canadian armed forces is usually limited to Canadian citizens, permanent residents who have not yet acquired citizenship are sometimes employed in exceptional circumstances. These are people who dedicate their lives to protecting Canada yet they do not possess the fundamental membership in Canadian society. Their lack of citizenship often correlates with challenges in acquiring security clearances and arranging passports. This creates problems in deploying these individuals abroad.

Introducing a fast track to citizenship for permanent residents who serve in our country's armed forces, as the bill proposes, would help mitigate these types of problems. The proposals in the bill to honour the Canadian Forces are in line with other measurements the government has taken in the past few years. This includes recognizing the distinctive merit and exceptional service displayed by recipients of the Order of Military Merit.

The Order of Military Merit established in 1972 recognizes distinctive merit and exceptional service displayed by the men and women of the Canadian armed forces. Many of these men and women have demonstrated dedication and devotion beyond the call of duty and the order honours them for their commitment to our country.

Last fall, the Government of Canada announced that members of the Order of Military Merit at the colonel level and above are now eligible to preside at citizenship ceremonies. The Order of Military Merit honours military service to Canada. It is therefore fitting that recipients of this award can preside at citizenship ceremonies, an occasion at which we reflect on the value of Canadian citizenship and the responsibility we carry as Canadians.

The Government of Canada launched the citizenship action plan three years ago in order to strengthen and preserve the value of Canadian citizenship. First we developed a new citizenship guide "Discover Canada", which explores our history, shared values, symbols and institutions in a more in-depth way than its predecessor. In addition, we improved the knowledge requirement for Canadian citizenship with a new test. We did so to ensure that new citizens can appreciate the foundation upon which our shared values of freedom, democracy, human rights and the rule of law were built.

We have also taken action to address the problem of residence fraud in our citizenship program. As the Minister of Citizenship, Immigration and Multiculturalism announced in September, Citizenship and Immigration Canada is now investigating more than 11,000 individuals from more than 100 countries for attempting to cheat Canadians and Canada. In order to help detect fraud we have also introduced a citizenship fraud tip line. We are also taking action to crack down on crooked consultants who often help people maintain a Canadian address to appear as though they are living in Canada, even though in some cases they never have.

Canadians should be proud that so many people around the world want to become Canadian citizens. It is a testament to what a great country we live in. We can often take our citizenship for granted though. It is easy to forget how many people do not enjoy the liberty, security and freedom that we as Canadians do.

• (1925)

Our government believes that citizenship is precious, that it is a privilege and we have sent a clear message to those who would lie and cheat to obtain it that Canadian citizenship is not for sale. Bill C-425 aims to protect the value of citizenship by giving citizenship sooner to members of the Canadian Forces and by taking it away from those who undermine our country by taking up arms against Canada. In principle, it makes sense that those who commit violent acts against Canada and our armed forces, who do not believe in Canadian values or the value of Canadian citizenship should no longer hold citizenship in our great country. However, this proposal requires further study.

The bill contains certainly laudable proposals. That is why I personally support the bill moving forward to committee for further review and study, and I hope all members in the House will also do the same.

[*Translation*]

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, I am speaking today about Bill C-425, which introduces new grounds for granting or revoking Canadian citizenship.

Under the Citizenship Act, Bill C-425 would, under certain conditions, allow the immigration minister to reduce from three years to two the required years of residence to grant citizenship to members of the Canadian Armed Forces who are permanent residents.

In addition, under this bill, an individual would be deemed to have made an application for renunciation of their Canadian citizenship if they engaged in an act of war against the Canadian Armed Forces.

The NDP is in favour of expediting the process of granting Canadian citizenship to reward the dedication of permanent residents who serve in the Canadian Armed Forces. We also want the Canadian Armed Forces to reflect Canada's diversity. However, in terms of the specifics set out in Bill C-425, there are currently very few situations in which a permanent resident would be able to enlist in the Canadian Armed Forces.

If Canada wishes to recognize the extraordinary contributions of future citizens, why not offer this same advantage to new Canadians who make remarkable contributions to Canadian society in other sectors, and not just through military service?

While Bill C-425 is meant to reduce the timeframe required to obtain citizenship for certain permanent residents, the NDP believes that the government also needs to work on reducing the exceptionally long wait times for the processing of all citizenship applications. I think it is important to point out that the sweeping changes the Conservatives have made to the Canadian immigration system in recent years have not made it any more efficient or fair.

According to Citizenship and Immigration Canada, the processing time for citizenship applications is nearly two years. Furthermore,

Private Members' Business

the self-described “forgotten ones of Buffalo”, whom I saw at lunch time, actually, were on Parliament Hill today to continue to pressure the government. These immigrants, many of whom live in Quebec City, are still waiting for the federal government to settle their status. So what happened?

The Canadian visa office in Buffalo, where their applications were being processed, suddenly closed up shop in the wake of the Conservative government's budget cuts. Many of them submitted their applications two or three years ago and are still waiting to hear from Citizenship and Immigration, which is giving very little information about how long it may take to process their files. The upshot is that over 10,000 immigrants are still waiting for their application for permanent residence to be processed, and meanwhile, they are left completely in limbo.

Unfortunately, it is just the tip of the iceberg: as of last June, 285,000 people were waiting for their applications to be processed by Citizenship and Immigration Canada officials. At the same time, the department was cut by 5.3% as a result of the last federal budget. Even though waiting periods continue to grow, 285 positions were eliminated across the country.

There is a significant backlog in more than just citizenship applications. According to an article that appeared in *Le Droit* in November 2012, more than one million people who want to come to Canada are still waiting for a decision on their immigration file. It seems that this backlog will not be cleared before 2017, according to a report released last winter by the House of Commons Standing Committee on Citizenship and Immigration.

This same report recommended that Citizenship and Immigration Canada modernize several of its immigration practices as soon as possible. According to information obtained by Radio-Canada, Citizenship and Immigration Canada dismissed 75 employees at its Montreal call centre, where the department's telephone services for clients across the country are centralized.

Unfortunately, according to the same information obtained by Radio-Canada, officers could only answer 9% of the 30,000 calls received daily. David Chalk, chair of the Quebec association of immigration lawyers, says he is worried about this situation.

• (1930)

Mr. Chalk got his lawyer colleagues in Canada to phone the call centre in Montreal. They had to wait an average of four hours to speak to an agent. Is this normal? Citizenship and Immigration Canada defended itself by saying that it was possible to file a complaint about the abnormally long wait time. However, to get in touch with the complaints department, you have to go through the call centre.

In my Quebec City riding office, I often receive calls from claimants in distress who do not understand why the process is taking so long. These immigrants contribute to Canadian society. Most of them are permanent residents and are already participating in society. They sometimes have children who are Canadian citizens. Unfortunately, on this government's watch—

Adjournment Proceedings

The Deputy Speaker: Order. The hon. member will have four minutes to finish her speech when we resume consideration of the motion.

The hour provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

FOOD SAFETY

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, while the food safety legislation has been before the House for debate and has passed, it has not taken away the interest and concern of Canadians in food safety.

I am pleased this evening to have the opportunity to follow up with a question that I put to the Minister of Agriculture and Agri-Food, to which I got a response from the Parliamentary Secretary to the Minister of Agriculture. That question was put on October 2 last year.

The essence of my question was the same as a series of questions I had put to the Minister of Agriculture and Agri-Food. Those related to the fact that while the minister was bringing forward legislation ostensibly to increase and protect food safety for Canadians, there was very little attention being given to the improved enforcement of that legislation.

Obviously, we were raising a lot of questions in the House because of the fallout of the food recalls from XL Foods in Alberta and the impact that had on Canadians who were concerned about what they could serve their families for lunch and dinner, and also the impact on the beef industry in Canada. We are deeply concerned that we move expeditiously to strengthen the food safety regime to protect the industry.

One of the stalwarts of Alberta historically is the cattle industry. Because I have a long-standing experience in the field of environmental enforcement, I have followed very closely activities at the federal and provincial and territorial levels, including some first nations governments, in moving toward more effective enforcement and compliance policies to make sure that their laws and bylaws are effectively inspected and enforced.

I and my colleagues had a deep concern, which we shared with the House on a number of occasions, that the government did not seem to be admitting to the problems we were experiencing with respect to effective enforcement of the food safety laws. While the government was attempting to bring forward strengthened laws, there was no admission that the government also needed to strengthen food safety enforcement.

We were a little concerned when I raised this question on October 2 that the response by the parliamentary secretary was to suggest to the House and in turn to the public that our party intended to oppose

the improved food safety law. That, in fact, was complete misinformation. Indeed, when the bill finally came forward, we all voted for it.

Our concern was that our party had put forward a series of amendments, 11 in fact, most of which were directed at ensuring effective enforcement of the act. Regrettably, the vast majority of those amendments were refused.

We continue to have the concern that while improved legislation has come forward, there are a number of significant measures that would have improved and enhanced the food safety regime in this country. One of those was whistle blower protection.

Obviously, given the situation in some of the plants, it is very important that the workers feel free to bring to the attention of authorities problems they see on the floor that might affect food safety, particularly when they suspect there might be a violation. The government rejected that amendment.

Other amendments included improved labelling of food, requiring that there be specified training for the officers designated for complaints verification. We also wanted to include a provision that is common in most regulatory laws, laws that specify that peace officers have to assist inspectors where requested. We tabled a whole series of provisions that would have simply modernized the food safety regime in Canada. Regrettably, the government rejected them.

I am hoping in the response I get today that the government will indicate it has finally decided to open up a discussion with the public, with inspectors, with those who work in the food safety industry, to talk about a more effective enforcement compliance regime for food safety.

• (1935)

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the member asked for a conversation about food safety. That is not what the Canadian people want. They want, as Elvis said, "A little less conversation, a little more action please", and action is what they get on this side of the floor.

We have taken action to strengthen our food safety system with the legislation the member mentioned, which we introduced and her party eventually came around to supporting. We have updated the inspection approach based on common inspection activities and standard processes; delivered more comprehensive training to inspectors; implemented Health Canada's revised listeria policy; increased CFIA's science capacity; built the modern electronic tools so that the Canadian Food Inspection Agency, CFIA, can share information more effectively with stakeholders; and we have provided better and more tools to front-line inspectors, whose numbers we have expanded.

As CFIA continues to modernize the inspection approaches, it will ensure that there continues to be enough inspection staff to protect the health and safety of the Canadian people. Our government has, in effect, strengthened the efforts of CFIA enforcement by broadening its mandate under the Safe Food for Canadians Act, which came just before Christmas, thereby fulfilling the final recommendation of the Weatherill report.

Adjournment Proceedings

RAIL TRANSPORTATION

The act has many provisions that strengthen our food safety system, including giving CFIA the authority to mandate traceability for food processors. Comprehensive traceability systems will help the CFIA find non-compliant, high-risk products faster, so they can get off the shelves quicker.

The act also allows CFIA to mandate the way in which food processors maintain their records, and it allows the agency to compel producers to turn their records over to the CFIA without delay and in an appropriate format. Previously, food inspectors could keep their records with different levels of details. With this new legislation, CFIA can prescribe the type of information that companies must maintain. The consistency will make food safety investigations go much quicker and much more efficiently.

Canada has a world-class food recall system and acts immediately to alert consumers, should unsafe food enter the marketplace. Our government is committed to making these instances even rarer. I ask the NDP to work with us to make it so.

● (1940)

Ms. Linda Duncan: Mr. Speaker, in response, it is with my regret that the parliamentary secretary continues the misinformation. At no point in time did members of our party ever say they were opposed to improved food safety legislation. We, the official opposition, voted en masse for the bill. What was regrettable was that the Conservatives refused to accept the proposed amendments, which would have further strengthened and modernized the food safety legislation toward effective enforcement.

It is disappointing and unlike previous Conservative governments. For example, the Mulroney government in the mid-1980s tabled innovative Canadian environmental protection legislation and it simultaneously tabled an enforcement and compliance policy. It was an historic moment and the statement was made that a law is of no value and is vacuous unless there is effective enforcement compliance.

We have continued to ask: What is the problem? Why would the Conservatives not open up to the public, inspectors and food safety workers to a review of the enforcement compliance regime to make sure it is as sound as they say?

Dr. Weatherill's report raised serious concerns with the enforcement regime. However, the government has not acted on that report.

We remain hopeful that the government will finally admit that the big problem was with the enforcement of the regime. To ensure that we do not have future problems, let us open it up, take a look and take a look at some of the amendments we have proposed, so that it is a modern, effective enforcement regime.

Mr. Pierre Poilievre: Mr. Speaker, we have already taken the steps to improve our system and learn from the incidents that occurred. We updated the inspection approach based on common inspection activities and standard processes. We have delivered more comprehensive training to inspectors. We have implemented Health Canada's revised listeria policy, increased CFIA's science capacity, built electronic tools so that CFIA can share information more effectively with stakeholders; and better and more tools for front-line inspectors are now available. Those are tangible steps to protect the Canadian people.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP): Mr. Speaker, I am happy to speak again about the importance of rail infrastructure, and specifically, passenger rail.

Just like shipping on the Great Lakes, rail helped build this country and is celebrated for the central role it played in our history. In northern Ontario, the discovery of silver and cobalt was made by men building what would become the Ontario Northland Railway. That discovery eventually built a thriving town. However, the success story of rail is not limited to any one place. Significant economic activity followed wherever the lines went, and rail is still the cornerstone of many communities to this day.

In recent years, passenger rail has fallen on tough times, not because it is not cost-effective, convenient or environmentally beneficial but because governments in Canada have continually downgraded their commitment to this particular form of transportation. If members will recall, when I raised this issue in October, the Ontario government was in the process of ending passenger services offered by Ontario Northland. This move came on the heels of significant reductions in the frequency of passenger routes for VIA Rail and amounted to a one-two punch for people in northern Ontario.

These decisions are short-sighted and, when compared with significant government investments in highways, show that both governments are clearly choosing to subsidize one form of transportation at the expense of another. This is a scenario where governments are picking winners and losers, and abandoning our history, endangering our present and limiting our future options in the process. In this case, the losers are rail, the people who depend upon it and the communities it serves.

I am not here to argue against investing in our highways, our network of roads. I am here to argue that passenger rail is integral to our economy in Canada, especially in northern Ontario. For many people, rail has been their preferred or only available form of public transportation. Rail adds value to the region and helps anchor local economies.

By way of an example, we can look at the numbers associated with the Ontario Northland Railway. The ONR contributes a full 1% to the GDP of the province. Every dollar spent on salaries, operational inputs and capital programs creates an additional \$1.25 in value-added activity for northeastern Ontario. For every dollar in wages, it is estimated that \$1.47 of value-added economic activity is created in the region.

Put more simply, for every job created by the railway, there is an additional job created in the region. Communities that are serviced by the railway tend to have higher average incomes than most in the other regions.

Adjournment Proceedings

The intermodal nature of rail and the ONR's connectivity with east-west routes amount to a competitive advantage for the region. With the promise of significant development in the Ring of Fire, it makes little sense for Ontario to abandon its commitment to passenger rail. Employees will have to get to their workplaces, and with every job that is created in this region, there is another potential passenger who will now be finding other ways to get to the job site.

The current government has a hand in reducing options for northerners, as well. VIA's cuts to all routes are being felt in northern and remote communities especially hard. Many of these places have already seen bus service dry up, despite significant cash investments in the roads that they travel on. Also feeling the pinch are businesses that grew out of the demand created by passenger rail. Less frequent trains means fewer customers. What may seem like a small decision for people with the options of those living in larger centres is earth-shattering for towns such as Hornepayne.

Will the government look at the evidence that supports a strong passenger rail option in Canada and protect the services already in place, while finding ways to encourage more options, especially in rural and northern Canada?

• (1945)

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, rail is an important part of the transportation mix in our country.

It is important to remember that VIA Rail is a money-losing enterprise. That means every time it has a line that lacks significant demand, the cost to the taxpayer goes up. The proportional benefit to the people VIA is meant to serve goes down. That is why VIA has made the decision to prioritize lines that have greater traffic and to find savings in lines that do not.

These are difficult decisions, but they are important because we do live in a world of finite resources. A dollar spent in one place cannot be spent somewhere else. When a train line runs to a destination where traffic levels are not high enough, the costs associated with serving that under-subscribed line have to come from other services elsewhere.

In order to prioritize the finite moneys that it has, VIA is working to provide excellent and continued service in the places where the largest number of people can benefit. This is the basis for the decisions that VIA has made.

In the future we will continue to work toward a more efficient and faster VIA Rail service so Canadians will use VIA in larger numbers and the crown corporation can generate the necessary revenues to serve more people at a lower cost to Canadian taxpayers. That is the

plan and we have made significant investments in increasing the speed and efficiency of these trains in order to fulfill that plan.

• (1950)

Mrs. Carol Hughes: Mr. Speaker, the member does not even know what he is talking about.

The reason that people are not taking as many trains is because there is not enough choice in the amount of times the trains go through. That is because of the cuts made and the promotion of it as well. The fact that there is a cut in the ability to promote the line certainly plays an impact in not even knowing about the opportunities that could be out there.

It is clear that rail offers real value to those regions and communities it serves. While the government is reducing services to VIA routes, groups like the Coalition for Algoma Passenger Trains are trying to revive them. Rail projects create demand and jobs in the north, as we see with Serpent River First Nation in partnership with Sudbury's Mansour Group on a railway ballast contract where the first nation supplies crushed rock for the Huron Central Railway's track reconstruction project. They built a 1,000-foot long railroad siding in just 6 weeks. It is working. With the success of this project, Serpent River First Nation is keen to become a transportation hub in the region.

Will the government jump on board and create another success story by committing to restore passenger rail and preserving the infrastructure needed to grow this in the future?

Mr. Pierre Poilievre: Mr. Speaker, I am fascinated by NDP logic. The member rises to say that the given line does not have much passenger traffic and the solution is to have more trains.

I am not aware of any other line of business where a reduced number of customers would lead to an increased amount of customers served. VIA must react and respond to the degree of demand that Canadians offer. When Canadians do not demand a given line, VIA has to make decisions about the future of that line and whether its resources would be better dedicated to a more heavily trafficked one instead.

That is what VIA has done. I think it has made the right decision. We will continue to move forward with our policy agenda.

[*Translation*]

The Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly the House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 24(1).

(The House adjourned at 7:52 p.m.)

CONTENTS

Tuesday, January 29, 2013

ROUTINE PROCEEDINGS

Petitions

Shark Finning

Mr. Donnelly 13351

House of Commons

Mr. Lamoureux 13351

The Environment

Ms. May 13351

Foreign Investment

Ms. May 13351

Sex Selection

Mr. Calkins 13351

Questions on the Order Paper

Mr. Lukiwski 13351

GOVERNMENT ORDERS

Faster Removal of Foreign Criminals Act

Bill C-43. Report stage 13352

Speaker's Ruling

The Speaker 13352

Motions in amendment

Ms. Sims 13352

Motion No. 1 13352

Ms. May 13352

Motion No. 2 13352

Ms. Sims 13352

Motion No. 3 13352

Ms. May 13352

Motion No. 4 13352

Ms. Sims 13352

Motion No. 5 13352

Ms. May 13352

Motions Nos. 6 to 9 13352

Ms. Sims 13352

Motion No. 10 13352

Ms. May 13352

Motions Nos. 11 to 24 13352

Mr. Lamoureux 13353

Motions Nos. 25 and 26 13353

Ms. May 13353

Motions No. 27 13353

Ms. Sims 13353

Mr. Kenney 13354

Mr. Lamoureux 13354

Ms. May 13355

Mr. Kenney 13356

Mr. Angus 13357

Mr. Lamoureux 13357

Mr. Kenney 13358

Mr. Kenney 13359

Ms. Sims 13360

Mr. Lamoureux 13360

Mr. Morin (Laurentides—Labelle) 13361

Mr. Dykstra 13361

Ms. May 13362

Mr. Lamoureux 13363

Mr. Sandhu 13363

Mr. Kenney 13364

Mr. Lamoureux 13365

Mr. Rajotte 13365

Mr. Davies (Vancouver Kingsway) 13366

Mr. Lamoureux 13366

Ms. May 13367

Ms. Freeman 13367

Mr. Cash 13368

Mr. Kenney 13368

Mr. Opitz 13369

Mr. Lamoureux 13370

Ms. Sitsabaiesan 13370

Ms. Sitsabaiesan 13370

Mr. Kenney 13372

Mr. Lamoureux 13372

Mr. Cotler 13373

Mr. Kenney 13374

Mr. Lamoureux 13374

Mr. Weston (West Vancouver—Sunshine Coast—Sea to Sky Country) 13375

Ms. Sims 13376

Mr. Lamoureux 13376

Ms. James 13376

Ms. Sims 13378

Ms. May 13378

Mr. Cash 13378

Mr. Kenney 13379

Mr. Lamoureux 13379

Mr. Shory 13380

Mr. Sandhu 13381

Mr. Lamoureux 13381

Mr. Morin (Laurentides—Labelle) 13381

Mr. Kenney 13382

Mr. Lamoureux 13382

Ms. Doré Lefebvre 13382

STATEMENTS BY MEMBERS

Clarity Act

Mr. Bellavance 13382

Elmwood—Transcona

Mr. Toet 13383

Search and Rescue

Mr. Cleary 13383

The Environment

Mr. Tilson 13383

Kitsilano Coast Guard Base	
Ms. Fry	13383
Dorothy Kostrzewa	
Mr. Strahl	13384
Citizenship and Immigration	
Ms. Morin (Saint-Hyacinthe—Bagot)	13384
Carnaval des Compagnons	
Mr. Aspin	13384
Calgary Centre	
Ms. Crockatt	13384
Citizenship and Immigration	
Mr. Dubé	13385
Citizenship and Immigration	
Mr. Menegakis	13385
The Conservative Government	
Ms. Perreault	13385
Taxation	
Mrs. Gallant	13385
Superintendent of the Year Award	
Mr. Scarpaleggia	13385
New Democratic Party of Canada	
Mr. Gourde	13386
New Democratic Party of Canada	
Ms. Blanchette-Lamothe	13386
New Democratic Party of Canada	
Mr. Opitz	13386

ORAL QUESTIONS

The Economy	
Mr. Mulcair	13386
Mr. Harper	13386
Mr. Mulcair	13386
Mr. Harper	13387
Aboriginal Affairs	
Mr. Mulcair	13387
Mr. Harper	13387
Ms. Crowder	13387
Mr. Duncan (Vancouver Island North)	13387
Ms. Crowder	13387
Mr. Duncan (Vancouver Island North)	13387
Mr. Rae	13387
Mr. Harper	13387
Mr. Rae	13387
Mr. Harper	13388
Parliamentary Budget Officer	
Mr. Rae	13388
Mr. Harper	13388
Aboriginal Affairs	
Mr. Genest-Jourdain	13388
Mr. Duncan (Vancouver Island North)	13388
Mr. Saganash	13388

Mr. Duncan (Vancouver Island North)	13388
The Economy	
Ms. Nash	13388
Mr. Flaherty	13388
Ms. Nash	13389
Mr. Clement	13389
Mr. Caron	13389
Mr. Flaherty	13389
Mr. Caron	13389
Mr. Flaherty	13389
National Defence	
Ms. Moore (Abitibi—Témiscamingue)	13389
Mr. MacKay	13389
Mr. Harris (St. John's East)	13389
Mr. MacKay	13390
Search and Rescue	
Mr. Harris (St. John's East)	13390
Mr. MacKay	13390
The Economy	
Mr. Brison	13390
Mr. Flaherty	13390
Parliamentary Budget Officer	
Mr. Dion	13390
Mr. Clement	13390
Search and Rescue	
Ms. Foote	13390
Mr. MacKay	13390
Ethics	
Mr. Boulerice	13391
Mr. Van Loan	13391
Mr. Boulerice	13391
Mr. Poilievre	13391
Mr. Angus	13391
Mr. Baird	13391
Mr. Angus	13391
Mr. Van Loan	13391
International Trade	
Mr. Holder	13392
Mr. Keddy	13392
Employment Insurance	
Mrs. Day	13392
Ms. Finley	13392
Ms. Charlton	13392
Ms. Finley	13392
Mr. Toone	13392
Ms. Finley	13392
Regional Development	
Mr. Cleary	13392
Mr. Valcourt	13393
Citizenship and Immigration	
Mr. Lamoureux	13393
Mr. Kenney	13393

Human Resources and Skills Development Canada	
Mr. Cuzner	13393
Ms. Finley	13393
Consumer Protection	
Mr. Cash	13393
Mr. Flaherty	13393
Mr. Cash	13393
Mr. Flaherty	13394
Foreign Affairs	
Mr. Daniel	13394
Mr. Baird	13394
The Environment	
Ms. Duncan (Etobicoke North)	13394
Mr. Ashfield	13394
Co-operatives	
Ms. LeBlanc (LaSalle—Émard)	13394
Mr. Paradis	13394
Workplace Safety	
Mr. McColeman	13394
Ms. Raitt	13394
Citizenship and Immigration	
Mrs. Groguhé	13395
Mr. Kenney	13395
Environment Canada	
Ms. May	13395
Mr. Harper	13395
Points of Order	
Oral Questions	
Mr. Rae	13395
Questions on the Order Paper—Speaker's Ruling	
The Speaker	13395

GOVERNMENT ORDERS

Faster Removal of Foreign Criminals Act	
Bill C-43. Report Stage	13396
Mr. Gill	13396
Mr. Jacob	13397
Mr. Lamoureux	13397
Mr. Norlock	13397
Ms. Borg	13398
Ms. Nash	13399
Ms. Boutin-Sweet	13399
Mr. Leung	13399
Mr. Jacob	13400
Mr. Lamoureux	13401
Ms. James	13401
Mr. Lizon	13401
Ms. Sims	13402
Mr. Lamoureux	13402
Mrs. Mourani	13403
Mr. Jacob	13403
Ms. Doré Lefebvre	13404
Mr. Lamoureux	13404
Mr. Chisu	13405

Ms. Péclet	13406
Mr. Lamoureux	13406
Ms. Doré Lefebvre	13407
Mr. Kenney	13408
Mr. Dusseault	13408
Mr. Menegakis	13409
Mr. Lamoureux	13410
Mr. Garrison	13410
Mrs. O'Neill Gordon	13411
Mr. Rousseau	13412
Mr. Lamoureux	13412
Ms. James	13412
Bill C-43—Notice of time allocation motion	
Mr. Van Loan	13413
Report Stage	
Mr. Dechert	13413

PRIVATE MEMBERS' BUSINESS

The Criminal Code	
Mrs. Mourani	13413
Bill C-452. Second reading	13413
Mr. Bellavance	13415
Mrs. Smith	13415
Ms. Findlay	13416
Business of the House	
Mr. Van Loan	13417
Motion	13417
(Motion agreed to)	13417
Criminal Code	
Bill C-452. Second reading	13417
Ms. Boivin	13417
Mr. Cotler	13418
Mrs. Smith	13420
Ms. Morin (Notre-Dame-de-Grâce—Lachine)	13421
Citizenship Act	
Mr. Shory	13422
Bill C-425. Second reading	13422
Mr. Lamoureux	13423
Ms. Sims	13423
Mr. Jacob	13423
Ms. Sims	13424
Mr. Lamoureux	13425
Mr. Leung	13426
Ms. Moore (Abitibi—Témiscamingue)	13427
Ms. James	13428
Ms. Papillon	13429

ADJOURNMENT PROCEEDINGS

Food Safety	
Ms. Duncan (Edmonton—Strathcona)	13430
Mr. Poilievre	13430
Rail Transportation	
Mrs. Hughes	13431
Mr. Poilievre	13432

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.

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.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>