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OFFICIAL REPORT
(HANSARD)

Wednesday, January 30, 2013

—

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Wednesday, January 30, 2013

The House met at 2 p.m.

Prayers

● (1400)

[English]

The Speaker: It being Wednesday, we will now have the singing of the national anthem led by the hon. member for Saint Boniface.

[Members sang the national anthem]

STATEMENTS BY MEMBERS

[English]

BURMA

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Mr. Speaker, despite committing to a ceasefire last week, the Burmese military continues to shell Kachin state using heavy artillery and mortars, causing thousands to flee for their lives.

Last Thursday, the state capital, Laiza, was hit by mortars, killing three and injuring four more. The mayor reports that this city of 15,000 is largely deserted as people have fled into the countryside or into refugee camps. One camp, in a school on the edge of town, is now home for 7,500 people.

Some relief groups estimate as many as 100,000 people have been displaced within Kachin state. Without access to crops, clean water and proper sanitation, disease will be next.

This is a disaster in the making.

I call on the Burmese military to live up to its commitments and immediately cease offensive military operations in Kachin state and hopefully, as peace talks begin, bargain with the Kachin people in good faith.

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THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, on January 21, in his inaugural address, United States President Barack Obama said the following:

We will respond to the threat of climate change, knowing that the failure to do so would betray our children and [our grandchildren]. Some may still deny the

overwhelming judgment of science, but none can avoid the devastating impact of raging fires, and crippling drought, and more powerful storms.

In the same vein, the head of the International Monetary Fund, Christine Lagarde, spoke in Davos and identified the threat of climate change as a more significant economic threat than global economic instability. Finding a future path forward, President Obama called for U.S. leadership saying:

We cannot cede to other nations the technology that will power new jobs and new industries—we must claim its promise.

So too must Canada. With a potential \$60 billion in the clean tech sector, we should be seizing the leadership and addressing the climate crisis.

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BLACKBERRY

Mr. Glenn Thibeault (Sudbury, NDP): Mr. Speaker, over 60 million people worldwide, politicians and professors, students and stockbrokers, two times the population of Canada, are all communicating with the BlackBerry. We are all proud of the contribution Canadian creativity has made to this global industry.

Research In Motion is, of course, a pioneer and after 14 years of revolutionizing the industry with its iconic BlackBerry, we congratulate it today on the launch of the BlackBerry 10.

[Translation]

Before a parliamentary committee, BlackBerry explained just how helpful government investments have been to the company. We are concerned about the impact budget cuts will have on innovation. We congratulate BlackBerry for its talent and perseverance.

[English]

The New Democrats know that Canadian ingenuity can still excel on the world stage. In fact, across Parliament Hill today we can see older devices being dropped in the snow, all in the hope of an upgrade to this cool new BlackBerry device.

Statements by Members

●(1405)

MANITOBA AG DAYS

Mr. Merv Tweed (Brandon—Souris, CPC): Mr. Speaker, each in year in January, Brandon hosts Manitoba Ag Days. This year January 15 to 17 marked the 36th annual event. The three-day event is a free exposition of agricultural production expertise, technology and equipment that attracts exhibitors and visitors from across Canada and the United States. This year over 37,000 people attended. Among those visitors was the Minister of Agriculture and Agri-Food.

The minister and I had the chance to tour the 540,000 square foot Keystone Centre as every inch was packed with over 260 exhibits. After attending Ag Days, I joined the minister for a round table discussion with local ag producers and ag industry experts to discuss the challenges and successes currently affecting the ag sector.

I want to congratulate the organizers of Ag Days for another very successful event and I want to commend the minister and our government for their strong commitment to agriculture and rural Canadians. It is no surprise agriculture is at the heart of the Brandon—Souris economy.

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OLD AGE SECURITY

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, on this day in 1966, retiring Canadians qualified for monthly income support through the old age security program, created by Liberal Prime Minister Lester B. Pearson.

Liberals knew then, as we know now, that seniors helped to build our country and deserved dignity in their golden years. Sadly, Conservatives in 1966, just like the Conservatives today, opposed the notion that hard-working Canadians deserved income support from the federal government at the age of 65.

Canada is blessed with prosperity and prosperity must be shared. Therefore, why does the Prime Minister think lower income Canadians must work harder and wait longer to retire?

I have spoken to many seniors who have worked a lifetime, paid their taxes, raised their children and now they struggle just to buy groceries.

This is not the Canada for which we have all worked. I can only hope the government will restore the pension benefits it is taking from our low-income seniors. Prosperity must be shared by all or it is just opulence for a few.

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LES PAVELICK

Mr. Brad Trost (Saskatoon—Humboldt, CPC): Mr. Speaker, a piece of Saskatchewania passed away last week. Les Pavelick, better known as “Metro”, died of a heart attack a week ago yesterday.

Les was a Saskatchewan original whose comedy works represented a slice of rural western Canadian culture that is slowly vanishing. The one-time radio ad salesman is better known for his creation of Metro, an accented, slightly exaggerated character who represented the homespun humour of the Prairies. As Metro, his

comedy included music, most notably his 1975 recording *11 Days from Christmas*, which included songs like *Walkin' in my Winter Underwear* and *Chesnik Roasting on an Open Fire*.

His humour was not just for himself; he entertained Canadian troops on overseas UN tours and working various fundraisers he helped to raise over a million dollars for charities and service groups in Saskatchewan. As his friend Sheila Pelletier said, “It's going to be a few hard days, but we know he's telling jokes up there. [He's]...still bringing joy and happiness to people through their memories”. We laughed with Les because we saw ourselves in him, our province, our friends and our family.

He is missed and lovingly remembered by his wife Barbara.

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NWT DAY

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, I am pleased to rise on NWT Day to celebrate the progressive people and government of the Northwest Territories. They know the key to prosperity is sustainability, protecting our fragile environment while carefully pursuing economic development.

As part of this process the NWT government has put in place a number of unique, exciting and purposeful strategies. The biomass strategy leads the country in converting public and commercial buildings from expensive and polluting fuel oil to clean renewable energy. Canada's first solar energy strategy will reduce the diesel fuel used for electrical generation in our communities.

The waters of the Northwest Territories remaining clean, abundant and productive for all time is the vision of the widely praised NWT water stewardship strategy. This strategy respects aboriginal rights and treaties and protects the values of all northerners when making decisions about NWT waters.

Tonight the NWT is hosting a gala at the Château Laurier. I hope all members will join us and learn more about the Northwest Territories.

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PALLIATIVE CARE TELETHON

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, this past weekend I had the pleasure to act for the last two hours with Jenn Ferguson, from JRfm in Brockville, on the annual Palliative Care Telethon that supports the work of the palliative care services department of the Brockville General Hospital. I am pleased to announce that this year's telethon raised over \$203,000, which is \$15,000 more than the previous record.

Statements by Members

A number of people work hard each year to ensure that this telethon is a success. The community thanks Carol Davis, Joan Addison, Karen Mahon, Patsy Gills, Jean Grey, Ada Hodge, Kim Hodge-Vivian, and James McKenzie, along with Bruce Wylie, from the local radio station JRfm, who has acted as host for the telethon for many years.

I would also like to thank those who provided goods and services, and all of those in the community who supported the telethon. Without their efforts this telethon would not be the tremendous success that it is. I am very thankful that the community stepped up in such a wonderful way.

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●(1410)

BLACKBERRY

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, I stand today to congratulate Research In Motion, now BlackBerry, as well as the residents of Kitchener—Conestoga and all across Waterloo region, on the successful launch of the BlackBerry 10 platform.

At the forefront of Canadian innovation, BlackBerry employs some of the best and brightest in the industry. The success of this company has helped to build the reputation of Waterloo region as the leader in the technology sector, calling itself home to almost 1,000 high-technology businesses. BlackBerry has proven that we can build an iconic global brand right here in Canada.

Today marks the beginning of a new era for consumers, with a tradition of innovation. BlackBerry is reinventing the smartphone experience with BlackBerry 10 and changing the way we use mobile devices. The redesigned, re-engineered and reinvented BlackBerry platform will take us to true mobile computing over the next decade.

Congratulations, again, to all those who brought BlackBerry 10 to fruition. Their success is testament to the talent found right here in Canada. I thank them for their excellent work.

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[*Translation*]

QUEEN'S DIAMOND JUBILEE MEDAL

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, today I am pleased to pay tribute to the Diamond Jubilee Medal recipients who are involved in the community or politics, who are young role models and who provide services to others.

On January 21, nearly 150 people gathered in Val-d'Or to honour these dedicated individuals. Among the recipients were mayors, veterans, community volunteers and aboriginal leaders.

I am also pleased to be honouring seven additional people from my riding this weekend at Chibougamau city hall.

I would like to thank everyone who took the time to recognize these exceptional people by nominating them. I offer my heartfelt congratulations to all of the recipients, and I would like to thank them for what they do, because it makes our region stronger.

[*English*]

THE NORTH

Mr. Ryan Leef (Yukon, CPC): Mr. Speaker, I rise today to welcome to Ottawa the cabinet of the Northwest Territories, led by Premier Bob McLeod, as well as visiting members of the legislative assembly. Throughout the next three days, members of our government will be meeting and working in collaboration with the Government of the Northwest Territories to help advance northern priorities.

On this side of the House, our government and our Prime Minister have made the needs of the northern people a priority. We are making major investments in northern infrastructure projects that support northern prosperity, such as the Inuvik-Tuktoyaktuk Highway. We have increased the northern territories' borrowing limits to allow more flexibility when addressing territorial priorities. We have delivered on new investments in northern health care, and we have eliminated the wasteful and ineffective long gun registry. In contrast, the member for Western Arctic voted against all of these initiatives.

I wish our northern guests all the best for a productive time in Ottawa, as we work together to improve the lives of all northerners.

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[*Translation*]

ABORTION

Mrs. Sana Hassainia (Verchères—Les Patriotes, NDP): Mr. Speaker, 25 years ago this week, the Supreme Court of Canada ruled that restricting abortion is an unconstitutional attack on women's rights, freedoms and security.

We in the NDP are proud to unequivocally support women's right to choose freely. The same cannot be said of the members across the floor. Since they came to power in 2006, the Conservatives have attempted on six separate occasions to reverse that Supreme Court decision.

Why so many underhanded attacks? Why do the Conservatives want to prevent women from having control over their own bodies?

The Prime Minister promised not to reopen the abortion debate, but clearly, once again, it is up to the NDP to stand up for women's right to choose.

The Conservatives continue to stubbornly defend regressive ideas that have been rejected by Canadians. It is not up to the church or the state to decide, and it is certainly not up to the Conservatives. Terminating a pregnancy is for the individual woman to decide, period.

Oral Questions

● (1415)

[English]

NEW DEMOCRATIC PARTY OF CANADA

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, our natural resources sector plays a vital role in our economy. Projects such as the Keystone XL pipeline support 140,000 jobs for Canadians. While our government supports our natural resources sector, the NDP's plan for this sector is to send some of its senior NDP MPs to Washington to lobby against creating good Canadian jobs.

Our government is focused on jobs and economic growth, and that is why we are opening new markets for our natural resources sector. On the other hand, the NDP is focused on implementing a \$21 billion job-killing carbon tax that would ruin employment opportunities in our natural resources sector. Our government will keep fighting the NDP's job-killing carbon tax and we will remain focused on what matters to Canadians: jobs and economic growth.

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BLACKBERRY

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, this is an exciting day for the hundreds of BlackBerry employees who work in my riding of Halifax West. Today the company launched the new BlackBerry 10. Just as a mere decade ago the first BlackBerrys changed how people on the go communicate, today's launch ushers in a new era of mobile computing.

Employees at the BlackBerry facility in Bedford already assist 79 million customers across the globe, and they will play a critical role in support of BlackBerry 10, which represents a redesigned, re-engineered and reinvented BlackBerry. I know that members of the House, so many of whom use BlackBerrys, will join me in congratulating this great, innovative Canadian company on the launch of BlackBerry 10 and in extending our best wishes for continued success.

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NEW DEMOCRATIC PARTY OF CANADA

Ms. Joan Crockatt (Calgary Centre, CPC): Mr. Speaker, everyone has heard the old saying "don't talk the talk unless you can walk the walk". Unfortunately, I do not think the New Democrats truly understand the meaning of this statement. In fact, yesterday the Speaker had to put the NDP member for Timmins—James Bay in his place for using unparliamentary language, while the NDP ironically tabled a motion to improve House decorum. Better yet, this motion refers to instances of extreme misrepresentation of facts or position in the House.

Canadians are rightly worried about the New Democrats' misrepresentation of facts and positions. After all, the NDP is the party that has a \$21 billion carbon tax in its policy documents, in black and white, and yet its members spent the fall denying it here in the House. We will continue to expose the NDP's \$21 billion carbon tax that would raise the price of everything, including—

The Speaker: Order, please. The hon. member for Halifax.

FOREIGN INVESTMENT

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, Canadians from coast to coast to coast, including three brave Conservative MPs, have written letters condemning the sell-off of our natural resources to a Chinese state-owned company.

In fact, as the member for South Surrey—White Rock—Cloverdale wrote, "our trading and investing relationship with China is one-sided and a...proposal of a similar magnitude and nature by a Canadian company in China would simply not be welcomed".

The member for Medicine Hat wrote, "Canadian laws must prevail, and if we were to allow a state-owned company of a foreign nation...to buy a strategic asset here, we would be setting a very dangerous precedent".

The member for Kitchener—Conestoga said, "this is an example of the most unfair trade possible...".

Today I rise to salute those brave MPs who have stood up to the Conservative Prime Minister's reckless rubber-stamping and sell-off of our natural resources. Now, if only a few more Conservatives would follow their lead.

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LEADER OF THE NEW DEMOCRATIC PARTY OF CANADA

Mrs. Shelly Glover (Saint Boniface, CPC): Mr. Speaker, it is becoming quite clear that the NDP leader suffers from a common NDP problem: he has trouble with basic numbers. Yesterday the leader of the NDP stood here in question period and simply got it wrong on income inequality. The NDP leader stated:

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.

That is absolutely false. According to the Canadian socio-economic database from Stats Canada, incomes for Canadians across all five quintiles are in fact up.

I will be sending a copy of its chart over to the leader of the NDP, and I am hoping when he begins question period today he will stand in his place and apologize for his extreme misrepresentation of all of those facts.

ORAL QUESTIONS

● (1420)

[Translation]

EMPLOYMENT

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, more than five years after the recession hit in 2008, Canada's youth unemployment rate is still sitting at 15%, double the national average.

Oral Questions

According to a report by TD Bank, this represents lost earnings of \$11 billion to date, which will take a generation to recover. The high youth unemployment rate obviously has significant consequences for our economy.

Why are our young people not one of the Prime Minister's four priorities?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, on the contrary, job creation and economic prosperity are our top priorities. In fact, the Canadian economy has created more than 900,000 net new jobs since the end of the recession. That is the best record of all G7 countries.

There are obviously still challenges in this regard, especially for some young people. That is why our budgets include specific measures for youth. I encourage the NDP to support these measures.

[English]

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, young people suffered more than half of all the job losses during the 2008 recession. Nearly 280,000 jobs were lost among Canadian young people and to this day only about 30,000 have been recovered. Almost half of all young people who lose a job are not even eligible for EI. That is in the government's budget, which we will not support. That situation is made even worse by the Prime Minister's latest rounds of EI cuts.

Does the Prime Minister understand the devastating impact his failed policies are having on an entire generation of Canadian youth?

Right Hon. Stephen Harper (Prime Minister, CPC): Of course, Mr. Speaker, it is completely to the contrary. Since the recession ended we have created 900,000 net new jobs in this country, the best track record in the G7. There is no better place for a young person to be today than in Canada.

Challenges obviously still exist in the labour market and for young people. That is why the government has addressed this in a series of budgetary measures, things like the youth employment strategy that has created over 50,000 positions, the Canada summer jobs program and others, which the NDP unfortunately always votes against.

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ABORIGINAL AFFAIRS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, a year ago the Prime Minister promised to close the funding gap for first nations schools. Today school funding is still one-third less for kids in first nation communities than for other young Canadians. I do not think any parent in this country would stand idly by if this injustice were happening to their kids.

If the Prime Minister is serious about remembering historic anniversaries, how about this one: the Royal Proclamation of 1763, which is 250 years old this year and gives recognition and promises justice to first nations.

When is the Prime Minister going to start treating the children of all of our nations equally?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, let me repeat: It is the 250th anniversary of the Royal Proclamation, an historic event between first nations in Canada and this country that we all recognize and honour.

This government has built or renovated over 260 new schools. Not only have we made unprecedented investments in this area but we are also presently in consultation with first nations on how to improve an education system. We know we have to improve that system. We do not just want to throw money at a problem. We want to make sure we get the absolute best results for aboriginal young people because they will have more opportunities than any previous aboriginal generation.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, there is still no explanation why first nation schools receive about a third less than other schools receive.

Yesterday the minister refused to answer who will be shepherding the high level talks promised by the Prime Minister, and today a judge in Ontario ruled against the government's attempts to hide information from the Truth and Reconciliation Commission.

When are the Conservatives going to stop stonewalling, stop fighting the commission, and start respectfully working with first nations on a nation-to-nation basis?

• (1425)

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, I reject the premise of the member's question.

Our Prime Minister delivered an historic apology to Canada's first nations on our role in the residential school system. That was in 2008. Since then federal departments have disclosed nearly one million documents to the Truth and Reconciliation Commission as part of a court supervised process. We are reviewing the judge's decision that was rendered today. It certainly does not say what the member across states.

We will continue to fulfill our obligations under the—

The Speaker: The hon. member for Nanaimo—Cowichan.

[Translation]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, the Conservatives are having trouble providing information, and not just on this file. An Ontario judge ruled today that the government must give the Truth and Reconciliation Commission access to Library and Archives Canada documents.

Is the minister prepared to abide by this court decision and finally provide the commission with access to the documents it needs to carry out its important mandate of reconciliation?

[English]

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, we are reviewing the decision. The decision is anything but clear-cut. The discussion, in terms of relevant documents, was left somewhat open by the judge. We believe that we have been meeting the spirit and intent, but if there is a slightly different interpretation, we will obviously meet the spirit and intent of the judge's decision.

Oral Questions

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the graduation rate on reserve is way below the graduation rate anywhere else in the country. The government has now announced that it has a policy where, over the next five years, it wants that graduation rate to increase by 8%. That means it will take about 20 years to bring the reserve population up to the same rate as the rest of the country.

I wonder why the Prime Minister is satisfied with that. If aboriginal issues are such a priority for the government, why were they not mentioned in his speech to his caucus today?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, when we talk about making the economy the number one priority for Canadians, in this party that includes all Canadians.

This government is involved in a historic consultation process with first nations across this country to develop a more effective education system. We recognize the tremendous potential that aboriginal people of the next generation will have, and that is why we want to make sure that we make investments in our education system that will get us the results we need.

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EMPLOYMENT INSURANCE

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I have a question about employment insurance for the Prime Minister. I wonder if he would listen to this quote: “where I live and where I travel there is often very limited access to public transit. Where I live there is no public transit”.

Who said that? It was the minister responsible for EI explaining why she has to bill for limos.

I would like to ask the Prime Minister, if that excuse is good enough for a high-spending minister, why is it not good enough for a single, unemployed mother in Prince Edward Island?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government has been very clear in its reforms to EI that employment insurance will continue to be available for all people who cannot find employment close by that they are able to get to and that is within their qualifications. We have been very clear on that. That is this government's policy. EI will always be there for people who need it.

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[*Translation*]**PARLIAMENTARY BUDGET OFFICER**

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the Prime Minister knows that the budget will be before us in a few weeks. Meanwhile, the Conservatives have announced that the Parliamentary Budget Officer will be leaving his post.

Does the Prime Minister not agree that it would be a good idea to extend the Parliamentary Budget Officer's term so that he will be there for all the parliamentarians who need his advice when examining the Prime Minister's budget?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, we created the position of Parliamentary Budget Officer to ensure that parliamentarians from all parties have credible and non-

partisan analyses. We are looking for someone new to fill this position so that this mandate can be fulfilled.

* * *

● (1430)

[*English*]**THE ECONOMY**

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, yesterday the Minister of Finance tried to dismiss the staggering debt burden facing Canadian families. So let me remind Conservatives of the facts: personal loan debt is up, line of credit debt is up, mortgage debt is up, household debt is at a record high and Canadian households have the worst debt to asset ratio in the entire OECD.

In the face of these damning facts, is the Minister of Finance really still downplaying this problem?

Hon. Ted Menzies (Minister of State (Finance), CPC): Mr. Speaker, the Minister of Finance has recognized that there are some problems out there with household debt. That is why we acted.

However, we do need to clarify the misinformation that was part of that question. Equifax actually has reported that credit card debt has fallen by nearly 4% in 2012, so it was rather misleading information in the question.

We have also moved four times to tighten mortgage lending and introduced new credit card rules to protect consumers. We are on consumers' side. We are not just trying to frighten them.

[*Translation*]

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, if the demand for new credit is at an all-time low, as the Minister of Finance and now the minister of state are saying, it is because household debt is at an all-time high and Canadians simply cannot borrow any more money.

For the first time ever, Canadian households are deeper in debt than our American neighbours. On average, each Canadian household owes \$26,000 more than its income. We are headed for disaster. When interest rates go up, the minister will have to assume full responsibility.

Why did the minister allow household debt to reach this record high?

[*English*]

Hon. Ted Menzies (Minister of State (Finance), CPC): Mr. Speaker, speaking of responsibilities, it was rather irresponsible of the NDP to vote against all of the tax reductions we have provided to Canadians, which actually put back in consumers' pockets, a family of four, some \$3,000.

Oral Questions

I would remind the NDP that it actually voted against that. Every time we attempt to leave more tax dollars in people's own hands so they can spend it as they wish, the NDP votes against it. I cannot even imagine what a \$21 billion carbon tax would do.

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[Translation]

PARLIAMENTARY BUDGET OFFICER

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, we are talking about household debt and he is talking about a budget we voted against because it offered Canadian families nothing useful.

The Minister of State should realize that household debt has reached dangerous levels and that the Minister of Finance will be responsible for leaving Canadians buried in debt.

The Parliamentary Budget Officer's mandate is to review government spending and provide an independent analysis of public finances. Earlier this week, the Minister of Finance said that the budget officer's mandate should be changed.

Can he explain exactly what changes he intends to impose on this independent institution?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, there will be a process to replace the budget officer. As I said yesterday, we created this office. We are committed to maintaining the office and supporting it. The government will ensure that Parliament is able to find a credible replacement.

[English]

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, yes, way back in 2006 the Conservatives were in favour of accountability. They worked with us to create the PBO for credible, non-partisan economic analysis, but then they started hearing inconvenient—

Some hon. members: Oh, oh!

The Speaker: Order please. The hon. member for Parkdale—High Park has the floor.

Ms. Peggy Nash: Mr. Speaker, then they started hearing inconvenient truths about their own economic mismanagement. Now the Minister of Finance wants to turn back the clock on fiscal accountability.

Will they now stand and explain exactly what changes they want to make to the Parliamentary Budget Officer?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, as I have said before on many occasions in the chamber, we actually created the office. We are committed to the office continuing to exist and we will ensure that Parliament will be able to consider a credible, non-partisan replacement.

May I say to the hon. member opposite that we are proud of our economic record, a record that has guaranteed more than 900,000 net

new jobs for people across the country. We are proud of our economic record.

* * *

● (1435)

CONSUMER PROTECTION

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, yesterday I asked a very straightforward question, but the Minister of Finance's answer showed that he was more than a little confused. I understand that he is distracted these days, writing letters on behalf of his friends, so I am going to give it another shot.

Many federally regulated businesses are now charging their customers an extra fee just to receive their bill in the mail. It is like a tax on bills. Can someone over there tell us clearly what they will do to protect Canadians from this—

The Speaker: The hon. Minister of Industry.

[Translation]

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, since 2006, our government has taken tangible action to address consumer concerns about issues under federal jurisdiction. For example, we created a code of conduct for the credit card industry.

I also remind my colleague that the CRTC is currently working on adopting a voluntary national wireless code.

That is tangible and fortunately far from being a \$21 billion carbon tax that would very negatively affect Canadian consumers.

Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP): Mr. Speaker, while the minister is going on about this tangible code of conduct, additional charges are popping up on seniors' phone bills. That is the reality.

If businesses are continuing to add surcharges for paper bills, then the code of conduct is not working. About half of seniors use the Internet, and even fewer of them are able to receive and pay their bills electronically.

Will the minister take effective action or will he continue to ignore these extra fees that are costing our seniors a lot of money?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, I remind the member that the government created the Broadband Canada program for wireless access in 2009. Now, 98% of Canadian households have access to high-speed Internet.

The NDP opposed this measure. If the New Democrats were consistent, they would tell seniors that they are opposed to measures that are in the best interest of consumers.

I remind members that the CRTC is working very hard to adopt a voluntary wireless code.

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ETHICS

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, some companies will be afraid of this voluntary code.

Oral Questions

Sometimes the Conservatives should just admit they are wrong.

Since we are talking about the CRTC, let us review the facts. The Minister of Finance used his position to try to influence the CRTC in a matter involving a Conservative Party donor who lives outside his riding. This goes against the rules that should normally govern the conduct of ministers.

So, if he is no longer being muzzled by the Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities or the Leader of the Government in the House of Commons, can he explain to us exactly how helping a donor from outside his riding forms part of the duties of a minister or MP?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, yesterday I was reading letters and I found another one. This one says, "I want you to know that I support this initiative and encourage you to approve AVR's application at the hearing on June 19th, 2012".

It is signed by the hon. member for Davenport, the NDP member of Parliament.

They are critical of Conservatives writing letters like this, but apparently it is okay for NDP MPs to write these kinds of letters.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the conflict of interest law exists for a reason.

For example, it should be fairly obvious why a minister of the Crown cannot intervene with a semi-judicial body on behalf of a financial interest. The finance minister did that, and he broke the law. Instead of coming clean on it, he is hiding behind the most dubious of loopholes.

Will the government explain to the House how a minister's writing on behalf of a Conservative Party donor, who does not live in his riding, somehow gets to be passed off as constituency work? It does not pass the smell test. Where is the ethical accountability?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, the hon. member for Timmins—James Bay says, "It is all right to do as I say, but not as I do". He appears to apply a different standard. Now he says it is because he is not prepared to assume the kinds of responsibilities that one takes on when one is in government, that government members should be treated differently from him.

I know we have always said the NDP are not ready for government. It is good to hear the NDP members admit they themselves do not feel they are ready for government.

• (1440)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, they are going to have all the opportunity they want to be backbenchers in 2015.

However, right now, the hon. member is a minister of the Crown and he broke the law under section 9. That is the difference. Why is the hon. member refusing to stand up, refusing to be accountable? Is he trying to tell the Canadian public that writing on behalf of Conservative Party donors is somehow constituency work? It is not. That is why he broke the law, and he needs to be accountable. Why will he not stand up and explain himself?

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, I read a letter yesterday from the member for Timmins—James Bay. He did not just write one letter; he seems to write a lot of letters to the CRTC, which is interesting because he—

Some hon. members: Oh, oh!

The Speaker: Order. I will ask hon. members to hold off on the applause until the government House leader is finished answering the question.

Hon. Peter Van Loan: The NDP members are very proud, apparently, of writing to the CRTC as MPs and telling it how to do its job, something they are very critical of Conservative MPs for doing.

Here is another letter, May 18, 2012: "I am writing to express my deep support for Aboriginal Voice Radio (AVR) and to strongly encourage the Commission to grant their request for licence renewal at the June 19th hearing. ...Sincerely... M.P. Timmins—James Bay."

* * *

EMPLOYMENT

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, young Canadians are losing hope and the reality is that, with record high youth unemployment, we risk losing a generation of potential in Canada.

We have *Maclean's* magazine referring to young Canadians as the new underclass. Today we have a report from TD Economics saying there are going to be massive economic and social costs long term, due to our high youth unemployment.

The government has not responded. It is ignoring this problem. When will the government recognize that we have a youth unemployment crisis in Canada, and when will it take action to ensure that young Canadians get the training and jobs of today and tomorrow?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the fact is that we also have a real shortage of skills and talent in this country. That is what employers are telling us.

That is why we have invested so heavily in helping young people get the skills, the training and the experience they need for today's jobs and those of tomorrow. That is why we have invested in helping more than 50,000 students each year through the youth employment strategy. We are investing in career focus, skills link and the apprenticeship incentive and completion grants because we want to help these young people succeed.

Sadly, the real question is: Why did the Liberals oppose every one of those initiatives?

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, last summer we had the worst student summer jobs numbers in the history of the tracking of these numbers, going back to the 1970s.

Oral Questions

The reality is that the minister is not doing enough to create long-term opportunities or even summer jobs for students. In the future budget, in just a few weeks, will the government introduce a hiring credit dedicated to young Canadians and significantly expand the summer job program, and will it reopen the summer job centres that it has closed? Will the government admit that we should be freezing EI rates in Canada instead of increasing them? They are a tax on jobs.

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the real question is: Will the Liberals actually support the upcoming budget, which I am sure will include incentives and supports to help young people get the experience and skills they need?

Will they, this time, support apprenticeship completion grants? Will they support programs like pathways to education that help people in high-risk areas get through high school and get into university or college?

Will they support us in our efforts to help those who have troubled pasts, or who face multiple barriers to employment, get the experience they need to get the jobs of the future? Will they support us in supporting our young people?

* * *

[Translation]

SEARCH AND RESCUE

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, the government plans to close the Quebec City marine rescue sub-centre and split the province down the middle, entrusting the western part to the centre in Trenton and the eastern part to the centre in Halifax, despite the safety problems caused by distance and the agents' questionable grasp of French. It is absurd and offensive and puts lives at risk.

Will the Minister of Veterans Affairs, who refuses to listen to common sense, at least listen to the members of his own Conservative association in Lévis-Bellechasse and join them in opposing his government's absurd decision?

●(1445)

[English]

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, we are confident that changes in Quebec City will have no negative impact on our ability to respond to distress incidents on the water quickly, effectively and in both languages.

We are ensuring that the coast guard has the resources to do its job and save lives.

* * *

[Translation]

FOREIGN INVESTMENT

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, it seems that some Conservative MPs, like many Canadians, are worried about the blank cheque written by the Prime Minister in the Nexen file.

Selling off our natural resources to foreign interests behind closed doors, without consultation and without an explanation of the criteria used to make the decision is not in the best interests of Canadians.

Why did the Minister of Industry refuse to listen to his Conservative colleagues, who were only expressing the concerns of the vast majority of Canadians?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, I will repeat yet again that my colleague knows that the net benefit criteria are clearly laid out in section 20 of the Investment Canada Act. Takeovers by foreign state-owned enterprises are the end of a trend, not the beginning. The rules have been clarified.

The Liberals, who would blindly approve any type of transaction, are at one end of the spectrum; the NDP, who want to block every transaction, are at the other end.

We are taking a balanced and pragmatic approach, and we approve foreign investments that are good for Canada.

[English]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, that is not balanced at all. CNOOC has no obligation to protect Canadian jobs, and even the Prime Minister admitted that this type of deal is bad for Canada. Canadians deserve better than this.

Now we find out there are three more Conservative MPs raising their concerns. This deal is now undergoing extensive review in the U.S., while in Canada, Conservatives simply rubber-stamp the sellout.

Why are Conservatives dismissing Canadians' concerns, turning a blind eye to concerns in the U.S., and even ignoring the concerns from their own caucus?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): On the contrary, Mr. Speaker, we brought clarity to the rules. When we talk about foreign takeovers by state-owned enterprises, we talk about the end of a trend, not the beginning of a trend.

We have the extremes of the spectrum. The Liberals would accept each form of signed deal without any scrutiny. At the other end of the spectrum, the other extreme, the NDP members would virtually block everything. They are even against NAFTA. They are anti-trade.

This is not responsible. We are open for foreign investment.

* * *

INTERGOVERNMENTAL AFFAIRS

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, after more than 10 years of negotiation, the Northwest Territories is on the edge of assuming jurisdiction over its lands, waters and immense natural resources.

In order to accomplish this devolution, the House must amend a number of laws, including the Northwest Territories Act, which is the basis of all the power we currently have.

Oral Questions

As a courtesy to this House, can the minister give an indication of what other acts will have to be dealt with in order to provide the NWT with increased powers?

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, our government shares a common vision with northerners, and that is to give them greater control over their economic and political destinies.

Concluding an agreement will be an important and positive step in the evolution of northern governance and will deliver economic benefits to the Northwest Territories.

We will continue to work with our partners in NWT to reach an agreement that creates a practical, innovative and efficient governance model for the territory.

The benefits of devolution are clear, as we have seen in the Yukon. We want the Northwest Territories to benefit from this as well.

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, representatives of the Northwest Territories are in Ottawa today. I am sure they would like to get an answer to at least one question, so here is another question.

As part of the devolution process, the NWT must enact a package of legislation mirroring current federal laws governing our lands, waters and environment.

Once this legislation has been enacted, will the NWT legislative assembly be able to amend these laws in order to improve them, or will we be stuck with what Ottawa dictates?

• (1450)

Hon. John Duncan (Minister of Aboriginal Affairs and Northern Development, CPC): Mr. Speaker, I welcome him to the file. We have been negotiating with the government of the Northwest Territories for two years. Here is the member from NWT who suddenly woke up. This is the same member who voted against the Inuvik-Tuk highway. This is the same member who voted contrary to his constituents' wishes and his promise on the gun—

The Speaker: The hon. member for Essex.

* * *

THE ECONOMY

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, Canada's economy is the envy of our largest trading partners. From creating more than 900,000 net new jobs since July 2009 to being among the strongest GDP growth in the G7, Canada is a global leader.

Canada's abundant natural resources have helped bolster our economy and create jobs across Canada.

Could the Minister of Finance announce the latest news on how resource development is helping all of Canada?

Hon. Ted Menzies (Minister of State (Finance), CPC): Mr. Speaker, I thank the member for Essex for that question.

Today the economist at Scotiabank announced that auto sales climbed last year by a 6% margin, largely due to the strength of the resource-rich provinces, such as Newfoundland and Labrador, Saskatchewan, Alberta and British Columbia.

More auto sales mean more jobs for Canadians all across this country and more jobs in Ontario. Our government looks at this evidence. This is more evidence that a strong resource sector makes a strong country. We will not—

The Speaker: Order, please. The hon. member for Welland.

* * *

AGRICULTURE AND AGRI-FOOD

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, the food packaging regulations snuck into last fall's omnibus budget bill caught an entire industry off guard. Newly released government documents confirm that no studies were completed before announcing these changes. We also know there were no public consultations and no industry input. Thousands of good quality jobs are at risk yet the minister has not done a single market impact study.

Why is the minister determined to destroy southern Ontario's food packaging industry and ship thousands of jobs to the United States?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, none of that is true. The Canadian Food Inspection Agency continues to do assessments on this, but its first priority must remain food safety. Container size of course has nothing to do with food safety.

We as a government continue to discuss these issues with the food industry. I had great meetings last week with my colleagues from southwestern Ontario and Leamington, as we continue to work on this dialogue and work with the industry to ensure they have continued success in the food packaging industry here in Canada.

[Translation]

Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP): Mr. Speaker, the minister can say what he likes, but the reality is that the new packaging policy will result in American products flooding our markets, which in turn will lead to the closure of many food processing plants.

Political stakeholders are calling for the Conservatives to reverse this decision, which is bad for Canadian farmers and the entire food industry.

It is surprising that the lobbyists' favourite is refusing to listen to experts, entrepreneurs and local communities.

Will the minister reverse his decision to protect our jobs?

Oral Questions

[English]

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, the biggest thing the member opposite misses is that the greatest threat to the viability of the farm sector and the food processing sector is a \$21 billion carbon tax. That would hit them right between the eyes, right in the wallet, and of course not serve them at all.

We continue to have a very constructive dialogue with everyone in the food processing sector in this great country, as we do with farmers in this great country. We all want to continue the success that they are enjoying and we will work with them in that regard.

* * *

HUMAN RESOURCES AND SKILLS DEVELOPMENT CANADA

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, lost jobs, lost private sector information. I did not think it was possible for the government's record to get even worse.

Over half a million Canadians had their names, social insurance numbers, dates of birth, contact information and loan balances all lost, but it took pressure and several class action lawsuits for the Conservatives to react at all. Now, piece by piece, they are making announcements that frankly are not good enough.

When will the Conservatives properly help these victims and when will they take privacy protection seriously?

• (1455)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the loss of this information by the department was totally unacceptable. Let us be very clear about that. That is why we took steps to inform the Privacy Commissioner of Canada and to bring in the RCMP. Fortunately, so far there does not appear to be any evidence that the information has been used fraudulently.

However, I have instructed a complete overhaul of security systems and processes in the department and we have engaged Equifax on a long-term contract to help protect the credit of the individuals affected.

[Translation]

Ms. Charmaine Borg (Terrebonne—Blainville, NDP): Mr. Speaker, the government lost the personal information of a hundred thousand Canadians. As a result of the Conservatives' incompetence, taxpayers will have to pay for credit monitoring for all those affected.

But it does not stop there. Three class action suits have been launched in relation to this loss of personal information. The Conservatives' mistakes are costing taxpayers a lot of money.

Can the Conservatives confirm that the practices of all the departments have been reviewed so that this unacceptable situation does not happen again?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the loss of this information by the department was totally unacceptable. Let us be clear about that.

That is why I have asked the department to review all the computer security systems to make sure that Canadians' privacy is protected. That is why we have engaged Equifax on a long-term contract to help protect the credit of the individuals involved.

[English]

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, we know the government's bungling has exposed thousands of student loan recipients to identity theft. We know the minister is offering bogus protection to these victims of her own incompetence, but we still do not know the key details of the security breach. The minister said the hard drive was noticed missing November 5 but it is likely that it went missing earlier.

Why does the government not just come clean and tell the House how long this personal information has been in the hands of possible criminals?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, as I have said, the loss of this information by the department is totally unacceptable. That is why we have engaged the RCMP to conduct a criminal review to see what happened. We have also advised the Privacy Commissioner of the situation.

We have taken real steps to protect the credit of the individuals involved. I have instructed the department to completely overhaul both the systems and the processes regarding the security of Canadians' private information, and it has already begun to do so, because we want to respect that completely. That is a priority for us.

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, people are coming forward with concerns around identity theft. Ms. Greene from P.E.I., who became a victim of identity theft in May 2012, outlines a compelling case where she traces the information breach back to the student loans program. There are other cases.

Could the minister state unequivocally that the theft of Ms. Green's identity cannot be attributed to the most recent bout of incompetence? Could the minister tell us when the last time the hard drive was in the government's possession, or does the minister have no idea when the information was lost?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the loss of this information is totally unacceptable and we take it very seriously. That is exactly why we—

Some hon. members: Oh! Oh!

The Speaker: Order, please. The hon. Minister of Human Resources has the floor.

Hon. Diane Finley: Mr. Speaker, that is exactly why we have brought in the RCMP to make sure that we have all of the details, all of the facts, and so that the appropriate steps can be taken depending on what results emerge.

We want to assure Canadians that we are taking every step possible to protect their privacy, to protect their information in the future, because that is what they deserve.

Oral Questions

[Translation]

ROYAL CANADIAN MOUNTED POLICE

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, the Conservatives are using the courts to lower disability benefits for retired RCMP members, which is a blatant double standard.

An agreement with Canadian Forces veterans was recently reached as a result of a class action lawsuit.

When will the Conservatives finally step up to the plate and treat all veterans fairly and stop making cuts to benefits for retired RCMP members?

• (1500)

[English]

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, for any employees under our direct control, we have compassion for them and their disability issues. At the same time, we are custodians of taxpayer money. The issue that the hon. member has raised is before the courts.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, it is typical to hear that minister talk about taxpayers' money.

A court case costs \$68 million in legal fees, \$82 million in accrued interest, for a total of \$150 million, which was wasted fighting disabled veterans in this country. Shame on the government. Shame on the minister. Did the government learn its lesson? No. Now it is attacking disabled RCMP veterans.

The government could solve this problem right now, save taxpayers some money and show RCMP veterans and their families the respect they deserve. The government could settle this out of court and give RCMP members the dignity and the income support they so richly deserve.

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I appreciate the hon. member's legal advice.

On this side of the House we have a record that is second to none when it comes to ensuring that employees have the disability benefits they should have. We take a backseat to no one. At the same time we are custodians of taxpayer money and this issue is before the courts.

The hon. member has the freedom to say whatever he wants to say, but we have the burden of government and we have the burden of protecting taxpayer money. We will continue to do so.

* * *

FOREIGN AFFAIRS

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, it has been 22 months since the beginning of the crisis in Syria and Canadians, along with the international community, continue to be horrified by the violence inflicted on Syrian people. It is clear that Assad must go. Over the last year our government has contributed significantly to assist people in and

outside of Syria and we continue to call for safe and unhindered humanitarian access.

Would the Minister of Foreign Affairs please update the House on our government's most recent announcement to help the people of Syria?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, obviously all Canadians, this government and all members of the House remain gravely concerned about the situation in Syria and the ever growing potential of the violence spilling into the neighbouring countries. That is why today the Government of Canada has announced that significant additional humanitarian assistance to provide food, water, housing and safety for people inside Syria and in the neighbouring countries will be provided to assist them in their time of need.

Our government has and will continue to support the efforts of the international community to bring about an end to this violence. We stand by the people of Syria in their time of need.

* * *

EMPLOYMENT INSURANCE

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the regional minister from Prince Edward Island will be aware of the huge gathering last night in Surrey where the Conservative government was accused of bleeding out coastal and rural communities with its harsh new EI regulations against seasonal workers. Tomorrow night, a meeting takes place in the regional minister's own riding.

Would she commit to take the Minister of Human Resources and Skills Development to that meeting so that the minister can face reality and see the absolute devastation EI changes are having on individuals, on business and on the economy? Will we see both ministers there?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the changes that were brought into EI are mere clarifications of the rules and responsibilities that people who collect EI have had since EI was brought in many decades ago. What it means is that when they lose their jobs through no fault of their own, they are allowed to collect income support while they are looking for another job.

We are clarifying what the definition of "looking for a job" is, but we are also providing a lot more support in helping them identify jobs that are available in their areas, in their skill sets, so that they can be better off working than not.

* * *

[Translation]

SEARCH AND RESCUE

Ms. Annick Papillon (Québec, NDP): Mr. Speaker, the Conservative association in Lévis—Bellechasse, the riding of the Minister of Veterans Affairs, passed a resolution calling on the government to cancel the closure of the Quebec City marine rescue sub-centre. Even Conservative supporters in Quebec City support the NDP on this issue.

Oral Questions

The resolution, which was passed locally and regionally, was rejected at the last Conservative convention without any consideration by Conservative members from Quebec. Once again, there is division in the Conservative ranks.

Why does the member for Lévis—Bellechasse refuse to defend the interests of the Quebec City region?

• (1505)

[*English*]

Hon. Keith Ashfield (Minister of Fisheries and Oceans and Minister for the Atlantic Gateway, CPC): Mr. Speaker, as I indicated earlier, we are confident that changes in the Quebec City operation will have no negative impact on our ability to respond to distress incidents on the water quickly, effectively and in both official languages. Quebec is served by 19 Coast Guard vessels including seven search and rescue lifeboats, two hovercraft and six helicopters. We are ensuring that the Coast Guard has the resources to do its job and to save lives.

* * *

CITIZENSHIP AND IMMIGRATION

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, our Conservative government introduced the faster removal of foreign criminals act to ensure dangerous foreign criminals no longer have access to endless avenues to appeal their deportation. Shamefully, the NDP is using amendments to try to gut this important bill. During report stage yesterday, the NDP and Liberals stated repeatedly they do not think criminals who are convicted of six months or more should be considered serious or dangerous.

An hon. member: That is unbelievable.

Ms. Roxanne James: I know, I cannot believe it either.

Could the parliamentary secretary update the House on our government's commitment to getting Bill C-43 passed quickly?

Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC): Mr. Speaker, let me explain to the House what the NDP and the Liberal Party are actually defending. Crimes that lead to convictions of six months to two years include: assault with a weapon, robbery, breaking and entering, sexual assault, and in one instance, sexual assault of a senior citizen. By opposing the faster removal of foreign criminals act, the NDP and the Liberals are ignoring the police associations, victims' organizations, immigration lawyers and dozens of experts from across this country who all strongly support the bill.

While the NDP and the Liberals stand up for the interests of convicted criminals, this side of the House will vote in favour.

* * *

[*Translation*]

EMPLOYMENT INSURANCE

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, agricultural producers are paying the price for the Conservatives' ill-considered employment insurance reform because they depend on seasonal employment. Life is hard enough for farmers as it is. Since 2007, 22,000 family farms have had to pack it in.

The employment insurance reform, which will force their seasonal workers to accept other jobs that pay less, is one more barrier to growth in that industry.

How many more farms will have to pull the plug before the Conservatives realize that their bad decisions are hurting farmers?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, that is not at all the case. We are asking employment insurance recipients to show that they are looking for work while receiving benefits. That has been the law for decades.

But we are also helping them find work in their field and their region so that they and their families will be better off while they are working. It is better for them, for their communities and their families.

* * *

CRIMINAL CODE

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, yesterday in Plessisville, a drunk driver hit a traffic officer. The Government of Quebec wants to get tougher on impaired drivers, but the Criminal Code is in the way. The Criminal Code also prevents Quebec from taking its own approach to dealing with young offenders and from making certain social policy choices, such as codifying all aspects of the right of the terminally ill to decide their own fate.

Considering all of these pointless impediments to Quebec policies, is the Minister of Justice ready to give Quebec greater latitude in applying the Criminal Code?

[*English*]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, we have certainly been co-operative with all provincial and territorial legislatures in this regard, but we have been clear that we do not intrude on provincial jurisdiction. However, we have cracked down in the area of impaired driving. We have gone after human trafficking, with the support of the hon. member for Kildonan—St. Paul.

We have a great record and I can assure the hon. member that if she is now interested in this area, we have lots more to do and I hope it gets her support for a change.

* * *

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of a delegation from the Northwest Territories led by: the Hon. Bob McLeod, Premier; the Hon. Jackie Jacobson, Speaker of the Legislative Assembly; the Hon. Michael Miltenberger; the Hon. David Ramsay; the Hon. Glen Abernethy; the Hon. Tom Beaulieu; the Hon. Jackson Lafferty; and the Hon. Robert C. McLeod.

Some hon. members: Hear, hear!

Routine Proceedings

ROUTINE PROCEEDINGS

● (1510)

[Translation]

VETERANS OMBUDSMAN

Hon. Steven Blaney (Minister of Veterans Affairs, CPC): Mr. Speaker, I am pleased to table, in both official languages, the 2011-12 annual report of the Office of the Veterans Ombudsman.

At the same time, seconded by the Chief Government Whip, I move:

That the House do now proceed to the orders of the day.

[English]

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

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: All those in favour will please say yea.

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

And five or more members having risen:

The Speaker: Call in the members.

● (1550)

[Translation]

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

(Division No. 601)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Galipeau

Gallant	Gill
Glover	Goguen
Goodyear	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Komarnicki	Lake
Lauzon	Lebel
Leaf	Leitch
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Opitz	O'Toole
Paradis	Payne
Penashue	Poilievre
Preston	Raitt
Rajotte	Rathgeber
Reid	Rempel
Richards	Rickford
Ritz	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Storseth	Strahl
Sweet	Tilson
Toet	Toews
Trost	Trottier
Truppe	Tweed
Uppal	Valcourt
Van Kesteren	Van Loan
Vellacott	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Zimmer — 152

NAYS

Members

Allen (Welland)	Andrews
Angus	Ashton
Aubin	Ayala
Bélangier	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brison	Brosseau
Byrne	Caron
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseault	Easter
Eyking	Foote
Fortin	Freeman

Government Orders

Garrison	Genest
Genest-Jourdain	Giguère
Godin	Gravelle
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hassainia
Hsu	Hughes
Hyer	Jacob
Julian	Kellway
Lamoureux	Larose
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathyssen	May
McGuinty	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mourani	Mulcair
Nantel	Nash
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Péclet
Perreault	Pilon
Plamondon	Quach
Rafferty	Rankin
Ravignat	Raynault
Regan	Rousseau
Saganash	Sandhu
Scarpaleggia	Scott
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	St-Denis
Sims (Newton—North Delta)	Stoffer
Sitsabaesan	Thibeault
Stewart	Turmel
Sullivan	
Tremblay	
Valerioté— 129	

PAIRED

Nil

The Acting Speaker (Mr. Bruce Stanton): I declare the motion carried.

GOVERNMENT ORDERS

FASTER REMOVAL OF FOREIGN CRIMINALS ACT

[English]

BILL C-43—TIME ALLOCATION MOTION

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

That, in relation to Bill C-43, An Act to amend the Immigration and Refugee Protection Act, not more than one further sitting day shall be allotted to the consideration of the report stage and one sitting shall be allotted to the third reading stage of the said bill and, fifteen minutes before the expiry of the time provided for government business on the day allotted to the consideration of the report stage and on the day allotted to the third reading stage of the said bill, any proceedings before the House shall be interrupted, if required for the purpose of this order, and in turn every question necessary for the disposal of the stage of the bill then under consideration shall be put forthwith and successively without further debate or amendment.

The Acting Speaker (Mr. Bruce Stanton): Accordingly, pursuant to Standing Order 67.1, there will now be a 30-minute question period. Hon. members who wish to participate will recall from previous debates on this particular question that they are encouraged to keep their interventions to no more than one minute so

that other hon. members will have the opportunity to participate in the short 30-minute debate.

The hon. House leader for the opposition.

Mr. Nathan Cullen (House Leader of the Official Opposition, NDP): Mr. Speaker, here we are again with a government that finds the democratic process inconvenient and a problem for its legislative agenda. After an exhaustive six and a half hours of debate on this bill, the Conservatives are moving time allocation once again, for the 28th time since they came to power as a majority government.

One would think that being a majority government would allow the Conservatives enough confidence to actually have the conversation with Canadians in the House. However, lo and behold, 28 times later they have shut down debate, just using this one tool of time allocation, never mind their other abuses of power in Parliament.

The question for the government is simple: What are they afraid of? Why are they so fearful of a conversation about a bill that they claim to have such pride in and to be of such necessity? After just six and a half hours, they are again shutting down members of Parliament from all sides and our ability to do one simple thing, to hold the government to account and to be representative of the people who elected us and put us in the chamber.

Why is there such addiction to time allocation, to censure of Parliament, to the bullying tactics and the abuse of Parliament that the government has become so prone to using over these short years?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, of the many questions posed, the one I picked up on was what was the government afraid of. I suppose we are afraid that the opposition's dilatory filibuster tactics, reflected in the completely dilatory amendments put forward at report stage, would endlessly delay the adoption and implementation of this bill.

The delay of this bill's implementation would result in the victimization of Canadians by foreign criminals who would be able to delay for years their deportation from Canada. We have presented in debate dozens of examples, representing probably hundreds of other examples, of inadmissible, convicted, serious foreign criminals who have gone on to commit serious offences while delaying their removal. We will not allow criminals like them to continue creating new victims in Canada, which is why we call upon the House to adopt this bill expeditiously, a bill that was outlined in our party's election platform.

• (1555)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, this debate right now is about process. The government's House leader has failed Canadians in terms of respecting the proper procedures of the House of Commons. Generally speaking, we bring in legislation and allow for a free and open debate of all members of Parliament from all political parties. Time and time again, the government has brought in time allocation to prevent individual members of Parliament from engaging in debate that is critically important to their giving due diligence to the legislation before them, whether Bill C-43, the Canadian Wheat Board, the pooled pension legislation, the gun registry, the back to work legislation, the financial system review act, budget bills, CP, Canada Post, Air Canada, Bill C-31 and the list goes on.

Government Orders

The Conservative government, unlike any other government in the history of the chamber, uses time allocation as a way to ram through its legislation. My question is for the government House leader or the Prime Minister. How does he justify to Canadians his continuous abuse of the privileges of members of Parliament by not allowing us to stand up and voice the concerns of our constituents and of our—

The Acting Speaker (Mr. Bruce Stanton): Order, please. Again, try to keep interventions to one minute.

The hon. Minister of Citizenship, Immigration and Multiculturalism.

Hon. Jason Kenney: Mr. Speaker, first it might be helpful to remind the member for Winnipeg North that there actually is a very modern audio system in the chamber that amplifies sound.

I point out to the member that there has been extensive debate on this bill at second reading. Dozens of witnesses were heard at the committee's review of the bill and, indeed, this is not a notion that has been introduced without previous public debate. To the contrary, the Conservative Party of Canada included the core of this bill as an election campaign platform commitment, so we all had an opportunity to debate the content of this bill during the last election period. Canadians gave this government a mandate to make our streets safer, in part by more quickly deporting convicted serious foreign criminals, and we have an obligation to keep that commitment.

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, the Conservatives are back to their old tricks, which, unfortunately, are all too common these days. Their actions demonstrate a lack of respect for our democracy, for the members here in the House and for the Canadians who voted for those members.

When will the minister decide to respect the Canadians who elected us? Can we get an answer?

Hon. Jason Kenney: Mr. Speaker, yes, I can answer and say that it is quite clear that the NDP and the Liberals intend to keep this bill from ever passing. They have proposed a number of flimsy amendments to Bill C-43 as a stalling tactic.

Be it in this Parliament or any other parliament, there must be a balance between debate and passing bills that are important for the general public. This government will work to protect our communities. I am disappointed that the New Democratic Party does not support that.

Mr. André Bellavance (Richmond—Arthabaska, BQ): Mr. Speaker, with this 31st time allocation motion, the government is setting an appalling record of denying democracy.

The minister just mentioned balance. We agree with some of the points in his bill, Bill C-43, including for instance that it is only natural for our society to try to avoid becoming a haven for criminals who are looking for one. One thing is clear: these measures need to be very focused, and that is not the case with Bill C-43. A number of amendments were proposed, including some by the Green Party leader that the Bloc Québécois supports.

In order to ensure that his bill is balanced, is the minister willing to see to it that his government adopts those amendments? Thus, Bill

C-43 could then achieve what it set out to do: ensure that Canada does not become a haven for criminals, but without preventing innocent people from entering Canada and Quebec.

• (1600)

Hon. Jason Kenney: Mr. Speaker, I thank the hon. member for that serious question.

In committee, we accepted and adopted some changes and amendments. As I said earlier, we are always open to improvements. When we debated this bill at report stage, we saw a radically different perspective from the opposition. They opposed the main point of the bill, that is, the faster removal of foreign nationals who have committed serious crimes. Canadians want our government to take action on this.

[*English*]

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): Mr. Speaker, first of all, I will make it very clear, on behalf of all my colleagues, that we have no interest in blocking legislation dealing with the expeditious removal of serious criminals. We believe there are processes in place to do that. However, we do have very serious concerns when the minister of state stands up in the House and calls legitimate debate a filibuster, especially when the Conservative members have taken up all of their speaking spots. Obviously there is a lineup of them who want to debate this as well.

The amendments we moved at committee stage were very reasonable. I am sure that my colleagues on the Conservative side will agree publicly, as they did at committee, with how reasonable these were. What we were seeking was clarity, and we did not get it.

Would the minister agree to put the criteria for entry into Canada, or for exclusion, into this piece of legislation?

Hon. Jason Kenney: Mr. Speaker, witnesses were heard, amendments were proposed, considered, and some were adopted at committee stage.

When the member says she and her party want to expedite the removal of convicted serious foreign criminals, I honestly and regrettably doubt that. At the report stage debate yesterday, all of which I attended, I heard several of her colleagues say that the current threshold in the Immigration and Refugee Protection Act for a removal order to become effective for a foreign national who has been convicted of a crime carrying a custodial sentence of six months or more was too low and should be raised.

It seems to me that the NDP, at least many of them, want to make it more difficult, not easier, for the government to deport serious convicted foreign criminals, and Canadians do not agree.

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, I am very interested in this discussion and I thank the minister for bringing forward this bill. I note there seems to be some confusion. There is some concern on the other side that innocent people will be deported.

Government Orders

As I understand it, the bill relates to people who have been convicted by the courts. Therefore, they are criminals who are not Canadians. Quite frankly, whether it is six months or two years, I do not think Canadians want the type of serious criminals the bill is addressing remaining in Canada, individuals convicted of assault with a weapon, fraud, forgery, sexual assault on senior citizens and drug trafficking.

Does the minister have anything to add to help clarify the discussion because I think there is some confusion on the other side as to what the bill deals with?

Hon. Jason Kenney: Mr. Speaker, I agree with the minister that there may be some confusion because I heard a number of members of the opposition yesterday suggest that the threshold for serious criminality for us to remove a foreign national criminal was two years.

I have the Immigration Act right here. The Immigration Refugee Protection Act was adopted in 2002. The threshold for removing convicted foreign criminals from Canada is that of serious criminality, which has been defined as cases where the convict has received a custodial sentence of six months or more.

Only 10% of custodial sentences in Canada are between six months and two years. We are talking about very serious offences, like those mentioned by the hon. minister. Canadians do not understand why we would keep people like that in our country one day longer than we have to. The point of the bill is once they are done their sentence, they will be taken to the airport and removed. I will not tolerate further delays that jeopardize the safety of Canadians.

• (1605)

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I regret that the minister who is defending a motion to end the debate in the House and move time allocation is not the minister who is the moving force to drive this to a time allocation.

I would like to pay a brief moment of tribute to the Minister of Citizenship and Immigration as the only minister I know of in the current cabinet who shows up for every debate on all of his bills and answers all the questions. It is quite extraordinary.

However, I do not believe it is in the interest of democracy to continue to limit debate and impose time allocation.

I briefly want to note these words of former Speaker John Fraser from 1989, which were cited in the Speaker's ruling of December 12 last year in the House, "We are a parliamentary democracy, not a so-called executive democracy, nor a so-called administrative democracy".

In a real parliamentary democracy, we have full debates. It is not delay; it is called democracy.

The Acting Speaker (Mr. Bruce Stanton): Order, please. I would remind the hon. member that it is not the practice to encourage members to speak of the absence or presence of members in the House.

The hon. Minister of Citizenship and Immigration.

Hon. Jason Kenney: Mr. Speaker, as I did not hear a question, I will take her comments as such.

[*Translation*]

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, correct me if I am wrong, but it seems to me that for the next few minutes the debate should be about procedure and the time allocation motion just moved.

For the past few minutes, the Conservatives have been talking about the substance of the bill, as though they wanted to present a summary debate. They seem to want to spend two minutes on the bill and then move on.

I would like to hear what the minister has to say about the denial of democracy in this House every time a time allocation motion is moved.

Hon. Jason Kenney: Mr. Speaker, Bill C-34 was debated for several hours at second reading, and much longer in committee, where we heard from a dozen witnesses. Some amendments were adopted by the committee. Furthermore, we again debated the issue in the House yesterday. I was present at all the debates.

I would like to point out once more that the main part of the bill was a Conservative election promise made in the last election. We had the opportunity to discuss this idea with the general public, which gave the government a mandate to make Canada safer, especially by dealing with serious foreign criminals. That is what we are doing.

[*English*]

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, when I think of this bill, and being a member of the Standing Committee on Citizenship and Immigration, I think of the terrible incident that happened in Toronto with Constable Todd Baylis, not only because I live in Toronto, but my father also served that great city as a Toronto police officer.

Members know the fact that the gentleman who murdered and shot—

[*Translation*]

The Acting Speaker (Mr. Bruce Stanton): Order, please. The hon. member for Bourassa on a point of order.

Hon. Denis Coderre: Mr. Speaker, I would like for us to talk about Bill C-43 but instead we are talking about a motion to limit debate. We therefore must talk about debate procedure. I think the Standing Orders are clear. It is a matter of relevance and the member should stick to the issue of the motion rather than the content of Bill C-43.

[*English*]

The Acting Speaker (Mr. Bruce Stanton): I appreciate the intervention by the hon. member for Bourassa. As one will know on debates of this kind, the subject of the motion that is the subject of time allocation invariably becomes part of the debate. All members will know that their adherence to keeping their remarks and comments relevant to the question before the House is certainly encouraged.

The hon. member for Scarborough Centre.

Ms. Roxanne James: Mr. Speaker, I noted that I had one minute to come to the relevance the opposition member so seeks.

Government Orders

When I think of this issue, I think of the person who gunned down Toronto Constable Todd Baylis, Clinton Gayle. I remember being on the committee. One of the witnesses from the police association actually stated that had Bill C-43 been in place back then, Constable Todd Baylis would still be alive.

Why is it so important to get this legislation passed quickly?

• (1610)

Hon. Jason Kenney: Mr. Speaker, the hon. member is actually right. That is the point I am trying to make. This actually is a matter of some urgency.

I regret that members of the opposition, who have every right and indeed responsibility to question legislation and to seek to improve it, fundamentally tend to be opposed to legislation that we propose to strengthen public security, such as this bill.

Every year about 800 serious convicted foreign criminals make appeals to the Immigration Appeal Division, thereby delaying their deportation, typically for several years.

I do not know how long the opposition wants to delay this. Of those 800 criminals, several dozen a month will be released onto our streets, delaying their deportation. Many of them will reoffend. I want to minimize that as quickly as possible.

[*Translation*]

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, I too was once the immigration minister. I do not need any lectures on how we are defending criminals to the detriment of victims.

We are all here to do a good job. We are all here to ensure that we live in a safe environment. However, the role of a member of Parliament, of a parliamentarian, is to ask all the relevant questions to make sure that this law does not end up the subject of court cases and to avoid additional problems. One thing we have to wonder about is whether a permanent resident is protected by the Charter of Rights and Freedoms. These are questions we should be asking ourselves.

What is important today is to avoid using demagoguery to say that it is good people against bad. As parliamentarians, we have a duty to all our communities to ask the right questions and to take the time needed to go all the way.

What is the minister afraid of? Why does he not want to debate the bill? The bill will be passed regardless since the government has a majority. So why not give parliamentarians the time to do their job right?

Hon. Jason Kenney: Mr. Speaker, I want to debate the bill. We are debating it and this is an issue that was debated during the last election. Canadians decided that they wanted to give a mandate to a government that would remove serious criminals from Canada much faster, and that is what we are proposing.

I completely agree with the member that parliamentarians have a duty to question ministers, examine bills and propose amendments. However, all parliamentarians sometimes have a duty to take action, especially when it comes to protecting our communities.

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, I rise to express my frustration with what the Conservative

government is doing. Every time we want to discuss topics that are very important to our ridings, either here or on the other side, and the Conservatives do not agree with the issue in question, they immediately move a time allocation motion. That is undemocratic. It is not transparent. It prevents us from representing our constituents.

They have the majority for the time being; I hope that will change.

Hon. Jason Kenney: Mr. Speaker, with all due respect, I think the member is completely wrong. I am certain that the majority of her constituents, like the vast majority of Canadians, want to see serious foreign criminals removed faster.

Polls show that more than 90% of Canadians support the intent of this bill.

Is it really democratic for the opposition to stall the passage of a bill supported by more than 90% of Canadians? No. I think that the government reflects Canadian consensus on this issue.

• (1615)

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, the problem with this process is that it will lead to us passing a bill that, in theory, should deal with criminals. But, in reality, a court would deem this type of law to be ultra vires. What is more, this bill does not address serious criminality.

The Rizzutos are a crime family in Montreal. They came from Venezuela, where they were drug traffickers. In Canada, they have been involved in nothing but drug trafficking and a few murders. But this law will never keep them awake at night. We are passing it too hastily. This law will never protect Canadians from foreign crime.

This bill is nothing more than a marketing ploy by a government in desperate need of publicity. That is the problem. That is what is behind this process.

Hon. Jason Kenney: Mr. Speaker, we understand the problem. The opposition claims to have studied the bill in detail. However, their comments demonstrate an absolute ignorance of this bill. In fact, one element of the bill would keep members of organized crime families and networks out of Canada.

We are addressing these concerns head-on. For far too long it has been possible, and legal, for those close to mafiosi, terrorists, or dictators such as Tunisia's Ben Ali to come to Canada.

This bill will slam the door on family members of the mafia and organized crime. That is why it needs to be passed quickly.

[*English*]

Mr. Costas Menegakis (Richmond Hill, CPC): Mr. Speaker, one of the intriguing aspects in the bill that I feel is common sense, and perhaps we should have looked at it earlier, is the implementation of the electronic travel authorization, or ETA. Could the minister elaborate on the importance of the ETA and identifying people?

Government Orders

Mr. Jamie Nicholls: Mr. Speaker, I rise on a point of order. We had a point of order before on the fact that we were debating the time allocation motion and not the content of the bill. I hope the member will return to relevance and speak about the motion.

The Acting Speaker (Mr. Bruce Stanton): I thank the member for Vaudreuil-Soulanges for his intervention. I remind hon. members that we only have a 30-minute question period. We will proceed with that forthwith and I remind hon. members to keep their points relevant. However, as has been said, the bill, which is the subject of this time allocation, invariably becomes part of the content.

The hon. member for Richmond Hill.

Mr. Costas Menegakis: In finishing my question, Mr. Speaker, I was wondering if the minister could elaborate for us the importance of the implementation of the ETA.

Hon. Jason Kenney: Mr. Speaker, I think that actually does speak to the motion because there is some degree of urgency in most elements of the bill. Certainly electronic travel authorization is an important part of the broader efforts included in the bill to substantially improve our immigration security screening to ensure that those who enter Canada do so with good intent and not with the intention of harming this country or her neighbours.

[*Translation*]

Mr. Marc-André Morin (Laurentides—Labelle, NDP): Mr. Speaker, excessive use of time allocation can have serious consequences. As elected representatives, we have a role to play. The members opposite do not seem to understand that our constituents are not idiots. They understand what is going on here.

Last weekend, I participated in an event in my riding. An elderly man, who did not seem to have any university or post-secondary education, asked me questions about my job and how things work here. He could not believe that not one of 900 amendments to a bill was any good, that it was all garbage and nonsense. I told him that that was what the members opposite thought.

And it is the same in parliamentary committees. Nothing happens, and there is no discussion whatsoever. Particularly if we are trying to improve a bill, you can bet there will be no discussion. People will catch on eventually, and the members opposite will get a rude awakening in 2015. They will learn that sneering at Canadians for an entire mandate will not get them far in the end.

• (1620)

Hon. Jason Kenney: Mr. Speaker, I may not have fully grasped the member's point, but since he related a story involving constituents, I would like to add that I have talked to hundreds of new Canadians from across Canada.

They said that they support this bill, but they also said that it does not go far enough. They want an even tougher approach than the one we have put forward here. They will not tolerate foreigners coming to Canada and abusing the privilege of living in this great country. They believe that Parliament should act quickly to remove foreigners who have abused the privilege of living in this great country.

We agree, and I am disappointed that the NDP does not.

[*English*]

The Acting Speaker (Mr. Bruce Stanton): That will bring the 30-minute question period to an end, and I thank hon. members for their co-operation in keeping their remarks on time.

Before we carry on, it is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Saanich—Gulf Islands, Foreign Investment.

[*Translation*]

It is my duty at this time to interrupt the proceedings and put forthwith the question necessary to dispose of the motion now before the House.

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

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Bruce Stanton): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Bruce Stanton): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bruce Stanton): In my opinion the yeas have it.

And five or more members having risen:

The Acting Speaker (Mr. Bruce Stanton): Call in the members.

• (1705)

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

(*Division No. 602*)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Benoit
Bergen	Bernier
Bezan	Blaney
Bloek	Boughen
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Findlay (Delta—Richmond East)

Government Orders

Finley (Haldimand—Norfolk)	Flaherty	Fortin	Freeman
Fletcher	Galipeau	Garrison	Genest
Gallant	Gill	Genest-Jourdain	Giguère
Glover	Goguen	Godin	Gravelle
Goodyear	Gosal	Grogulé	Harris (Scarborough Southwest)
Gourde	Grewal	Harris (St. John's East)	Hassainia
Harris (Cariboo—Prince George)	Hawn	Hsu	Hughes
Hayes	Hiebert	Hyer	Jacob
Hilmyer	Hoback	Julian	Kellway
Holder	James	Lamoureux	Larose
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)	Laverdière	LeBlanc (Beauséjour)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)	LeBlanc (LaSalle—Émard)	Leslie
Kent	Komarnicki	Liu	MacAulay
Lake	Lauzon	Mai	Marston
Lebel	Leef	Martin	Masse
Leitch	Leung	Mathysen	May
Lizon	Lobb	McGuinty	Michaud
Lukiwski	Lunney	Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)
MacKay (Central Nova)	MacKenzie	Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Mayes	McColeman	Morin (Saint-Hyacinthe—Bagot)	Mourani
McLeod	Menegakis	Mulcair	Nantel
Menzies	Merrifield	Nash	Nicholls
Miller	Moore (Port Moody—Westwood—Port Coquitlam)	Nunez-Melo	Pacetti
Moore (Fundy Royal)	Nicholson	Papillon	Patry
Norlock	O'Connor	Péclet	Perreault
O'Neill Gordon	Opitz	Pilon	Plamondon
O'Toole	Paradis	Quach	Rafferty
Payne	Penashue	Rankin	Ravignat
Poillievre	Preston	Raynault	Regan
Raitt	Rajotte	Rousseau	Saganash
Rathgeber	Reid	Sandhu	Scarpaleggia
Rempel	Richards	Scott	Sellah
Rickford	Ritz	Sgor	Simms (Bonavista—Gander—Grand Falls—Wind-
Saxton	Schellenberger	sor)	
Seeback	Shea	Sims (Newton—North Delta)	Sitsabaiesan
Shipley	Shory	St-Denis	Stewart
Smith	Sopuck	Stoffler	Sullivan
Sorenson	Stanton	Thibeault	Tremblay
Storseth	Strahl	Turmel	Valeriote— 128
Sweet	Tilson		
Toet	Toews		
Trost	Trottier		
Truppe	Tweed		
Uppal	Valcourt		
Van Kesteren	Van Loan		
Vellacott	Warawa		
Warkentin	Watson		
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)			
Weston (Saint John)			
Wilks	Williamson		
Wong	Woodworth		
Yelich	Young (Oakville)		
Young (Vancouver South)	Zimmer— 152		

PAIRED

Nil

The Speaker: I declare the motion carried.

[*English*]

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

REPORT STAGE

The House resumed from January 29 consideration of Bill C-43, An Act to amend the Immigration and Refugee Protection Act, as reported (with amendments) from the committee, and of the motions in Group No. 1.

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, when I left off earlier I was telling the hon. members here that under the current law 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 the current law, as long as the sentence is less than two years, a permanent resident can appeal their deportation to the immigration appeal division. If they lose that appeal, they may then apply for leave and judicial review of that decision to the federal court.

NAYS

Members

Allen (Welland)	Andrews
Angus	Ashton
Aubin	Ayala
Bélangier	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseault	Easter
Eyking	Footé

Government Orders

As a result, serious foreign criminals, even violent and dangerous ones, are often able to take advantage of a sentence of two years less a day to delay deportation from Canada for many months, even years on end. Not surprisingly, those serious convicted foreign criminals have all too often gone on to commit new crimes in Canada and to victimize even more innocent Canadians.

Let me give just one example of how convicted foreign criminals have made a mockery of our judicial and immigration systems, while endangering the safety and security of ordinary Canadians. As Canadians have read in the media, 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. One year later, he was convicted once again of assault. Just six more months passed and he had already faced yet another conviction for uttering threats.

Members can imagine where the story goes. In December 2005, Mr. 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 for uttering threats. Mr. De Florimonte was reported 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 immigration appeal division ultimately dismissed his appeal but he was able to further delay his removal once again when he asked the federal court to review the 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 was five years after he was initially reported for criminal inadmissibility.

Enough is enough. This has to stop. It is time to send a clear message to foreign criminals, such as Mr. De Florimonte, that if they commit a serious crime in Canada, we are going to give them a one-way ticket out of Canada as fast as we can. With Bill C-43, we are doing just that. We are putting a stop to convicted foreign criminals who rely on appeal after appeal in order to delay their removal from Canada during which time they continue to terrorize innocent Canadians.

Living in Canada is a privilege and we require very little of people to maintain their permanent residency. One of the very few things, however, that we do require is that they do not go out and commit a serious crime. We do not think that is too much to ask of someone who we have welcomed into our country with open arms. If people do commit serious crimes, they will get their day in court because everyone, even a foreign criminal, deserves that.

With Bill C-43 foreign criminals would still get their day in court, but what they will not get is years in court. Abusing our process is a desperate, last ditch effort to delay their removal from Canada. In other words, foreign criminals deserve due process but not endless process.

Shortly after its tabling, media commentary and editorials were enthusiastic in their support of Bill C-43. *The Globe and Mail* wrote

that the Minister of Citizenship, Immigration and Multiculturalism had made a convincing case for a new law allowing the swift deportation of convicted criminals. 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. Sun Media columnist, Lorne Gunter, meanwhile wrote that Bill C-43 is “so sensible it will probably surprise most Canadians that the new policy isn't already the law of the land”.

We think that virtually every Canadian would agree with the need to implement the fair and reasonable measures found in the faster removal of foreign criminals act. I am confident that my hon. colleagues in the House share this sentiment and will express this by supporting the bill.

• (1710)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I think the government would be best advised to recognize that whether it is a Liberal member of Parliament or even a New Democratic member of Parliament, there is no one in the House who is trying to say that we should not speed up the process of getting rid of foreign criminals or landed residents who commit horrendous crimes.

In fact, if the government were really on top of things, there are many other things it could be doing, such as providing adequate resources. One of the examples that the government, and Conservative member after Conservative member, bring up is the Clinton Gayle incident, saying that if it were not for the appeal process that RCMP officer would still be alive.

I would like to make reference to an email that I received and would ask the member to comment on it.

Clinton Gayle did appeal a deportation order but lost. The immigration department 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 its negligence and the department settled the suit. The reason Gayle remained in Canada was because of the department's incompetence in his removal. That is the real reason.

Bill C-43 would not have, as many of the Conservative members are saying, made a difference or saved that RCMP officer.

The bottom line is that there are many other things the Department of Immigration, working with other ministries, could do that would ensure the criminals it wants to get out of the country would get out quicker, and these do not include the measures that would be taken in Bill C-43.

Mr. Bob Dechert: Mr. Speaker, the member will know that it is not only Conservative members of Parliament who have been making this case about Clinton Gayle and Constable Baylis. In fact, *The Globe and Mail* said exactly the same thing.

The Globe and Mail said:

The infamous example of Clinton Gayle underscores the need for such legislation.

Government Orders

A Jamaican citizen who was convicted in Canada of multiple criminal offences, Mr. Gayle was able to remain in the country long after a 1991 deportation order, because of the immigration appeals process. In 1996, he shot two Toronto police officers, killing one of them.

The member will know that if Mr. Gayle had not had the opportunity to make the appeal in the first place, he would not have been in Canada and had the opportunity to kill that police officer.

[*Translation*]

Ms. Paulina Ayala (Honoré-Mercier, NDP): Mr. Speaker, I have a question for my colleague from the Conservative Party.

In my riding, one of my constituents immigrated from Vietnam and moved to Quebec 32 years ago, when he was 8 years old. He and his brother came to Canada aboard a ship. His parents had been killed in Vietnam, so he was an orphan. He grew up here and not long afterwards, he was put in a reception centre because his brother could no longer take care of him.

Of course he learned a few things while he was living at the reception centre. He became a juvenile delinquent here in Canada and he was put in prison when he was 18. Now, this man, who is 40 years old and has six children, is being sent back to Vietnam. He does not even speak the language. He became a delinquent during his youth here in Canada. And he is going to be sent back to Vietnam

What is the member's position on that? Does he believe that this man is a foreign criminal or a Canadian criminal?

• (1715)

[*English*]

Mr. Bob Dechert: Mr. Speaker, I would point out that he is not a citizen and he has committed serious offences.

However, what the member should know, if she has ever had an opportunity to read the Criminal Code of Canada, is that there are a number of hybrid offences, offences whereby the Crown can proceed by way of indictable or summary conviction offence. They are very serious crimes, crimes such as sexual assault, armed robbery, and the list goes on.

In order to ensure that justice is done swiftly, the Crown often chooses to proceed by summary conviction and, as members will know, they would then get a sentence of two years less a day and would then, under the current law, be able to remain in Canada despite the fact that they had committed a sexual assault, an armed robbery or some other serious offence such as that.

We are putting an end to that today with this bill and Canadians wish us to do so.

Ms. Wai Young (Vancouver South, CPC): Mr. Speaker, I am pleased to have the opportunity to join the debate on Bill C-43, the faster removal of foreign criminals act. I will be voting against the opposition amendments proposed at the report stage, as they would prevent this important bill from becoming law.

While debating this bill the opposition members have claimed that it would affect every single one of the 1.5 million permanent residents in Canada. I agree with them. Every single one of those 1.5 million permanent residents would be safer because our government would be removing dangerous foreign criminals off our streets and out of our country more quickly.

Our government knows that a vast majority of newcomers to Canada are honest, hard-working and law-abiding. Because of this, newcomers, maybe even more than those born in Canada, want us to crack down on crime. What is more, immigrants are more likely to be victims of dangerous foreign criminals than those who are Canadian-born. Permanent residents would be safer, thanks to this bill and the actions of our Conservative government.

In recent days we have had the opportunity to listen to hon. members who are opposed to this legislation attempt to explain why they oppose this bill. The New Democrats and the Liberals are aghast at the idea of changing foreign criminals' ability to appeal a deportation to the Immigration Appeal Division for those sentenced to six months or more in prison from the current two years. There really has been no shortage of hypothetical examples detailing how this change will "go too far" and tear families apart because of minor crimes. It is very telling that while Conservative members have provided a dozen or more real-life cases to show why this bill is needed, the New Democrats and Liberals have not been able to identify one single real-life example of someone being sentenced from six months to two years for what they refer to as "a minor crime". There has not been any, not one real-life case, to justify shocking opposition to this bill which is so needed to keep Canadians safer across our country.

The Liberal immigration critic from Winnipeg has been particularly vocal in stating that any young adult can find themselves in a situation where by accident they end up with a prison sentence of six months or longer. I point out that the president of the Canadian Police Association disagreed with him. In fact, the president made it very clear that receiving a six-month sentence in Canada is a benchmark that the person is a criminal, and usually a repeat offender. However, apparently the New Democrats and Liberals do not care what police associations or victims organizations have to say about this bill. They have completely ignored the massive support that this bill has received and that even the media have given it across Canada.

Let us take a look at what the New Democrats and Liberals deem to be minor crimes leading to sentences of six months to two years. They are assault with a weapon, breaking and entering, robbery, sexual assault and, in one case a few years ago, sexual assault of a senior citizen. This list goes on and on.

When the hon. members opposed to this legislation stand up and claim that changing the eligibility to appeal a deportation to the Immigration Appeal Division would potentially negatively affect innocent well-intentioned permanent residents, it is the crimes of the dangerous foreign criminals that they are actually defending. Make no mistake: these criminals who have been found guilty are also often repeat offenders, dangerous foreign criminals who should not be on Canadian streets.

Their victims are just as real as their crimes. They are innocent Canadians. They are families whose bank accounts have been emptied, who will never feel safe again in their own homes, or they are seniors who have been sexually violated in the most horrendous way. These victims are law-abiding Canadians who put trust in their elected representatives to protect them. The opposition members disregard for the rights of victims is lost in a cloud of rhetoric over this legislation, which they say would go too far.

Government Orders

Some of the hon. members across the way have expressed outrage that we are using a handful of extreme examples that are not representative of the actual people whom this bill would affect. Apparently 850 dangerous foreign criminals appealing their deportation every year, with 2,700 currently waiting for a decision on their appeal, is not a significant enough number for the opposition. I point out again that the Canadian Police Association disagreed with the opposition. Its president was shocked at how high this number is. When he appeared before the committee in strong support of this bill, he made it clear that this number is much too high, as it is also too high for law-abiding Canadians.

● (1720)

I am very disturbed by the NDP and Liberal attempts to defend dangerous foreign criminals. I am shocked that they have repeated in this House, in contradiction to what the police association has said, that a six-month sentence is not a serious crime. If it were up to the NDP and Liberals, we would be debating a bill entitled “the slower removal of foreign criminals act”, or “the keeping foreign criminals in our communities act”.

Our Conservative government is finally putting a stop to dangerous foreign criminals relying on endless appeals to remain free to make more victims of innocent Canadians.

Canadians are a generous and welcoming people to newcomers and the vast majority of them are honest and law-abiding, whether Canadian-born or immigrants to Canada. They have no tolerance for our generosity being abused.

With this legislation, we are fulfilling a campaign commitment to take a stand against a core problem in our immigration system, which is one that sees the welfare of dangerous foreign criminals given more consideration than their victims. The measures in this bill would end the current system that allows dangerous foreign criminals to remain in this country for too long after their welcome has been worn out and they have made it clear they do not seek to contribute to Canadian society but rather to abuse it.

Our government is committed to protecting the safety and security of Canadians. Bill C-43, the faster removal of foreign criminals act, is our commitment, put into action, to seek real results to keep Canadians safe.

The well-being of Canadians, their safety and security, is not a partisan issue. The integrity of our immigration system is not a partisan issue. Canada's ability to properly deal with those who victimize our citizens is not a partisan issue. These are real issues that Canadians from all walks of life, who have suffered and spoken clearly about, want us as parliamentarians to take action on.

I respectfully ask that the hon. members in the opposition consider the facts rather than prevent the passage of this bill. Please put the well-being of Canadians and the integrity of our immigration system first, and support Bill C-43.

[*Translation*]

Mr. Alain Giguère (Marc-Aurèle-Fortin, NDP): Mr. Speaker, while on winter vacation, I enjoyed reading *Mafia Inc.*, a book that reveals everything about the big mafia bosses, including their criminal records. It also describes how these people came to Canada

illegally, how they lied to Immigration Canada and how their activities engender crime.

This government claims to want to protect Canadians, but it is reducing the number of police officers, who are needed to put these people behind bars. This government also says that it wants to pass immigration legislation to protect Canadians from dangerous foreign bandits. These big-time criminals are not concerned by this law.

These big-time criminals will not be threatened by this law, which is just a smokescreen. It is nothing but a marketing ploy to make people believe that the Conservatives are tough on crime. In reality, they have not delivered the goods. None of the members opposite can guarantee that these people, these top criminals, will be deported.

● (1725)

[*English*]

Ms. Wai Young: Mr. Speaker, I would like to point out that the member opposite is misleading Canadians. Bill C-43 is about removing foreign criminals who have been found guilty in a court of law for serious crimes against citizens in Canada.

I would also like to point out that there are documented cases, which have been debated here in the House, of actual foreign criminals. Jackie Tran was charged with assault with a weapon, drug trafficking, drug possession and failure to comply with court orders. His order of removal was April 2004, but he was not removed until six years later. There are others. For example, with an order of removal for October 2007, the person was not removed until four and a half years later. On another order of removal for September 2003, the person was not removed until five years later.

Canadians across this country are tired of these ongoing delays in the appeals. I would ask the member opposite to support this bill.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, again I would appeal to government members that if they really want to do Canadians a service they should be investing more resources with Canada Border Services Agency and with regard to immigration. If they really want to try to deport the foreign criminals the minister continues to refer to, put the resources necessary so we can get them out of the country quicker.

Having said that, I want to ask the minister a very personal type of question. Imagine a three-year-old who comes to Canada as an immigrant. Some 17 or 18 years later, this individual graduates high school, goes to the United States to celebrate and uses false identification with his buddies because he wants to buy a drink. Because he gets a \$200 fine or whatever it is, that individual, according to this law, would be deported without the right to an appeal. We know that—

Hon. Jason Kenney: That is complete nonsense.

Mr. Kevin Lamoureux: Even though the minister says it is complete nonsense, when I asked him the question to challenge it, he could not even answer, because he does not understand his own legislation.

Government Orders

My question for the member is why does she want to separate someone who might have three or four siblings, parents living in Canada—

The Deputy Speaker: The hon. member for Vancouver South has about 35 seconds.

Ms. Wai Young: Mr. Speaker, the hon. member does me a great service, but I am not the minister, unfortunately. We have a perfectly great minister here.

The real issue is that foreign criminals have been delaying their deportation for years and years, as I answered previously. The bill is to remove them faster, more effectively, more efficiently, so that Canadians can be safer in their own homes and in their own communities.

[*Translation*]

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I would like to thank you for the time I have been given.

I would like to take this opportunity to speak out against the direction that is being taken with Bill C-43 and the Conservatives' attitude when this bill was examined in committee.

The Conservatives are incorrectly implying that we have certain motives. We will never support those who commit serious crimes, but we are concerned about this bill, which once again gives the minister more arbitrary power.

I would also like to remind members of the importance of democratic debate. The use of the time allocation motion, which is once again muzzling us, is a shining example of this government's closed-mindedness. The Conservatives have adopted a completely uncompromising attitude, which we also noticed in committee.

The implementation of Bill C-43 will make significant changes to the way newcomers to Canada are treated. It is inconsistent with the Canadian justice system, our country's precepts of compassion and our humanitarian mission. Many of the measures in this bill will have a major impact on the current system.

First, the government is intensifying deportation procedures by limiting the barriers that act as a counterbalance. On one hand, any crime carrying a sentence of over six months in prison will result in automatic deportation. The government is therefore imposing a double penalty because the prison sentence will be combined with deportation. The Conservatives have also introduced a logic whereby people are not allowed to make mistakes. That is a shameful attitude.

On the other hand, Bill C-43 puts an end to appeals in cases involving sentences of over six months, which goes against the principles of our justice system. What the government is telling us is that people are not allowed to make mistakes and that they will be deported. And, under this bill, their families will be deported along with them.

This bill also gives the minister discretionary powers without requiring him to be accountable or transparent. He will now have the authority to declare somebody a threat because of public policy considerations. The minister will be the only counterbalance to himself because of the lack of appeal process, and the concept of public policy considerations is not defined in the Immigration and Refugee Protection Act.

In addition, Bill C-43 indiscriminately lumps all of the consequences for misrepresentation together. As a result, whether the misrepresentation is intentional or not, the individual would be inadmissible for five years.

According to the Canadian Council for Refugees, not only is Bill C-43 inconsistent with the Canadian Charter of Rights and Freedoms, but it also deprives people of fair consideration of their applications. It denies them access to the principle of fairness before the law and to an independent legal process.

Furthermore, the organization is critical of these new measures whereby someone who fought against an undemocratic regime would be prohibited from entering Canada. Would people like Nelson Mandela constitute a threat to Canada's national security? I doubt it.

A number of issues in this bill that we wanted to fix with our amendments are problematic. We pointed them out to the government, and we were backed up by witnesses in committee. We wanted the government to use common sense and look at the potential impact of Bill C-43.

By agreeing to go to committee, our parliamentary wing showed a willingness to be open and to compromise. We wanted to work on improving the bill. What we were asking for was warranted and realistic and would have improved the bill. Unfortunately, the government refused to listen to our suggestions and improve the bill. Instead of being pragmatic, the government insisted on justifying an ideology and regressive measures and on promoting division.

The Conservatives' statements have done everything to paint refugees and permanent residents as dangerous people, potential terrorists or people who come here only to take advantage of the system. These days, anyone who is not a full-scale citizen will not be recognized and will be considered by the Conservatives to be a foreigner with no room for error.

All along, the Conservatives have used extraordinarily rare exceptions to justify their bill, forgetting the majority of applicants, forgetting the people who will be directly affected by Bill C-43. When we expressed concerns about the impact of the bill, the government accused us of being soft on fraudsters.

● (1730)

When a witness stated that because the police in the country engage in racial profiling, Bill C-43 would disproportionately affect visible minorities, the expert was accused of siding with criminals. Our work in committee was constantly marred by these kinds of demagogic and poisonous comments.

This attitude must be brought to light and condemned. We wanted to debate the bill and discuss it. We were proactive and submitted proposals. But the government wanted to advance its political agenda. The Conservative ideology, which is focused on security, is helping create a system that functions by exception. This system will severely limit the fundamental rights of certain categories of immigrants.

Government Orders

We tried to help improve Bill C-43 while it was being studied in committee. We proposed nine reasonable amendments that addressed previous criticisms. Unfortunately, all of the opposition's amendments were flatly rejected.

In keeping with the ethical principles that guide Canadian parliamentarians, we proposed that the minister act transparently and report any decisions made through the use of his new discretionary powers. This request was rejected by the Conservatives. In so doing, the government refused to make the minister accountable to the people. It objected to the idea that the minister should provide details about the discretionary decisions he makes.

In accordance with the overarching legal principles of the Canadian system, we proposed reinstating the right to appeal, which Bill C-43 does away with. The Conservatives rejected our proposal, thereby rejecting a fundamental principle of our justice system: judicial appeal.

The Conservatives seem proud of the fact that the minister will have the power to review cases, but they neglect to mention that, as a result, he will be judge and jury. To limit the scope of Bill C-43, we suggested that the government clarify the notion of public policy considerations, which is not defined in the Immigration and Refugee Protection Act. We wanted to clarify the factors involved in the minister's discretionary decisions. Once again, the Conservatives refused to listen to reason.

Lastly, we wanted to clarify the procedure for interviews requested by the Canadian Security Intelligence Service. We suggested that the government allow individuals to be accompanied during these meetings. The government has done away with the right to legal advice and the presence of a lawyer. We wanted a fairer process for applicants, but the Conservatives rejected our amendment.

In conclusion, our party will not support Bill C-43 because of its impact on the immigration process, the government's unwillingness to consider our amendments and the fact that this measure is at odds with our legal system. Contrary to what the Conservatives would have everyone believe, we do not support criminals. We support immigrants and Canadians. The Conservatives' stubborn determination to go it alone, to decide unilaterally, to avoid debate and discussion, will have consequences. The first of these will be a defective policy whose flaws will soon become clear.

Like Bill C-31 and Bill C-38, Bill C-43 is yet another stain on the Conservatives' immigration record. Once again, the government's actions are out of touch with reality and it is failing to consider the consequences of its actions. Once again, this government has refused to improve its laws in the interests of immigrants and Canadians. Once again, this government has taken a backward approach that conflicts with the interests of Canadians.

• (1735)

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, frankly, I find it a little strange that the member would describe the bill as “demagogic”, since her speech was entirely demagogic and had an unbelievably ideological tone. I do not understand why the NDP are so confused when it comes to legal permanent residents—immigrants who come here and obey our laws—and criminals who should be deported.

I would like to answer the NDP member across the floor. He said that the Rizzuto family could easily enter into Canada. I would ask the member to read clause 17 of the bill currently before us, Bill C-43. This clause would deny entry for members of the family of somebody who is inadmissible under section 37 of the Immigration and Refugee Protection Act. This includes people involved in organized crime. If they want to deport citizens who have committed crimes with that family, that is different. Maybe the NDP would like to introduce a bill to revoke the citizenship of criminals, but that would be a little extreme.

Mrs. Sadia Groguhé: Mr. Speaker, I ask you, is it not my colleague who should answer that? Can he? Okay.

Let us talk about demagoguery. I think this government is very demagogic. It has proven this many times. When the fundamental elements of debate are not allowed, when the substance of bills cannot be addressed in this House, when we are subjected to so many time allocation motions, that is what I mean by demagoguery.

Since Bill C-43 was supposed to be discussed in committee, since we should have been able to debate it and propose amendments, which instead fell on deaf ears, of course, then we should have been able to debate it again here in the House.

• (1740)

[*English*]

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, Conservative member after Conservative member has stood up and cited the Clinton Gayle case. For the record, Gayle did appeal a deportation order, 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 negligence, and the department settled the suit. The reason Gayle remained in Canada was the department's incompetence in his removal.

I am wondering if the member would agree with members of the Liberal Party by making a statement that if the government really were sincere and genuine in wanting to get criminals who do not have Canadian citizenship quickly removed from Canada, it would be far more effective to put in the resources that are necessary for our border control and immigration, so that these types of incidents do not occur. This legislation would not have prevented the killing of an RCMP officer, contrary to what members of the Conservative Party say.

[*Translation*]

Mrs. Sadia Groguhé: Mr. Speaker, I thank my colleague for his question. He alluded to the department's incompetence, and I completely agree with him on that.

And yes, there are not enough resources, not just for CBSA services, but also for services to the public. In this file, cuts are causing huge problems with the processing of cases.

Government Orders

Once again, rather than demonizing all new Canadians because of a small minority of foreign criminals, why are the Conservatives not helping new Canadians to be reunited with their family members?

[*English*]

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, rather than getting to the main portion of my speech I will make some references to quotes of various people. They are not the members in the House who have been exchanging comments back and forth, but people who are independent of the House.

The first one is Martin Collacott of the Centre For Immigration Policy Reform, while he was on the *Roy Green Show*, on June 23, 2012. He said:

What that means is that someone who we should be getting rid of immediately can stay for months and years, even decades by a whole series of appeals that they launch. And if you've been found guilty by a Canadian court, convicted and served time, surely that's enough to say that you're a danger to Canadian society.

This is not a question of due process. Due process has already happened. With respect to deportation and appeals, people have been convicted and they have appealed. That appeal period may have expired and they are perhaps spending time in jail.

He said that someone should not be given months and years of appeal to prevent their removal. Why would he say that? Many would say it is simply because what it does is allow them to continue to offend and commit crimes, so we have to look at the victims in Canadian society.

Tom Stamatakis, president of the Canadian Police Association, had this to say:

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.

While testifying before the immigration committee on October 31, 2012, he went on to say:

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.

That is a good point.

Sharon Rosenfeldt of the Canadian Resource Centre for Victims of Crime had this to say:

Cutting short foreign criminals' opportunity for lengthy appeals will go a long way in minimizing and preventing the re-victimization of those innocent Canadians who are the victims of foreign offenders.

We are talking about those who have gone through due process, have been convicted and are to be deported. Then they go through another process, an appeal process. We had many examples cited here today where it has taken years and years to dispose of that case. Bill C-43 eliminates one aspect of that, to shorten the time and to get those people deported when they should be.

The fact is that most Canadians would support that kind of action. The opposition should do that when the bill comes up for the vote shortly.

● (1745)

[*Translation*]

The Deputy Speaker: It being 5:45 p.m., pursuant to an order made earlier today, it is my duty to interrupt the proceedings and put forthwith all questions necessary to dispose of the report stage of the bill now before the House.

The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Deputy Speaker: The recorded division on Motion No. 1 stands deferred. The recorded division will also apply to Motions Nos. 3, 5 and 10.

[*English*]

The next question is on Motion No. 2. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Deputy Speaker: The recorded division on Motion No. 2 stands deferred. The recorded division will also apply to Motions Nos. 6, 7, 9, 14, 15, 19 to 21, 23 and 24.

● (1750)

[*Translation*]

The question is on Motion No. 11. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Deputy Speaker: The recorded division stands deferred. The recorded division will also apply to Motions Nos. 12, 13, 18 and 27. [English]

The next question is on Motion No. 25. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Deputy Speaker: The recorded division on Motion No. 25 stands deferred. The recorded division will also apply to Motion No. 26.

The House will now proceed to the taking of the deferred recorded divisions at the report stage of the bill.

Call in the members.

• (1820)

And the bells having rung:

The Deputy Speaker: The question is on Motion No. 1. A vote on this motion also applies to Motions Nos. 3, 5 and 10. A negative vote on Motion No. 1 requires the question to be put on Motion No. 4.

• (1830)

[Translation]

(The House divided on Motion No. 1, which was negated on the following division:)

(Division No. 603)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Aubin	Ayala
Bélangier	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow

Christopherson
Coderre
Cotler
Cullen
Davies (Vancouver Kingsway)
Day
Dion
Donnelly
Dubé
Duncan (Edmonton—Strathcona)
Easter
Foote
Freeman
Genest
Giguère
Gravelle
Harris (Scarborough Southwest)
Hassainia
Hughes
Jacob
Kellway
Larose
LeBlanc (Beauséjour)
Leslie
MacAulay
Marston
Masse
May
McKay (Scarborough—Guildwood)
Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Saint-Hyacinthe—Bagot)
Mulcair
Nash
Nunez-Melo
Papillon
Péclet
Pilon
Quach
Rankin
Raynault
Rousseau
Sandhu
Scott
Sgro
Sims (Newton—North Delta)
St-Denis
Stoffer
Thibeault
Turmel

Government Orders

Cleary
Côté
Crowder
Cuzner
Davies (Vancouver East)
Dewar
Dionne Labelle
Doré Lefebvre
Duncan (Etobicoke North)
Dusseault
Eyking
Fortin
Garrison
Genest-Jourdain
Godin
Grogubé
Harris (St. John's East)
Hsu
Hyer
Julian
Lamoureux
Laverdière
LeBlanc (LaSalle—Émard)
Liu
Mai
Martin
Mathysen
McGuinty
Michaud
Morin (Chicoutimi—Le Fjord)
Morin (Laurentides—Labelle)
Mourani
Nantel
Nicholls
Pacetti
Patry
Perreault
Plamondon
Rafferty
Ravignat
Regan
Saganash
Scarpaleggia
Sellah
Simms (Bonavista—Gander—Grand Falls—Wind-
Sitsabaiesan
Stewart
Sullivan
Tremblay
Valeriote — 128

NAYS

Members

Adams
Aglukkaq
Albrecht
Allen (Tobique—Mactaquac)
Ambler
Anders
Armstrong
Aspin
Benoit
Bernier
Blaney
Boughen
Brown (Leeds—Grenville)
Bruinooge
Calandra
Cannan
Carrie
Chong
Clement
Daniel
Dechert
Devolin
Duncan (Vancouver Island North)
Findlay (Delta—Richmond East)
Flaherty
Galipeau
Gill
Goguen

Government Orders

Goodyear	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Komarnicki	Lake
Lauzon	Lebel
Leef	Leitch
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Opitz	O'Toole
Paradis	Payne
Penashue	Poilievre
Preston	Raït
Rajotte	Rathgeber
Reid	Rempel
Richards	Rickford
Ritz	Saxton
Schellenberger	Seeback
Shea	Shiple
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Toews	Trost
Trottier	Truppe
Tweed	Uppal
Valcourt	Van Kesteren
Van Loan	Vellacott
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 153	

PAIRED

Nil

The Speaker: I declare Motion No. 1 defeated.

I therefore declare Motions Nos. 3, 5 and 10 defeated.

[*English*]

The next question is on Motion No. 4. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

The hon. chief government whip is rising on a point of order?

Hon. Gordon O'Connor: Mr. Speaker, if you seek it, I believe you will find agreement to apply the results of the vote on the first motion to the current motion with the Conservatives voting no.

The Speaker: Is there unanimous consent to proceed in this fashion?

Some hon. members: Agreed.

[*Translation*]

Ms. Nicole Turmel: Mr. Speaker, we agree and we will be voting yes, with the addition of the member for Windsor—Tecumseh.

[*English*]

Ms. Judy Foote: Mr. Speaker, the Liberals agree and will be voting yes.

[*Translation*]

Mr. Louis Plamondon: Mr. Speaker, the Bloc will be supporting this motion.

[*English*]

Mr. Bruce Hyer: Mr. Speaker, Thunder Bay—Superior North will be voting yes.

Ms. Elizabeth May: Mr. Speaker, the Green Party votes yes.

[*Translation*]

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

(*Division No. 604*)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Aubin	Ayala
Bélangier	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brison	Brosseau
Byrne	Caron
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseau	Easter
Eyking	Foote
Fortin	Freeman
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Gravelle
Grogulé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hassainia
Hsu	Hughes
Hyer	Jacob
Julian	Kellway
Lamoureux	Larose
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay

Government Orders

Mai
Martin
Mathysen
McGuinty
Michaud
Morin (Chicoutimi—Le Fjord)
Morin (Laurentides—Labelle)
Mourani
Nantel
Nicholls
Pacetti
Patry
Perreault
Plamondon
Rafferty
Ravignat
Regan
Saganash
Scarpaleggia
Sella
Simms (Bonavista—Gander—Grand Falls—Windsor)
Sims (Newton—North Delta)
Sitsabaesan
Stewart
Sullivan
Tremblay
Valeriote — 129

Marston
Masse
May
McKay (Scarborough—Guildwood)
Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Saint-Hyacinthe—Bagot)
Mulcair
Nash
Nunez-Melo
Papillon
Péclet
Pilon
Quach
Rankin
Raynault
Rousseau
Sandhu
Scott
Sgro

St-Denis
Stoffer
Thibeault
Turmel

Paradis
Penashue
Preston
Rajotte
Reid
Richards
Ritz
Schellenberger
Shea
Shory
Sopuck
Stanton
Strahl
Tilson
Toews
Trottier
Tweed
Valcourt
Van Loan
Warawa
Watson
Sky Country
Weston (Saint John)
Williamson
Woodworth
Young (Oakville)
Zimmer — 153

Payne
Poirievre
Raitt
Rathgeber
Rempel
Rickford
Saxton
Seeback
Shiple
Smith
Sorenson
Storseth
Sweet
Toet
Trost
Truppe
Uppal
Van Kesteren
Vellacott
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to
Wilks
Wong
Yelich
Young (Vancouver South)

NAYS

Members

Ablonczy
Adler
Albas
Alexander
Allison
Ambrose
Anderson
Ashfield
Baird
Bergen
Bezan
Block
Breitkreuz
Brown (Newmarket—Aurora)
Butt
Calkins
Carmichael
Chisu
Clarke
Crockatt
Davidson
Del Mastro
Dreeshen
Dykstra
Finley (Haldimand—Norfolk)
Fletcher
Gallant
Glover
Goodyear
Gourde
Harper
Hawn
Hiebert
Hoback
James
Kamp (Pitt Meadows—Maple Ridge—Mission)
Kenney (Calgary Southeast)
Komarnicki
Lauzon
Leaf
Leung
Lobb
Lunney
MacKenzie
McColeman
Menegakis
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)
Nicholson
O'Connor
Opitz

Adams
Aglukkaq
Albrecht
Allen (Tobique—Mactaquac)
Ambler
Anders
Armstrong
Aspin
Benoit
Bernier
Blaney
Boughen
Brown (Leeds—Grenville)
Bruinooge
Calandra
Cannan
Carrie
Chong
Clement
Daniel
Dechert
Devolin
Duncan (Vancouver Island North)
Findlay (Delta—Richmond East)
Flaherty
Galipeau
Gill
Goguen
Gosal
Grewal
Harris (Cariboo—Prince George)
Hayes
Hillyer
Holder
Jean
Keddy (South Shore—St. Margaret's)
Kent
Lake
Lebel
Leitch
Lizon
Lukiwski
MacKay (Central Nova)
Mayes
McLeod
Menzies
Miller
Norlock
O'Neill Gordon
O'Toole

PAIRED

Nil

The Speaker: I declare Motion No. 4 defeated.

The next question is on Motion No. 2. A vote on this motion also applies to Motions Nos. 6, 7, 9, 14, 15, 19 to 21, 23 and 24.

[*English*]

A negative vote on Motion No. 2 requires the question to be put on Motion No. 8.

Hon. Gordon O'Connor: Mr. Speaker, if you seek it, I believe you will find agreement to apply the results of the vote on the first motion to the current motion, with the Conservatives voting no.

The Speaker: Is there consent to proceed in this fashion?

Some hon. members: Agreed.

[*Translation*]

Ms. Nicole Turmel: Mr. Speaker, we agree to apply the vote and will vote yes.

[*English*]

Ms. Judy Foote: Mr. Speaker, the Liberals agree to apply and will vote yes.

[*Translation*]

Mr. Louis Plamondon: The Bloc votes yes, Mr. Speaker.

[*English*]

Mr. Bruce Hyer: Mr. Speaker, Thunder Bay—Superior North agrees and is voting yes.

[*Translation*]

Ms. Elizabeth May: Mr. Speaker, the Green Party votes yes.

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

(*Division No. 605*)

YEAS

Members

Allen (Welland)

Andrews

Government Orders

Angus	Ashton	Butt	Calandra
Aubin	Ayala	Calkins	Cannan
Bélangier	Bellavance	Carmichael	Carrie
Bennett	Benskin	Chisu	Chong
Bevington	Blanchette	Clarke	Clement
Blanchette-Lamothe	Boivin	Crockatt	Daniel
Borg	Boulerice	Davidson	Dechert
Boutin-Sweet	Brahmi	Del Mastro	Devolin
Brisson	Brosseau	Dreeshen	Duncan (Vancouver Island North)
Byrne	Caron	Dykstra	Findlay (Delta—Richmond East)
Cash	Charlton	Finley (Haldimand—Norfolk)	Flaherty
Chicoine	Chisholm	Fletcher	Galipeau
Choquette	Chow	Gallant	Gill
Christopherson	Cleary	Glover	Goguen
Coderre	Comartin	Goodyear	Gosal
Côté	Cotler	Gourde	Grewal
Crowder	Cullen	Harper	Harris (Cariboo—Prince George)
Cuzner	Davies (Vancouver Kingsway)	Hawn	Hayes
Davies (Vancouver East)	Day	Hiebert	Hillyer
Dewar	Dion	Hoback	Holder
Dionne Labelle	Donnelly	James	Jean
Doré Lefebvre	Dubé	Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)	Kenney (Calgary Southeast)	Kent
Dusseau	Easter	Komarnicki	Lake
Eyking	Foote	Lauson	Lebel
Fortin	Freeman	Leaf	Leitch
Garrison	Genest	Leung	Lizon
Genest-Jourdain	Giguère	Lobb	Lukivski
Godin	Gravelle	Lunney	MacKay (Central Nova)
Groguhé	Harris (Scarborough Southwest)	MacKenzie	Mayes
Harris (St. John's East)	Hassainia	McColeman	McLeod
Hsu	Hughes	Menegakis	Menzies
Hyer	Jacob	Merrifield	Miller
Julian	Kellway	Moore (Port Moody—Westwood—Port Coquitlam)	
Lamoureux	Larose	Moore (Fundy Royal)	
Laverdière	LeBlanc (Beauséjour)	Nicholson	Norlock
LeBlanc (LaSalle—Émard)	Leslie	O'Connor	O'Neill Gordon
Liu	MacAulay	Opitz	O'Toole
Mai	Marston	Paradis	Payne
Martin	Masse	Penashue	Poilievre
Mathysen	May	Preston	Raïtt
McGuinity	McKay (Scarborough—Guildwood)	Rajotte	Rathgeber
Michaud	Moore (Abitibi—Témiscamingue)	Reid	Rempel
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)	Richards	Rickford
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)	Ritz	Saxton
Mourani	Mulcair	Schellenberger	Seeback
Nantel	Nash	Shea	Shipley
Nicholls	Nunez-Melo	Shory	Smith
Pacetti	Papillon	Sopuck	Sorenson
Patry	Pécllet	Stanton	Storseth
Perreault	Pilon	Strahl	Sweet
Plamondon	Quach	Tilson	Toet
Rafferty	Rankin	Toews	Trost
Ravignat	Raynault	Trottier	Truppe
Regan	Rousseau	Tweed	Uppal
Saganash	Sandhu	Valcourt	Van Kesteren
Scarpaleggia	Scott	Van Loan	Vellacott
Sellah	Sgro	Warawa	Warkentin
Simms (Bonavista—Gander—Grand Falls—Windsor)	St-Denis	Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sims (Newton—North Delta)	Stoffler	Sky Country)	
Sitsabaiesan	Thibeault	Weston (Saint John)	Wilks
Stewart	Turmel	Williamson	Wong
Sullivan		Woodworth	Yelich
Tremblay		Young (Oakville)	Young (Vancouver South)
Valériote— 129		Zimmer— 153	

NAYS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Bruinooge

PAIRED

Nil

The Speaker: I declare Motion No. 2 defeated.*[English]*

I therefore declare Motions Nos. 6, 7, 9, 14, 15, 19 to 21, 23 and 24 defeated.

[Translation]

The question is on Motion No. 8. A vote on this motion also applies to Motions Nos. 16, 17 and 22.

[English]

Hon. Gordon O'Connor: Mr. Speaker, if you seek it, I believe you will find agreement to apply the vote from the first motion to the current motion, with the Conservatives voting no.

• (1835)

The Speaker: Is there agreement to proceed in this fashion?

Some hon. members: Agreed.

[Translation]

Ms. Nycole Turmel: Mr. Speaker, the NDP agrees to apply the vote and will vote yes.

[English]

Ms. Judy Foote: Mr. Speaker, the Liberals agree to apply and will vote yes.

[Translation]

Mr. Louis Plamondon: Mr. Speaker, the Bloc Québécois agrees.

[English]

Mr. Bruce Hyer: Mr. Speaker, agreed and voting yes.

Ms. Elizabeth May: Mr. Speaker, the Green Party agrees and votes yes.

[Translation]

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

(Division No. 606)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Aubin	Ayala
Bélangier	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseau	Easter
Eyking	Foote
Fortin	Freeman
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Gravelle
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hassainia
Hsu	Hughes
Hyer	Jacob
Julian	Kellway
Lamoureux	Larose
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay

Mai	Marston
Martin	Masse
Mathysen	May
McGuinly	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mourani	Mulcair
Nantel	Nash
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Pécelet
Perreault	Pilon
Plamondon	Quach
Rafferty	Rankin
Ravignat	Raynault
Regan	Rousseau
Saganash	Sandhu
Scarpaleggia	Scott
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaiesan	St-Denis
Stewart	Stoffer
Sullivan	Thibeault
Tremblay	Turmel
Valeriote — 129	

Government Orders

NAYS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Brunoogoe
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Goodyear	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Komarnicki	Lake
Lauson	Lebel
Leaf	Leitch
Leung	Lizon
Lobb	Lukivski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	O'Neill Gordon
Opitz	O'Toole

Government Orders

Paradis	Payne
Penashue	Poilievre
Preston	Raïtt
Rajotte	Rathgeber
Reid	Rempel
Richards	Rickford
Ritz	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Toews	Trost
Trottier	Truppe
Tweed	Uppal
Valcourt	Van Kesteren
Van Loan	Vellacott
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 153	

PAIRED

Nil

The Speaker: I declare Motion No. 8 defeated. I therefore declare Motions Nos. 16, 17 and 22 defeated.

[*English*]

The next question is on Motion No. 11. A vote on this motion also applies to Motions Nos. 12, 13, 18 and 27.

Hon. Gordon O'Connor: Mr. Speaker, if you seek it, I believe you will find agreement to apply the results of the vote on the first motion to this motion, with the Conservatives voting no.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[*Translation*]

Ms. Nycole Turmel: Mr. Speaker, the NDP agrees to apply the vote and will vote yes. I would point out that the hon. member for Windsor—Tecumseh must be added.

Mr. Louis Plamondon: Mr. Speaker, we agree.

[*English*]

Ms. Judy Foote: Mr. Speaker, the Liberals agree to apply and will vote yes.

Mr. Bruce Hyer: Mr. Speaker, agreed and voting yes.

Ms. Elizabeth May: Mr. Speaker, the Green Party agrees and votes yes.

[*Translation*]

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

(Division No. 607)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin

Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseau	Easter
Eyking	Foote
Fortin	Freeman
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Gravelle
Grogulé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hassainia
Hsu	Hughes
Hyer	Jacob
Julian	Kellway
Lamoureux	Larose
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McGuinty	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mourani	Mulcair
Nantel	Nash
Nicholls	Nunez-Melo
Pacetti	Papillon
Patry	Pécelet
Perreault	Pilon
Plamondon	Quach
Rafferty	Rankin
Ravignat	Raynault
Regan	Rousseau
Saganash	Sandhu
Scarpaleggia	Scott
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	St-Denis
Sitsabaiesan	Stoffer
Stewart	Thibeault
Sullivan	Turmel
Tremblay	
Valeriote— 129	

NAYS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong

Government Orders

Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeschen	Duncan (Vancouver Island North)
Dykstra	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Goodyear	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Komarnicki	Lake
Lauzon	Lebel
Leef	Leitch
Leung	Lizon
Lobb	Lukiwski
Lunney	Mackay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Menzies
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	Norlock
Nicholson	O'Neill Gordon
O'Connor	O'Toole
Opitz	Payne
Paradis	Poilievre
Penashue	Raitt
Preston	Rathgeber
Rajotte	Rempel
Reid	Rickford
Richards	Saxton
Ritz	Seeback
Schellenberger	Shipley
Shea	Smith
Shory	Sorenson
Sopuck	Storseth
Stanton	Sweet
Strahl	Toet
Tilson	Trost
Toews	Truppe
Trottier	Uppal
Tweed	Van Kesteren
Valcourt	Vellacott
Van Loan	Warkentin
Warawa	Weston (West Vancouver—Sunshine Coast—Sea to
Watson	
Sky Country)	Wilks
Weston (Saint John)	Wong
Williamson	Yelich
Woodworth	Young (Vancouver South)
Young (Oakville)	
Zimmer — 153	

PAIRED

Nil

The Speaker: I declare Motion No. 11 defeated.*[English]*

I therefore declare Motions Nos. 12, 13, 18 and 27 defeated.

[Translation]

The next question is on Motion No. 25.

[English]

A vote on this motion also applies to Motion No. 26.

Hon. Gordon O'Connor: Mr. Speaker, if you seek it, I believe you will find agreement to apply the results of the vote on Motion No. 1 to this current motion, with the Conservatives voting no.**The Speaker:** Is that agreed?**Some hon. members:** Agreed.*[Translation]***Ms. Nycole Turmel:** Mr. Speaker, the NDP agrees to apply the vote and will vote yes. I would again ask that the hon. member for Windsor—Tecumseh be added.*[English]***Ms. Judy Foote:** Mr. Speaker, the Liberals agree and will vote yes.*[Translation]***Mr. Louis Plamondon:** Mr. Speaker, the Bloc Québécois votes yes.*[English]***Mr. Bruce Hyer:** Mr. Speaker, Thunder Bay will be voting yes.**Ms. Elizabeth May:** Mr. Speaker, the Green Party agrees and votes yes.*[Translation]*

(The House divided on Motion No. 25, which was negated on the following division:)

(Division No. 608)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Aubin	Ayala
Bélanger	Bellavance
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulrice
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Cash	Charlton
Chicoine	Chisholm
Choquette	Chow
Christopherson	Cleary
Coderre	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Duncan (Etobicoke North)	Duncan (Edmonton—Strathcona)
Dusseauit	Easter
Eyking	Foote
Fortin	Freeman
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Gravelle
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hassainia
Hsu	Hughes
Hyer	Jacob
Julian	Kellway
Lamoureux	Larose
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Masse
Mathysen	May
McGuinty	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)

Government Orders

Mourani	Mulcair	Schellenberger	Seeback
Nantel	Nash	Shea	Shipley
Nicholls	Nunez-Melo	Shory	Smith
Pacetti	Papillon	Sopuck	Sorenson
Patry	Péclet	Stanton	Storseth
Perreault	Pilon	Strahl	Sweet
Plamondon	Quach	Tilson	Toet
Rafferty	Rankin	Toews	Trost
Ravignat	Raynault	Trottier	Truppe
Regan	Rousseau	Tweed	Uppal
Saganash	Sandhu	Valcourt	Van Kesteren
Scarpaleggia	Scott	Van Loan	Vellacott
Sellah	Sgro	Warawa	Warkentin
Simms (Bonavista—Gander—Grand Falls—Windsor)		Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sims (Newton—North Delta)		Sky Country)	
Sitsabaiesan	St-Denis	Weston (Saint John)	Wilks
Stewart	Stoffer	Williamson	Wong
Sullivan	Thibeault	Woodworth	Yelich
Tremblay	Turmel	Young (Oakville)	Young (Vancouver South)
Valerioté — 129		Zimmer — 153	

NAYS

Members

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

PAIRED

Nil

The Speaker: I declare Motion No. 25 defeated. I therefore declare Motion No. 26 defeated.

[*English*]

Mr. Gerald Keddy (South Shore—St. Margaret's, CPC) moved that the bill be concurred in.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

And five or more members having risen:

• (1845)

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

(*Division No. 609*)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie

Chisu
Clarke
Crockett
Davidson
Del Mastro
Dreeshen
Dykstra
Finley (Haldimand—Norfolk)
Fletcher
Gallant
Glover
Goodyear
Gourde
Harper
Hawn
Hiebert
Hoback
James
Kamp (Pitt Meadows—Maple Ridge—Mission)
Kenney (Calgary Southeast)
Komarnicki
Lauzon
Leef
Leung
Lobb
Lunney
MacKenzie
McColeman
Menegakis
Merrifield
Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)
Nicholson
O'Connor
Opitz
Paradis
Penashue
Preston
Rajotte
Reid
Richards
Ritz
Schellenberger
Shea
Shory
Sopuck
Stanton
Strahl
Tilson
Toews
Trottier
Tweed
Valcourt
Van Loan
Warawa
Watson
Sky Country)
Weston (Saint John)
Williamson
Woodworth
Young (Oakville)
Zimmer— 153

Chong
Clement
Daniel
Dechert
Devolin
Duncan (Vancouver Island North)
Findlay (Delta—Richmond East)
Flaherty
Galipeau
Gill
Goguen
Gosal
Grewal
Harris (Cariboo—Prince George)
Hayes
Hillyer
Holder
Jean
Keddy (South Shore—St. Margaret's)
Kent
Lake
Lebel
Leitch
Lizon
Lukiwski
MacKay (Central Nova)
Mayes
McLeod
Menzies
Miller
Norlock
O'Neill Gordon
O'Toole
Payne
Poilievre
Raiitt
Rathgeber
Rempel
Rickford
Saxton
Seeback
Shipley
Smith
Sorenson
Storseth
Sweet
Toet
Trost
Truppe
Uppal
Van Kesteren
Vellacott
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to
Wilks
Wong
Yelich
Young (Vancouver South)

NAYS

Members

Allen (Welland)
Angus
Aubin
Bélangier
Bennett
Bevington
Blanchette-Lamothe
Borg
Boutin-Sweet
Brisson
Byrne
Cash
Chicoine
Choquette
Christopherson
Coderre
Côté

Andrews
Ashton
Ayala
Bellavance
Benskin
Blanchette
Boivin
Boulerice
Brahmi
Brosseau
Caron
Charlton
Chisholm
Chow
Cleary
Comartin
Cotler

Routine Proceedings

Crowder
Cuzner
Davies (Vancouver East)
Dewar
Dionne Labelle
Doré Lefebvre
Duncan (Etobicoke North)
Dusseau
Eyking
Fortin
Garrison
Genest-Jourdain
Godin
Groguié
Harris (St. John's East)
Hsu
Hyer
Julian
Lamoureux
Laverdière
LeBlanc (LaSalle—Énard)
Liu
Mai
Martin
Mathysen
McGuinty
Michaud
Morin (Chicoutimi—Le Fjord)
Morin (Laurentides—Labelle)
Mourani
Nantel
Nicholls
Pacetti
Patri
Perreault
Plamondon
Rafferty
Ravignat
Regan
Saganash
Scarpaleggia
Sellah
Simms (Bonavista—Gander—Grand Falls—Windsor)
Sims (Newton—North Delta)
Sitsabaiesan
Stewart
Sullivan
Tremblay
Valeriote— 129

Cullen
Davies (Vancouver Kingsway)
Day
Dion
Donnelly
Dubé
Duncan (Edmonton—Strathcona)
Easter
Foote
Freeman
Genest
Giguère
Gravelle
Harris (Scarborough Southwest)
Hassainia
Hughes
Jacob
Kellway
Larose
LeBlanc (Beauséjour)
Leslie
MacAulay
Marston
Masse
May
McKay (Scarborough—Guildwood)
Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Saint-Hyacinthe—Bagot)
Mulcair
Nash
Nunez-Melo
Papillon
Pécllet
Pilon
Quach
Rankin
Raynault
Rousseau
Sandhu
Scott
Sgro
St-Denis
Stoffer
Thibeault
Turmel

PAIRED

Nil

The Speaker: I declare the motion carried.

ROUTINE PROCEEDINGS

[English]

COMMITTEES OF THE HOUSE

FOREIGN AFFAIRS AND INTERNATIONAL DEVELOPMENT

The House resumed from December 12, 2012, consideration of the motion.

The Speaker: Pursuant to an order made on Wednesday, December 12, 2012, the House will now proceed to the taking of the deferred recorded division on the motion to concur in the seventh report of the Standing Committee on Foreign Affairs and International Development.

● (1850)

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

Routine Proceedings

(Division No. 610)

YEAS

Members

Ablonczy
 Adler
 Albas
 Alexander
 Allen (Tobique—Mactaquac)
 Ambler
 Anders
 Andrews
 Armstrong
 Ashton
 Aubin
 Baird
 Bellavance
 Benoit
 Bergen
 Bevington
 Blanchette
 Blaney
 Boivin
 Boughe
 Boutin-Sweet
 Breitreuz
 Brosseau
 Brown (Newmarket—Aurora)
 Butt
 Calandra
 Cannan
 Caron
 Cash
 Chicoine
 Chisu
 Choquette
 Christopherson
 Cleary
 Coderre
 Côté
 Crockatt
 Cullen
 Daniel
 Davies (Vancouver Kingsway)
 Day
 Del Mastro
 Dewar
 Dionne Labelle
 Doré Lefebvre
 Dubé
 Duncan (Etobicoke North)
 Dusseault
 Easter
 Findlay (Delta—Richmond East)
 Flaherty
 Foote
 Freeman
 Gallant
 Genest
 Giguère
 Glover
 Goguen
 Gosal
 Gravelle
 Grogulé
 Harris (Scarborough Southwest)
 Harris (Cariboo—Prince George)
 Hawn
 Hiebert
 Hoback
 Hsu
 Hyer
 James
 Julian
 Keddy (South Shore—St. Margaret's)
 Kenney (Calgary Southeast)
 Komarnicki
 Lamoureux
 Lauzon
 Lebel
 LeBlanc (LaSalle—Émard)
 Leitch

Adams
 Aglukkaq
 Albrecht
 Allen (Welland)
 Allison
 Ambrose
 Anderson
 Angus
 Ashfield
 Aspin
 Ayala
 Bélanger
 Bennett
 Benskin
 Bernier
 Bezan
 Blanchette-Lamothe
 Block
 Borg
 Boulerice
 Brahma
 Brison
 Brown (Leeds—Grenville)
 Bruinooog
 Byrne
 Calkins
 Carmichael
 Carrie
 Charlton
 Chisholm
 Chong
 Chow
 Clarke
 Clement
 Comartin
 Cotler
 Crowder
 Cuzner
 Davidson
 Davies (Vancouver East)
 Dechert
 Devolin
 Dion
 Donnelly
 Dreeschen
 Duncan (Vancouver Island North)
 Duncan (Edmonton—Strathcona)
 Dykstra
 Eyking
 Finley (Haldimand—Norfolk)
 Fletcher
 Fortin
 Galipeau
 Garrison
 Genest-Jourdain
 Gill
 Godin
 Goodyear
 Gourde
 Grewal
 Harper
 Harris (St. John's East)
 Hassainia
 Hayes
 Hillyer
 Holder
 Hughes
 Jacob
 Jean
 Kamp (Pitt Meadows—Maple Ridge—Mission)
 Kellway
 Kent
 Lake
 Larose
 Laverdière
 LeBlanc (Beauséjour)
 Leef
 Leslie

Leung
 Lizon
 Lukiwski
 MacAulay
 MacKenzie
 Marston
 Masse
 May
 McColeman
 McKay (Scarborough—Guildwood)
 Menegakis
 Merrifield
 Miller
 Moore (Port Moody—Westwood—Port Coquitlam)
 Moore (Fundy Royal)
 Morin (Chicoutimi—Le Fjord)
 Morin (Laurentides—Labelle)
 Mourani
 Nantel
 Nicholls
 Norlock
 O'Connor
 Opitz
 Pacetti
 Paradis
 Payne
 Penashue
 Pilon
 Poilievre
 Quach
 Raitt
 Rankin
 Ravignat
 Regan
 Rempel
 Rickford
 Rousseau
 Sandhu
 Scarpaleggia
 Scott
 Sellah
 Shea
 Shory
 sor
 Sims (Newton—North Delta)
 Smith
 Devolin
 Sorenson
 St-Denis
 Stoffer
 Strahl
 Sweet
 Tilson
 Toews
 Trost
 Truppe
 Tweed
 Valcourt
 Van Kesteren
 Vellacott
 Warkentin
 Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
 Weston (Saint John)
 Wilks
 Wong
 Yelich
 Young (Vancouver South)

Liu
 Lobb
 Lunney
 MacKay (Central Nova)
 Mai
 Martin
 Mathysen
 Mayes
 McGuinty
 McLeod
 Menzies
 Michaud
 Moore (Abitibi—Témiscamingue)
 Morin (Notre-Dame-de-Grâce—Lachine)
 Morin (Saint-Hyacinthe—Bagot)
 Mulcair
 Nash
 Nicholson
 Nunez-Melo
 O'Neill Gordon
 O'Toole
 Papillon
 Patry
 Péclet
 Perreault
 Plamondon
 Preston
 Rafferty
 Rajotte
 Rathgeber
 Raynault
 Reid
 Richards
 Ritz
 Saganash
 Saxton
 Schellenberger
 Seeback
 Sgro
 Shipley
 Simms (Bonavista—Gander—Grand Falls—Wind-
 sor)

Sitsabaiesan
 Sopuck
 Stanton
 Stewart
 Storseth
 Sullivan
 Thibeault
 Toet
 Tremblay
 Trotter
 Turmel
 Uppal
 Valériote
 Van Loan
 Warawa
 Watson
 Williamson
 Woodworth
 Young (Oakville)
 Zimmer — 282

NAYS

Nil

PAIRED

Nil

The Speaker: I declare the motion carried.

(Motion agreed to)

It being 6:54 p.m., the House will now proceed to the consideration of private members' business, as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

•(1855)

[English]

CRIMINAL CODE

Mr. Earl Dreeshen (Red Deer, CPC) moved that Bill C-444, An Act to amend the Criminal Code (personating peace officer or public officer), be read the second time and referred to a committee.

He said: Mr. Speaker, I am proud to speak today to my private member's bill, Bill C-444, which seeks to amend section 130 of the Criminal Code by adding a sentencing provision for the offence of personating peace officers or public officers. The amendment would make personating an officer for the purpose of committing another offence an aggravating circumstance.

I would like to thank the hon. member for Oxford for seconding my bill. He served 30 years with the Woodstock police service in his past life and 10 of those were as chief of police. He is a great Canadian who continues to proudly serve our country.

I was moved to research and table the bill following a horrible crime that took place in my riding. Flashing lights and a police uniform were used as weapons to abduct a 16-year-old girl. She had just earned her driver's licence and was driving alone, as many of us do. She was held captive for 46 hours and brutally assaulted before she managed to escape from her attacker. She was brave. She survived.

The offender was charged, tried, convicted and sentenced with six offences, one of which was section 130 of the Criminal Code, which deals with personation of a peace officer or public officer.

The cold fact of the matter was that she was abducted only because she thought she was doing the right thing. When confronted by someone she thought was a police officer, she did what she had been taught to do. She stopped and she followed instructions. In this case, she ultimately lost any opportunity she might have had to protect herself.

This is one case that happened in my riding, but unfortunately this is a crime that is occurring in all regions of Canada and most often it is for the purpose of tricking a victim into thinking that they are under the control of a real officer so that another crime can also be committed.

When I began researching this issue, I found that what had happened in Penhold and Red Deer was happening in small towns and large cities all over Canada. Criminals are using authentic police lights and dressing in police uniforms to commit crimes such as auto theft and fraud in Kelowna; highway robbery in Oakville, Barrie and Brampton; assault and robbery in Ottawa; abductions in Scarborough and Calgary; break and enter and subsequent assaults in Sydney Mines and Oshawa; intimidation in Mississauga; unlawful confinement in Lethbridge; and fraud in Kings Country, Brantford and Toronto.

For the young woman in my riding, and all of these victims, the police uniform no longer represents safety and security. With time, they will cope with this fear and will hopefully regain their trust in authority. However, every time we hear of these types of incidents,

Private Members' Business

one more person has this trust shattered. This is a concern for all of us, but it is a great concern for police who are out there trying to do their jobs.

The police who I have spoken to in my riding, RCMP veterans and serving members, have encouraged me in my mission to add this sentencing provision to section 130. It would not affect their enforcement of the offence, but they recognize that this amendment would help ensure that sentencing for this crime would reflect the significant impact that it has on our country.

There was a case in Calgary where a man personated a police officer and used flashing lights to attempt to pull over and abduct young females. CBC News quoted a sergeant with the Calgary Police Force who stated that the false representation of a police officer was "a very serious offence". He went on to say, "We cannot have our confidence in the public eroded. It is very important that we are able to conduct our jobs, and if people do not trust the police or they are worried, it can make our jobs very difficult".

I previously introduced the bill during the last Parliament. It had been reported back to the House by the Standing Committee on Justice and Human Rights. The unanimous support that I received from the House was extremely encouraging, and I look forward to that same level of support from this Parliament.

As I describe the specific points of the bill, let me start by explaining the definition of peace officers and public officers in the Criminal Code.

The Criminal Code defines police officers as Canadian officers of customs and excise, immigration, corrections, fisheries and the Canadian Forces. It includes pilots in command of an aircraft, mayors, wardens, Reeves, sheriffs, justices of the peace and, of course, police officers.

A public officer is defined as an officer of customs or excise, an officer of the Canadian Forces, an officer of the Royal Canadian Mounted Police and any officer while the officer is engaged in enforcing the laws of Canada relating to revenue, customs, excise, trade or navigation.

•(1900)

The bottom line is that these are all occupations that demand a significant amount of trust from the Canadian public. Anyone who falsely represents members of these occupations in order to commit a crime against a person is committing a serious breach of that person's trust, and that of all of us.

However, this bill is about sentencing. It speaks to the need for tougher penalties for this particular crime, in line with the fundamental sentencing principle of proportionality, which is stated in section 718 of the Criminal Code. The bill has a basic objective. It would make impersonating a peace officer in the commission of another offence an aggravating circumstance to be considered for sentencing purposes. It would add one clause to the Criminal Code following section 130.

Because it is short, I would like to read my bill into the record. It states that the Criminal Code is amended by adding the following after section 130:

Private Members' Business

130.1 If a person is convicted of an offence under section 130, the court imposing the sentence on the person shall consider as an aggravating circumstance the fact that the accused personated a peace officer or a public officer, as the case may be, for the purpose of facilitating the commission of another offence.

That is all. It does not seek to effect any interpretation of the crime. My bill would simply direct a sentencing court to consider this as one factor when dealing with someone convicted of impersonating a peace officer or a public officer.

We know that a number of factors come into play in a sentencing decision, such as the criminal record of the offender or the severity of harm caused to a victim. Aggravating circumstances are just one more factor that sentencing judges are required to consider that do not guarantee, but tend to increase, the severity of a sentence.

There are aggravating circumstances defined in section 718 that apply to all criminal offences. There are also aggravating circumstances attached to specific offences within the code. To be clear, the bill seeks to add the special aggravating circumstance to a sentencing court to consider the crime of impersonating a peace officer or public officer.

When we look at aggravating circumstances that apply to all offences, one of them is evidence that the offender, in committing an offence, abused a position of trust or authority in relation to the victim. This would apply in situations where an offender has an existing relationship with a victim, such as a teacher, a coach or a bona fide police officer. However, those who impersonate officers do not fall into this category. Offenders who impersonate peace or public officers have not abused a position of authority, for he or she does not have that position to begin with. This circumstance in section 718 cannot then be used, since this would apply to real police officers who have abused their position of trust. It does not apply to those who are posing as police officers.

An offender's false representation of him or herself as an officer is intended to deceive and breach trust and authority. However, this deceit is not captured by the existing circumstances that speak to these abuses. I hope that my colleagues in the House will recognize this gap in the law and work with me to fill it, as my bill seeks to do. We know that adding a new aggravating circumstance to the Criminal Code is an effective way to ensure that the fundamental sentencing principles are achieved.

As to the relevance of aggravating circumstances, Parliament recently passed an important bill on elder abuse, Bill C-36. With its passage into law we saw a very important amendment to the Criminal Code, adding a new aggravating circumstance to section 718.2 to apply to any offence against elderly Canadians. With this bill we are now seeking to apply this rationale when it comes to sentencing for crimes against Canadians who have been misled into thinking they are dealing with an officer but are then victimized.

The sentence for this kind of malicious deceit must reflect the significant impact that the crime has on the lives of victims. Victims, whoever they may be, must be assured that there will be serious consequences for the criminals who have hurt them.

● (1905)

By supporting the bill, we are also helping to preserve the trust and respect that citizens have for real, bona fide police officers.

When citizens see a police uniform, they naturally trust and respect the authority that comes with it. Our laws must reflect this reality.

I note that personation of an officer used to be punishable as a summary conviction and had a maximum penalty of only six months imprisonment. The Conservative government in the previous Parliament passed into law former Bill S-4, which increased the maximum penalty for this offence to five years imprisonment and made it a hybrid offence. I commend the Department of Justice for its work on increasing the maximum sentence for this crime, which came into force two years ago. Now we must give the courts this sentencing tool to exercise the new maximum in the most serious cases.

For 34 years I worked as a teacher of children and young adults. As a teacher, I shared their joys of accomplishment as well as their concerns about the future. I was always there to help them through difficult times when they had to deal with terrible ordeals. Being a receptive ear to their voices gave me an understanding of how difficult and fragile life can be.

As a member of Parliament I have once again heard such a voice. I shared the same concerns as others in our community when I heard of the disappearance of a young girl from Penhold. Prayers were all that I could offer. No one knew why her car was left where it was. There was nothing to indicate that she would have strayed from the errand that she was on. Her parents were frantic and our community of central Alberta empathized while we all waited. Finally the news broke that she had been found.

Only then did the pieces of this horrible ordeal start to make sense. The weapons used by her attacker were flashing lights and an RCMP uniform. That is why the car was left there. Her trust of the uniform and the false sense of safety and authority that it presented to her resulted in the most horrendous 46 hours that anyone could imagine.

The subsequent trial of her abductor forced the girl and her family to relive this ordeal. Finally a verdict and a sentence was rendered, but two things haunted them. First was the knowledge that the crime of personating a peace officer amounted to, in those days, only six months imprisonment, which was the maximum sentence allowed before the passage of Bill S-4. Second was that in the commission of this crime, the weapons used to lure her into a trap would not be recognized for what they really were. She had been deceived by the trust she had in the police and the weapon of deceit was considered more of a side issue than the catalyst for the crime.

Private Members' Business

The day that this brave young lady and her mother came to me for help was the day I knew they needed the receptive ear that I had while I was a teacher, and it would also be part of my job as a member of Parliament. It is my hope that all of my colleagues can recognize the importance of the bill and will see that it is worth supporting.

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, I would like to thank my colleague from Red Deer for a very well-prepared file. I know he has been working for a while on that very important issue. I appreciate the information he transferred to us, which allowed me to make a recommendation on behalf of my party. I will tell him in a few minutes how we will vote, but it will not be that much of a surprise.

I was just wondering, since article 2 talks about *la notion d'agent*, is the member reasonably satisfied, because I know he gave the description of to whom it would apply. However, is it sufficient, in the hon. member's mind?

Mr. Earl Dreeshen: Mr. Speaker, I certainly do appreciate the positive reception that the private member's bill has inspired from all sides of the House. As we continue debate, I will be listening very intently to the interventions from the justice critics opposite.

As to the issue presented by the hon. member, when we looked at the situation before, the specific role of the RCMP was not put into the other form, yet it was still part of the fact that they were police officers. Because it was that way in the bill, that was the reason for putting both public officers and peace officers in the description. That is the rationale we had for it.

• (1910)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, we recognize the importance of the issue and look forward to the bill ultimately going to committee.

Given the importance of our different police associations across Canada and their interest in and debate about this bill, I wonder if the member could provide some feedback on what he has heard on the bill from the police association, in particular, and any other law enforcement agencies.

Mr. Earl Dreeshen: Mr. Speaker, when this bill was in the last Parliament as Bill C-576, I had the opportunity, as we went through the debate process and presentations at committee, to talk to many different groups and organizations. Of course, the RCMP was one group, as well as the RCMP Veterans' Association. We then expanded to other related associations, going through the list of peace officers, wildlife officers and so on. These different people had come to me to say that we were on the right track, that they saw the existing gap and that it was important that we try to fill it with this type of legislation.

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, I would like to thank our colleague across the aisle for bringing forward this bill. It strikes me as a very reasonable piece of legislation.

The member touched on this in his speech and I wonder whether he might expand on how he views this offence in terms of beefing up the aggravating circumstances, as he is suggesting, and the abuse of society's institutions. There is obviously the victim side of this issue, specifically the incident he talked about, but as another aggravating

factor, there is the particular issue of how this diminishes trust in our institutions. I would like to hear more on that.

Mr. Earl Dreeshen: Mr. Speaker, that goes back to the previous question. Yes, indeed it was one of the concerns. Again, when I was speaking with the family we had a chance to talk about the fear of the police that existed. There was no question that throughout the ordeal the victim felt she was dealing with a police officer.

This is opportunity to encourage people to think about why they are being stopped, to make sure they ask to see a badge and look for the number. The police are prepared to do that. When I spoke with police officers they said it was common practice. I know a lot of times we think that if we ask for the number, it will cause more concern, but that certainly was not an issue in my discussions with the members I spoke with.

[Translation]

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, my question for my colleague from Red Deer gave an indication of our position. In fact, we will be pleased to support the government. When it comes to justice issues, that does not happen often. However, we will support Bill C-444.

I congratulate the member from Red Deer because he resisted the temptation to impose minimum sentences, something we see all too often in justice or crime bills. He chose instead to focus on the aggravating factor.

I believe that this bill respects victims' rights. It also respects judicial independence which, in my opinion, is indispensable in a true democracy and will also result in appropriate sentencing.

Some people find this to be a rather unusual bill, but it is not complicated. It refers to the notion of a peace officer, which already exists under section 130 of the Criminal Code:

- (1) Everyone commits an offence who
 - (a) falsely represents himself to be a peace officer or a public officer; or
 - (b) not being a peace officer or public officer, uses a badge or article of uniform or equipment in a manner that is likely to cause persons to believe that he is a peace officer or a public officer, as the case may be.
- (2) Everyone who commits an offence under subsection (1)
 - (a) is guilty of an indictable offence and liable to imprisonment for a term of not more than five years; or
 - (b) is guilty of an offence punishable on summary conviction.

As the member for Red Deer made clear, this bill creates an aggravating circumstance for anyone committing an offence by pretending to be someone he is not for the purpose of committing another crime.

I am sure that all of my colleagues have heard horror stories other than those we heard from the member for Red Deer. Such incidents have happened everywhere. I remember that a few years ago in Gatineau, people were posing as police officers and trying to collect money. They were passing themselves off as peace officers or police officers—it does not really matter what they were calling themselves—to fool people. That is not quite as serious as the incident described by the member for Red Deer, the one that led to the creation of this bill.

Private Members' Business

I appreciate the fact that one of our fellow citizens brought this problem to our attention. Now we are trying to find a solution, which is what we are here for. I was pleased to see that this bill received unanimous support during a previous Parliament. I do not expect that our colleague will have any trouble obtaining unanimous support for his bill.

The NDP intends to fully support the bill introduced by the member for Red Deer. We will certainly have some good discussions about this, not because we want to change anything, but because we want to make sure that people understand how important this bill is.

Other members have mentioned the fact that this bill is important in situations where a person claims to be someone we hold in high regard. I have in mind the definition of peace officer in section 2 of the Criminal Code, which the member from Red Deer spoke about: "a mayor, warden, reeve, ...deputy sheriff, sheriff's officer, ...justice of the peace, ...a member of the Correctional Service of Canada, ...police officer, police constable, bailiff..." In Quebec, a bailiff is authorized to go to people's homes.

People are usually a little alarmed if approached by a person in uniform or someone acting in an official capacity. People believe in law and order, and they are prepared to do things they would not normally do if they had a few moments to think about it. As with any form of abuse, if someone takes advantage of a situation, as parliamentarians we must ensure that we crack down on these types of crimes.

• (1915)

However, we must allow the courts to do their job with the power given to them in a free and democratic society such as Canada, where we have the principle of the presumption of innocence.

As our colleague mentioned—and he is right—this is a hybrid offence. Thus, when the case goes to trial, the judge who hears the case can hand out different sentences. This can be prosecuted by indictment or summary conviction. It is the responsibility of the crown prosecutor to determine the seriousness of the matter based on the facts. The prosecutor must then formulate the sentence accordingly.

For once, I am applauding a bill. More often than not we are handed bills that impose a vision on the courts. This hinders the work of the trial judge, whose job it is to properly evaluate the different points of view and try to determine the appropriate sentence based on the case and the facts that are proven.

I very much appreciate how much work our colleague put into this bill. If they want to have our support, they should not boast that they know everything.

I felt the hon. member for Red Deer's passion about his file, and I know how hard he has worked to try to move forward on this issue. We are certainly not going to stand in his way on such an important issue. He also took the time to send us additional information so that we could make a decision at this stage.

Not all of us were necessarily present during the 40th Parliament when MPs began examining this issue. I would therefore like to take this opportunity to say just how important it is for the new members of the 41st Parliament to have the chance to participate in such an

important debate. It is a good thing that this is not done with private members' bills, but the same principle applies to any bill. We have talked about this enough over the past two, three or four years, and it is time that we do something about it.

The problem is that many members of the House are talking about Bill C-444 for the first time. It is worth taking a serious look at this bill.

As I was saying, the addition to the Criminal Code after section 130 does not apply in the aggravating circumstances that are already set out in section 718 but, rather, it applies specifically to the offence set out in section 130 where a person tries to facilitate the commission of another offence. For example, the person could impersonate a police officer in order to rape or kidnap someone. The person could also impersonate a bailiff in order to try to get money.

Unfortunately, many older people are targeted by such actions. Sometimes, criminals take advantage of their vulnerability. It is unfortunate, but true. So, once passed, this bill would give the courts the tools they need to make this type of behaviour an aggravating circumstance.

I hope that this is what will happen in cases such as these. I sometimes have to wonder about the sentences imposed in some cases, but who am I to say since those cases have been heard by judges. However, this time, the judges will not have any excuse and will have to consider the act of impersonating a police officer for the purpose of committing another offence as an aggravating circumstance.

I would once again like to congratulate the hon. member for Red Deer. The NDP will support this bill at all stages.

• (1920)

[*English*]

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I rise to address Bill C-444, the private member's bill put forward by the member for Red Deer, which seeks to increase penalties for offenders convicted of personating a peace officer for the purpose of facilitating the commission of another offence. I will be supporting the bill going to committee, and I thank the member for Red Deer for once again bringing this important issue to the attention of the House and to me personally in this regard.

The member for Red Deer has been engaged in this issue for some time, and his concern is as genuine as it is warranted. I share his concern and his outrage in this matter with respect to offenders who disguise themselves as police officers to facilitate their crimes, thereby undermining public trust in the police and other authorities. It is important that Parliament address this problem in as principled and effective way as possible.

Private Members' Business

Regrettably, while the principle underlying the private member's bill is important, the bill before us is unlikely to have the significant effect that the member himself seeks or that the House would seek. However laudable its intent, Bill C-444 emerges as yet another variation of a Conservative crime bill that attempts to deal with crime, as the member for Red Deer himself acknowledged, at the sentencing stage after the crime has been committed, after the investigation has been carried out and after the offender has been arrested, tried and convicted. In other words, after the very fact that it seeks to prevent and regrettably after it is already too late.

However to its credit, and this bears mention, it does not seek to attach mandatory minimums in the matter of sentencing. It does not seek to eliminate or circumscribe judicial discretion.

It has a laudable underlying objective. My concern is whether this particular legislation would seek the laudable objective that the member for Red Deer himself has in mind.

Accordingly, while I am prepared to send the bill to committee for further study, I expect that such further study may be less effectual than it might otherwise be. Therefore, I will use the remainder of my time to set forth certain considerations in respect of this contention. First, I will examine why the bill is unlikely to increase the length of prison terms for people convicted of personating a peace officer. Second, I will discuss why, even if it did lead to longer prison terms, it would not reduce the occurrence of this crime, which is the member's principal objective, with which I concur. Finally, I will explore other measures that might prove to be more effective and that will help underpin the very principle that underlines the bill.

As I said, Bill C-444 is not likely to have a major impact on the severity of sentences. To begin with, it should be noted that in cases of personation of a peace officer, Canada currently allows for sentences more severe than in many other jurisdictions. In 2009 the House unanimously passed Bill S-4, which established a five-year maximum prison term for personation as opposed to U.S. states like New York or Michigan, where the maximum is four years, or the United Kingdom, which allows only for a sentence of six months.

Canada's sentencing regime already takes this crime very seriously, and there is no reason to think that judges are overlooking important factors such as the purpose of the personation when handing down sentences. For example, in 2009 and 2010 a Winnipeg man dressed up as a police officer in order to gain access to crime scenes, without committing any further offence. He was sentenced to four and a half months. By contrast, in the case of the man who posed as an officer in the member's riding of Red Deer in order to kidnap and abuse a teenaged girl, the judge handed down a total sentence of 18 years, including the maximum sentence for personation permitted at the time.

Simply put, it appears that judges have been making appropriate use of their discretion in such cases. The additional guidance offered by Bill C-444 is therefore unlikely to result in penalties for personation that are more severe.

However, even assuming the bill were to result in longer sentences for personation of a peace officer for the purpose of committing another offence, it is unlikely that offenders would spend more time in jail as a consequence. While judges may generally issue

concurrent or consecutive sentences as they see fit, sentences for offences that are part of the same criminal act tend to be served concurrently, and it is difficult to conceive of a scenario in which a judge would issue a longer sentence for personation than for the offence that the personation was intended to facilitate.

● (1925)

In other words, if an offender receives an 18-year sentence for aggravated sexual assault, it does not much matter to him or her whether his or her simultaneous offence for personation is a year or two or five.

This bill would therefore be unlikely to achieve the member's legitimate objective of having people who personate peace officers spend more time behind bars.

Of course, I appreciate that the member's ultimate objective is not longer prison terms for people who commit this crime, but, rather, fewer personations of peace officers in the first place and that this is his principal objective, which I share.

This brings me to my second point, which is that the deterrent effect of longer prison terms has been repeatedly shown to be minimal. Therefore, even if a judge were to be moved by this legislation to issue a longer sentence for personation than he or she would otherwise have done and even in the unusual circumstance that such a sentence were served consecutive to the sentence for the related offence, there would still be no reason to believe that the occurrence of the crime of personation in Canada would be reduced.

As was pointed out by Michael Jackson of the Canadian Bar Association at the justice committee's hearing on Bill C-10:

The evidence is overwhelming...in every jurisdiction where it's been studied, that putting more people in prison for longer periods of time has no salutary effect upon public safety...

In fact, a research summary on the Public Safety Department's own website, which compiles 50 studies involving over 300,000 offenders, finds that, "To argue for expanding the use of imprisonment in order to deter criminal behaviour is without empirical support".

That is a conclusion that has been reached time and again by studies in Canada and jurisdictions around the world.

Private Members' Business

For example, in 2010 a man used a police officer's costume to commit a home invasion and robbery in Toronto. Do we truly believe that he spent the night before consulting the Criminal Code, poring over the jurisprudence and parsing the sentencing guidelines and had the guidelines been different, would have chosen not to proceed or to forego the outfit? Or in the case of the 2000 tragic kidnapping and assault in Red Deer, the member's riding, is it reasonable to assume that an offender who was prepared to risk the substantial penalties for kidnapping and aggravating sexual assault would have been dissuaded by the prospect of a slightly longer prison term for personating a peace officer. I suspect not.

Increasing the length of sentences is manifestly a less effective way of combatting all crimes, personation included.

This brings me to the final part of my remarks, in which I will propose some alternative methods for minimizing the occurrence of personation of peace officers to begin with, which is the private member's bill's objective.

First, we should examine how offenders acquire authentic looking police attire and accessories. As the member for Red Deer noted in debate on the previous version of his bill, a wide array of police equipment is available online and at security supply stores, including strobe lighting for vehicles and uniforms that can be made to look very real with very little alteration. It is certainly worth considering whether there are steps that might be taken to limit the availability of such items.

Second, the government could partner with police in a public awareness campaign to inform Canadians that all police officers carry badges and photo ID and that citizens themselves have the right to request to see an officer's identification and to call 9-1-1 for verification if they are truly suspicious. By empowering Canadians in this way, as well as by reducing the availability of authentic looking police equipment, we would significantly limit the capacity of offenders to pass as officers of the peace.

In conclusion, as I said at the outset, I support and applaud the member for Red Deer for consistently focusing the attention of the House on this very important issue and I will support Bill C-444 at second reading. At the very least, the bill would serve as a statement by Parliament of the seriousness with which we regard the crime of personation of a peace officer. However, we should seek to do more than make what is nonetheless a very important statement.

As I have outlined, there may be concrete steps that we could take that would have an impact on the occurrence of the crime itself. I trust that we will have the opportunity to discuss such steps at committee and that the government will take a seriously impactful action to combat the personation of peace officers in the very near future as represented in the private member's bill of the member for Red Deer.

• (1930)

[*Translation*]

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am pleased to be here today to participate in the debate on Bill C-444, which has to do with personating a peace officer or public officer.

This bill is nearly identical to the former Bill C-576, which died on the order paper during the previous Parliament. Bill C-576 made it to second reading and was passed by the Standing Committee on Justice and Human Rights.

The bill has to do with the existing offence of personating a peace officer or public officer. More specifically, it suggests that the fact that an individual personated a peace officer or public officer for the purpose of facilitating the commission of another offence should be considered an aggravating circumstance during sentencing. The only difference between the two bills is that the current bill also includes the term "public officer".

Personating a peace officer or public officer is a hybrid offence punishable under indictment by a maximum of five years in prison. Before 2009, this offence was only a summary conviction offence. At the time, it was punishable by a maximum of six months in prison or a maximum fine of \$5,000, or both. It was obviously not considered to be a very serious offence.

In 2009, our government changed this offence to a hybrid offence and increased the maximum prison term to five years in the former Bill S-4, the identity theft bill, which came into force on January 10, 2010.

The five-year maximum prison term takes into account the fact that the offence requires only that we establish that the accused personated a peace officer or public officer. There is no requirement that there be malicious intent to specifically do so or that something malicious be accomplished in doing so.

Some individuals may decide to personate a police officer, for example, simply to feel powerful or as a way to do something else that may or may not be serious, such as getting information or gaining access to a location. Personating a peace officer or a public officer so that others believe that one really is such an officer can, in itself, lead to a conviction. No other evidence is required.

In a few instances, personating a police officer or a public officer will be directly associated with other offences. It is a way to enable the commission of other crimes. Since most people in our society have faith in the police and in other public institutions, they may, because of that faith, submit to the authority of an individual they believe to be a peace officer or a public officer.

Private Members' Business

Cases where people's trust in police and public officers is abused are very troubling. They must be condemned by sentencing courts and by Parliament. Bill C-444 addresses these cases. The bill would require that personating a peace officer or a public officer for the purpose of committing another offence be considered by a court to be an aggravating circumstance for sentencing purposes.

We could think of many situations where someone would voluntarily get into a police officer's vehicle, or let an officer into their home, before realizing that this person actually means them harm. Such cases are rare, fortunately. However, they are extremely serious, which justifies including them specifically in the Criminal Code.

It is also important to recall that in determining a fit sentence, the court must in all cases take into account all relevant aggravating and mitigating factors. Paragraph 718.2(a) of the Criminal Code describes a number of aggravating factors that apply to all offences. These include, for instance, evidence that the offender, in committing the offence, abused a position of trust or authority in relation to the victim. But in addition to these factors which are specifically listed, the sentencing court always retains discretion to determine if additional circumstances revealed by the evidence are aggravating or mitigating factors that should affect the sentence.

●(1935)

It is already the case that a sentencing judge can take into account the aggravated nature of this form of police or public officer personation. What Bill C-444 does is essentially codify this practice in the text of the law.

Bill C-444 deserves serious consideration in this House because it addresses a truly horrific form of criminality which has so many negative consequences on the public at large, on the ability of police to carry out their functions, and especially on any individuals whose trust in public institutions and authorities was used against them to facilitate their victimization.

While this form of conduct continues to be rare in this country, there have been a number of incidents reported in the media in the last few years. One case involved drivers being stopped by a police impersonator and requested to pay immediately for an alleged speeding offence. Another case involved motorists who were followed after leaving a casino, and then pulled over and robbed of their winnings. There have also been profoundly disturbing cases involving police personation so as to get someone into a car to facilitate their kidnapping.

There was the tragic and devastating incident involving the kidnapping and sexual assault of a teenager in the riding of Red Deer, the riding of the member who is sponsoring this bill. No doubt, this incident is what prompted him to introduce this bill.

All Canadians should be aware that such things can happen and should be encouraged to be vigilant. Citizens should trust the police, but they should also recognize that criminals are not above exploiting that trust. It is a difficult balance to achieve. The exercise of a little bit of caution is a good thing. It is reasonable to ask to see the badge of someone who appears to be a police officer, especially if you are being asked to go with them or to allow them to enter your

premises. This kind of verification process must be done respectfully and cautiously.

As Parliamentarians, we can help educate and inform Canadians about these risks. That is exactly what the debate on Bill C-444 is allowing us to do.

●(1940)

Ms. Manon Perreault (Montcalm, NDP): Mr. Speaker, naturally, I am pleased to support the bill put forward by my colleague from Red Deer. No one is against virtue. This bill is designed to ensure that personating a police officer or a public officer for the purpose of committing another offence is considered by a court to be an aggravating circumstance.

The bill does not include minimum sentences, which respects judicial independence while appropriately punishing the criminal.

It would therefore remedy a flaw in the Criminal Code by amending section 130, while also providing justice for victims. It is about appropriately punishing offenders by increasing penalties for those who take advantage of this trust to cause harm to others.

I would like to point out that the member who tabled this bill was concerned about an unfortunate incident that took place in his riding, where a young girl was sexually assaulted by a man disguised as a police officer who had fake cruiser lights on his car. The bill introduced by the member for Red Deer came out of a terrible event in his riding in 2009 that demanded action. He showed compassion with his response to this event in his own community. His approach is both balanced and appropriate. Congratulations.

This type of offence abuses the trust that people put in our institutions. Police officers are there to protect us. That is the foundation of our justice system, and it is compromised in these types of situations. When someone usurps the power of a law enforcement officer, that forces the victim to submit to false authority so that the offender can commit another offence. It is crucial that we protect the integrity of our institutions and prevent people from being misled.

It should be said that the majority of Canadians put their complete trust in the police and readily submit to an officer's requests. That is normal. But it is that same authority and power that is exploited to facilitate other heinous crimes.

Such incidents are rare, but they have terrible consequences. I would not go so far as to say that incidents involving personation of a police officer are on the rise, but the fact is that everyone is concerned about such offences.

The problem has surfaced elsewhere in the country as a factor in all sorts of crimes. I will provide several examples during my speech.

Private Members' Business

This bill also provides an opportunity to raise awareness. We have to remind people to be vigilant and careful. Everyone has rights, and anyone can ask an officer to confirm their identity. Such a request is perfectly acceptable if a police officer approaches an individual and makes suspicious requests or behaves oddly.

When in doubt, people have every right to ask an officer questions or request to see their badge or ID. Of course, they should do so respectfully.

This bill is about personating a peace officer for the purpose of committing another serious offence, such as theft, home invasion or, in the case of the crime committed in Red Deer, kidnapping and sexual assault.

Any abuse of the trust that people have in police officers is reprehensible because that trust is crucial to the well-being of our whole society.

In July 2011, Toronto police arrested a man on suspicion of fraud against elderly persons. The man in question pretended to be a police officer and made off with their wallets. He was charged with 14 counts of theft and 14 counts of personating a peace officer. His victims were all between 70 and 80 years of age. I just wanted to mention that we should never tolerate any form of elder abuse.

The most surprising thing about this case is that this was not the first time the accused had passed himself off as a police officer. In 2003, he was sentenced to four years in jail for personating a police officer in order to commit theft. In 2008, five years later, he was at it again. He passed himself off as a police officer to commit another theft, but he was convicted only of theft.

●(1945)

There have also been cases involving motorists who were pulled over by police impersonators for an alleged speeding offence or expired licence, only to be extorted for money. They forced victims to pay a fine on the spot, using the authority and power of a police officer along with the threat of towing the vehicle and the victim having to pay all of the related expenses.

Montreal police arrested two men for these kinds of offences in 2010. The two young men, both 18 years old, did not have police badges, but they did have flashing lights and managed to stop and search several vehicles in the east end of Montreal, demanding payments for fines while also stealing items from inside the vehicles. After several interactions with motorists, some drivers became suspicious and alerted the police as quickly as possible.

This case is particularly telling, since it shows that many people were completely fooled by these two men who passed themselves off as police officers—certainly corrupt ones—but police officers using their authority and their power.

Yet, this is not the first time that this happened. In 2008, the Calgary police had already charged two people who were personating police officers and who had tried to arrest drivers. They also had cruiser lights on their car. How is it that people other than police officers can purchase cruiser lights? I am just wondering.

Another incident took place in Oakville in 2010 when a woman who was personating a police officer pulled a driver over, accused

him of speeding and demanded that he quickly pay a fine right then and there. In that case, the woman did not have a uniform, a badge or an ID card. The situation was suspicious enough for the driver who was being scammed to call the police as soon as possible. Once the crime has been committed, victims take the time to think about it and then they realize that they have been scammed.

It is important to remind the public that there are ways to identify who is really a police officer. Police officers, whether they are plainclothes or in uniform, always have a photo ID card and a badge. If they are not visible, people have the right to ask to see them and should call the police if they have doubts as to a police officer's true identity.

Crimes such as what happened in the riding of Red Deer, or elsewhere in the country, have made the public and victims more distrustful of our institutions. Personating a peace officer should not be considered secondary in these cases, but should be considered an aggravating circumstance by the courts during sentencing.

We know how much trust the public puts in the people it believes to be real police officers. Personating an officer is even more serious, because it exploits the public's trust in the police. It affects all members of society; not just the victims.

The bill exposes a troubling and worrying aspect of the crime, which is when the offence is committed for the purpose of committing another offence. This bill will very much improve our justice system. It will give the courts a necessary—and currently lacking—tool for sentencing.

The member for Red Deer did a good job with this bill. It epitomizes his compassion for and understanding of the victim and the victim's family, and is an improvement to our justice system.

This private member's bill is a shining example of a logical and balanced approach to justice. The fact that there are no proposed minimum sentences should encourage the Conservatives to reconsider their normal approach to these issues.

It goes without saying that this is and will continue to be an important issue. Personating an officer is a crime that leads to other crimes. It must therefore be considered an aggravating circumstance by the courts. I urge my colleagues to unequivocally support this bill.

●(1950)

[English]

The Acting Speaker (Mr. Bruce Stanton): Before we resume debate with the Parliamentary Secretary to the Minister of Justice, I will let her know that we only have about four minutes remaining, so I will need to interrupt her at about that four-minute mark. Of course she will have the remaining time when the House next resumes business on this particular question.

The hon. parliamentary secretary.

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am pleased to speak today to Bill C-444, an act to amend the Criminal Code (personating peace officer or public officer). The bill was introduced by the member for Red Deer and is virtually identical to former Bill C-576. The only difference is that in Bill C-444 the aggravating factor applies to personation of a public officer as well as a peace officer. Former Bill C-576 was approved by the members of this chamber at second reading and was subsequently also adopted by the Standing Committee on Justice and Human Rights without amendment before dying on the order paper.

Bill C-444 is a simple and straightforward bill with only one provision. It would make it a mandatory aggravating factor on sentencing for the crime of personating a peace officer or a public officer, if the offence was committed for the purpose of facilitating the commission of another offence. As I will shortly explain, the purpose of personating a peace officer or a public officer in order to facilitate the commission of another crime is not an essential feature of the offence for reasons that will become obvious.

Let me begin with the offence itself. Section 130 makes it a crime to personate a peace officer or a public officer. This offence is punishable by up to five years in prison. A person can commit this offence in one of two ways. The first way is if people falsely represent themselves as peace officers or public officers. The word “falsely” means obviously that people only commit the offence if they do not in fact hold the office they pretend to hold. The offence has been interpreted to require that people intentionally misrepresented themselves to someone as if they did in fact hold such an office. There will have to be some evidence that the person deliberately tried to deceive another person about his or her status as a peace officer or a public officer.

The second way people can commit the offence is when they use a badge or other uniform article or equipment in a manner likely to cause others to believe that they are peace officers or public officers. Once again, of course, a person can only commit the offence in this way if he or she is not a peace officer or a public officer. As well, it is clear that there has to be some evidence that the use of the equipment or badge was likely to deceive the public or a person.

Whichever way the offence is committed, two things are clear. First is the harmful nature of this conduct. The very fact that people who have certain functions wear uniforms and use badges and other identifying equipment is testament to the importance of ensuring that the public is able to identify them as people who have those functions.

Some professions require the use of a uniform for a variety of reasons. The uniform is intended, in part, to provide visual proof that the person wearing it belongs to a particular group. This has several beneficial aspects. When people know they are in the presence of a law enforcement officer, their behaviour may change. Not only does the uniform alert potential criminals that law enforcement is present, but it also alerts law-abiding citizens to the same. When citizens need help, they may scan the area for the distinctive uniform of a police officer. When drivers approach an intersection or roadway that is occupied by a person in a police uniform, they typically submit to that person's hand directions without question or delay.

Adjournment Proceedings

Many parents teach their children to respect and trust a person in a police uniform. The overriding message the uniform sends to law-abiding citizens is that such an individual can be trusted and that is precisely how the problem of police personation arises. It is that natural trust, ordinarily well-founded, that can be exploited and abused by criminals for their own purposes.

• (1955)

The Acting Speaker (Mr. Bruce Stanton): The hon. parliamentary secretary will have six minutes remaining for her remarks when the House next returns to debate on this matter of private members' business.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[English]

FOREIGN INVESTMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to pursue a matter that I have been raising since the month of September. The specific matter for tonight's discussion relates to a question I put to the Prime Minister in question period on October 23. It relates to the Canada-China investment treaty.

I would like to take us back to where we were on October 23. With no ceremony, no warning, no briefing for parliamentarians and no lock-up, on September 26 the Canada-China investment treaty was quietly tabled in the House by the Parliamentary Secretary to the Minister of Foreign Affairs. Under rules adopted by the current administration, we were given 21 sitting days to essentially sit on it. There was no opportunity for debate. There was no opportunity for a vote.

As I had been anticipating, this treaty fairly closely models what has been done in other investor state treaties, but it is more egregious than usual in that we are allowing the People's Republic of China and its state-owned enterprises the ability to circumvent our courts, bypass our court system, and go directly to an international arbitration and challenge any law passed at the municipal level, provincial level, federal level, or even any decision of our courts. They can challenge that it has cost them profits and therefore they demand an arbitration process, which is set out in the Canada-China investment treaty.

The practice of previous governments in this circumstance is well documented in constitutional law texts. I would refer anyone who is concerned to review the foundational text by Professor Peter Hogg. Even with treaties such as this one that did not require implementing legislation, which is the usual reason that treaties must be put to a vote in the House of Commons and the Senate, the usual practice by previous prime ministers was to bring such treaties to a vote in the House whether they required implementing legislation or not. I would refer briefly to the Kyoto protocol. There was no need for implementing legislation, but it was brought to the House of Commons for a vote.

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Instead, and this has been lauded by representatives from the other side of this House, they adopted a practice called mandatory tabling of a treaty for 21 sitting days. The timing on those sitting days, taking into account weekends, Thanksgiving and so on, was from September 26 to November 1. Thereafter, at any point, the treaty could be ratified by a decision of cabinet in order in council.

The question I put to the Prime Minister was whether or not the constitutional aspects of this had been properly considered. I will quote my question: “Do arbitrations for damages against Canada for decisions at the provincial level not demand explicit agreement” with the provinces before the treated is ratified?

In support of the case that I have made that this treaty violates constitutional rights and promises—and let me also say in light of the Idle No More movement of first nations—I put into discussion this evening a letter to the Prime Minister dated October 12, from the recognized international law expert in arbitration process, Gus Van Harten, associate professor at Osgoode Hall Law School.

What he wrote to the Prime Minister on this topic was this:

The treaty clearly impacts on provincial powers on natural resources, taxation, land and property rights, and other matters. It applies to provincial legislation, regulations, or court or tribunal decisions that affect Chinese-owned assets, with limited exceptions. It does not contain a NAFTA-style carve-out for provincial performance requirements or any carve-outs for provincial measures regarding the treaty's expropriation and fair and equitable treatment provisions. Thus, there is a real possibility that, over the lifespan of the treaty, Canada will face billion dollar-plus awards due to provincial decisions that are not reviewable in Canadian courts.

This is clearly unacceptable. I await the parliamentary secretary's response.

● (2000)

Ms. Kerry-Lynne D. Findlay (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, exporting Canada's world-class goods, services and expertise to new, fast-growing markets around the world is a key part of Canada's economic action plan for jobs, growth and long-term prosperity. Our government is delivering on this commitment. In fact, the Minister of International Trade is leading a trade mission to Ghana and Nigeria this week to do just that. Africa is one of the fastest-growing regions in the world. According to the International Monetary Fund, five of the world's twenty fastest-growing economies are in sub-Saharan Africa. Canadian companies are creating jobs and prosperity throughout Africa, and our government is creating new opportunities for Canadian exporters by opening new markets in this dynamic region.

However, promoting Canadian interests internationally also means creating the conditions for Canadian investors to invest with confidence. That is exactly what our government is doing with our foreign investment promotion and protection agreements. In fact, our government has concluded several such agreements with our partners in Africa, including Tanzania, Benin and Senegal. We have also concluded such an agreement with China, the world's second-largest economy. This agreement will provide stronger protection for Canadians investing in China and create jobs and economic growth right here at home. This agreement establishes a clear set of rules under which investments are made and under which investment disputes are resolved. This treaty is about protecting the interests of Canadians. The FIPA also ensures that all investment disputes are

resolved under international arbitration, ensuring that adjudications are independent.

I emphasize that ours is the first bilateral investment agreement China has signed that expressly includes language on transparency of dispute settlement proceedings. Let me be clear. It is Canada's long-standing policy that all dispute resolutions should be open to the public and that the submissions made by the parties be available to the public. It is unfortunate that anti-trade activists have continued to spread such misinformation about this agreement.

Ms. Elizabeth May: Mr. Speaker, I am astonished by the parliamentary secretary's presentation. Let me quickly clear up one thing. There is no misinformation in the following statement: The treaty itself does not require transparency, only Canadian policy in place. So it is a discretionary decision by either China or Canada to decide to make the proceedings transparent. There is no requirement for transparency in this agreement, and that is a departure from previous treaties.

The Parliamentary Secretary to the Minister of Justice has spoken of the benefits of an agreement with Senegal and Benin and Tanzania. Those countries are not likely to take Canada to court for billions of dollars because they simply do not represent the economic clout. It is unfortunate that Canadian mining companies may take them to court if they improve their environmental laws, but it is simply unacceptable if the People's Republic of China is invested in the right to sue us.

This agreement does not open a single new market with China. It can still refuse Canadian investors' interests in its energy sector or its IT sector. However, we are wide open to investments from the People's Republic of China, and if this agreement is ratified we will be sued for billions of dollars if we improve our laws to protect the environment, health or labour standards.

Ms. Kerry-Lynne D. Findlay: Mr. Speaker, as I have said, this investment treaty will fundamentally help protect the interests of Canadian investors. I also point out, and we so assert, that it is our government that brought greater transparency to the treaty review process. It was our Conservative government that, in 2008, introduced a formal tabling policy that requires international treaties to be tabled in the House before their ratification or coming into force. In this case, the opposition parties simply chose not to debate it, despite having had several opportunities to do so.

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The Canada–China FIPA is similar to the 24 other investment treaties Canada has signed with key trade and investment partners. This is yet another demonstration of how our government is creating jobs, growth and long-term prosperity for hard-working Canadians and protecting their interests.

• (2005)

The Acting Speaker (Mr. Bruce Stanton): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 8:05 p.m.)

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