



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

---

VOLUME 147 • NUMBER 077 • 2nd SESSION • 41st PARLIAMENT

---

OFFICIAL REPORT  
(HANSARD)

**Wednesday, April 30, 2014**

---

**Speaker: The Honourable Andrew Scheer**

## **CONTENTS**

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

# HOUSE OF COMMONS

Wednesday, April 30, 2014

The House met at 2 p.m.

---

*Prayers*

---

• (1405)

[English]

**The Speaker:** It being Wednesday, we will now have the singing of the national anthem led by the hon. member for Prince George—Peace River.

[Members sang the national anthem]

---

## STATEMENTS BY MEMBERS

[Translation]

### INTERGOVERNMENTAL RELATIONS

**Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ):** Mr. Speaker, our thoughts are with the new federal Minister of Finance. Apparently he is fraught with worry about the state of Quebec's finances and Quebec's ability to return to a balanced budget.

Ironically, it is his government that changed the health care formula, which will deprive Quebec of \$10 billion over 10 years; it is his government that allocated billions of dollars to Ontario's automotive industry, while abandoning dozens of manufacturing and forestry companies in Quebec; it is his government that has begun stripping Quebec of its jurisdiction over securities and undermining Quebec's entire financial sector; it is his government that ignored Quebec when it came time to award shipbuilding contracts, thereby depriving it of billions of dollars in spinoffs; and it is his government that eliminated the tax credit for labour-sponsored funds.

Since we all care about the Minister of Finance's well-being, I have some advice for him: to ease his concerns, all he has to do is reverse the unfair decisions made by his government regarding Quebec. Then everybody wins.

\* \* \*

[English]

### BATTLE OF THE ATLANTIC

**Mr. Robert Goguen (Moncton—Riverview—Dieppe, CPC):** Mr. Speaker, I rise today in the House to highlight the efforts of the local veterans associations in the riding of Moncton—Riverview—

Dieppe in putting together their ceremonial service of remembrance on the occasion of the 69th anniversary of the Battle of the Atlantic. This service will take place on May 4, 2014.

The Battle of the Atlantic ceremony is held in memory of those who laid down their lives at sea and ashore during the Second World War victory, which came at a huge cost to our navy. Canada lost over 20 ships and 2,000 personnel.

This is also a personal commemoration, as my father-in-law, Robert Green, a teenager at the time, took part in this battle and, thankfully, survived it.

I would like to encourage my colleagues, as well as the members across the aisle, to participate in similar ceremonies taking place in their ridings to honour those who lost their lives in the cause of freedom.

Lest we forget.

\* \* \*

### RAIL TRANSPORTATION

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, last year's rail tragedy at Lac-Mégantic has prompted an examination by Parliament of the transport of dangerous goods. We learned that for 25 years, experts had been saying DOT-111 railcars were unsafe to carry dangerous goods, yet we still see hundreds rolling past homes, schools and daycares in my riding every day. The minister's announcement last week, ten months after the disaster, that these dangerous cars would continue to roll for three more years is not good enough.

At a recent town hall meeting on rail safety, residents in my riding asked why these trains were not being redirected onto safer routes, away from dense population centres. If the Transportation Safety Board says that these railcars can rupture at 20 miles per hour, why are these trains not being slowed down in populated areas? Why can the public not know what is being transported a few feet from their bedrooms? Why is the minister allowing the railroads to decide whether these routes and speeds are safe or not?

My residents, and residents elsewhere living near railway tracks, deserve better.

*Statements by Members***CANADA-CHINA**

**Ms. Wai Young (Vancouver South, CPC):** Mr. Speaker, I rise today to pay tribute to His Excellency Junsai Zhang, ambassador of the People's Republic of China to Canada, whose tour has ended. As co-chair of the Canada-China Legislative Association, I thoroughly enjoyed working with him. During his tenure, we have experienced remarkable growth in the relationship between our two countries.

Each year, Canada exports over \$20 billion in goods to China, and Canadians invest over \$4 billion in the Chinese economy. Our cumulative trade is estimated at \$75 billion. In addition, over 80,000 Chinese students study at Canadian institutions today, and almost 500,000 more visit Canada annually.

I know our countries will continue to build upon over 130 years of friendship, as we embrace our complementarity through these and other areas of trade, as well as build stronger people-to-people ties.

I wish Ambassador Junsai and his wife, Madame Yin Guomei, the very best. Canada is grateful for their service to our two nations and our two peoples.

\* \* \*

**CANADIAN ARMED FORCES**

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, this past week, several courageous members and veterans of the Canadian Armed Forces came forward about the sexual assaults they experienced while serving, and the force's disturbing response. We heard accounts of complaints dismissed by the military police, ostracism and harassment, and even rape by superior officers.

In the face of daunting obstacles, these brave men and women came forward to share their ordeals, standing up for other victims of sexual assault. It is an incredible act of bravery from individuals who already give their country so much.

We need a better approach for prevention and stronger safeguards for those who come forward, and we need them now. The system in place is clearly failing.

The defence minister is ultimately responsible for what happens in his department, so I appreciate the planned independent review, and I expect him to oversee strong, clear measures to correct this unacceptable situation.

To the men and women who have come forward, on behalf of my colleagues in the House, I simply want to thank them for their bravery, and we stand with them.

\* \* \*

● (1410)

**COUNCIL OF EUROPE**

**Mr. David Tilson (Dufferin—Caledon, CPC):** Mr. Speaker, May 5 marks the 65th anniversary of the founding of the Council of Europe. Promoting democracy, human rights, and the rule of law, as well as co-operation among its member states in the aftermath of World War II has long been its goal, and each year it continues to show its strength in that regard.

As an observer, Canada participates in its activities on a regular basis. I have just returned from leading a delegation of the Canada-

Europe Parliamentary Association where members and senators took part in discussions on the ongoing situation in Ukraine and Russia, something I know we are all deeply concerned about.

The council continues to allow Canada to advance positions on key issues in international affairs. We exchange ideas on important matters in human rights, democracy, and rule of law, for example, the role prostitution laws can play in addressing human trafficking.

As president of the Canada-Europe Parliamentary Association, I congratulate the Council of Europe on 65 years of important and critical work.

\* \* \*

**SHANNON PARK**

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, yesterday's news that the former DND property of Shannon Park has finally been transferred to Canada Lands is very welcome in my riding of Dartmouth—Cole Harbour. This property has been empty since the military community left in 2004, leaving its status unclear.

After 10 years, this announcement finally provides some clarity for the Millbrook First Nation that have an outstanding land claim to Turtle Cove, for the families whose children attend Shannon Park Elementary School, and for the citizens of my riding who see the development opportunities of this neighbourhood.

In the coming weeks and months, I will be speaking to constituents about their ideas on the future of Shannon Park and will be working hard to ensure Canada Lands Company follows its reported robust consultation process.

My constituents deserve the full complement of consultative efforts that Canada Lands and other levels of governments can administer, including an advisory committee of local residents.

What happens to Shannon Park must not be decided for the residents of Dartmouth. It must be decided with the residents of Dartmouth.

\* \* \*

**UKRAINE**

**Mr. Peter Goldring (Edmonton East, CPC):** Mr. Speaker, the crisis in Ukraine continues, with distrust on all sides. There seems to be no political willingness to legislatively address the issue of linguistic and cultural inclusivity in the present or for the future.

Leadership is needed to guarantee linguistic rights for minorities, be they Romanian or Russian, to counter the fermenting linguistic discord and restore unity to Ukraine. Such action must come from those most trusted by the majority of Ukrainians: their religious leaders.

*Statements by Members*

The All-Ukrainian Council of Churches and Religious Organizations, which brings together the leadership of Ukraine's faith groups, could craft an instructive proclamation for future direction and governance of Ukraine, reflecting the desire for linguistic and cultural inclusivity and easing tensions and concerns.

Orthodox church leaders and diplomatic representatives are in agreement that such an approach offers hope, and certainly it is an effort that would be constructive. The time for doing is now.

\* \* \*

**VETERANS**

**Mr. Parm Gill (Brampton—Springdale, CPC):** Mr. Speaker, I am honoured to commend the sacrifices made by our brave men and women who have proudly served our country. Our government is committed to supporting the selfless acts of bravery of our veterans have made by investing almost \$5 billion in additional funding since 2006.

In addition to the support we provide our veterans, a Canadian charity, "To the Stan and Back", is providing further support through post-combat wellness programs for returning troops from Afghanistan.

Tonight, To the Stand and Back is hosting its sixth annual fundraiser, "Party Under the Stars", which is always a great time while raising money for such a worthy cause.

I encourage all of my colleagues in the House to attend tonight's event at Ottawa City Hall in support of the men and women who have made a tremendous sacrifice defending our great country.

Lest we forget.

\* \* \*

**FISHERIES**

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, yet another commercial fish stock off the east coast is in trouble.

The quota for northern shrimp will be cut this year by 30%. That is a lot of grief that the Conservative government has chosen to inflict on the inshore fishermen of Newfoundland and Labrador, on our processing plants, and on our outports, which have had more than their fair share of grief.

The Conservative government has decided to follow the so-called last-in-first-out policy that favours big business offshore licence holders. This is not about conservation or economics; it is about blatantly serving the top of the food chain at the expense of our fishermen.

The principle of adjacency whereby those closest to the resource benefit from the resource has been tossed overboard. The last-in-first-out policy should only work for the Conservative government and the cabinet ministers on the front bench.

Our inshore fishermen, who have cast their nets outside their front doors for 500 years, should be at the front of the line. They should play second fiddle to no one.

● (1415)

**HAMILTON**

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Mr. Speaker, I was pleased to hear the long-awaited news yesterday that Correctional Services Canada has decided not to renew the lease of the Hamilton Correctional Centre at 94 York Boulevard and that it will close down. Everyone in the community is happy with this decision. We have felt for some time that the high-risk offenders housed there would be better served elsewhere for the safety of the community and for the offenders' rehabilitation program.

I want to thank the minister for his hard work on this file. I would also like to thank and acknowledge all the behind the scenes work done by the current mayor of Hamilton, Mayor Bob Bratina, and also former mayor of Hamilton Larry Di Ianni, who got the ball rolling on this during a time when he was the mayor.

The people of the Hamilton area can now be assured of safer streets, especially as downtown Hamilton experiences a renaissance and is attracting more people and businesses to the city core. Safety and security are the highest priorities in the operation of the federal corrections system. Today there is more proof positive that this commitment counts.

\* \* \*

**PENSIONS**

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, pension experts across the country support the NDP plan to improve retirement security, but the Conservative government is twisting itself into a pretzel to avoid taking real action on pensions. Today I am asking if the government will address the issue of poverty among women seniors.

Seventy per cent of seniors in poverty are women, and women are twice as likely as men to be impoverished in their retirement.

Women face lower pay for their work, career interruptions to care for children or parents, and systemic discrimination experienced by aboriginal women and new Canadians.

Despite the significant gains that women have achieved, they still face many of the same challenges as their mothers and grandmothers.

New Democrats call on the government to ensure the social and economic equality of women. Improving their retirement security is a key step. All Canadians deserve better.

\* \* \*

**NATURAL RESOURCES**

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, as chair of the natural resources committee I am thrilled to speak about the importance of the natural resource sector to Canadians and to the good people of Vegreville—Wainwright constituency.

*Statements by Members*

The natural resources sector employs 1.8 million Canadians, including more than 32,000 first nations people, making it the single largest private employer of first nations people in this country. These are good, well-paying jobs for hard-working Canadians. The natural resources sector also contributes nearly 20% of Canada's GDP. This allows the government to contribute to health care, education, and other programs that help support the high standard of living that we enjoy as Canadians.

Our government is proud to support this important sector of the Canadian economy and will continue to support the responsible development of our natural resources and the many jobs that this sector provides for Canadians.

\* \* \*

**CANADIAN KUMITE KARATE CHAMPION**

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, I rise today to recognize Christopher Coady, a talented 15-year-old from Newfoundland and Labrador who recently won the Karate Canada National Cadet Kumite championship in the under 63 kilogram division.

Christopher's proud grandparents, Patrick and Sarah Brake from St. Lawrence in my riding of Random—Burin—St. George's, justifiably boast about his accomplishments at every opportunity.

As the Canadian kumite champion, Christopher is looking forward to competing at the Pan-American karate championships taking place this summer in Lima, Peru.

Christopher's talent was obvious at an early age, when he started training at the age of six. He has been successful on the provincial and national stage. In addition to being the current national champion, he is the current Atlantic Canada karate champion and represented Newfoundland and Labrador at the 2013 Commonwealth championships and the 2013 Montreal open.

I ask all members to join me in congratulating Christopher and wishing him all the best when he represents Canada at the Pan-American karate championships this summer.

\* \* \*

**PUBLIC SAFETY**

**Ms. Joyce Bateman (Winnipeg South Centre, CPC):** Mr. Speaker, our Conservative government is committed to keeping Canada safe and secure from radical extremists who wish to harm us and our way of life.

That is why yesterday the Minister of Public Safety listed the Hamas-linked group IRFAN-Canada as a terrorist entity under the Criminal Code. This builds on our government's strong national security record that includes passing the Combatting Terrorism Act, investing nearly a quarter of a billion dollars in protecting Canadians from hacking and cyberespionage, and removing over 115,000 illegal immigrants since being elected in 2006.

Contrast this with the Liberals, whose leader mused about compassion for terrorists who bombed the Boston Marathon just over a year ago and whose public safety spokesman, the member for Malpeque, opposed listing Hezbollah as a terrorist entity.

This type of reckless national security policy shows the leader of the Liberal Party is just in over his head.

\* \* \*

● (1420)

**CONSERVATIVE PARTY OF CANADA**

**Mr. Dan Harris (Scarborough Southwest, NDP):** Mr. Speaker, as the Prime Minister celebrates his birthday today, I wonder if he will invite his close friend and ally, Tom Flanagan? For those who do not remember, he is the guy who used to write articles with the Prime Minister in the late 1990s. He helped the PM become leader of the Canadian Alliance and Conservative parties, and managed—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please.

The hon. member for Scarborough Southwest has the floor.

**Mr. Dan Harris:** Thank you, Mr. Speaker.

He also managed the Conservatives' 2004 campaign.

How does this stalwart of the Reform-Conservative movement describe his old friend these days? On the weekend, Mr. Flanagan said the unfair elections act shows the ruthless, vindictive, and hyper-partisan side of the Prime Minister, and he confirmed the Conservatives are indeed using the unfair elections act to give them an advantage in the next election.

Even after promising to compromise, Conservatives are rejecting every single opposition amendment. No wonder his closest friends are calling out his ruthlessness.

However, while Conservatives use their majority to ram through unfair new rules, Canadians know they can count on the NDP to defend their democracy.

\* \* \*

**UKRAINE**

**Mr. Lawrence Toet (Elmwood—Transcona, CPC):** Mr. Speaker, I want to take this opportunity to recognize the significant contributions of the Ukrainian community in Canada in the development of our nation's rich history and heritage. Winnipeg is home to a large and vibrant Ukrainian community. Over the past few months I have had the privilege to attend many local events in support of a free and democratic Ukraine. This past weekend I was pleased to attend the Ukrainian Professional and Business Club of Winnipeg fundraiser with proceeds being donated to the Maidan relief effort fund.

*Oral Questions*

Amid developments in Ukraine, there are many upcoming events in Winnipeg that will provide Canadians of Ukrainian descent with welcomed opportunities to visibly promote their culture and heritage. Specifically, I would like to convey my best wishes to organizers of the upcoming Oseredok Ukrainian Cultural and Educational Centre's benefit concert gala dinner on May 10 and the Knights of the Ukrainian Catholic Archeparchy 20th anniversary celebration on May 20. These special celebrations allow us to show our solidarity with Ukrainians working tirelessly to restore political and economic stability in their country.

---

## ORAL QUESTIONS

[English]

### PRIVACY

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, how can the Prime Minister justify the invasion of the privacy of a million Canadians by his government?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I obviously do not accept the premise of that question.

What we do understand is that various Canadian investigative law enforcement and other agencies will, from time to time, request information from telecom companies. They always do this in accordance with the law. They always seek a warrant when they are required to do so. Of course, we expect the telecom companies to also respect the law in all of their dealings.

[Translation]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, is the Prime Minister telling us that he thinks it is okay that a million Canadians have had their privacy invaded by his government? Is he trying to justify the unjustifiable?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, I do not accept that statement.

The reality is that law enforcement and other investigative agencies will, from time to time, request information, as is their right. They always obtain a warrant when it is required by law.

Of course, we expect the telecom companies to comply with those obligations as well.

• (1425)

[English]

I should also mention that we are aware that there has been considerable evolution in the marketplace since these privacy laws were passed a decade ago. There is legislation before Parliament now, and I encourage all parties to focus on that.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, there is actually legislation to exculpate the companies that provide the information. The Prime Minister is trying to make it easier for the telecommunications companies to provide that information.

Is the Prime Minister trying to say to Canadians that this invasion of one million Canadians' privacy was justified by search warrant? I

just want to make sure that we all understand that that is indeed what the Prime Minister is trying to convince us of.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, again, I do not accept the premise of that question.

What we do say is that privacy laws are respected by the government. Law enforcement and other investigative agencies always seek warrants when they are required to do so. There is independent surveillance, independent oversight to make sure that these laws are respected.

I should point out the proposals in the digital privacy bill before Parliament require organizations to tell Canadians if their personal information has been lost or stolen, to impose fines of up to \$100,000 on those who deliberately break the rules, place stricter limits on the type of personal information that can be disclosed, and many other reforms.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, this has nothing whatsoever to do with information that is lost or stolen.

As for the premise of the question, it was based on what the Prime Minister just said himself, that there were warrants in all these cases. I ask him again to confirm what he was saying, that this is based on warrants.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, telecommunications companies obviously do co-operate with law enforcement and other authorities from time to time in various investigations and surveillance.

When information is required to be handed over according to a warrant, our law enforcement agencies do that. As I said, there is independent oversight to ensure that is done.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, what information is the government seeking, and why?

Which telecommunications companies are handing over that information, and which are refusing to do it?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the issues in question would be those of investigative authorities, ranging from the Royal Canadian Mounted Police, Canada Border Services Agency, and others.

It is not the government that requests information. It is independent law enforcement agencies that do that. The government is not involved in those investigations, rather there is independent oversight on those matters.

\* \* \*

### EMPLOYMENT

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the government's mismanagement of the temporary foreign worker program has driven down wages and exploited the vulnerable.

*Oral Questions*

They actually doubled the intake in manufacturing, even in places like London, Sarnia, Windsor, and Hamilton, where tens of thousands of Canadians have lost their jobs.

Has the Prime Minister now ordered his jobs minister to implement a significant reduction in the program's intake?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, if we are talking about job creation, there have been 1.1 million net new jobs created in this country since the end of the recession.

There is, from time to time, as we know, demand for temporary foreign workers. In fact, those demands regularly come from the Liberal Party. In spite of those growing demands for that from the Liberal Party, the government has brought in reforms over the past few years that have reduced the application intake by 30%, and as we know, the minister is taking further strong action to ensure that Canadians always get jobs that they are available for.

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, five years ago, Sheila Fraser warned the government about the integrity of the temporary foreign worker program and the poor quality of its labour market opinions. Instead, it ignored her and has instead massively increased the intake of the program, even in places like London, Sarnia, Windsor, and Hamilton, that have been hit by job losses.

Has the Prime Minister now ordered his jobs minister to implement a significant reduction in the program's intake?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, of course, the opposite is true. In the intervening period, the government has taken a number of actions to reform the program and to restrict abuse, measures that have all been opposed by the Liberal Party that created the program and continues to inundate the minister with requests for more temporary foreign workers. The reason we have done these things is to ensure Canadians get those jobs.

We have seen an increase, obviously, in Canadians getting jobs, 1.1 million new jobs. That is why the Canadian middle class is doing so well.

• (1430)

[*Translation*]

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the number of temporary foreign workers in Quebec has increased by nearly 25,000 since 2008. However, there are also 36,000 more unemployed workers in Quebec than there were in 2008.

Will the Prime Minister now demand that his Minister of Employment and Social Development take back control of this mismanaged program?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, since 2011, this government has passed measures to reduce application intake for temporary foreign workers and has successfully reduced that intake by 30%, despite the Liberal Party's opposition and the fact that Liberal MPs are asking for more temporary foreign workers. Even the member for Papineau, the leader of the Liberal Party, is making such demands.

It is the Conservative Party that is making sure that Canadians always have the best chance of getting jobs.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the Prime Minister would have us believe that his government is trying to curtail abuse of the temporary foreign worker program. In that case, we have just one question for him.

If he wants to have more control over this program, which he knows has been abused as a result of his minister's mismanagement and incompetence, why is he cutting the jobs of 56 inspectors whose role it is to monitor the temporary foreign worker program?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, while the Conservative Party is reforming the program, NDP members are asking for more temporary foreign workers in their ridings. In fact, the NDP has made more requests for additional temporary foreign workers than any other party in the House. That is why we made changes, and there has been a significant drop in application intake. Contrary to what the member is saying, the reality is that we have increased the number of inspections.

\* \* \*

[*English*]

**DEMOCRATIC REFORM**

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the Commissioner of Canada Elections has asked the Prime Minister to give him the power to compel witnesses to testify in investigations of electoral fraud. This is a power the commissioner himself says that he needs.

Why is the Prime Minister refusing? Why is the Prime Minister soft on crime when it comes to investigating electoral fraud in Canada?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the investigative powers that are actually increased in this particular bill are consistent with those in other law enforcement situations, where, in some situations, one must obviously get a court order to get certain information. That is how our legal system works.

Of course, as I have said repeatedly, we do not agree with the NDP's position. It is an extreme position, not supported by Canadians, that people should be able to vote even if they have no intention of providing any identification or any evidence of who they are. It is not supported by Canadians. It is not consistent with this bill.

[*Translation*]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, the only stories of fraud are from his colleague from Mississauga—Streetsville, who shared some utter nonsense here in the Parliament of Canada.

Since the Prime Minister claims to want to stop fraud, I have just one question for him. The Chief Electoral Officer says that the voter identification card is even more reliable than a driver's licence.

Why does the Prime Minister want to prohibit the use of the voter identification card?



*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, with respect to the fraudulent allegations and the robocall scandal manufactured by the NDP, it was noted recently that it was another case of electoral fraud on the part of the NDP.

There are 39 acceptable pieces of ID under the act. If a citizen has the right to vote, he or she has several ways to prove identification in order to do so.

• (1435)

[English]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, according to Canada's director general of elections, the voter identification card is actually more reliable than a driver's licence for the information it contains. The voter identification card is the only piece of identification issued by the Government of Canada that contains an address. Why is the Prime Minister so pigheaded about this? Why will he not allow this to continue to be used?

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please.

I think I have asked members to avoid using terms like that in the past.

If the right hon. member wants to respond, the Right Hon. Prime Minister.

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, of course, everybody involved in elections knows how easy it is to obtain multiple and inaccurate voter identification cards. That is obviously the reason why, in order to prove identification, we have 39 other pieces of identification. As members know, there are alternative arrangements that have been made available by the minister for those who need to prove their address.

[Translation]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, 64% of young people—two out of three—did not vote.

In the latest election in Quebec, the CEO introduced a program to bring ballot boxes to campuses, and this was a success.

Why does the Prime Minister want to prevent Canada's Chief Electoral Officer from taking ballot boxes to CEGEP, college and university campuses across Canada, when two-thirds of young people did not vote in the last election?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, as we have said many times, when people do not vote, it is usually because they do not know exactly why or how to vote or how many identification options they have in order to vote.

We want Elections Canada to focus its efforts and activities on that problem.

\* \* \*

[English]

### EMPLOYMENT

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, hard-working Canadians are losing their jobs in favour of

temporary workers who are paid less and are treated poorly. Conservatives keep promising to fix the mess they have made, yet it only gets worse.

Will the minister acknowledge the severity of the problem and agree to an immediate independent audit?

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, as I told the member earlier this week, we actually have put in place an auditing process for use in the temporary foreign worker program. We put in place legislative measures, which came into effect last December, allowing Service Canada integrity branch officials to go into work sites unannounced to investigate pay levels, to get the paperwork to ensure that the rules are being followed. We will be proposing additional measures to even further strengthen those auditing powers to ensure that the rules are followed and that there are very serious consequences should employers break the rules of the program, because they must always give Canadians the first crack at available jobs.

[Translation]

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, the temporary foreign worker program has been a problem for a long time. In 2009, the auditor general warned the Conservatives. She criticized them for not enforcing the rules strictly, and she pointed out that files were poorly documented and that the department's opinions were random. Against all logic, the Conservatives responded to that damning report by relaxing the rules and increasing the number of work permits.

Why are the Conservatives refusing to fix this program to ensure that Canadian workers are not wronged?

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, I think there has been a misunderstanding. The government never set a goal or target for temporary foreign worker numbers. That being said, the number of foreign workers depends on the number of requests for labour market opinions, which fell by 20% after fees were introduced last year. Fewer employers are making requests in the context of the program because of that change in policy.

• (1440)

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, no NDP member believes that it is okay to replace a Canadian worker with a lower-paid temporary foreign worker.

Excessive use of temporary foreign workers is skewing the labour market. The program is putting downward pressure on wages and working conditions, and it is creating unemployment in some regions. It is not good for businesses either. At the end of each season, they lose the workers they trained, and it is getting harder and harder for them to find skilled workers.

Is that the government's plan—use cheap labour to grow the Canadian economy?

*Oral Questions*

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, my colleague is wrong. Quite a few NDP MPs have asked me to overturn officials' decisions to deny requests. Officials have said that employers in NDP ridings have not done enough to recruit Canadians. New Democrats have disagreed with the officials' decisions and tried to have them overturned. New Democrats are the ones who want to create an exemption for foreign musicians, foreign IT workers, and foreign agricultural workers. The New Democrats are being inconsistent.

\* \* \*

[English]

**AIR TRANSPORTATION**

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, the Toronto Port Authority was set up by the Liberals, against the wishes of the City of Toronto. Until 2001, the airport belonged to the city. Then the Liberals created an unelected, unaccountable port authority, taking control of the airport out of Toronto's hands and into Ottawa's. Now this unelected body thinks it is above the law and can cherry-pick which decisions of council to respect.

Will the government tell the Toronto Port Authority it must respect the democratic decisions of Toronto City Council?

**Hon. Lisa Raitt (Minister of Transport, CPC):** Mr. Speaker, the Toronto Port Authority is an independent organization that has many agreements with the City of Toronto for which it is held accountable and that it has to be able to fulfill, too.

It is very important that port authorities and airport authorities have good communications with their local communities. I encourage them to sit down and talk with their local council members, and as well, to talk to their council in general about how to better further economic development through the use of port assets.

\* \* \*

**EMPLOYMENT**

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, while imposing a moratorium on temporary foreign workers in the food sector, at the same time the government advertises to companies that they can bring in young foreign workers under the exchange program, with no labour market opinion and no rules on wages. The government says we have a moratorium, and then it says, "Do whatever you want".

How can the moratorium mean anything when the government still advertises LMO-free foreign workers for the food services industry?

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, I congratulate the member for Markham—Unionville. He is learning just bit by bit that the program is larger than the labour market opinion stream.

The truth is this. There are tens of thousands of young Canadians working around the world on youth mobility programs. They are getting good experience abroad, which they may put to work in the future, perhaps running businesses. In order for them to be able to do that, we have to admit, on a reciprocal basis, young foreigners to

Canada to work and experience this wonderful country as well. I do not know what he is proposing, but does he really want us to tell those Canadians working abroad that—

**The Speaker:** The hon. member for Cape Breton—Canso.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** Mr. Speaker, the minister bragged about that program yesterday, the reciprocal aspect of it that was a benefit to all. The reality is that there are three times as many foreign youth workers in this country than there are Canadians working offshore. Look at Poland, with 753 Polish workers here in Canada. How many do we have in Poland? We have four. Look at Croatia, with over 300 Croatian workers here in Canada. How many do we have there? We have two.

With 225,000 fewer youth jobs under the government's guidance, how can he accept that as reciprocal?

• (1445)

**Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC):** Mr. Speaker, it is always—

**Some hon. members:** Oh, oh!

**The Speaker:** Order. The hon. Minister for Citizenship and Immigration now has the floor.

The hon. minister.

**Hon. Chris Alexander:** Mr. Speaker, it is always fascinating to hear members of the Liberal Party stand up and denounce a program that they created in 1951 and then expanded dramatically in 2003. We will leave it to them to answer those questions about their lack of consistency.

The truth is that the job opportunities in Canada are much better, thanks to this government, than they are in many of our partner IEC countries. Thanks to the leadership of this Prime Minister, thanks to the leadership of this team, 1.1 million net new jobs, a lower youth unemployment rate today than—

**The Speaker:** The hon. member for Wascana.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, because of the government's mismanagement of temporary foreign workers, employees and employers alike have been damaged. Legitimate employers with real job market needs have been jeopardized. Canadian jobs have been lost, some wages have been driven down, some foreign workers have been abused, all because of Conservative incompetence.

Conservatives have run this program for eight years, and they have run it into the ground. It is on their watch. It is their responsibility.

Can Canadians at least get a commitment that the government will get this mess investigated and fixed and the program salvaged before this summer?

*Oral Questions*

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, again, it is interesting hearing from that particular member. I was in his constituency a couple of months ago and met with several dozen employers. They said that their only issue was the labour challenges that they were facing. They said the rules of the program were far too tight.

That is perhaps why that member and so many of his colleagues make representations to overturn the decisions of our officials with respect to the temporary foreign worker program. Let us be clear. We are going to ensure that Canadians come first in the labour market and, if there are abuses or if the labour market is distorted, those issues are addressed.

\* \* \*

**PRIVACY**

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the Privacy Commissioner is mandated by Parliament to protect the privacy rights of Canadian citizens. When she raises red flags about a million cases of warrantless snooping on the Internet and telephone use of Canadians, she deserves answers. Instead, she is being stonewalled by both the telecoms and the government.

Will the government explain whether or not it approves of this open season on the use of data that belongs to Canadian citizens?

**Hon. James Moore (Minister of Industry, CPC):** Mr. Speaker, before we tabled Bill S-4, the digital privacy act, I spoke to the Privacy Commissioner and got her views on how to best move forward with modernizing Canada's intellectual property laws.

I spoke to her this morning about the story that has been in the news recently, and in fact here is what she said about our digital privacy act and our efforts to best protect Canadians online. She said, "...I welcome the proposals..." in this bill. This bill contains "...very positive developments for the privacy rights of Canadians..."

We work with the Privacy Commissioner. We protect the best interests of everyday Canadians, and we are making sure that we move forward to modernize our digital laws.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, there is a guy who was going to beat up on those big, bad telecoms, but boy oh boy, when it comes to unwarranted snooping, let us all be polite here.

If Canadians are being spied on, they have a right to know. After all, Canadians are paying for this. The telecoms charge \$1.25 every time the government comes snooping on Canadians, so if their numbers are right, that means Canadian taxpayers are paying over \$1 million a year to be spied on.

Will the minister confirm to the House how much taxpayers' money is being used every year in this warrantless snooping on the private words of Canadians online and on telephones?

**Hon. James Moore (Minister of Industry, CPC):** Mr. Speaker, with respect, I do not think my colleague quite understands the law. The Personal Information Protection and Electronic Documents Act, section 7, spells out very clearly the kinds of information that are being sought by different agencies of the government, and they all relate to public safety, national security, and criminal investigations.

That is what this is about. We have moved forward, as I said, to further protect the privacy of Canadians online. The digital privacy act does that.

We have worked with the Privacy Commissioner in developing these proposals. We have put them before the Parliament of Canada. If the NDP has any ideas that it wants to bring forward to draw into our legislative process, we will entertain them.

[*Translation*]

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, we realize that there are times when telecommunication companies might have to hand over private customer information to government agencies in the interest of national security.

However, this should never be done without a warrant, and I would be surprised that it needs to be done 1.2 million times a year. The biggest concern here is not that the agencies have practically unlimited access to this data, but that the Privacy Commissioner has no access to any information about these transactions.

If the government agencies can access the data whenever they want, then how does the minister explain that the telecommunication companies can refuse to co-operate with the Privacy Commissioner?

● (1450)

**Hon. James Moore (Minister of Industry, CPC):** Mr. Speaker, the companies must co-operate. I believe that Bell is appearing before a Senate committee today to answer such questions. If my colleague wants to ask those types of questions at one of the House of Commons committees, he can ask these companies to come testify.

**Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP):** Mr. Speaker, they cannot deliver the mail, but they can look at our email. It is mind-boggling.

The minister talks as if it were normal to spy on the private lives of 785 million people, as if this were just a precaution. We have the government requesting private information about the public and getting that information without a warrant. Then we have the telecommunication companies failing to notify their customers that their information is being handed over to the government. In the meantime, the commissioner is trying to shed light on what is happening, but the companies are putting up roadblocks.

Will the minister compel the telecommunication companies to co-operate with the Privacy Commissioner in all circumstances?

**Hon. James Moore (Minister of Industry, CPC):** Mr. Speaker, indeed, the telecommunication companies must absolutely act effectively and responsibly towards all those they provide services to. There is no doubt about that.

*Oral Questions*

[English]

Equally, we have put legislation before Parliament that further protects the privacy of Canadians, Bill S-4.

The NDP had a private member's bill with regard to the same piece of legislation that did not address this issue, did not even raise the topic, did not offer any amendments, and did not offer any solutions.

Contrast that with what we have done. We have put forward the digital privacy act, consulted with the Privacy Commissioner beforehand, spoken with her all throughout the process, and put forward legislation, which she endorses, that says we will protect the privacy of Canadians.

\* \* \*

**FOREIGN AFFAIRS**

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** Mr. Speaker, the situation in Ukraine remains very troubling to me, to my constituents, and indeed to all Canadians. Russia's illegal occupation of Ukraine and provocative military activity remains a serious concern to the international community.

Can the Prime Minister inform the House of any additional steps Canada is taking in response to the situation in eastern Europe?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I thank the member for Souris—Moose Mountain for that question.

Our government and our country remain steadfast in our support for the people of Ukraine in the face of ongoing militarism and aggression by the Putin regime.

Today, I am pleased to announce that we are committing the HMCS *Regina*, which is currently deployed in the Arabian Sea, to NATO's reassurance package.

\* \* \*

**PENSIONS**

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, millions of Canadians face a significant drop in their standard of living after retirement, but the Conservatives continue to block any real progress to addressing this crisis.

Now we see provinces losing their patience and unveiling their own go-it-alone pension plan.

Everyone knows that expanding the Canada pension plan and the Quebec pension plan is a better solution: lower fees, higher returns, and more retirement savings for all Canadians.

Will the minister face up to the facts and boost the CPP?

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, the only thing the hon. member did not mention was that it includes higher taxes.

Why do New Democrats not understand that hiking CPP costs for Canadian workers and decreasing their paycheques while the economy is still fragile can kill thousands of jobs?

In fact, the Canadian Federation of Independent Business estimates that the plan put forward by the NDP's big union bosses could kill up to 235,000 jobs.

Canadians simply cannot afford higher payroll taxes. They cannot afford higher CPP payroll taxes. Canadians cannot afford the NDP.

[Translation]

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, the minister is playing a very dangerous game by refusing to take action. Our seniors' ability to retire with dignity is at stake. As if it were not enough to block improvements to the Canada pension plan, the minister now wants to attack the private pension plans that Canadians are counting on. Why does the minister want to help businesses weaken their employees' pension plans?

● (1455)

[English]

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, again, Canadians cannot afford to pay higher mandatory taxes at a time when we are in a very fragile global recovery.

Let me quote Susanna Cluff-Clyburne of the Canadian Chamber of Commerce, who said:

The more you increase the cost of bringing employees into the workplace, it's going to put up a barrier to creating...jobs.

Unlike the opposition, this government has been focused on creating jobs, focused on skill development, and focused on building this economy again.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, let us read a quote from the finance minister's own department, which said, "...expanding the CPP would bring economic benefits".

The minister refuses to listen to the premiers, refuses to listen to the experts, refuses to listen to Canadian seniors, and refuses to listen to his own department.

This is not a partisan issue; it is simply common sense. Boosting public pensions helps Canada's economy and, particularly, small businesses. By the way, it allows Canadian seniors to retire with dignity.

Will the minister put aside his ideological blinders long enough to listen to Canadian seniors, work with the provinces, and boost Canada's pension plan?

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, again, the NDP plan to raise CPP payroll taxes while our economy is still fragile can cost tens of thousands of jobs. Maybe the NDP does not understand how the economy works. Maybe the NDP does not understand that we want to create jobs, not watch them walk out the door.

The NDP should know that it is very difficult to have a healthy retirement plan tomorrow if we do not have a job today. Despite the NDP's reckless plans, we continue to stand up for lower taxes, job creation, and economic growth for all Canadians.

*Oral Questions*

[Translation]

**SECURITIES**

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, the government is simply putting off problems so that it can continue to hide its head in the sand.

In December 2011, the courts reprimanded the Conservative government for trying to unilaterally impose a single securities regulator. Three years later, it is clear that the government did not learn from its mistakes. It is again trying to move ahead with this proposal, without the agreement of the provinces and with marked opposition from Alberta and Quebec in particular.

I would like to know if the minister will comply with the Supreme Court ruling and not go ahead with this proposal without the agreement of the provinces, including Quebec and Alberta.

**Hon. Joe Oliver (Minister of Finance, CPC):** Mr. Speaker, Canada is the only developed country in the world without a national securities regulator. We will comply with the Supreme Court's recent decision. However, we have been working with the provinces for some time to establish a single Canadian securities regulator. We were pleased to announce that a co-operative regulatory system had been established with Ontario and British Columbia. We are awaiting other announcements.

\* \* \*

[English]

**NATIONAL DEFENCE**

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, Conservative mismanagement means our air force is stuck with aging CF-18 jets, while Canadians are stuck with escalating costs, regardless of which replacement is selected.

The government first said the F-35s would cost \$9 billion, then it said \$16 billion, then \$29 billion, then it admitted to \$46 billion. Some analysts estimate it risks being tens of billions of dollars more. This project has been an epic failure.

Now the Conservatives are hiding the very report analyzing options for the largest military procurement in Canada's history. When will they be transparent and at least release the supposedly public report?

**Hon. Diane Finley (Minister of Public Works and Government Services, CPC):** Mr. Speaker, an independent panel ensured that the evaluation of the options to replace the CF-18s was rigorous and impartial, and that the results to be made public will be comprehensive and understandable.

Non-classified, non-commercially sensitive information that is contained in the evaluation of the options will be released.

\* \* \*

**DEMOCRATIC REFORM**

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, the Conservatives failed to submit an amendment to Bill C-23 to give the Commissioner of Canada Elections the power to compel testimony. Well, I wonder why.

The Conservative Party knew that the commissioner did not have this power, and that is why it ordered other Conservatives not to cooperate in the investigation of election frauds.

Liberals have submitted the amendments.

Will the minister finally do the right thing and support this amendment, or will he continue to protect Conservatives from election fraud investigations?

● (1500)

**Hon. Pierre Poilievre (Minister of State (Democratic Reform), CPC):** Mr. Speaker, the problem that the commissioner had with the investigation is that he discovered there was nothing to investigate. The hon. member across the way should finally admit that he and his party engaged in a whole series of false allegations, trumped-up allegations that have been proven completely false.

Also false is the idea that both he and the NDP continue to suggest and put amendments toward: to allow people to vote without presenting any ID whatsoever. We reject that idea completely and, unlike in the last election, after the passage of the fair elections act, every single person who votes will be required to show ID.

\* \* \*

**NATIONAL DEFENCE**

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, when they were elected, the Conservatives promised to increase the number of military personnel to 75,000 full-time members and 35,000 reservists. Now defence experts are saying that budget cuts mean that even keeping the current targets of 68,000 full-time members and 27,000 reservists is going to be difficult.

Can the government confirm today that with these cuts, no bases will be closed, and that it will not reduce the number of full-time members of the Canadian Armed Forces?

**Hon. Rob Nicholson (Minister of National Defence, CPC):** Mr. Speaker, there have been no cuts under this government. In fact, there has been more investment in Canada's military operations than there has been heretofore in the existence of this country.

I can let the hon. member know that despite the continued opposition of NDP members and their colleagues in the Liberal Party, we will remain committed to Canada's armed forces in the future.

[Translation]

**Ms. Éloise Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, in their 2008 defence strategy, the Conservatives promised significant investments, but nothing ever came of that because of their incompetence when it comes to managing defence procurement.

Now the Department of National Defence is in the same boat as the other departments: it has to make cuts so that the Conservatives can hand out pre-election goodies in 2015. The senior defence staff has proposed a terrible solution, namely to cut personnel.

Can the minister promise that he will not reduce the number of full-time members of our armed forces?

*Oral Questions**[English]*

**Hon. Rob Nicholson (Minister of National Defence, CPC):** Mr. Speaker, the hon. member is completely wrong. Despite the NDP's continued opposition, there has been unprecedented investments in the men and women of the Canadian Armed Forces. The equipment level is at an all-time high, and that will continue under this government.

\* \* \*

**SEALING INDUSTRY**

**Mrs. Tilly O'Neill Gordon (Miramichi, CPC):** Mr. Speaker, radical animal rights groups continue to slander hard-working Canadian sealers, comparing them to Nazis and likening investments in the seal hunt to flushing money down the toilet.

Many Canadians, including my constituents in Miramichi, are fed up with the lies, the sneers, and the slanders of these animal rights groups.

Can the Minister of Fisheries and Oceans reiterate the government's position on the seal hunt?

**Hon. Gail Shea (Minister of Fisheries and Oceans, CPC):** Mr. Speaker, I know that everyone in this House will agree with me when I say that comments by an anti-sealing activist comparing the seal hunt to Nazi concentration camps are absolutely disgusting and an insult to all victims of the Holocaust.

Animal rights activists have sunk to new lows, attacking an industry that supports rural, coastal, and northern Canadian communities.

The Canadian seal hunt is well regulated and humane, and contrary to the misinformation constantly being spread by so-called animal rights groups, Canada has not hunted a whitecoat seal in more than 30 years.

We will continue to stand with the sealing industry.

\* \* \*

*[Translation]***CANADIAN BROADCASTING CORPORATION**

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, just how far will the Conservatives go to undermine CBC/Radio-Canada? Does the Minister of Canadian Heritage and Official Languages realize that the Canadian government's support for the public broadcaster is now proportionally 24% less than the average support in OECD countries and four times lower than what the BBC receives?

Is the minister going to come to the realization that it is time for her to take a stand in cabinet to address this situation? Will she stand up today and say that supporting high-quality public broadcasting is a choice we make as a society?

**Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, we recognize the role that CBC/Radio-Canada plays in Canadian society. That is why we are making a significant investment in CBC/Radio-Canada.

I think that my colleague is referring to the cuts announced by CBC/Radio-Canada. I will repeat that CBC/Radio-Canada's cuts

have nothing to do with government measures. We are asking CBC/Radio-Canada to continue fulfilling its mandate under the Broadcasting Act and to produce programs, in French and in English, that all Canadians want to watch and listen to.

● (1505)

**Mr. Pierre Nantel (Longueuil—Pierre-Boucher, NDP):** Mr. Speaker, when even the Liberals are talking about it, there is a big problem.

Yesterday, 17 respected CBC/Radio-Canada journalists, including Patrice Roy, Céline Galipeau and Alain Gravel, protested the death by a thousand cuts of CBC/Radio-Canada. Over a five-year period, the budget of the French-language news service has been cut by 20%.

CBC/Radio-Canada does make its own decisions, but the Conservatives' cuts have direct consequences on the content and diversity of information. The Government of Quebec has demanded a meeting with the Minister of Canadian Heritage.

Can the minister tell us when she plans to meet with representatives of the Quebec government? Is she prepared to reconsider her cuts?

**Hon. Shelly Glover (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, as I said before, the decisions made and announced by CBC/Radio-Canada have nothing to do with government decisions.

Speaking of CBC/Radio-Canada and broadcasting, the corporation's president himself said that the decline in the number of viewers in specific demographic groups and lower advertising revenues caused this situation. That is why those decisions were made.

Once again, we recommend that our opposition colleagues speak directly to Hubert T. Lacroix from CBC/Radio-Canada.

\* \* \*

*[English]***CANADIAN HERITAGE**

**Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC):** Mr. Speaker, my question today is for the Minister for Multiculturalism.

Would the minister be able to provide the House with an update on the government support for and the status of the act to establish April 2 as Pope John Paul II day in honour of a champion of freedom and human dignity?

**Hon. Jason Kenney (Minister of Employment and Social Development and Minister for Multiculturalism, CPC):** Mr. Speaker, I thank the member for his question, and indeed for his bill.

We all watched with great interest as Pope John Paul II was canonized as Saint John Paul II on Sunday, a man who meant so much to millions of Canadians. That would be recognized by the member for Mississauga East—Cooksville's bill.

Regrettably, it has been sitting dormant on the order paper at the Senate for, I gather, eight months. One particular senator in the opposition in the other place has put a freeze, effectively, on the bill. We would respectfully ask that the freeze be removed and that the bill proceed to a vote so that all Canadians can recognize this champion of human freedom next year.

\* \* \*

#### ABORIGINAL AFFAIRS

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, five years ago, Peguis First Nation in Manitoba was hit by a major flood.

This year, 136 people have been evacuated. So far the response has been to relocate only 15 out of the agreed 75 homes.

The federal government has done nothing for permanent flood mitigation and rejected a proposal to support the emergency operations centre that would allow Peguis to deal with major flooding.

Why will the government not live up to its obligations for short- and long-term flood protection for first nations in Canada?

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, I reiterate that the health and safety of all Canadians, including first nations, is a priority of the government.

The hon. member refers to flooding taking place, and as we speak, officials from my department, of the government in question at the provincial level, and first nations are working together to deal with the flooding situation.

Last November, we announced a new comprehensive single-window approach to emergencies, a financial arrangement that will ensure we can deal with mitigation.

\* \* \*

#### NATURAL RESOURCES

**Mr. Dean Del Mastro (Peterborough, Cons. Ind.):** Mr. Speaker, the Canada-U.S. free trade agreement guarantees the U.S. an unfettered supply of Canadian oil in exchange for unfettered access.

In the case of the Keystone XL pipeline, approval is a no-brainer, particularly if one believes that the creation of good-paying jobs and energy security are a priority for the citizens of both countries.

Our Prime Minister has succeeded in securing overwhelming support of the U.S. legislators, business leaders, and everyday American citizens. Now the Prime Minister has the opportunity to do something historic.

A NAFTA challenge in support of Keystone approval will be the very first in the history of the agreement to enjoy majority support from both the U.S. Congress and the Canadian Parliament.

Will the Prime Minister undertake such a challenge?

• (1510)

**Hon. Greg Rickford (Minister of Natural Resources and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, our government is focused on responsible resource development that protects the environment

#### Routine Proceedings

and creates safe communities, jobs, and economic growth. It is for this reason that we have been clear in our support for energy sector infrastructure and improving access to markets. The United States in particular would benefit from this project, for obvious key strategic reasons. Canada has the resource in abundance and is geographically well positioned to serve the United States' continued demand for energy products.

---

## ROUTINE PROCEEDINGS

[English]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 20 petitions.

\* \* \*

### NATIONAL METASTATIC BREAST CANCER DAY

**Hon. Hedy Fry (Vancouver Centre, Lib.)** moved for leave to introduce Bill C-594, An Act respecting a National Metastatic Breast Cancer Day.

She said: Mr. Speaker, I rise to propose and introduce an act respecting a national metastatic breast cancer day to be designated as October 13. This particular date is recognized by many countries in the world as metastatic breast cancer day. I want to thank the Canadian Breast Cancer Network for its support and encouragement for bringing in this bill.

I want to add that the bill is important, because 24,000 Canadians will be diagnosed with breast cancer this year. Approximately 5,000 of those will die from the disease, 10% will have an initial diagnosis of metastatic breast cancer, and 30% of those diagnosed will actually develop it later on.

I am hoping that members will support this bill. It is a very important bill, and it requires that we recognize metastatic breast cancer. In fact, one can be diagnosed with breast cancer at the beginning and it would seem that it is okay, and suddenly one has metastatic disease. This is very important for women in Canada.

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

\* \* \*

### PETITIONS

CANADA POST

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, in my first petition, the undersigned are calling upon the government to reverse the cuts in services announced by Canada Post and to instead look for ways to innovate in areas such as postal banking.

*Routine Proceedings*

## IMPAIRED DRIVING

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, in my second petition, the undersigned acknowledge that the current impaired driving laws are too lenient. In the interest of public safety and as citizens of Canada, they want tougher laws through the implementation of mandatory minimum sentencing.

## BLOOD AND ORGAN DONATION

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Third, Mr. Speaker, I have two petitions that call upon the government to review thoroughly and change the policy on blood and organ donation in Canada. They ask that the sexual preference of people not be an instant refusal to the right to donate.

## IMPAIRED DRIVING

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, my fourth petition, a large one, is calling upon the Government of Canada to make several changes to the current drinking and driving laws in Canada and to make a change to the Criminal Code of Canada in respect of penalties.

## AVRO ARROW

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, my final and favourite petition is signed by 26 Canadians. The petitioners request that the House of Commons take out of storage the last remaining Avro Arrow and stop the needless spending of our tax dollars to keep it in storage. The Avro Arrow today should be considered a museum piece to pay tribute to Canada's contribution to the advancement of science and technology, of which—

**The Speaker:** I am going to stop the hon. member there. There are many members rising, and if each member took a full minute, we would not get everybody in.

I am going to ask two things. One, I will ask members to very quickly present their petitions, especially when they have multiple ones, and for those who are not presenting petitions, either remain in their seats or take their conversations outside.

The hon. member for Sudbury.

## CANADA POST

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, I am very pleased to rise in the chamber to table a series of petitions signed by a great number of Canadians, most of them from my great riding of Sudbury. They call on the government to reverse the cuts to services announced by Canada Post and to look instead for ways to innovate, for example by establishing postal banking services.

• (1515)

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, I rise to present two different petitions on behalf of my constituents.

The first petition has to do with what is happening with Canada Post and its decision to reduce services, particularly in rural communities. I have petitions, particularly from the residents of Harbour Breton and the surrounding area, asking the government to get after Canada Post to stop doing this because of the harm it is doing in communities, in particular in those areas where there is no high-speed Internet. The fact of the matter is that this is the only

service in some rural communities where people can get not just postal service but other services as well.

## THE ENVIRONMENT

**Ms. Judy Foote (Random—Burin—St. George's, Lib.):** Mr. Speaker, my second petition is signed by residents who want a ban on hydraulic fracturing. They are calling on the Government of Canada to impose this ban as soon as possible.

## DIVORCE ACT

**Mr. Phil McColeman (Brant, CPC):** Mr. Speaker, I am pleased to present this petition from individuals in my riding in support of private member's Bill C-560 for amendments to the Divorce Act.

## SHARK FINNING

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, I rise to present a petition from Canadians who want the government to take measures to stop the global practice of shark finning and to ensure the responsible conservation and management of sharks. The petitioners call upon the government to immediately legislate a ban on the importation of shark fins to Canada.

## THE ENVIRONMENT

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, this petition comes from residents living on New World Island, Twillingate Island, Change Islands, and Fogo Island. A paper carrier sank in the area in 1985, and it is now starting to spew oil. In fact, it has been spewing oil for the past year, or perhaps even longer.

The petition is signed by residents of Newfoundland and Labrador who implore the government to come up with a long-term solution, not a short-term solution, to get the oil out of that boat before there is a major environmental catastrophe.

## ANAPHYLAXIS

**Mr. Brad Butt (Mississauga—Streetsville, CPC):** Mr. Speaker, I rise to present a petition today on behalf of members of the Canadian Anaphylaxis Initiative.

The petitioners are asking Parliament to enact a policy to reduce the risk of an anaphylactic reaction for passengers, applicable to all forms of passenger transportation in the federal jurisdiction.

## RAIL TRANSPORTATION

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, I am presenting a petition signed by over 500 people across the country. The petitioners call upon the government to contribute to the funding necessary for the repair and maintenance of the track between Bathurst and Miramichi and to obtain a guarantee that Canadian National will keep the line between Bathurst and Miramichi open in order to maintain VIA Rail service in eastern New Brunswick and Quebec.



[Translation]

I am also pleased to present three petitions signed by 250 people. The petitioners are calling on the Government of Canada to contribute to the funding necessary for the repair and maintenance of the track between Bathurst and Miramichi and to obtain a guarantee that Canadian National will keep the line between Bathurst and Miramichi open in order to maintain VIA Rail service in eastern New Brunswick and Quebec.

[English]

BLOOD AND ORGAN DONATION

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, I rise to present a petition that speaks to the fact that any donation of blood and organs should be based on evidence and testing and not on stereotyping, that denying persons the right to donate blood and organs because of sexual orientation may very well be unconstitutional, and that any person should have the right to donate blood and organs on a universal basis.

AGRICULTURE

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Speaker, I present a petition today from a number of petitioners in my riding in the Waterloo region.

The petitioners ask Parliament to refrain from making any changes to the Seeds Act or to the Plant Breeders' Rights Act through Bill C-18.

BLOOD AND ORGAN DONATION

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, I stand on behalf of constituents in my riding of Newton—North Delta in support of the iCANdonate campaign.

These petitioners call upon the government to change the policy on blood, organ, and bone marrow donation in Canada. They are asking that sexual preference not be an instant refusal of a person's right to donate.

CANADA POST

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, I rise on behalf of my constituents of Newton—North Delta to present two petitions, each protesting the Conservative government's decision to end door-to-door mail delivery for Canadians, increase postal rates, and close post offices across this country.

Via this petition, my constituents are asking the government to reverse these job-killing changes—

**The Speaker:** I am going to have to interrupt the hon. member. There are still many members rising, and we are now down to about eight minutes. I would ask members to redouble their efforts to be brief.

The hon. member for Brossard—La Prairie.

•(1520)

BLOOD AND ORGAN DONATION

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, I am pleased to present a petition to the House today. The petitioners are asking that the sexual preference of people not be an instant refusal of the right to donate. They request that the government

*Routine Proceedings*

return the right of any healthy Canadian to give the gift of blood, bone marrow, and organs to fill the need. No matter race, religion, or sexual preference of a person, the right to give blood or donate organs is universal for any healthy man or woman.

SEX SELECTION

**Mr. Mark Warawa (Langley, CPC):** Mr. Speaker, I am honoured to present two petitions. The first petition is from a number of Canadians, representing 92% of Canadians, calling on Parliament to condemn the practice of discriminating against girls through sex-selective pregnancy termination.

IMPAIRED DRIVING

**Mr. Mark Warawa (Langley, CPC):** Mr. Speaker, the second petition highlights that Kassandra Kaulius was killed by a drunk driver. The petition from Families for Justice is calling for much more stringent sentencing, actually mandatory minimum sentencing, for anyone found convicted of driving while impaired and causing death.

[Translation]

41ST GENERAL ELECTION

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

[English]

The first petition is from residents of Ontario calling for a full investigation into the 2011 misuse of telephone calls to mislead voters, called the robocall scandal. Despite recent reports from Elections Canada, the ruling of Mr. Justice Mosley to the Ontario court leaves many questions unanswered, and an inquiry is called for.

THE ENVIRONMENT

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, the second petition is from residents of my own riding in Saanich—Gulf Islands, primarily from Pender Island, calling for the government to fully study any proposal for tankers and pipelines along the B.C. coast and to reject those that pose excessive risk.

CANADA POST

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, the residents in my riding have signed, and continue to sign, a number of petitions protesting the loss of home mail delivery by Canada Post. They call upon the Government of Canada to reject Canada Post's plan for reduced services and to explore other options to update Canada Post's business plan.

BLOOD AND ORGAN DONATION

**Mr. Mike Sullivan (York South—Weston, NDP):** Mr. Speaker, as well I have the pleasure of tabling petitions in support of the iCANdonate campaign to permit blood, bone marrow, and organ donations from any healthy Canadian, no matter his or her race, religion, or sexual preference.

*Routine Proceedings*

## LYME DISEASE

**Mr. Patrick Brown (Barrie, CPC):** Mr. Speaker, I rise to present two petitions on Bill C-442, the national Lyme disease strategy.

## AGRICULTURE

**Mr. Patrick Brown (Barrie, CPC):** Mr. Speaker, I also rise to present three petitions on Bill C-18 and the Seeds Act.

## PROPORTIONAL REPRESENTATION

**Mr. Patrick Brown (Barrie, CPC):** Mr. Speaker, I rise to also present a petition from numerous constituents on proportional representation.

## HUMAN RIGHTS IN VENEZUELA

**Mr. Patrick Brown (Barrie, CPC):** Mr. Speaker, finally I rise to present a petition from several hundred constituents, on human rights abuses in Venezuela.

## CANADA POST

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I am rising to present two petitions from residents of Alberta and Saskatchewan asking the government to reverse the cuts to postal service.

## BLOOD AND ORGAN DONATION

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, the second petition is also on the campaign calling on the Government of Canada to reverse its policy denying the donation of blood based on sexual preference.

**Hon. Ron Cannan (Kelowna—Lake Country, CPC):** Mr. Speaker, I rise to table seven petitions for the iCANdonate campaign. The petitions are from numerous Canadians asking the government to review thoroughly and change its policy on blood and organ donation in Canada.

## CONSUMER PROTECTION

**Mr. Andrew Cash (Davenport, NDP):** Mr. Speaker, I rise on behalf of residents in my riding of Davenport in the great city of Toronto. These are folks from streets like Dufferin, Lindsey, Rusholme, and Macklem. The petitioners want the government to ban pay-to-pay fees. These are the fees that companies charge, largely seniors and those on fixed incomes, to get their bills in the mail.

## BLOOD AND ORGAN DONATION

**Ms. Irene Mathyssen (London—Fanshawe, NDP):** Mr. Speaker, I have a petition from residents of Canada who call on the Government of Canada to review thoroughly and change the policy on blood and organ donation in Canada. They understand absolutely that people should be pre-tested for disease, and if they fail, they cannot donate. However, the petitioners request that the Government of Canada return the right of any healthy Canadian to give the gift of blood, bone marrow, and organs to those in need, no matter what the race, religion, or sexual preference of that person.

[*Translation*]

## ALGOMA CENTRAL RAILWAY

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, I rise in the House to present a petition signed by residents of Chapleau, Dubreuilville, Hearst, Mattice, Wawa and

Hawk Junction regarding the Algoma Central Railway. The government created a crisis when it took away this railway's subsidy. The government provided some funding for this year, but people are still concerned.

The petitioners want to ensure that if there are any other such changes, the government will consider holding extensive consultations with the parties concerned.

• (1525)

[*English*]

## CONSUMER PROTECTION

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, I have another petition. It is about unfair extra fees and consumer ripoffs. Unfortunately, the clerk has said that the petition cannot be tabled in the House. However, I know that about a month ago, we did ask for unanimous consent to table a petition on the government side, so I am hoping we can do the same today.

**The Speaker:** Does the hon. member have consent to table a petition that does not seem to be in the proper form?

**Some hon. members:** Agreed.

[*Translation*]

## EMPLOYMENT

**Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP):** Mr. Speaker, today, I have the pleasure of presenting a petition that calls on the Government of Canada to develop a national urban workers strategy in order to find solutions to the challenges facing those workers.

## VIA RAIL

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I would like to present two petitions signed by nearly 400 people. The petitioners are calling on the Government of Canada to contribute to the funding necessary for the repair and maintenance of the track between Bathurst and Miramichi in order to keep the line open and maintain rail service in eastern New Brunswick and Quebec.

[*English*]

## AGRICULTURE

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, I rise to present two petitions.

The first petition is from residents of Rossland, B.C., asking us to refrain from making any changes to the Seeds Act or the Plant Breeders Rights' Act through Bill C-18.

## HEALTH OF ANIMALS AND MEAT INSPECTION

**Mr. Alex Atamanenko (British Columbia Southern Interior, NDP):** Mr. Speaker, the second petition is in support of my bill, Bill C-571, which comes under here as Bill C-322, to prohibit the importation or exportation of horses for slaughter for human consumption, as well as horsemeat products for human consumption.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

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

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

## MOTIONS FOR PAPERS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

## PRIVILEGE

REMARKS BY MINISTER OF STATE FOR DEMOCRATIC REFORM—  
SPEAKER'S RULING

**The Speaker:** I am now prepared to rule on the question of privilege raised on April 10, 2014, by the House leader of the official opposition regarding alleged misleading statements made by the Minister of State for Democratic Reform during oral questions.

[Translation]

I would like to thank the House leader of the official opposition for raising this matter, as well as the Minister of State for Democratic Reform, the Leader of the Government in the House of Commons, the Parliamentary Secretary to the Leader of the Government in the House of Commons and the member for Saanich—Gulf Islands for their comments.

[English]

The House leader of the official opposition claimed that the Minister of State for Democratic Reform had deliberately misled the House when, in providing answers during question period on April 2, 2014, with respect to why voter information cards were being removed as possible forms of identification for voters, he stated that, “There are regular reports of people receiving multiple cards and using them to vote multiple times”. The House leader of the official opposition alleged that this was an answer based on reports that the minister of state knew made no such claim as evidenced by the minister altering his response the following day when he spoke only of “[...] cases where people received multiple voter information cards”. This, argued the opposition House leader, constituted ample

*Speaker's Ruling*

proof that the minister of state offered misleading statements to the House knowingly and with the intent to mislead members.

[Translation]

The Minister of State for Democratic Reform countered those allegations, citing examples from the Elections Canada website of voters having received multiple voter information cards and voting multiple times. These he offered as proof of the accuracy of his original comments.

[English]

In raising this issue, the House leader of the official opposition has again asked the Chair to determine the degree of accuracy or truthfulness of an answer to see if, on the face of it, it constitutes an instance in which the House was misled.

Members must recognize that there are limits as to what the Chair is authorized to do in this respect. As I reminded the House as recently as January 28, 2014, at page 2204 of *Debates*:

Successive speakers in our House have maintained our tradition of not intervening in respect of answers to questions, and I do not intend to change that.

[Translation]

As Speaker Milliken stated on December 6, 2004, at page 2319 of the *House of Commons Debates*:

Disagreements about facts and how the facts should be interpreted form the basis of debate in this place.

[English]

Thus, it is not sufficient for members to simply make allegations based on their perceptions of what is or is not factually correct. Members must recognize and accept the existence of differences of fact and interpretation, which have always been a part of the normal cut and thrust of debate and question period.

As Speaker Jerome put it so well on June 4, 1975, at page 6431 of *Debates*:

• (1530)

[Translation]

...a dispute as to facts, a dispute as to opinions and a dispute as to conclusions to be drawn from an allegation of fact is a matter of debate and not a question of privilege.

*House of Commons Procedure and Practice*, second edition, at page 145, goes further when it recognizes that:

In the vast majority of cases, the Chair decides that a prima facie case of privilege has not been made.

[English]

Given this last citation, the Chair finds itself in the position of having to point out to the House leader of the official opposition that in citing certain cases as precedents, he may have left an erroneous impression about the frequency of such incidents. In fact, most if not all of the precedents referred to were simply disputes as to fact, as is overwhelmingly the case.

### Government Orders

The Chair has carefully considered the current case and the usual wisdom prevails here as well. There is no evidence to suggest that this situation is anything more than a dispute as to facts or that the opposition House leader has in any way been impeded in the performance of his duties as a parliamentarian.

Thus, I cannot conclude that this qualifies as a prima facie question of privilege.

I thank honourable members for their attention.

\* \* \*

### POINTS OF ORDER

#### STANDING COMMITTEE ON AGRICULTURE AND AGRI-FOOD

**Mr. Brent Rathgeber (Edmonton—St. Albert, Ind.):** Mr. Speaker, I was under the impression, and in fact we had been advised, that the Chair would be delivering a ruling on my point of order raised in the House on April 10 with respect to the amendments passed by the agriculture committee regarding Bill C-30.

The Chair is not in a position to offer a ruling now, but I was curious if you might be able to advise the House when that ruling might be forthcoming. As you can appreciate, I, the government House leader, and, I suspect, the Minister of Agriculture and Agri-Food are very anxious to hear your ruling.

**The Speaker:** I appreciate the hon. member's interest, and I can understand many members would have an interest. I will assure him it will be delivered to the House without too much more delay, but it will not be today.

---

## GOVERNMENT ORDERS

[Translation]

### FIRST NATIONS CONTROL OF FIRST NATIONS EDUCATION ACT

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC)** moved that Bill C-33, An Act to establish a framework to enable First Nations control of elementary and secondary education and to provide for related funding and to make related amendments to the Indian Act and consequential amendments to other Acts, be read the second time and referred to a committee.

He said: Mr. Speaker, I am honoured to rise in the House today to open debate on Bill C-33, the First Nations Control of First Nations Education Act, and mark what I believe is a pivotal moment in ensuring the future success of first nations children and youth in Canada.

I firmly believe—and I am sure that all members in this House will agree—that every child in this country has a right to a quality education, regardless of where they live. Unfortunately, right now, this is simply not the case for first nations students living on reserve in Canada.

[English]

First nations youth represent the fastest growing segment of our population, yet the reality is that graduation rates continue to be significantly lower for first nations students on reserve, compared to other Canadians. It is 38% versus 87% in 2011.

In 2012, 72% of first nations members living off reserve who had completed a high school degree had a job, compared to 47% without a high school diploma. The unemployment rate for Canadians aged 25 to 29 without a high school diploma, the majority of which are first nations, is almost double that of high school graduates, at 16.4% compared to 8.8%.

It is clear, and our government firmly believes, that the current situation is neither acceptable nor sustainable. That is why we have made reforming first nations education a priority. We believe that the time to act is now.

Do not just take it from us. This is a goal we share with first nations parents, teachers, students and communities across the country who have been calling for years for greater control of first nations education. In fact, they have been calling for this for four decades now.

The National Indian Brotherhood, as it was then known, and now known as the Assembly of First Nations, released its landmark paper in 1972, entitled “Indian Control of Indian Education”. It has itself directly informed the development of this legislation. More recent, the call for first nations education legislation has been repeated in years of studies, audits and reports, including: the 2011 June Status Report of the Auditor General of Canada; the Standing Committee Aboriginal Peoples in the Senate 2011 report, entitled “From Crisis to Hope”; and the 2012 report of the National Panel on First Nation Elementary and Secondary Education for Students on Reserve, “Nurturing the Learning Spirit of First Nation Students”.

Each of these reports exposed the lack of a system for first nations K-12 education. Everywhere in our country, in every province and territory, there is education legislation in place to ensure that students have access to equal education, but this does not exist on first nations reserves.

• (1535)

[Translation]

Each of these reports recommended the development of a legislative framework supported by stable and predictable funding.

I am proud to stand before this House today to say that this proposed legislation, for the first time in our country's history, will put in place a comprehensive education system for first nations elementary and secondary education on reserve.

I am pleased that, like us, the Assembly of First Nations has placed the needs of children first and confirmed that this bill is a constructive and necessary step forward. However, getting to this point was not an easy road.

Our government launched formal intensive consultations with first nations across the country in December 2012. That work was spearheaded by my colleague, who is now our whip.

*Government Orders**[English]*

The input received from the extensive and intensive consultations that were held with hundreds of first nations leaders, educators, and parents across the country guided the development of the draft legislative proposal that was shared last fall with first nations leaders and made public for further input from all interested parties. That document was a springboard for much more discussion and debate. We listened. In November 2013, the National Chief of the Assembly of First Nations sent me an open letter that identified, according to him, five conditions for success for education on reserve. These conditions were subsequently endorsed by consensus in a resolution by the Chiefs-in-Assembly at their December 2013 gathering here in Gatineau.

Specifically, the resolution directed the national chief, national executive of the first nations, and first nations to take all necessary steps to press Canada to respond to the conditions required to achieve success for first nations children, including respect and recognition of inherent rights and title, treaty rights, and first nations control of first nations jurisdiction. Second, it called for a statutory guarantee of funding. Third, the first nations education system would be enabled, supported, and funded to design and implement languages and cultures programming. Fourth, it called for mutual accountability, including recognition of the principle of first nations control and supports without unilateral federal oversight. Finally, it called for ongoing meaningful dialogue with first nations on education and co-development of regulations.

Following the special chiefs assembly, I responded with my own open letter where I reaffirmed our government's strong commitment to working with the Assembly of First Nations and first nations leaders to stand together to create a better education system for first nations students and address each of these five conditions in the legislation. That is exactly what we did.

The way forward was subsequently announced by the Prime Minister and the national chief this past February at Kainai High School in Standoff, Alberta and included an historic agreement to proceed with the final drafting and introduction of the first nations control of first nations education act that embodies the five conditions for success identified by the Assembly of First Nations.

In addition, the Prime Minister announced an unprecedented financial commitment of over \$1.9 billion in new, incremental funding to support the legislation through three different streams.

● (1540)

One stream is core statutory funding, including funding for language and culture; the second stream is transition funding to support implementation of the new legislative framework; and the third stream is funding for long-term investment in on-reserve school infrastructure.

The first stream includes core funding in the amount of \$1.252 billion over three years beginning in 2016-17 on top of the existing funding of approximately \$1.55 billion and all of this with an annual escalator of 4.5%. This core funding mechanism would replace the current mix of seven different programs, each with their own reporting requirements, and will move to a single formula-based core fund providing first nations with access to the stable and predictable

funding supports that they have been asking for. The 4.5% escalator is important because it replaces the much maligned 2% funding cap on education put in place by the former Liberal government under former finance minister Paul Martin in 1996.

The second stream, the education enhancement fund, would allow first nations to move quickly to become early adopters of the new system and structures set out in the bill. It would also promote partnerships, build capacity, and encourage innovation in education practices in the longer term. This fund would provide \$160 million over four years beginning in 2015-16.

Finally, the third stream provides an additional \$500 million for school infrastructure over seven years beginning in 2015-16 when budget 2012 investments end. This funding would support the construction of new schools and major innovations to existing schools and help gain efficiencies in the way projects are designed, procured, financed, and constructed.

● (1545)

*[Translation]*

On April 10, 2014, I was pleased to introduce this legislation in this House. I am proud to report that Bill C-33 not only responds to, but enshrines in law every single one of the five conditions for success that were endorsed by first nations at the special assembly.

First, at the heart of the legislation before us is the recognition that first nations are best placed to know what their children need, and it puts control of first nations education back in the hands of first nations leaders, parents and educators—where it rightfully belongs.

As the Prime Minister stated in February at Stand Off, the legislation will end Ottawa's unilateral authority over first nations education, while requiring first nations communities and parents to assume responsibility and accountability for the education their children receive.

Specifically, Bill C-33 legally enables first nations control of first nations education in several specific ways. First nations will choose their governance system from a number of options to manage their own schools. First nations will develop their own curriculum. Ottawa will not impose any of the curriculum; first nations will develop it themselves.

First nations will choose how they will incorporate language and culture into their curriculum. They will choose their own education inspectors, control the hiring and firing of teachers and determine how their students will be assessed. First nations will determine how the school calendar will be structured to meet a set number of days. All of that is designed to give them control over their education.

*[English]*

I have heard criticism from certain people who allege that this bill would actually give the minister more power and more control over first nations education. That could not be further from the truth.

*Government Orders*

Bill C-33 gives the minister less power and it is less intrusive than comparable provincial legislation in the country. The bill simply demands that first nations schools meet five core standards, including access to education, minimum instruction days, the need for certified teachers, recognized degrees or diplomas, and the ability to transition with provincial systems.

These are the five core standards that the act requires be adhered to, but for all other aspects of education, they are free to design it the way they wish. All other standards will be defined by first nations. In fact, the legislation reduces the role of the minister in comparison to the current powers afforded to the minister.

That was to deal with the unilateral oversight of the federal government. The bill would also create a joint council of education professionals. The joint council would provide advice and support to the Government of Canada and to first nations on the implementation of the act. It would also serve as a strong mechanism for ensuring the accountability of the minister to first nations. The creation of this council, coupled with the legislated and funding supports for first nations education authorities, would dramatically reduce the involvement of the minister and the Department of Aboriginal Affairs and Northern Development in the administration of education on reserves.

It would also help develop regulations and be obliged by law to review the act in five years. In addition, as I outlined earlier, the proposed legislation would put in place the mechanism required to provide first nations with stable, predictable, and sustainable funding, which includes a statutory funding regime that accounts for language and culture programming.

In fact, clauses 43(2) and (3) exceed the second condition set out by the AFN chiefs by not only setting a statutory guarantee of funding but by taking the unprecedented step of legally requiring that federal funding be sufficient to support comparable service delivery to that offered in the provincial system. We go further than what was proposed as a condition for success.

As for language and culture programming, as I stated in my letter of April 15 to all first nations across the country, Bill C-33 ensures in law the incorporation of first nations language and culture programming in the education curriculum, including the option of immersion in a first nations language in a manner that ensures transferability of students between education systems and allows for students to obtain a recognized diploma.

Clearly, this is a giant step forward for first nations students, and follows years of dialogue and consultations with first nations all over the country and the Assembly of First Nations who identified the need for a better education system for first nations children.

Just last week, the Assembly of First Nations published an analysis of the bill that states:

Bill C-33 is a constructive and necessary step supportive of the goals expressed by First Nations for control, respect for Treaty and Aboriginal rights, recognition of language and culture and a clear statutory guarantee for fair funding.

● (1550)

That is the analysis and the result of the analysis of the Assembly of First Nations.

[*Translation*]

Let me be clear: the partnership does not end with introduction. As I made clear on April 10, I have extended an invitation to the AFN to work on a political protocol to establish exactly how the members of the joint council would be chosen with meaningful input from first nations and how the joint council would then work with first nations to develop the act's regulations.

Obviously, there is a great deal of work ahead to have regulations in place by the 2016-17 school year and for statutory funding to flow.

In order to do this, we all have to continue to work together.

[*English*]

In conclusion, I urge all members of the House to put partisan politics aside and do what is clearly in the best interests of first nations children and youth across Canada.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, in his speech the minister referred to the five conditions. I want to specifically make reference to the one on meaningful dialogue, which says:

Ensures a meaningful support process to address these conditions through a commitment to working together through co-development, fully reflective of First Nations rights and jurisdiction.

It goes on to say that Canada must commit to direct dialogue.

I know that there was a letter sent on April 11 to the minister and to the Prime Minister from Vice-Chief Bobby Cameron from the Federation of Saskatchewan Indian Nations. Part of the basis for the letter is that the trust is broken, and that is not a partisan remark. This is a trust that has been broken over a number of years. What Vice-Chief Bobby Cameron asked for was confirmation that the new legislation will ensure first nations jurisdiction over education. The letter quotes Vice-Chief Cameron:

"We asked the federal government to make a commitment and to confirm in writing, by signing a confirmation letter, that First Nations will have jurisdiction and control over our education systems, and that First Nations will have the authority to design education systems that reflect the Inherent and Treaty Right to Education", says Vice Chief Cameron.

Given the fact that the minister seems convinced that this is going to give first nations control over first nations education and that he says he honours that commitment to dialogue and a joint process, will he commit to signing that letter as a gesture of good faith that the government will fulfill those conditions?

● (1555)

**Hon. Bernard Valcourt:** Mr. Speaker, the truth of the matter is that if people care to look at the bill before the House, Bill C-33, they will find it is clearly stated not only in the preamble but in section 4 that:

*Government Orders*

For greater certainty, nothing in this Act is to be construed so as to abrogate or derogate from the protection provided for existing Aboriginal or treaty rights of the Aboriginal peoples of Canada by the recognition and affirmation of those rights in section 35 of the Constitution Act, 1982.

The question by the hon. member is about jurisdiction. There is a following section clearly stating that:

...a First Nation that has the power to make laws with respect to elementary and secondary education under an Act of Parliament or an agreement relating to self-government that is given effect by an Act of Parliament...

is not subjected to this act. Therefore, with regard to the power to make laws in regard to education, there is, as the member knows, another process allowing first nations to self-govern and to attain self-government, and that process remains.

In the meantime, if one cares to look at the bill, it will be seen as an important step allowing first nations to get to that level of self-government where they can then have full jurisdiction over education.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, when we talk about education as an issue, often we equate it with opportunities.

The minister made reference to the issue of financing. I used to be a critic for education in the Province of Manitoba. A great number of challenges face educators and student bodies, including the issues of curricula and so forth, but one of the greatest challenges is making sure that the resources necessary to provide quality of education are second to no other in terms of performance.

A big challenge has been to try to get the government to recognize that the financial resources need to follow to support an educational infrastructure that would benefit our children and to enable the leadership within the first nations, such as the Assembly of First Nations, to ensure a quality educational product. In other words, Ottawa needs to pony up with some financial resources.

I am wondering if the minister can add further comment as to what he envisions in terms of the financial support that would ultimately follow legislation.

**Hon. Bernard Valcourt:** Mr. Speaker, the hon. member raises an important point. He will remember that throughout the debate and throughout the consultation process, we were hearing from first nations, from teachers, from parents, from stakeholders, and from members of academia. The Auditor General had been clear in her 2011 report that funding had to accompany reform.

We have always indicated as a government that investment would not replace reform, but that funding would accompany reform. That is exactly what we are doing here.

I want to point something out to the hon. member. He will remember that when the Chiefs-in-Assembly got together here in the capital region in December and outlined those five conditions necessary for success, they said that there had to be a statutory guarantee of funding. Bill C-33 indeed includes extensive and unprecedented statutory funding obligations on the part of the minister. In fact, subclauses 43(2) and 43(3) exceed the second condition set out by the AFN by not only setting a statutory guarantee of funding but by also taking the unprecedented step of legally requiring that federal funding be sufficient to support service delivery comparable to that offered in the provincial system.

That is important, because we wanted to make sure that the quality of education that a first nation student gets on reserve in any part of a province is no different from what the non-aboriginal gets in the same region. That guarantee is in the bill now.

• (1600)

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, the minister outlined a bit of the unprecedented level of consultation and collaboration with first nations that came with the development of the bill. A draft piece of legislation was discussed last fall, and it was after that draft that we saw the letter from the national chief and the resolution of the Chiefs-in-Assembly.

I am wondering if the minister can outline for the House some of the differences between the first nations control of first nations education act and that earlier draft.

**Hon. Bernard Valcourt:** Mr. Speaker, that is a very good and pertinent question. Indeed, we had circulated a draft of what the bill could be, but after the first nations, through the Chiefs-in-Assembly, passed the resolution outlining those five conditions, we had to go back to the table and redo our work.

To ensure that the legislation addresses the issues raised by the Assembly of First Nations through the Chiefs-in-Assembly, the following changes are included in the bill.

First, there is the recognition of the ability and responsibility of first nations to manage their education system. That is now in the bill.

On the question of unilateral oversight of the federal government, the bill proposes the creation of a joint council of education professionals to provide advice and support to the Government of Canada and first nations on the implementation and oversight of the bill. Additionally, the mandate of the joint council would also be to review the act after five years.

In the bill is a commitment to legislate adequate, stable, predictable, and sustainable funding, taking into account the inclusion of language and culture. That is now in the bill, in section 43. There would also be support for the incorporation of language and culture into the curriculum. Again, that is clear in the bill. The bill says that the funding to be provided by the minister must include support for language and culture in the curriculum. That is in the bill.

Finally, the bill includes the collaborative development of the act's regulation. That would be done through the joint council and the first nations. As I indicated, I have offered the AFN the opportunity to conclude a political protocol whereby we can work out the details of how we could best create this joint council to ensure first nations have input in the development of the regulation.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, with the indulgence of the House, I would like to take a minute to acknowledge the tragedy that took place today in Nanaimo, where people lost their lives and were shot at the Western Forest Products mill. My condolences on behalf of New Democrats, and I am sure all members of this House, go out to family and friends and to the community, and to the first responders who had to deal with the situation.

*Government Orders*

Mr. Speaker, I rise today to speak to Bill C-33, an act to establish a framework to enable first nations control of elementary and secondary education and to provide for related funding and to make related amendments to the Indian Act and consequential amendments to other acts.

I would like to start by situating the importance of education, both to first nations communities and to this country. I know many first nations community members and leaders have said to me that, of course, they want quality, fair, comparable education for their children; that they want to deliver services that are accountable; and they want their children to succeed, so they can become part of the workforce of the future in Canada. There is no question that, for all sides of the House and for first nations, our goal collectively is to ensure that first nations children have the same right to education that all other children in this country have.

In that context, I want to refer briefly to the rights of the child, because it is important to put this in the context of rights.

Under article 28, regarding the right to education, all children have the right to a primary education, which should be free.

Under article 29, children's education should develop each child's personality, talents, and abilities to the fullest. It should encourage children to respect others' human rights and their own and other cultures'. Education should aim to develop respect for the values and cultures of their parents.

Another important rights document is the UN Declaration on the Rights of Indigenous Peoples. Article 14 states:

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 18 says:

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Those two articles are very relevant to the bill before this House today. I know the minister referenced some of these documents.

However, I want to turn to a couple of documents. Of course, first nations education has been on the books for discussion for many years, going back to the 1972 paper on Indian control of Indian education. The Royal Commission on Aboriginal Peoples talked about the importance of education and first nations control of education.

Then, in the Auditor General's report in 2011, the Auditor General laid out some criteria for moving an education system forward because, as the Auditor General pointed out, success certainly was not being achieved. The Auditor General said:

To provide true comparability, it would be important to include a clear statement of comparability in program objectives and define comparability on a program-by-program basis. Roles and responsibilities would also need to be specified, as would

the level of services required for comparability. In addition, the costs of achieving comparability would have to be determined and programs would have to be adequately funded.

Part of the talk about the legislative base said:

A legislative base for programs specifies respective roles and responsibilities, eligibility, and other program elements. It constitutes an unambiguous commitment by government to deliver those services.

That one in particular is important, because what we see in the piece of legislation that is before us is that there is a lot about defining the roles for first nations, but there is very little about defining the roles for government, and that is absolutely a piece that must be part of any legislative agenda. We must be able to hold the government to account for its successes, but also for its failures.

• (1605)

Finally, the Auditor General stated:

We noted that INAC—

It was then called INAC.

—used a funding formula dating back to the 1980s and lacked information that would enable it to compare costs with those of providing comparable education services....

For any of us who have been dealing with this file for a number of years, when we met with the department to talk about comparable services, we have always been told that it is like comparing apples and oranges. Although this legislation talks about comparable services, there really is no mechanism to talk about what those comparable services are, and I am going to cover that a little more.

I also want to touch on Justice Berger's report. He did a report in Nunavut back in 2005-06. I want to talk about this because of the language element, and although it says "Nunavut", it is relevant to the piece before us. It states:

There are essentially two methods of effectively producing bilingual graduates in Nunavut. One model is that which is common in many European countries, in which students are taught in both languages, typically the standard languages of European nation-states, from the first year to the last. The second model, perhaps more familiar to Canadians, is the immersion model....

Either model appears to be capable of producing the desired results: students who are not only bilingual but also biliterate—able to read and write at an acceptable level in either language. The difficulty is in the detail: both require a high level of commitment to both languages, together with the resources—skilled teachers, appropriate curriculum materials, and methods for assessment of student progress—in both as well.

The reason I raise that is that much is being made of the fact that language is included in this legislation, and yet nobody has the comfort level that the kinds of resources that are required to make sure that happens are actually going to be available.

I want to turn to a few more points before I go into some of the concerns about the particular piece of legislation.



*Government Orders*

In a briefing document prepared by the Library of Parliament for members, it indicated that “Indian control” has often meant little more than local administration of federal education programs and policies, and many people who are opposed to this legislation maintain that the legislation before us is little more than administrative in nature. It is not truly first nations control of first nations education; it is just a document that outlines what kind of administrative responsibilities first nations will have. Further on, it speaks of transferring only limited administrative control of education to first nations but not the necessary resources that allow for full implementation of a first nations-controlled education system.

In 1995, the federal government formally recognized the inherent right of aboriginal self-government as an existing right under section 35 of the Constitution Act, 1982. Under the inherent right of self-government policy, federal recognition of that right is based on the view that aboriginal peoples in Canada have the right to govern themselves in relation to matters that are internal to their communities, integral to their unique cultures, identities, traditions, languages, and institutions. Importantly, the policy identified education as a matter falling within the scope of self-government negotiations.

It goes on to talk about two very specific agreements, the First Nations Jurisdiction over Education in British Columbia Act and the Mi’kmaq Education Act. Of course, there are successes with the First Nations Jurisdiction over Education in British Columbia Act and the Mi’kmaq Education Act and yet, under this piece of legislation before us, those two agreements, after 2017, would be forced under this piece of legislation. There are grave concerns, because a significant amount of work has already been done in those areas and successes are being achieved.

One of the other documents that has been referenced is “Nurturing the Learning Spirit of First Nation Students”. That particular document laid out a process for making sure we move forward on a successful piece of legislation. The document said:

A strong First Nation Education System would be built upon a solid foundation that encompasses the following:

The co-creation of legislation in the form of a First Nation Education Act that outlines responsibilities for each partner—

There is that “each partner” again, both the government and first nations in the system.

—and recognizes and protects the First Nation child’s right to their culture, language and identity, a quality education, funding of the system, and First Nation control of First Nation education

Statutory funding that is needs-based, predictable, sustainable and used specifically for education purposes...

Of course, there was much more in this document, but again, it is important to talk about the fact that a number of reports and human rights conventions laid out the fact that legislation must be co-created. First nations need to be at the table throughout the process in a meaningful way, not in a way that has been developed by the government, which leads me to consultation.

● (1610)

In a brief by Hutchins Legal, the firm said that the duty to consult was not met with regard to how this legislation was developed. It said there are minimum requirements for the consultation process:

In consultation regarding the First Nations Education Act, the federal government must explicitly acknowledge, respect, and accommodate First Nations’ jurisdiction over education.

Canada must acknowledge and respect First Nations’ jurisdiction over education as part of the consultation process....

First Nations ought to determine internally who Canada will consult, and Canada ought to respect their decisions.

Canada and First Nations should cooperate in developing a methodology for assessing and addressing submissions made during the consultations before any further consultation sessions are held.

All submissions made during the consultation process should be made public. When the draft legislation is produced, the Crown ought to provide written reasons to show that First Nations’ concerns raised during consultation were considered and to explain how they impacted on the draft text.

Meaningful consultation must continue after the draft legislation is produced and throughout the legislative process.

The Crown must provide adequate funding to ensure that First Nations can effectively participate throughout the consultation process.

Those are important points. We are hearing from first nations from coast to coast to coast who do not feel that kind of process has been followed.

Information was provided to me, which was gathered by another individual under an access to information request. It was discovered that in the draft legislation proposal for first nations education, 293 documents were received in response to the access to information. Of those 293 documents, 236 were clearly against the legislation and/or expressed concern regarding consultation, and only 7 were for it, yet when we see the draft legislation that came out and the legislation that is now before the House, although some changes have been made, they are not significant.

If we want to talk about a respectful relationship, if we want to talk about consultation and collaboration, if we want to talk about joint development, then we need to tell first nations that we heard the 236 concerns and this is how they were addressed in this piece of legislation, or this is why they were not addressed. I have not heard from one person who submitted a comment who heard back from the government saying why it was or was not included.

In lining those up and in hearing concerns from across the country, New Democrats did what any responsible parliamentarian would do, and we wrote to the minister. We wrote to the minister before this legislation was debated today at second reading. We told the minister that we all agree that first nations education is important and that New Democrats believe that first nations control over first nations education is not only important but an inherent right.

*Government Orders*

In that spirit we asked the minister if he would consider referring the bill to committee before second reading because that would allow us to have a much broader look at it and a better ability to amend this legislation that many people feel is flawed. It was really no surprise to most of us that the minister said no, and here we are debating the bill at second reading, which will limit our ability to change it.

•(1615)

I want to turn to some of the concerns that have been raised because it is important that it is just not my voice talking about the concerns. We are hearing from the first nation chiefs and councils and first nation community members who are going to be the ones who will be directly impacted by the legislation.

In my question to the minister, I read into the record the request from Vice Chief Bobby Cameron asking the federal government to confirm in writing its commitment that first nations would have jurisdiction and control over their education system. I want to reiterate that, because when I asked the minister this question, I did not get a commitment that the minister would sign off on the letter that was sent on April 11.

This is an important matter. As I pointed out to the minister, there is a lack of trust between first nations and the government, and that is not just the current government. This has a long, sorry, sad history in Canada of a Colonial approach which says that the government knows best and first nations need to do what they are told.

First nations are saying that they understand their communities. They know what their treaty and inherent rights are. They understand their culture and language. They want to work with the government to develop legislation and they ask the government to truly commit to that co-creation process, but it will not do that.

We have to ask why. I have spoken about this a number of times in the House. What is it that the government thinks it knows best so first nations are not at the table as meaningful partners throughout the entire process?

Consultation does not mean, “what do you think?” Consultation means providing the resources and information, that first nations determine who will sit at the table and that they sit at the table from beginning to end. They do not just say to the government that this is what they think and the government goes behind closed doors and dreams up something without their input on the final product.

The fact that the minister will not commit to that in writing is a concern for first nations.

The First Nations Education Council through the Assembly of First Nations of Quebec and Labrador had done a detailed brief. I will not have time to go through the whole brief, but it maintains that many of the five conditions that were set out have not been met.

The brief starts off with the first condition, respecting and recognizing inherent rights and aboriginal titled treaty rights, not being met:

—the bill does not in any way recognize the legal jurisdiction of the First Nations, nor does it promote implementation of the policy statement.

In the brief, it goes through the bill in detail, section by section, for example, sections 20, 23, 27 and 47. It says:

The exercise of legal jurisdiction entails the power to pass laws but in this case the power of First Nations is limited to adopting administrative regulations in accordance with the bill.

It highlights throughout this document how many times the bill says “may”, which is a tricky word. The word “may” does not compel a minister to do something. The minister “may” do something. The more important word is that the minister “shall”, but that is absent. Throughout the proposed legislation, we find this time and time again, that the minister “may”.

The minister referenced the joint council and talked about how it would be providing advice, but there is nothing in the act that actually says the minister will follow the advice of the joint council. It will provide advice, but so what?

I want to read from a couple of other news releases because I want to give the flavour. I have already noted Quebec and Labrador and the Federation of Saskatchewan Indian Nations.

The Union of British Columbia Indian Chiefs, UBCIC, says that:

Bill C-33 reflects Canada’s interpretation of control by ensuring that control remains with the Minister of Aboriginal Affairs with ‘advice’ from a Joint Council of Education Professionals leaving First Nations across the country to choose from the menu set by the federal government” stated Grand Chief Stewart Phillip, UBCIC President.

The news release states:

The Bill imposes increased federal supervision, burdensome compliance and enforcement requirements, by imposing unilateral national standards and increased administrative reporting. With this bill, the federal government is plowing ahead with its punitive “take it or leave it, resistance is futile” approach to First Nations where the Minister reigns and remains the supreme authority to appoint third party management or revoke a designation of a First Nation Education Authority.

I think that is pretty clear.

•(1620)

Grand Council Chief Patrick Madahbee stated:

The Minister of Indian Affairs has all the power and authority over First Nations education while taking on no legal responsibility whatsoever—that’s the reality of the kind of control this government is talking about...We asked for an integration of language and culture, but they’re making French and English mandatory with an option of First Nation language, if the Minister approves it...We asked for fair and equitable funding, so they announce vague promises of increased funding after the next federal election with no specifics on how it will be allocated.

Regional Chief Stan Beardy stated:

Bill C-33 continues to take a disciplinary approach rather than a collaborative approach to improving First Nations education. First Nations have much more innovative ideas on how a collaborative approach would serve our students better but once again, we weren’t involved in the direction of a bill that affects our future.

I already mentioned the Assembly of the First Nations of Quebec and Labrador that have done a thorough analysis. This is an important piece because the government asks where the solutions are, but Chief Gilbert Whiteduck said:

*Government Orders*

Let's be very clear, all our Chiefs, all our teachers and all our specialists have been engaged for decades to ensure our young people get quality educational services to which they are entitled and that the federal Government refuses to provide them. We have proposed repeatedly concrete solutions that the federal Government systematically refuses to listen too. He prefers to impose on us its views...

There are many more than I have time to read into this record. However, I wanted to conclude with an analysis of the first nations control of first nations education by Wab Kinew. He does a detailed analysis on this. He concludes:

Yet in the bill tabled today, the government does not use the words fair or equal. Instead it will fund education of a "quality reasonably comparable" to provincial schools in similar locations and with similar demographics. This is not inspiring language. Martin Luther King Jr. dreamed of equality, not reasonable comparability.

On that note, the New Democrats will be opposing this bill at second reading.

• (1625)

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, like the hon. member, I share her thoughts and prayers for the victims of the tragedy in Nanaimo today. I know that is in her area. Certainly our thoughts are with everyone involved in that situation.

I am disappointed that the hon. member and her party are choosing to oppose this legislation.

I noticed throughout her speech she quoted from a lot of individuals, but avoided certainly quoting a fellow British Columbian, National Chief Shawn Atleo, who has said quite clearly that the first nations control of first nations education act is necessary for first nations students living on reserve, that it is an improvement and that it meets the five conditions that the AFN and the Chiefs-in-Assembly have laid out. Therefore, I wonder why she is avoiding talking about the AFN and its strong support for this direction.

However, I would like to know why she is opposed specifically. The legislation is very clear that it provides first nations with the power to choose their own government options, develop their own curriculum, choose how they will incorporate language and culture into their curriculum, choose their own education inspectors, control the hiring and firing of teachers, determine how their students will be assessed, determine how the school calendar will be structured, et cetera.

That is control of the education system. It is given to first nations for them to finally have control over their education system. I wonder why the NDP opposes that when the AFN and many first nations have been calling for it for decades.

**Ms. Jean Crowder:** Mr. Speaker, I appreciate the question from the parliamentary secretary. I think he is very well aware who will be responsible for delivery of education in first nations communities is not the Assembly of First Nations. Who will be responsible is duly elected people in those communities, the chiefs and councils, and community members will bear the brunt of whatever decisions their chiefs and councils make. Therefore, the treaty holders, the inherent rights holders are the people who are being directly affected by whatever legislation comes before the House.

What is interesting is I talked a little earlier about trust. That comes to the heart of the matter that is before us. That truly is the

issue before us. We are hearing from first nations leaders and first nations community members that they do not trust the government. They do not trust it to have their interests at heart.

I earlier asked if the minister would be prepared to sign a letter of commitment and I did not get an answer.

What I think would give people a bigger degree of comfort around this is if there was evidence that this bill was co-created by first nations from coast to coast to coast, that they were at the table from the beginning of the process to the end of the process, that their feedback was heard and reflected back to them in some way, that they had an opportunity to provide input, and that we would have a complete debate here and at committee to ensure all of those views would be heard.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I have had the opportunity to talk a great deal about first nation concerns.

One of the things we recognize as a very important issue is that of quality education. I posed the question to the minister in regard to the whole issue of financing. Financial resources is of critical importance moving forward. It is very difficult to provide quality education, if the necessary resources are not available.

I wonder if the member might comment on the degree to which the Government of Canada needs to play a stronger leadership role to ensure that there is adequate financial resources necessary for our children on first nations reserves to be provided the same sort of quality public education that our children have in our cities and municipalities.

• (1630)

**Ms. Jean Crowder:** Mr. Speaker, interestingly enough, a 2% funding cap has been in place since 1995-96. The population in first nations communities has grown, overall, by approximately 11%.

One does not need to be a mathematical genius to figure out that from 1995-96 to this day and age that first nations schools consistently have been seriously underfunded. We hear horror stories all the time about schools that are falling apart, that are cold, and that they are full of mice and all kinds of things.

If there is roughly an 11% population growth and a funding cap is still being imposed with a 4.5% escalator, then first nations schools will not have an opportunity to catch up to a comparable level with other schools off reserve.

Part of the issue that is raising concerns is, as the First Nations Education Council says, there is no way to affirm that the funding will match the needs or that it will be adequate.

It also does not recognize the fact that schools and the school system are seriously behind off reserve schools. The amount of money needed to play catch-up is not well-defined at this point in time.

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, the hon. member's presentation on the bill was very thorough. Overriding, what is most troubling, as the member has pointed out, is the lack of consultation.

*Government Orders*

To my horror, going through the bill, I am discovering that not only has the government not consulted on the drafting of this bill, but most of the content of this bill is going to be formulated by regulations. The regulation does not provide a requirement to consult with first nations in the promulgation of the regulations under this law, which is supposed to be in the interest of the first nations.

Then, five years after the act is promulgated and the regulations are in place, there will be review, but it is by the joint council, which is appointed by the cabinet.

I wonder if the member would like to speak to this. It seems the so-called separation from government control of how first nation education will be run seems to continue right throughout the bill.

**Ms. Jean Crowder:** Mr. Speaker, when we look at the language around the regulations, it says, “After seeking the advice of the Joint Council, the Minister may make any regulations that are necessary for carrying out the purposes and provisions of this Act...”.

The amount of activity that would be regulated by these regulations is of major concern. Of course, as parliamentarians know, regulations do not come back before the House when they are being developed.

When we come back to one of the five conditions that talked about meaningful co-creation and meaningful involvement, I would argue that the joint council is not the body that represents that meaningful co-creation. The joint council would be made up of nine people, four appointed by the government, four are recommended by first nations, but the minister would get to do the appointments, so the minister would still make the decision, and the minister would appoint the chair of the joint council.

The government would have control of the majority of the joint council. That, again, does not fulfill the duty to consult in terms of first nations selecting their own representatives, and they get to determine who should sit on that joint council. This is just one small aspect of how it is a smoke-and-mirrors game about control being within first nations. It is still largely controlled by the minister.

**Mr. Ray Boughen (Palliser, CPC):** Mr. Speaker, I listened with some foreboding to the speaker's discussion on education, because I think she has lost sight of the act as it is today. With some reservation, and when all is said and done, it is a pretty good act.

Let us take a minute to look at education in the provinces compared to education for the first nations. Both educational systems have a minister. The minister has a lot of power in those educational systems. If members doubt that, just check through all of the educational systems of Canada from coast to coast to coast, and they will find that the ministerial position is exceedingly strong.

The minister then has power to work with and suggest what the curriculum should be for students in K-12 programs. The amount of money that goes to those programs is decided by a pupil allowance. Is the money sufficient? For the most part. Can more money be used in education? Always.

When we look at the first nations and say that it is underfunded, the first thing we have to do is say what the reasonable length of funding is, in terms of commitments for two years, three years, or

five years. We then have to justify what it is that we are going to do with those monies.

The hon. member has kind of jumped into the middle of the act and not thought about what goes before the act, because all of the time spent—

● (1635)

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. I am sorry, we have run out of time. I want to give the member for Nanaimo—Cowichan an opportunity to respond to the comments, at least, that are on the record.

**Ms. Jean Crowder:** Mr. Speaker, I will be brief. What I understood the member to say is that he is reaffirming the fact that the minister would maintain control over first nations education.

**The Acting Speaker (Mr. Bruce Stanton):** It is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Thunder Bay—Superior North, Democratic Reform; the hon. member for Halifax West, Foreign Investment.

Resuming debate, the hon. member for St. Paul's.

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, improving educational attainment for first nations students is one of the most pressing social justice issues in Canada. It is absolutely fundamental in ensuring the equality of opportunity for first nations in Canada.

Shockingly, still only one third of those living on reserve achieve a high school leaving certificate, compared to 78% for other Canadians. All Canadians should see this gap as totally unacceptable. It is quite clear that the status quo is just not good enough. As the House has heard already, the Auditor General of Canada, in 2011, and the government's own 2012 evaluation of on-reserve education both made it clear that education opportunities and results that are comparable to the Canadian population are not being achieved.

Although first nations have made meaningful strides to improve education themselves, a lack of proper resources and systemic structural problems in the first nations education system have severely limited their progress. Fixing those structural problems must be grounded in a process that is first nations-led, and one that recognizes first nations' inherent and treaty rights.

Unfortunately, the approach of the Conservative government has been rooted in unilateralism and paternalism.

[*Translation*]

It is currently estimated that it will take nearly 30 years to fix this.

*Government Orders**[English]*

All Canadian children have a right to basic education and for first nations it is the responsibility of the federal government to ensure that access. The unacceptable gaps in educational attainment between first nations people on reserve and the rest of the Canadian population is not only a profound social injustice but represents a huge loss to the Canadian economy. In the economy of the 21st century, access to jobs and even skills training requires a high school and often, post-secondary education. We know youth who graduate high school are twice as likely to find a job as those who do not. Research shows that aboriginal high school graduates have almost the same post-secondary participation rate as non-aboriginal high school graduates.

The Canadian Chamber of Commerce has identified Canada's labour skills shortage as one of the 10 biggest barriers to Canadian competitiveness and the aboriginal population "a huge potential workforce" that we must support more.

*[Translation]*

Furthermore, the Canadian Council of Chief Executives has clearly stated that the government needs to improve education and skill levels in the aboriginal population and create more opportunities for aboriginal peoples, to enable them to participate fully in the economy.

• (1640)

*[English]*

The Canadian business community now gets it. It believes engaging the aboriginal population in Canada, the youngest and fastest growing population in the country, is fundamental to dealing with an aging population and the current disconnect between worker skills and labour market needs.

The question is, how do we ensure first nations students have the equality of opportunity they deserve and that first nations communities and the Canadian economy benefit from the huge potential of the current generation of aboriginal young people?

It was 10 years ago that first nations, Inuit, and Métis leadership met across the street with provincial, territorial, and federal ministers to begin the process that ended in October 2005 with the Kelowna accord. Indigenous leadership chose five areas to focus upon: health, education, housing and infrastructure, economic development, and accountability. They divided into working groups and then developed real strategies: what, by when, and how. The necessary budget was determined and the then-Liberal government booked the money in the fiscal framework. For education, a hard target was determined that within 10 years, first nations students would complete high school at the same rate as the Canadian average. The \$1.7 billion was booked over five years with the promise that additional resources would be available to meet that target if needed.

*[Translation]*

Unfortunately, the Kelowna accord was not honoured by this government. Aboriginal youth paid the price, and Canada is worse off as a result.

*[English]*

Liberals know that simply bringing back the Kelowna accord a decade later is not possible, but we do believe that the true partnership that led to that breakthrough holds the key to improving current education outcomes for aboriginal peoples. We feel that this was a lost decade in that still only one third of first nations students living on reserve are finishing high school.

How do we fix it? Beyond the need to recognize first nations jurisdiction over their own education, we must develop a comprehensive approach to protect language and culture, a mutual accountability framework and adequate, sustainable, and predictable funding. First nations must also be intimately involved in developing every aspect of education reform, not just in terms of legislation and regulation, but any government policy that impacts on the administration of first nations education.

The National Panel on First Nation Elementary and Secondary Education for Students on Reserve set out the key components of what would be needed to effectively improve on-reserve education, as I was reminded on Monday when I met with the chiefs from Quebec. Among its 2012 recommendations was for the federal government and first nations to "Co-create a Child-Centred First Nation Education Act".

Instead of working in collaboration with first nations to co-develop this legislation, as the panel recommended, the government released a unilateral one-size-fits-all proposal last fall.

*[Translation]*

This proposed legislation for first nations education was quickly rejected by first nations and educators from coast to coast to coast.

*[English]*

Building on the work of the national panel and the first nations communities, chiefs from across Canada passed a resolution last December setting out five conditions that must be met for any first nations education reform to be acceptable.

That resolution called for: one, the recognition of first nations jurisdiction respect for treaty and rights; two, a statutory guarantee of funding; three, funding for language and culture; four, reciprocal accountability; and five, ongoing meaningful dialogue.

We now have before us Bill C-33, which is the latest attempt by the Conservative government to restructure the on-reserve education system. The December AFN resolution provides an excellent lens to assess whether the bill will actually deliver what first nations have been working toward for the last 30 years, meaningful control over their own education system.

*Government Orders*

•(1645)

[*Translation*]

While some people have suggested that Bill C-33 is a good start, first nations have also expressed many concerns about this bill.

[*English*]

In the model proposed by Bill C-33, the Aboriginal Affairs Department becomes a ministry of education, as well as a national school board, and in some cases, actually operates first nations schools.

While the bill has been renamed the first nations control of first nations education act, the bill itself does little in terms of jurisdiction beyond entrenching the delegation of day-to-day management that has already been government policy for the last 30 years.

[*Translation*]

Many first nations have told me that they are worried about the fact that the body of the bill does not reflect the title or the conciliatory language of the preamble.

[*English*]

Put simply, the bill fails to expressly recognize first nations jurisdiction over first nations education.

Further, first nations are very concerned that the minister retains extensive powers, arguably more power than he currently has under the Indian Act, to intervene in the administration of first nations schools. These excessive powers of the minister include the ability to effectively oppose third party management on first nations education authorities and even disband responsible education authorities based on broad and ill-defined criteria.

The bill should actually enable the transfer of law-making authority to first nations related to education like sectoral self-government arrangements. We have seen this before regarding land management under the First Nations Land Management Act, or for taxation, financial administration, and public financing under the First Nations Fiscal Management Act. It does not.

[*Translation*]

Furthermore, the minister's discretionary powers are very broad and, for the most part, unnecessary. Those powers should be limited and, in many cases, eliminated.

[*English*]

There is no question that stable and predictable funding, which was announced, confirmed, in budget 2014, is a step in the right direction. This increased funding is particularly welcome given that as recently as January this year, the then minister was denying that there was a funding gap for students attending school on reserve. However, it is completely unacceptable that the government is delaying money to help close the annual per student funding gap until 2016-17. As a result, first nations students on reserve will have to wait at least another two years before the significant funding gap, compared to their provincial counterparts, will even begin to close. This is patently wrong. First nations students should not have to wait one more day for the equitable funding they deserve. The money should have flowed immediately.

I am hearing across the country that people are very concerned that the language and culture funding cannot be stolen from other areas in terms of core curricular activity. Language and culture is essential to the secure personal cultural identity of first nations students, and it is essential to their actually doing well in educational outcomes, health outcomes, and economic outcomes.

There is also some serious concern across the country about the need for funding for special needs students, which unfortunately are in great numbers in the first nations schools. They want to see that the funding is secure, and again, is not coming out of other core funding needs.

Mutual accountability is also an issue. While the accountability will be an important component of effective education reform, that accountability must not amount to responsibilities being downloaded to first nations without the corresponding authority or resources to fulfill them. It should also not include unnecessarily paternalistic oversight powers, exercised by the minister, in Ottawa. First nations expect a truly reciprocal partnership in terms of the evaluation and oversight of a restructured first nations education system.

Bill C-33 would establish a joint council of educational professionals, and the government points to this body as ensuring mutual accountability and oversight of the new system. However, the joint council, ultimately appointed by the Governor in Council, would only advise the minister and would be answerable to the minister. It would not be mutually accountable. It is not accountable to first nations. It would not even be a shared governance entity, as are, for example, the First Nations Financial Management Board and the First Nations Tax Commission, and it would have no meaningful statutory power. With the exception of its responsibility for carrying out a review of the act and its associated regulations every five years, there are no other specific functions or powers identified in the bill.

•(1650)

[*Translation*]

First nations have also expressed serious concerns about the makeup of the joint council.

[*English*]

The bill would provide the Governor in Council with the discretion to appoint a minimum of five and a maximum of nine members, on the advice of the minister, and would only require one to be nominated by an entity representing first nations' interests. I do not believe that this is first nations control over first nations education. The phrase "entity representing the interests of First Nations" is not properly defined, and the minister would also retain the authority to remove members of the body during their five-year term. The potential imbalance in the composition of this body and the vagueness regarding its powers and responsibility undermines its credibility and falls far short of the mutual accountability that first nations rightly expect.

*Government Orders*

While I understand that there have been some discussions between the government and the AFN about entering into a political protocol to bring clarity on the function of this body, something so fundamental to the legislation should be in the bill itself. There is a need for more creative machinery of government here. What is needed is a responsible and accountable first nations institution to support responsible and accountable local governance and the delivery of quality education services that are adequately funded. The bill should define the powers and functions of this body and address concerns about the broad discretion of the government to appoint its members, and particularly, we are hearing, the chair.

We believe that the bill should ensure that a majority of the members of the joint council are first nations and should mandate that the chair of the joint council be a first nations nominee. The bill should also include a mechanism to ensure appropriate regional representation on the joint council.

Bill C-33 provides the minister with the regulatory authority to determine the extent of the use of a first nations language as a language of instruction. First nations have questioned why the minister finds it necessary to retain that authority.

[*Translation*]

Questions have also been raised about its potential impact on immersion programs.

[*English*]

Although the minister has stated that Bill C-33 legally supports “the incorporation of First Nation language and culture programming in the education curriculum, including [the ability to administer] immersion in a First Nation language”, there are serious questions about whether regulations, which are yet to be developed, would actually do this.

In terms of the ongoing dialogue that will be essential for improving first nations educational outcomes, the Conservative government's cynical and unilateral approach to aboriginal issues thus far has badly undermined the trust of first nations. This is extremely problematic for the needed good-faith discussions going forward.

There are numerous sections of the bill that are excessively prescriptive, and given that there is no requirement in the legislation for meaningful consultation on regulations and tight timelines, there are very real concerns about whether first nations will be sufficiently engaged in developing those regulations.

We have listened to many concerns of first nations across the country, and in their opinion, the bill only partially meets the five conditions. Moreover, it would actually create a system that is administratively top heavy, which would put excessive power into the hands of the minister. The bill would essentially make the Minister of Aboriginal Affairs and Northern Development the new ministry of first nations education.

Bill C-33 still needs a lot of fundamental work. The bill needs to live up to its title: first nations control of first nations education.

We will continue to work with the government on this, but we believe that, unfortunately, the trust of first nations has been irreparably damaged by the government.

We look forward to a real solution. We will continue to work with first nations and the government on this. This is too important to get wrong.

• (1655)

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Mr. Speaker, my colleague talked about the requirement for adequate funding. I would point out that in the paper accord that was brought out in the dying days of former Prime Minister Martin's government, the Liberals were proposing a 2% cap on funding. That was included in the so-called Kelowna accord. This legislation would replace it with a 4.5% funding escalator to ensure stable and predictable funding. Under the first nations control of first nations education act, funding for elementary and secondary education would increase by \$1.9 billion over five years. That is larger than what was proposed under the Kelowna paper accord.

I am glad to hear that the Liberals are willing to work with the government on this to make a good bill even better. Improvements are always welcome.

Some of the rhetoric that is coming from the hon. member is a bit rich, considering some of the things the Liberals did not do in all the time they had, except on their governmental deathbed, when they saw the light and brought in a paper plan, with no implementation plan attached to it at all.

I am glad to hear that they are willing to work with the government to make a good bill even better. I am pleased to hear that the Assembly of First Nations supports Bill C-33 as well.

**Hon. Carolyn Bennett:** Mr. Speaker, the member is misinterpreting what the Kelowna accord was. The Kelowna accord took off the 2% cap. The Kelowna accord put in \$1.7 billion over five years, with a commitment to renew and to put in as much money as it would take to reach that hard target of first nation students finishing high school at the same rate as the Canadian average. The bill attached to budget 2014 is \$1.9 billion over seven years, not \$1.7 billion over five years.

This is not a commitment to reach the results we need. If we need more money for culture and education, or language and culture, or special needs, it needs to be there. This is about achieving results. It is not some attempt by the government, before the budget, knowing that the bill was coming forward, to delay the funding for two or three years until it does what needs to be done today, which is to close the gap in the per student per year funding, the same as in the provincial systems.

**Mr. Dennis Bevington (Western Arctic, NDP):** Mr. Speaker, I am very interested in the bill as well.

*Government Orders*

Having spent time on the aboriginal affairs committee, I realize the great depth of the problems in education among first nations. There are the capital requirements to restore a decent education system across those vast, rural, remote communities across the country. Coming from the Northwest Territories, I understand the cost of capitalization for building facilities. We are talking about 600 reserves. The capital cost for a new school is between \$50 million and \$100 million to get a decent school for people on a reserve. With 600 reserves, many schools every year would need to be brought up to a certain standard that would meet Canadian standards.

Does the member see anything in this bill that would guarantee that when first nations are moving to take over the education system, the Government of Canada, which is responsible for the existing condition of facilities on reserves, would upgrade those facilities for those first nations?

**Hon. Carolyn Bennett:** Mr. Speaker, even with the infrastructure needs, which are so extreme, as the member mentioned, we were hoping that the money could have begun to flow in budget 2014.

It is unbelievable. We hope that people will go and visit some of these schools and see the mould, see what is falling down, and see the kinds of needs that are out there. I have been on many reserves where there is nobody in the school, because everyone is sick, because there are 14 people living in one house. Without moving on affordable housing and without moving on all the other infrastructure needs, there is no way we can have these young people being successful.

I encourage the members opposite to visit the first nations in their areas and see the disastrous situations in which these children are being asked to learn. Look at how long it took to get a school in Attawapiskat.

Even in British Columbia, which was this close to getting an accord with the First Nations Education Steering Committee, the government decided at the last minute to put in that it had to do own-source revenue. Many of those first nations are concerned that they do not get that it is the responsibility of the crown to make sure that there is adequate funding for these students to be successful.

As the member noted, it starts with a building and a roof over their heads to do this properly.

• (1700)

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Speaker, the member for St. Paul's has suggested that under Bill C-33, the Minister of Aboriginal Affairs and Northern Development would have extraordinary powers, but unfortunately, that statement is not true. In fact, under Bill C-33, the Minister of Aboriginal Affairs and Northern Development would have less control over first nations education than the provincial ministers would have over provincial education.

Could the member opposite please explain why, if the minister has such excessive powers, the Assembly of First Nations has endorsed Bill C-33, not once but on two different occasions?

**Hon. Carolyn Bennett:** Mr. Speaker, I would encourage the members opposite to understand that taking a provincial approach in terms of a provincial minister of education and applying it to the

Minister of Aboriginal Affairs and Northern Development and the first nations of this country is totally inappropriate.

What we are asking for in this bill is for first nations to have control over first nations education. Comparing this new federal minister of education with the provincial minister is even more irritating and shows that the government does not get it. This bill would not give first nations control of their education.

Many people feel that the language in this bill is even more prescriptive than in the Indian Act and that the minister is actually taking all kinds of powers for himself. Even the chair of the committee is not a first nations appointee.

This just will not work. The minister thinks that he is the minister of education, and that is where the problem begins and ends.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I have been in actual consultation with first nations across the region that I represent in northern British Columbia, and they are astounded at what they are seeing coming from the Conservative government with respect to education.

One place we can find agreement in this House among all the parties is with regard to the importance of first nations education in terms of achieving the kinds of success that we hope for for all Canadians. We know the statistics. We know the results and the failures that have gone on.

I have a question for my hon. friend across the way. In a number of communities in northern British Columbia and across British Columbia, new programs and new initiatives with greater control from the first nations communities have been under way. These first nations communities have been directing the programming and directing and supporting the types of initiatives that they know will work in their communities. They know best what will work, and they know it much better than the Minister of Aboriginal Affairs and Northern Development here in Ottawa does.

These people are actually on the ground with the students and the families. They know what the challenges are and what the solutions to those challenges might be.

I appreciated many of the comments by for my friend from the Liberal Party. Concerns are being raised, not just by us in the opposition but by first nations education leaders who have read the legislation. They have looked through the act and realize the implications of a consultative body that is appointed by the minister when the minister is not obligated to actually listen to the consultation.

My question is this: if we have had success and if we have started to see initiatives working that are more locally controlled, why, for heaven's sake, would the Conservatives choose this moment in our troubled history with first nations to try to seize more control back to the federal government, rather than support the programs that are working and that by and large have placed control much closer to the communities that are involved?



*Government Orders*

● (1705)

**Hon. Carolyn Bennett:** Mr. Speaker, I could not agree more that there are places in the country where educational leaders have been working diligently for decades and have actually been achieving success. That is certainly true in the member's home province of British Columbia.

That should have been a poster child for the government, in terms of what the first nations education steering committee has been able to achieve.

There is no certainty now, in terms of that agreement and the kinds of progress they have made, because all of a sudden there are new criteria in terms of first nations and their own-source revenue negotiation, which makes no sense. Also, those education leaders do not see any certainty in this bill as to whether they will be able to continue in the way that they have in moving the success rate for their students and in being able to go forward.

In northern Ontario and a number of places across this country, people are saying that this bill does not recognize what they are already doing and where they are successful. It is back to "father knows best" yet again, with the minister telling them what they can and cannot do.

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, it is a pleasure to have this opportunity to rise and voice my support for Bill C-33, the first nations control of first nations education act.

I have to say I am disappointed that the opposition members have indicated that they will not support this bill. It is an important initiative, and a lot of work has gone into it with first nations, precisely as we have said. We have been working on this legislation with first nations for years. They have been calling for it for decades. As the minister noted, first nations have long called for first nations control of first nations education, dating back as early as a 1972 policy paper on education by the National Indian Brotherhood. It is a principle that has been repeatedly called for in many reports and academic studies since then.

I am proud to be a part of this government, the only government that has heeded these calls for first nations control over first nations education, that has worked with first nations to address their concerns and has moved forward with the introduction of legislation that would, at long last, put an end to the patriarchal and colonial approach to first nations education and would instead put the best interests of first nations children first, respecting that first nations know best how to educate their own children.

Anyone who has read the bill will be able to clearly see that first nations control is at the very core of the bill before us today. However, it has been a long journey to get here. I want to take this opportunity to explain the significance of returning control of first nations education to first nations through force of law. To do so, history must be acknowledged.

The Government of Canada first began to play a role in the development and administration of Indian residential schools in 1874. Throughout this dark chapter in Canadian history, some 150,000 aboriginal children were separated from their families and

communities to attend residential schools. While most Indian residential schools ceased to operate by the mid-1970s, the last federally run residential school closed only in the late 1990s.

In 2006, again it was our government and this Prime Minister that announced the Indian residential schools settlement agreement, the largest class action settlement in Canadian history. In 2008, the Prime Minister offered an historic apology to former students of Indian residential schools on behalf of the Government of Canada and all Canadians. The apology acknowledged that the policy of assimilation was wrong, had caused great harm, and had no place in our country.

The legacy of Indian residential schools is still felt today by aboriginal people across Canada. Our government recognizes this, and that is why we have placed such importance on reconciliation and the renewal of Canada's relationship with aboriginal people. First nations control over first nations education is part of the commitment to closing the door on this chapter and moving forward in reconciliation.

Our government is proud of the deeply collaborative approach that has been taken on this important file, and we are seeing the results. From the outset, our government committed to working with first nations to develop a first nations education act. Consultation and engagement with first nations parents, students, leaders, and educators, as well as the provinces, were integral to the development and drafting of the legislation we are talking about here today.

This critical reform of first nations education is informed by discussions that have taken place for decades, including a series of engagement processes over the last several years. I want to highlight some of the important milestones.

In 2011, our government and the Assembly of First Nations jointly launched a national panel on first nations elementary and secondary education. Over the course of five months, the national panel held seven regional round tables and one national round table. Panel members visited 25 schools and 30 first nations communities across Canada, meeting with key individuals and organizations in each region. In its final report, the national panel described education legislation as a fundamental part of an education system. In the words of the national panel, legislation:

...establishes and protects the rights of the child to a quality education, ensures predictable and sufficient funding, provides the framework for the implementation of education support structures and services, and sets out the roles, responsibilities and accountabilities of all partners in the system.

● (1710)

Following the report, our government made a commitment in economic action plan 2012 to put first nation education legislation in place and launched an intensive consultation process in December of 2012.

*Government Orders*

The consultation process consisted of two stages. First, our government shared a discussion guide with all first nations across Canada. The discussion guide informed first nations of components that could be covered in proposed elementary and secondary education legislation for first nations on reserve. The guide was informed by years of studies, audits, and reports, including the June 2011 status report of the Auditor General of Canada, the 2011 report by the Standing Senate Committee on Aboriginal Peoples, and the 2012 report of the National Panel on First Nation Elementary and Secondary Education for Students on Reserve.

From January to May of 2013, our government engaged first nation parents, youth, educators, provincial partners, and others with an interest or expertise in education through regional consultation sessions across the country. As well, more than 30 video and teleconferences were held, and opportunities, including email submissions and online surveys, were made available to provide additional input.

Areas of interest and concern raised throughout these consultation activities included first nations control over first nations education, funding, the transition to a legislated system, parental involvement in education, language and culture, and aboriginal and treaty rights.

After considering the findings from the national panel and the feedback received through the consultation process, the government developed an annotated outline of the proposed legislation. The blueprint, called “Developing a First Nation Education Act—A Blueprint for Legislation”, was released in July 2013. It was shared with first nation chiefs and councils, first nation organizations, provincial governments, and others with an expertise or interest in first nation education for their feedback.

In October 2013, following additional feedback and comments in response to the blueprint, the government released “Working Together for First Nation Students: A Proposal for a Bill on First Nation Education”.

In addition to posting this draft legislative proposal on the Aboriginal Affairs and Northern Development Canada website, our government shared the draft legislative proposal with more than 600 chiefs and band councils and every first nation community across the country, as well as provincial governments, for their input.

We have undertaken unprecedented and intensive consultations with first nations across this country, which have led to the exchange of open letters and dialogue between the Minister of Aboriginal Affairs and Northern Development and the National Chief of the Assembly of First Nations.

In November 2013, the Assembly of First Nations released an open letter to the Government of Canada asking for collaboration on five issues. These issues included first nation control and respecting inherent and treaty rights, a statutory guarantee for adequate and fair funding for education, support for first nation languages and cultures, jointly determined oversight that respects first nation rights and responsibilities, and an ongoing process of meaningful dialogue.

In December 2013 my colleague, the Minister of Aboriginal Affairs and Northern Development, responded in an open letter with a commitment to address the issues raised. Our government worked

with the Assembly of First Nations to address its five conditions for success.

It is in this context that we can understand the importance of the February 7, 2014, announcement by the Prime Minister and the Assembly of First Nations to move forward on first nations primary and secondary education as an historic moment for Canada-first nations relations.

The Prime Minister stood with the National Chief of the Assembly of First Nations and announced an unprecedented \$1.9 billion in new funding through three streams: statutory funding with an unprecedented annual rate of growth, transition funding to support the new legislative framework, and funding for long-term investments in on-reserve school infrastructure.

This historic announcement was reinforced through economic action plan 2014, which would ensure stable and predictable funding consistent with provincial education funding models.

In addition to current funding, core transfer funding in the amount of \$1.252 billion over three years, beginning in 2016-17, would be implemented through the act and would also increase annually by 4.5%. The core transfer would include funding for language and cultural programming.

● (1715)

This funding responds to one of the five conditions for success set out in a resolution by the Assembly of First Nations, endorsed by Chiefs-in-Assembly in December 2013. While it is important in the context of reconciliation, integrating languages and cultural programs into schools also increases parent and community involvement and supports student success.

As demonstrated by the name, first nations control is the central principle upon which this proposed legislation is based. It would recognize the ability and responsibility of first nations to educate their students. It would recognize the importance of treaty and aboriginal rights, which are protected by the Constitution, and it would not apply to first nations who are taking part in existing comprehensive or sectoral self-government agreements that cover education.

When our government announced our intention to introduce legislation, we made it clear that the partnership does not end with the introduction of a bill. Going forward, through the creation and role of the joint council of education professionals as proposed by this bill, Canada and the Assembly of First Nations would continue to explore ways to further engage first nations as part of the commitment to respecting first nations control over first nations education.

*Government Orders*

This partnership with the first nations, as I said, does not end with the introduction of this bill. The Minister of Aboriginal Affairs has extended an invitation to the AFN to work on a political protocol to establish how the members of the joint council would be chosen. This would ensure meaningful input from first nations and elaborate on how the joint council would work with first nations to develop the act's regulations. The government looks forward to continuing our partnership with the AFN in developing this political protocol.

Full implementation of the proposed legislation would occur in steps over a three-year period; from royal assent, to coming into force, and the application of the first and second sets of regulations. First nations and all Canadians would have the opportunity to continue engaging during this parliamentary process.

In addition, if and when this bill receives royal assent, our government will work with first nations to ensure that there is a smooth transition for communities and first nations education organizations, and has committed the funding to do so.

The proposed legislation would ensure first nations control of first nations education while establishing a legislative framework that sets out standards consistent with provincial standards off reserve, standards that are common to students across Canada.

The act would establish five core standards: access to education, a recognized certificate or diploma, certified teachers, a minimum number of instructional hours and instructional days, and transferability of students between systems without penalty.

For example, the act would require that first nations schools teach a core curriculum that meets or exceeds provincial standards and that students meet minimum attendance requirements. It would require that teachers are certified and that first nations schools award recognized diplomas or certificates.

All other decisions on standards would be made by first nations who would control the schools. Specific details that support standards would be contained in the regulations. As part of the announcement on education in February, our government and the Assembly of First Nations agreed to collaborate on the development of these regulations.

The choice of which governance model to pursue would be up to each individual first nation. While the Government of Canada would be encouraging the development of aggregates through the creation of first nations education authorities, each first nation would have to make the determination on which governance option would best address the educational needs of their students while meeting the standards as laid out in the legislative framework. First nations could choose to continue to operate schools directly, establish or delegate their authority to operate schools to a first nations education authority, or enter into agreements with provincial school boards to operate on-reserve schools.

First nations students, parents, families, communities, schools, teachers, and administrators would all have roles and responsibilities in the implementation of the act, as would governments, the joint council of education professionals, and first nations educational organizations.

The proposed legislation would establish clear structures, roles and responsibilities, service delivery standards, and accountabilities in a measurable way. It would introduce a system of rigour and accountability that has not existed in the past.

• (1720)

The joint council of education professionals would support this approach through its robust oversight role, its review of annual reports, and its advice to the minister on how to respond to the findings of school inspections. Further, its role would support first nations councils and first nations education authorities in the improvement of their education system, as well as the oversight role of ensuring that the ministerial powers provided by the act are exercised with the benefit of the first nations perspective and used only as a last resort.

Results on the achievement of standards would be monitored and reported on regularly by the responsible education authority selected by the first nations community. Where required, school success plans would set out how to improve performance. These reports would be overseen by the joint council of education professionals, which would make recommendations to the minister when further steps are necessary to protect student well-being.

Under exceptional circumstances and as a last resort, the minister may appoint a temporary administrator after seeking advice from the joint council of education professionals. This provision would only be exercised in exceptional circumstances, such as where inspection reports have not been submitted, significant issues have been revealed, or there is significant risk to student well-being and success. The joint council would also conduct a review of the legislation after five years.

Members would be chosen for their recognized experience and education and their knowledge of education in first nations communities. As previously mentioned, the minister is committed to concluding a political protocol with the AFN to establish an appointment process for the joint council.

The joint council of education professionals is a key change to the draft legislative proposal shared in October 2013. It responds directly to first nations concerns about the unilateral authority of the minister to intervene in the administration of first nations education. I would also like to note that we agree with National Chief Shawn Atleo that Bill C-33 is not a replacement for self-government, but, rather, a bridge to support first nations in establishing their own first nation-controlled education systems that respond to their own traditions and priorities.

*Government Orders*

What we all agree on is that every child in this country has a right to a quality education no matter where he or she lives in Canada. We can also agree that despite the best efforts of countless parents, teachers, and communities, too many first nations children are being left behind. We stand behind the consultation and engagement process that supported the development of Bill C-33. Our government conducted extensive consultation activities, which allowed for a fruitful dialogue with first nations organizations and individuals on the content of the proposed legislation.

The historic way forward with the Assembly of First Nations is reflective of this constructive exchange with first nations. I am proud of the deeply collaborative approach that we have taken on this file. Working closely with first nations we have reached an historic agreement on education, something that has been desperately needed for generations. Bill C-33 represents an important step forward together. We will continue to focus our energies to work even harder now to ensure improved outcomes for first nations students on reserve. Every child in this country has a right to a quality education no matter where he or she lives.

To quote National Chief Shawn Atleo, “This work is simply too important to walk away and abandon our students to the next round of discussions...” I urge my colleagues on all sides of the House to support the speedy passage of Bill C-33 to create a first nations-controlled system of first nations education in Canada.

● (1725)

BILL C-33—NOTICE OF TIME ALLOCATION MOTION

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I would like to advise that an agreement could not be reached under the provisions of Standing Order 78(1) or 78(2) with respect to the second reading stage of Bill C-33, An Act to establish a framework to enable First Nations control of elementary and secondary education and to provide for related funding and to make related amendments to the Indian Act and consequential amendments to other Acts.

Under the provisions of Standing Order 78(3), I give notice that a minister of the crown will propose at the next sitting a motion to allot a specific number of days or hours for the consideration and disposal of the proceedings at the said stage.

SECOND READING

The House resumed consideration of the motion that Bill C-33, An Act to establish a framework to enable First Nations control of elementary and secondary education and to provide for related funding and to make related amendments to the Indian Act and consequential amendments to other Acts, be read the second time and referred to a committee.

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I listened with great interest to the parliamentary secretary on the question that I previously put to the government, which was about the fact that while the parliamentary secretary says that he has agreed to consult with first nations in the making of the regulations, why then is that commitment not enshrined in law to not only bind the government, which may choose to do so in good faith, but all future governments?

I will bring to the attention of the parliamentary secretary the United Nations Declaration on the Rights of Indigenous Peoples, which the government has endorsed. Article 18 states, “Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves”, and article 19 states, “States shall consult and cooperate in good faith”. Where is the delivery on the UNDRIP?

**Mr. Mark Strahl:** Mr. Speaker, of course there were concerns raised by the AFN to the first draft of the legislation that was put out. It came forward with five conditions for success. One of those was to enable first nations control of first nations education act.

I talked extensively in my speech about the joint council of education professionals. This is a major change from the first draft to the current first nations control of first nations education act. The member speaks about the United Nations Declaration on the Rights of Indigenous Peoples. Of course, it was our government that recognized the UNDRIP. Certainly, it is an aspirational document. It is part of the consideration here, but we also work with the AFN and what it has said is the joint council of education professionals is the body it believes should be used to develop those regulations. There would be four members appointed on the recommendation of the AFN, including the chair, in consultation with the minister.

I see my time has expired. I look forward to more questions the next time this is before the House.

**The Acting Speaker (Mr. Bruce Stanton):** We have time for one short question and response. We will go to the hon. member for Winnipeg North.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I will try to keep it very short. We just witnessed the government House leader come in on day one. The minister introduced the bill and he has already stated that the government has full intention of closing debate, on the very day it was introduced. I wonder if the member feels our first nations education is not important enough that we should not allow for debate, as opposed to the government bringing in time allocation to try to force the end of debate.

● (1730)

**Mr. Mark Strahl:** Mr. Speaker, yes, we do believe that education is a priority. That is why, unlike the Liberal government that did nothing on the file for 13 years, our government is taking action and is going to deliver the first nations control of first nations education act, because that is what first nations students on reserve deserve.

**The Acting Speaker (Mr. Bruce Stanton):** That was right on time.

It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion by the member for North Delta, relating to the business of supply.

Call in the members.

**BUSINESS OF SUPPLY**

OPPOSITION MOTION—TEMPORARY FOREIGN WORKER PROGRAM

The House resumed from April 29 consideration of the motion.

● (1810)

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

*(Division No. 106)*

**YEAS**

Members

Allen (Welland)  
 Angus  
 Atamanenko  
 Bellavance  
 Benskin  
 Blanchette  
 Boivin  
 Brison  
 Caron  
 Cash  
 Chisholm  
 Christopherson  
 Côté  
 Cullen  
 Day  
 Dion  
 Donnelly  
 Dubé  
 Duncan (Edmonton—Strathcona)  
 Easter  
 Foote  
 Freeland  
 Fry  
 Garrison  
 Genest-Jourdain  
 Godin  
 Gravelle  
 Harris (Scarborough Southwest)  
 Hsu  
 Hyer  
 Jones  
 Kellway  
 Lapointe  
 Latendresse  
 LeBlanc (Beauséjour)  
 Leslie  
 MacAulay  
 Marston  
 Masse  
 May  
 McGuinty  
 Michaud  
 Morin (Chicoutimi—Le Fjord)  
 Morin (Laurentides—Labelle)  
 Mourani  
 Murray  
 Nash  
 Nunez-Melo  
 Papillon  
 Pilon  
 Quach  
 Rankin  
 Raynault  
 Saganash  
 Scarpaleggia  
 Sellah  
 Sims (Newton—North Delta)  
 St-Denis  
 Sullivan  
 Tremblay  
 Turmel

Andrews  
 Ashton  
 Ayala  
 Bennett  
 Bevington  
 Blanchette-Lamothe  
 Brahmi  
 Byrne  
 Casey  
 Chicoine  
 Choquette  
 Cleary  
 Crowder  
 Cuzner  
 Dewar  
 Dionne Labelle  
 Doré Lefebvre  
 Dubourg  
 Dusseault  
 Eyking  
 Fortin  
 Freeman  
 Garneau  
 Genest  
 Giguère  
 Goodale  
 Groguhé  
 Harris (St. John's East)  
 Hughes  
 Jacob  
 Julian  
 Lamoureux  
 Larose  
 Laverdière  
 LeBlanc (LaSalle—Émard)  
 Liu  
 Mai  
 Martin  
 Mathysen  
 McCallum  
 McKay (Scarborough—Guildwood)  
 Moore (Abitibi—Témiscamingue)  
 Morin (Notre-Dame-de-Grâce—Lachine)  
 Morin (Saint-Hyacinthe—Bagot)  
 Mulcair  
 Nantel  
 Nicholls  
 Pacetti  
 Patry  
 Plamondon  
 Rafferty  
 Ravignat  
 Regan  
 Sandhu  
 Scott  
 Simms (Bonavista—Gander—Grand Falls—Windsor)  
 Sitsabaiesan  
 Stewart  
 Thibeault  
 Trudeau  
 Valeriote — 122

*Business of Supply*

**NAYS**

Members

Ablonczy  
 Aglukkaq  
 Albrecht  
 Allen (Tobique—Mactaquac)  
 Ambler  
 Anders  
 Armstrong  
 Aspin  
 Bateman  
 Bergen  
 Bezan  
 Block  
 Braid  
 Brown (Leeds—Grenville)  
 Brown (Barrie)  
 Butt  
 Calkins  
 Carmichael  
 Chisu  
 Clarke  
 Crockatt  
 Davidson  
 Devolin  
 Duncan (Vancouver Island North)  
 Falk  
 Fast  
 Finley (Haldimand—Norfolk)  
 Galipeau  
 Gill  
 Goguen  
 Goodyear  
 Gourde  
 Harper  
 Hayes  
 Hoback  
 James  
 Keddy (South Shore—St. Margaret's)  
 Kerr  
 Kramp (Prince Edward—Hastings)  
 Lebel  
 Lemieux  
 Lizon  
 Lukiwski  
 MacKay (Central Nova)  
 Maguire  
 McColeman  
 Menegakis  
 Miller  
 Moore (Fundy Royal)  
 Norlock  
 O'Connor  
 O'Neill Gordon  
 O'Toole  
 Payne  
 Raitt  
 Rathgeber  
 Rempel  
 Rickford  
 Saxton  
 Shea  
 Shory  
 Sopuck  
 Stanton  
 Strahl  
 Tilson  
 Trost  
 Truppe  
 Valcourt  
 Van Loan  
 Wallace  
 Warkentin  
 Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)  
 Weston (Saint John)  
 Wilke  
 Wong  
 Yelich  
 Young (Vancouver South)

Adler  
 Albas  
 Alexander  
 Allison  
 Ambrose  
 Anderson  
 Ashfield  
 Baird  
 Benoit  
 Bernier  
 Blaney  
 Boughen  
 Breitzkreuz  
 Brown (Newmarket—Aurora)  
 Bruinooge  
 Calandra  
 Cannan  
 Carrie  
 Chong  
 Clement  
 Daniel  
 Dechert  
 Dreeshen  
 Dykstra  
 Fantino  
 Findlay (Delta—Richmond East)  
 Fletcher  
 Gallant  
 Glover  
 Goldring  
 Gosal  
 Grewal  
 Hawn  
 Hillyer  
 Holder  
 Kamp (Pitt Meadows—Maple Ridge—Mission)  
 Kenney (Calgary Southeast)  
 Komarnicki  
 Lauzon  
 Leef  
 Leung  
 Lobb  
 Lunney  
 MacKenzie  
 Mayes  
 McLeod  
 Merrifield  
 Moore (Port Moody—Westwood—Port Coquitlam)  
 Nicholson  
 Ohrai  
 Oliver  
 Opitz  
 Paradis  
 Preston  
 Rajotte  
 Reid  
 Richards  
 Ritz  
 Schellenberger  
 Shipley  
 Smith  
 Sorenson  
 Storseth  
 Sweet  
 Toet  
 Trotter  
 Uppal  
 Van Kesteren  
 Vellacott  
 Warawa  
 Watson  
 Williamson  
 Woodworth  
 Young (Oakville)  
 Zimmer — 152

**PAIRED**

Nil

*Private Members' Business*

**The Speaker:** I declare the motion defeated.

---

## PRIVATE MEMBERS' BUSINESS

[English]

### TAX EVASION

The House resumed from April 9 consideration of the motion.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on Motion No. 485 under private members' business.

● (1820)

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

(Division No. 107)

### YEAS

#### Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Ayala
Bellavance	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Brahmi
Brisson	Byrne
Caron	Casey
Cash	Chicoine
Chisholm	Choquette
Christopherson	Cleary
Côté	Crowder
Cullen	Cuzner
Day	Dewar
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Dubourg
Duncan (Edmonton—Strathcona)	Dusseauit
Easter	Eyking
Footé	Fortin
Freeland	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Grogulé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Hyer	Jacob
Jones	Julian
Kellway	Lamoureux
Lapointe	Larose
Latendresse	Laverdière
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Leslie	Liu
MacAulay	Mai
Marston	Martin
Masse	Mathysen
May	McCallum
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
Murray	Nantel
Nash	Nicholls
Nunez-Melo	Pacetti
Papillon	Patry
Pilon	Plamondon
Quach	Rafferty
Rankin	Rathgeber

Ravignat	Raynault
Regan	Saganash
Sandhu	Scarpaleggia
Scott	Sellah
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaesan	St-Denis
Stewart	Sullivan
Thibeault	Tremblay
Trudeau	Turmel
Valeriote— 123	

### NAYS

#### Members

Ablonczy	Adler
Aglukkaq	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Baird
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Falk	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Goodyear	Gosal
Gourde	Grewal
Harper	Hawn
Hayes	Hillyer
Hoback	Holder
James	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lauzon
Lebel	Leaf
Lemieux	Leung
Lizon	Lobb
Lukivski	Lunny
MacKay (Central Nova)	MacKenzie
Maguire	Mayes
McColeman	McLeod
Menegakis	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	Obhrai
O'Connor	Oliver
O'Neill Gordon	Opitz
O'Toole	Paradis
Payne	Preston
Raitt	Rajotte
Reid	Rempel
Richards	Rickford
Ritz	Saxton
Schellenberger	Shea
Shipley	Shory
Smith	Sopuck
Sorenson	Stanton
Storseth	Strahl
Sweet	Tilson
Toet	Trost
Trottier	Truppe
Uppal	Valcourt
Van Kesteren	Van Loan

Vellacott  
Warawa  
Watson  
Sky Country)  
Weston (Saint John)  
Williamson  
Woodworth  
Young (Oakville)  
Zimmer— 151

Wallace  
Warkentin  
Weston (West Vancouver—Sunshine Coast—Sea to  
Wilks  
Wong  
Yelich  
Young (Vancouver South)

PAIRED

Nil

**The Speaker:** I declare the motion defeated.

\* \* \*

NATIONAL CAPITAL ACT

The House resumed from April 28 consideration of the motion that Bill C-565, An Act to amend the National Capital Act (Gatineau Park) and to make a related amendment to the Department of Canadian Heritage Act, be read the second time and referred to a committee.

**The Speaker:** The House will now proceed to the taking of the deferred division on the motion at second reading stage of Bill C-565.

• (1825)

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

(Division No. 108)

YEAS

Members

Allen (Welland)  
Angus  
Atamanenko  
Bellavance  
Benskin  
Blanchette  
Boivin  
Brisson  
Caron  
Cash  
Chisholm  
Christopherson  
Côté  
Cullen  
Day  
Dion  
Donnelly  
Dubé  
Duncan (Edmonton—Strathcona)  
Easter  
Foote  
Freeland  
Fry  
Garrison  
Genest-Jourdain  
Godin  
Gravelle  
Harris (Scarborough Southwest)  
Hsu  
Hyer  
Jones  
Kellway  
Lapointe  
Latendresse  
LeBlanc (Beauséjour)  
Leslie  
MacAulay  
Marston  
Masse  
May  
McGuinty

Andrews  
Ashton  
Ayala  
Bennett  
Bevington  
Blanchette-Lamothe  
Brahmi  
Byrne  
Casey  
Chicoine  
Choquette  
Cleary  
Crowder  
Cuzner  
Dewar  
Dionne Labelle  
Doré Lefebvre  
Dubourg  
Dusseault  
Eyking  
Fortin  
Freeman  
Garneau  
Genest  
Giguère  
Goodale  
Groguhé  
Harris (St. John's East)  
Hughes  
Jacob  
Julian  
Lamoureux  
Larose  
Laverdière  
LeBlanc (LaSalle—Émard)  
Liu  
Mai  
Martin  
Mathysen  
McCallum  
McKay (Scarborough—Guildwood)

Michaud  
Morin (Chicoutimi—Le Fjord)  
Morin (Laurentides—Labelle)  
Mourani  
Murray  
Nash  
Nunez-Melo  
Papillon  
Pilon  
Quach  
Rankin  
Raynault  
Saganash  
Scarpaleggia  
Sellah  
Sor)  
Sims (Newton—North Delta)  
St-Denis  
Sullivan  
Tremblay  
Turmel

Moore (Abitibi—Témiscamingue)  
Morin (Notre-Dame-de-Grâce—Lachine)  
Morin (Saint-Hyacinthe—Bagot)  
Mulcair  
Nantel  
Nicholls  
Pacetti  
Patry  
Plamondon  
Rafferty  
Ravignat  
Regan  
Sandhu  
Scott  
Simms (Bonavista—Gander—Grand Falls—Wind-  
Sitsabaiesan  
Stewart  
Thibeault  
Trudeau  
Valériote— 122

Private Members' Business

NAYS

Members

Ablonczy  
Aglukkaq  
Albrecht  
Allen (Tobique—Mactaquac)  
Ambler  
Anders  
Armstrong  
Aspin  
Bateman  
Bergen  
Bezan  
Block  
Braid  
Brown (Leeds—Grenville)  
Brown (Barrie)  
Butt  
Calkins  
Carmichael  
Chisu  
Clarke  
Crockatt  
Davidson  
Devolin  
Duncan (Vancouver Island North)  
Falk  
Fast  
Finley (Haldimand—Norfolk)  
Galipeau  
Gill  
Goguen  
Goodyear  
Gourde  
Harper  
Hayes  
Hoback  
James  
Keddy (South Shore—St. Margaret's)  
Kerr  
Kramp (Prince Edward—Hastings)  
Lebel  
Lemieux  
Lizon  
Lukiwski  
MacKay (Central Nova)  
Maguire  
McColeman  
Menegakis  
Miller  
Moore (Fundy Royal)  
Norlock  
O'Connor  
O'Neill Gordon  
O'Toole  
Payne  
Raiitt  
Rathgeber  
Rempel  
Rickford

Adler  
Albas  
Alexander  
Allison  
Ambrose  
Anderson  
Ashfield  
Baird  
Benoit  
Bernier  
Blaney  
Boughen  
Breitkreuz  
Brown (Newmarket—Aurora)  
Bruinooge  
Calandra  
Cannan  
Carrie  
Chong  
Clement  
Daniel  
Dechert  
Dreesen  
Dykstra  
Fantino  
Findlay (Delta—Richmond East)  
Fletcher  
Gallant  
Glover  
Goldring  
Gosal  
Grewal  
Hawn  
Hillyer  
Holder  
Kamp (Pitt Meadows—Maple Ridge—Mission)  
Kenney (Calgary Southeast)  
Komarnicki  
Lauzon  
Leef  
Leung  
Lobb  
Lunney  
MacKenzie  
Mayes  
McLeod  
Merrifield  
Moore (Port Moody—Westwood—Port Coquitlam)  
Nicholson  
Obhrai  
Oliver  
Opitz  
Paradis  
Preston  
Rajotte  
Reid  
Richards  
Ritz

*Private Members' Business*

Saxton	Schellenberger
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Trost	Trottier
Truppe	Uppal
Valcourt	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Zimmer— 152

## PAIRED

Nil

**The Speaker:** I declare the motion defeated.

It being 6:28 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

\* \* \*

**PUBLIC SAFETY AND NATIONAL SECURITY**

The House proceeded to the consideration of Bill C-479, An Act to amend the Corrections and Conditional Release Act (fairness for victims), as reported (with amendment) from the committee.

● (1830)

## MOTIONS IN AMENDMENT

**Ms. Roxanne James (Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness, CPC)** moved:

Motion No. 1

That Bill C-479, in Clause 6, be amended by

(a) replacing line 9 on page 5 with the following:

"6. (1) Subparagraph 142(1)(b)(iii) of the Act is repealed.

(2) Subparagraphs 142(1)(b)(v) and (vi) of the Act are repealed.

(3) Paragraph 142(1)(b) of the Act is"

(b) replacing line 18 on page 5 with the following:

"(4) Subsection 142(1) of the Act is"

(c) replacing line 1 on page 6 with the following:

"(5) Section 142 of the Act is amended by"

(d) replacing lines 4 and 5 on page 6 with the following:

"information referred to in paragraph (1)(c) at least 14 days, where".

She said: Mr. Speaker, I rise to speak about an issue that is close to my heart and the hearts of all Canadians, fairness for victims of crime.

When our Conservative government first came into power in 2006, we made a commitment to take a long, hard look at our criminal justice system to see if it was fair to victims. We knew that we had to move forward with comprehensive legislative changes—

**The Acting Speaker (Mr. Barry Devolin):** Order. The hon. member for Malpeque is rising on a point of order.

**Hon. Wayne Easter:** Mr. Speaker, just for clarification, are we speaking on the amendment just introduced or are we speaking on the legislation as amended?

**The Acting Speaker (Mr. Barry Devolin):** To clarify, we are at report stage. We are debating the amendment at report stage.

**Hon. Wayne Easter:** Mr. Speaker, on a point of order, if we are speaking on the amendment, the remarks from the parliamentary secretary were certainly not targeted at this amendment.

**The Acting Speaker (Mr. Barry Devolin):** Order. Pardon me; I was having an audio problem hearing the member for Malpeque. It is my understanding that he was raising a question of relevance.

As all hon. members know, all remarks delivered in the House ought to be relevant to what is before the House. I urge all members to phrase their remarks in that fashion. Second, I urge all hon. members to exercise some patience in allowing their colleagues to get into the content of their speech.

The hon. parliamentary secretary.

**Ms. Roxanne James:** Mr. Speaker, I just started. It is a 10-minute speech, and I will certainly get there.

As I was saying, we knew that we had to move forward with comprehensive legislative changes and create policies and programs that would help victims of crime rebuild their lives.

Using a comprehensive approach, we have accomplished a great deal in a very few short years, including targeted investments of more than \$120 million in crime prevention and victim services.

We have also changed laws to support victims. For example, we have strengthened the national sex offender registry and introduced Bill C-26, the tougher penalties for child predators act, which will better protect children from sexual offences and exploitation both here in Canada and abroad.

**Hon. Wayne Easter:** Mr. Speaker, I have a point of order.

**The Acting Speaker (Mr. Barry Devolin):** Order. Before I go to the hon. member, I would also like to clarify something.

It was my understanding when I took the chair that the Speaker had delivered his ruling prior to his departure, but apparently that is not the case.

Regarding Bill C-479, An Act to amend the Corrections and Conditional Release Act (fairness for victims), there is one motion in amendment standing on the notice paper for the report stage of Bill C-479. Motion No. 1 will be debated and voted upon. That is the business that is before the House.

I presume this deals with the point of order that the hon. member for Malpeque was raising.

● (1835)

**Hon. Wayne Easter:** Mr. Speaker, on a point of order, we are dealing with the amendment, which is basically a technicality. We do not need a propaganda speech on everything the government thinks it has done. What we need are comments on the technicality of the amendment.

It is the ninth amendment to this particular bill. This is just a technical amendment to the bill; if the comments are on that, that is fine. However, I have not heard anything from the parliamentary secretary as yet that comes close to debating the amendment.



*Private Members' Business*

**The Acting Speaker (Mr. Barry Devolin):** The Chair's response to the member for Malpeque is similar to the initial response, and that is that obviously members are expected to speak to matters before the House. It is common practice in this place that when members are speaking to an amendment or a portion of a bill that they may speak to the bill itself or to other matters related to that. It is not the practice of the Chair to narrowly define relevance in such a way that members have no liberty to explain the context of their point of view. As such, the Chair will proceed.

Resuming debate, the hon. parliamentary secretary.

**Ms. Roxanne James:** Mr. Speaker, we also brought in a number of changes to strengthen the parole process and help victims through the Safe Streets and Communities Act, which was passed into law in March 2012.

In the most recent Speech from the Throne, we outlined our intent to bring forward further measures to ensure that public safety would come first and victims' voices would be heard. This includes introducing the victims bill of rights act which would restore victims to their rightful place at the heart of our justice system.

Through these steps and others, we will continue to fill our commitment to Canadians that we will help victims of crime overcome the trauma they have experienced and that we will give them access to information they need and ensure that they are part of the parole hearing process. We want to ensure that victims are not falling through the cracks of the criminal justice system. That is precisely what Bill C-479 aims to do.

I would like to take a moment at this time to thank the hon. member for Ancaster—Dundas—Flamborough—Westdale for his tireless dedication to helping victims of crime in our country. With this private member's bill, the hon. member continues his quest to ensure that victims do not feel marginalized and that they do not feel re-victimized by the criminal justice system. Our government is proud to stand behind the member and his efforts and I hope to hear strong support from all members of the House on the bill.

We have heard how Bill C-479 proposes to modify parole and detention review dates as well as to provide additional support to victims of violent crime. By increasing the review period between legislated parole and detention reviews for offenders sentenced for violent offences, Bill C-479 aims to ensure a more reasonable length of time has elapsed before the Parole Board must undertake another review.

For example, instead of having to review parole within two years, the Parole Board would now have up to five years. What this means is it allows the victims who are choosing to hear the actual Parole Board hearings not be re-victimized. They do not have to relive their emotional pain every two years. By proposing to give victims additional information and increase their involvement in the parole process, the bill aims to empower victims of violent crime by increasing their understanding of the process and giving them a stronger role.

I am very pleased that this legislation received support through the committee and we reached agreement on some important amendments that further strengthened the bill. This includes a number of

technical amendments to clarify the language and ensure that it can be implemented in an effective manner.

During study by committee, we introduced important amendments to the bill to address public safety concerns and ensured that victims were provided key information in a timely fashion.

In terms of public safety concerns, the bill was originally drafted to provide for mandatory release of information regarding date and time, conditions and locations of an offender's conditional release. However, and I think all members in the House would agree, there are circumstances in which disclosing the destination of an offender on release may expose front-line correctional officers to potentially dangerous situations.

To account for such situations, we introduced amendments to the bill to say that the disclosure of this information would only occur when it was clear to the chairperson of the Parole Board of Canada that there would be no negative impact on public safety.

However, there was an error in the drafting of the motion to amend the bill. The amendment adopted at committee stated that the disclosure of an offender's date, location and conditions of the release to the victim under section 142 of the Corrections and Conditional Release Act must occur subject to a public safety test. The amendment, as drafted, inadvertently overwrote clauses 6(2) and 6(3) of Bill C-479. These two clauses deleted paragraphs from the discretionary section of the provision.

The result of this drafting error was that the disclosure of this information would continue to be at the discretion of the chairperson of the Parole Board, as well as mandatory following a public safety test. As such, I have introduced amendments to correct the drafting error to ensure that disclosure of this important information will not be left solely to the chairperson's discretion.

We also introduced amendments at committee to specify that the date, location and conditions of a prisoner's release would be disclosed to victims within 14 days before the offender's release, where practical. We specified that this would only occur where practical because in some cases these details might not be fully arranged two weeks before the actual release.

● (1840)

We amended Bill C-479 at committee to ensure that we did not place the Parole Board in a position where it would not be able to comply with the law in cases that were obviously outside of its control. However, in drafting the motion to amend this paragraph in Bill C-479, the notation of the amendment was incorrect. Where we specified the items to be disclosed, we referred to paragraph 142(1)(a), and we should have referenced paragraph 142(1)(c). The amendments I have introduced would correct that error and ensure that this requirement, where feasible, would operate effectively for timely disclosure of date, location, and conditions of release.

*Private Members' Business*

In summary, I have introduced these amendments to correct drafting errors. My amendments that we are considering today, when combined with the amendments adopted by the committee, would allow Bill C-479 to make our justice system more just, unbiased, and equitable for victims. Ultimately we would ensure more fairness for victims of crime.

I would like to ask all members of this House to support my amendments to correct drafting errors.

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, I ask the hon. parliamentary secretary if this amendment has been checked against the victims rights bill.

We have several private member's bills amending the Corrections and Conditional Release Act, plus the victims rights bill, which also amends the same act. Therefore, we run into the danger that these amendments would inadvertently contradict each other.

Given the number of amendments we have already had to this private member's bill—I think it is nine: eight plus this one just introduced now—I am concerned about the coordination between things that are making their way through the House through different paths and from different committees at the same time.

**Ms. Roxanne James:** Mr. Speaker, I assure the member that there is absolutely no conflict with the victims bill of rights. In fact, the member who introduced this bill has done it in connection to his view that victims of crime should actually have a better place within our justice system and have more of a say when it comes to the Parole Board hearings.

Again, I support the private member's bill, and I thank the member for his question, which allowed me to clarify.

**The Acting Speaker (Mr. Barry Devolin):** The hon. member for Halifax on a point of order.

**Ms. Megan Leslie:** Mr. Speaker, I just want to clarify, because I believe we are at report stage, and I did not think there were questions and answers during report stage.

**The Acting Speaker (Mr. Barry Devolin):** Yes, there are ten-minute speeches followed by five minutes of questions and comments.

Questions and comments, the hon. member for Malpeque.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, with the amendments just introduced now, does the power of the Parole Board to use its discretion remain within the provisions of the act?

As I understand it, even with all the amendments, discretion still remains with the Parole Board. Is that correct?

**Ms. Roxanne James:** Mr. Speaker, the reason I brought forward these amendments to correct the drafting error was to ensure that, when a test was done to see whether there was any concern for public safety with regard to the offender in question or someone who works for Correctional Service Canada, the chairperson of the Parole Board of Canada would in fact disclose that information. Again, I would like to thank the member for that question and for the opportunity today to bring forward these amendments.

• (1845)

**Hon. Wayne Easter:** Mr. Speaker, I thank the parliamentary secretary for that information, but does the Parole Board still have

discretion of when it holds the parole hearings? That is the specific question.

**Ms. Roxanne James:** Mr. Speaker, I am concerned that the member is asking this question, because he actually sits on the public safety committee with me, although on the other side of the committee. The member knows very well that the purpose of the bill is to extend the period of review time required by the Parole Board of Canada from the current regime of two years to five years.

The member should know that a hearing could take place any time up to the end of that five-year period, which actually was the case.

We heard from witnesses that, even though the current regime is every two years, it means the hearing had to be done every two years, at the latest. In fact, we heard from witnesses who, within a period of just a few short years, had to come and observe Parole Board hearings not once, twice, or three times, but multiple times within a two- or three-year period.

Hopefully, that answers the member's question.

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, I am going to be speaking to the bill as a whole. Despite the fact that amendments have been introduced, this is probably the best opportunity to talk about the bill as a whole.

I will accept the parliamentary secretary's assurance that these are in fact housekeeping amendments to correct errors. I will come back to that point in a minute.

The NDP will be speaking in favour of Bill C-479, because we believe that the bill, after it has been extensively amended, still contains important improvements in victims' rights, though we were disappointed by the unwillingness of the government to go further in some areas.

New Democrats remain concerned, however, about the use of numerous private members' bills to amend both the Criminal Code and the Corrections and Conditional Release Act. There are several reasons for this. Often these private members' bills are inspired by a single incident or a single case, and therefore they have a very narrow focus. What this means is that sometimes they miss larger issues in the criminal justice system because of that focus on a single incident or a single case.

Second, private members' bills do not get the same technical expertise applied to them in their drafting as government bills do. This is a natural phenomenon, as they are prepared by a single member of Parliament, who does not have access to the large legal and policy expertise a federal department would have if it were drafting the same legislation. Thus, we end up in a situation, which we had with Bill C-479, where we had numerous amendments to the bill at committee stage, which were necessary, and even the additional amendments that were introduced at report stage. That is one reason we have concerns about the extensive use of private members' bills to amend what are really quite technical bills, the Criminal Code of Canada and the Corrections and Conditional Release Act.

*Private Members' Business*

As well, private members' bills do not go through the screening that all government bills must go through or are supposed to go through. That is the one that supposedly checks for compliance with the Charter of Rights and Freedoms. In a government bill, the Minister of Justice would be required to certify that the bill did not conflict with the Charter of Rights and Freedoms. We do not get that kind of scrutiny for a private member's bill.

Finally, we remain concerned about making extensive changes through multiple bills proceeding along different paths through Parliament on different timetables. The sheer volume of changes being made to the Criminal Code and the Corrections and Conditional Release Act are often a problem, because they are being considered at different committees. Some of these bills are going to the justice committee, and some are going to the public safety committee. There is a risk of having legal errors and omissions as well as unintended consequences when we have different bodies of Parliament dealing with the same bill and amending the same bill on different timeframes. This, of course, includes the Senate, which would be dealing with these in a completely different timeframe.

What we have had was some bills going to the justice committee and some bills going to the public safety committee. We in the public safety committee do not have the benefit of hearing the witnesses and hearing the debate on those bills that are in justice and vice versa. They do not have the benefit of seeing what work we have been doing in the public safety committee.

For instance, specifically in the case of Bill C-479, the public safety committee did not have the advantage of seeing the text of the government's victims' rights bill, Bill C-32, and now that bill will go to the justice committee, which will not have had the advantage of hearing the witnesses on Bill C-479, which amends the very same bill on the very same topic. I think we risk errors, omissions, and unintended consequences when we proceed in this way in the House of Commons.

I hope that when the debate in justice comes to Bill C-32, it will hear some of the same witnesses we heard. However, I am sure it seems to those witnesses that Parliament has become a very inefficient place if they have to go talk about the same bills multiple times at different committees.

As I said before, and despite the rhetoric we so often hear in the House, obviously no party has a monopoly on the concern for victims of crime. However, New Democrats do differ with the government on how best to serve victims and how best to make sure that there are fewer victims of crime in the future. We in the NDP understand the importance of utilizing our corrections system to prevent additional Canadians becoming victims of crime in the future. Clearly, if one is going to do that, what one needs is a properly funded corrections system where offenders receive the treatment and rehabilitation they need, whether for addictions, mental illness, or more specific problems they may have, and where they can access training and education opportunities that are necessary for successful reintegration into our communities. If they do not get successful treatment for mental illness and addictions, if they do not get job training, then offenders will find themselves back in the same circumstances as before and therefore are very likely to reoffend, creating even more new victims.

● (1850)

When committee members previously visited one of our federal correctional institutions and met with the prisoners committee, two of the people there had returned to prison, and we asked them why. They both gave the very same answer. They said when they got out, they did not have any resources, they had not had the training they needed, and they ended up back with the same friends who got them into same trouble they had been in before.

Therefore, New Democrats would like to emphasize that one of the very important things we can do to prevent victims of crime being created in the future is to have a properly functioning corrections system, and we know right now we do not have such a system. There is overcrowding in the corrections system, there is underfunding of training, there are long wait lists for mental health and addiction programs. If they are not fixed, it will lead to more victims of crime in the future.

The Conservatives, especially in private members' bills, often focus on the understandable feelings of some victims that the justice system ought to be more punitive and provide a greater sense of retribution, or they focus on the victims who believe toughness is the solution for crime. However, in doing so, they risk missing the more fundamental feeling expressed by nearly all victims. The one thing that nearly all victims of crime will say, the one thing they seem to share, is the wish that no one else has to go through what they went through. This is where victims start and end.

For New Democrats and, I believe, for most Canadians, there is a concern that we not lose the balance in our justice system between the need for punishment and the common good of increased public safety that we can achieve through rehabilitation programs. That balance is placed in jeopardy by the Conservative government's "penny wise and pound foolish" approach to public safety budgets. The consequences of this failure of the Conservative government to adequately resource the corrections system will, unfortunately, be seen down the road in additional victims.

Today, we in the NDP are supporting Bill C-479 because there are provisions in it which are of clear benefit to victims. Indeed, most of the provisions in this bill are already normal practice in the parole system. These include the presence of victims or members of their families at parole hearings, consideration of victims' statements by the Parole Board in its decisions, some special provisions for the manner in which statements can be presented at parole hearings, a stronger requirement to communicate to victims information that the board considered when making its decisions, an obligation to make transcripts of parole hearings available to victims and their families, as well as to offenders, and a better system of informing victims when an offender is going to be granted a temporary absence or parole or is released at the end of his or her sentence.

*Private Members' Business*

All of these things normally take place and New Democrats agree that it is a good idea to entrench these rights for victims by placing them in legislation. They are now mostly discretionary and we are saying these things need to be a right for victims. It is kind of peculiar to me that Bill C-479 actually has more rights for victims in it than the so-called victims rights bills. This actually entrenches many things in legislation.

New Democrats were, however, surprised to see the government reject one amendment which we put forward. We said that right now we have a strange situation. If, for some reason, a victim is not allowed to attend a hearing, either because he or she threatened the offender or some other reason, the victim is allowed to observe the parole hearings through teleconference or video conference. Other victims do not have that choice. We proposed an amendment giving every victim the right to observe parole hearings through video conference, teleconference, or by some other means where the victim does not have to be present in the room. Some victims do not want to be in the room because of fear, some do not want to be in the room because of revulsion, and we believe that all victims should have the right to observe parole hearings by video or teleconferencing, if they so choose. As I said, it was very surprising to me that the government voted against this amendment.

Making video conferencing available also has another very important impact for victims and their families. Sometimes people have to travel across the country. If offenders have been transferred, they may no longer be in institutions near the victims, so the victims would incur travel costs and might have to take time off work that could be avoided with video conferencing. One thing New Democrats have confidence in, as raised by the member for Malpeque, is that this bill does preserve the discretion of the Parole Board with regard to how long hearings have to take place.

• (1855)

As my time draws to a close, let me conclude by saying the New Democrats support strengthening victims rights, but we urge all members to consider another important thing that victims need, not just legislation but also well-supported programs to help them put their lives back in order.

**The Acting Speaker (Mr. Barry Devolin):** Before we resume debate, I want to point out that at report stage there are no questions and comments and therefore we were mistaken in the last rotation in that the hon. parliamentary secretary took some. We will proceed now with 10 minute speeches.

Resuming debate, the hon. member for Malpeque.

**Hon. Wayne Easter (Malpeque, Lib.):** That is all right, Mr. Speaker. We did not get many answers.

We will be supporting the bill because the contents and the intent of Bill C-479 remain basically as they were presented to the House during second reading. Given the fact that the key element of the legislation, namely, an effort to reduce the discretion of the Parole Board to conduct its tasks, has not been infringed, it is our intention to support the bill.

The intent to ensure that victims of crime are considered remains as has been the cornerstone of previous Liberal initiatives, which came into strong focus with the 2003 Canadian statement of basic

principles of justice for victims of crime negotiated between federal and provincial governments.

The problem with this legislation, as with all of the private members' bills from government members related to public safety, is how flawed they are and the extent to which the government, through Department of Justice lawyers, has had to intervene to amend the legislation to bring it into line both legally and constitutionally. We just saw that at the beginning of this discussion tonight, with the ninth amendment to the bill coming forward at this late stage.

The trouble begins with the statements delivered by members moving these bills, as was the case with respect to Bill C-479, that they have been vetted to ensure that they met the legal and constitutional standards expected of legislation coming out of this place. The member who moved Bill C-479 provided the House with the assurance that the bill had met these standards.

The consequences, though, were that when this legislation, similar to other government private members' bills, was brought before the public safety committee, there were substantial and numerous amendments by the government after we held the hearings. Witnesses come before the committee on the basis of the original bill. Then in the very last session the government comes forward with a whole series of amendments, as I said in this case eight at committee and the ninth here, and basically the bill, in my view, is quite often, and this one has as well, has been changed substantially from the intent that the mover of the bill talked about.

One of the concerns that has arisen is the contradictory nature of private members' legislation from government members relative to the government's tough on crime agenda. For example, the principle behind Bill C-479 is to reduce the number of Parole Board hearings to which victims would be subjected. However, we then have Bill C-483, the principle of which is to increase the number of Parole Board hearings to which victims would be subjected. The previous NDP speaker also mentioned some of the contradictory nature of the bills coming forward and how it could jeopardize justice in our country.

The question victim and victim organizations should ask themselves is straightforward. Do those government backbenchers over there speak to each other before they bring these contradictory bills forward?

Let us examine what occurred with Bill C-479, a bill well motivated I have no doubt.

Bill C-479 is a seven-clause bill that required eight government amendments and the ninth tonight. The first point to bear in mind is that the initial rationale for the bill was to extend the period the Parole Board could hold a hearing for violent offenders from two to five years. According to the member in whose name the bill stands, his intent was made very clear during testimony before the public safety committee on February 13, at page 3 of the evidence, as to what he wanted to have addressed, "our federal parole process... makes the revictimization of victims and their families an all too frequent occurrence".

*Private Members' Business*

•(1900)

The problem has been, and remains after the changes at committee made by the government itself, that the discretion of the Parole Board remains, in spite of the intention of the member opposite. That was the reason for my question earlier, which I guess was out of order. That was my question earlier to the parliamentary secretary. Basically, we are back to where we were in the beginning. The discretion, whether it is two years or five, remains with the Parole Board.

On this bill, I moved a motion that the condition be changed from “the Parole Board may make such a decision” to “shall”, but the government voted against it. I wanted to make it strictly so that the Parole Board makes such a decision, and government members themselves voted against putting in place that clear direction to the Parole Board.

As has been stated before, the former public safety minister, Vic Toews, was supportive of the bill. At a media event at which the member sponsoring the bill was in attendance on May 8, 2013, he stated that, “The Parole Board has the option of waiting up until five years before a hearing takes place. It can be done sooner”.

The member himself acknowledged that the Parole Board would retain the discretion as to when to conduct a further hearing. The Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness confirmed in testimony before the public safety committee on February 27 the discretion of the Parole Board to convene hearings at its discretion. The point that raised the concerns of the mover of Bill C-479 was being maintained. She said:

...the Parole Board of Canada could still hear, could still have that happen. It doesn't have to wait for five years; it doesn't have to wait for four years. It could actually do it in two years. It could do it in shorter than that as well.

What is the point, then? We have had a lot of propaganda from government members around this bill. They brought the victims in, telling them that this was going to happen, and now we are basically back to where we started. The discretion remains with the Parole Board.

The rhetoric was clear. The purpose of the legislation was to reduce the number of occasions victims might be revictimized by the number of hearings held by the Parole Board. It is clear from the statements of the former public safety minister and the current Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness that the Parole Board has, and will retain, its discretionary authority over when and how many times hearings will be conducted.

That is what people who came forward as witnesses need to understand. What the promoter of the bill said in the beginning, and the end result after the government made amendments to the bill, is that the Parole Board has the discretion to make the decisions. I have to say that there is some smoke and mirrors in terms of these private members' bills coming forward from the government when, at the end of the day, they really have not changed a whole heck of a lot.

I do not question the sincerity of the member who proposed the bill. Clearly, his intentions were what was contained in the bill. Nor do I question the sincerity of those witnesses who testified in supporting the original bill, which the House approved at second

reading. What I do question is the deliberate misleading by the Conservative government of victims of crime. When it comes to presenting legislation, it assures these people that the bill will achieve certain objectives for the victims, and then government lawyers intervene to bring those commitments in line with Canadian law and the Constitution.

To the people who came in good faith as witnesses before this bill, I say that they should understand that there have not been a lot of changes. The Parole Board still has the discretion to make the decisions on when the hearings will be held.

We will be supporting the bill at this stage.

•(1905)

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Mr. Speaker, I am pleased to speak to Bill C-479, the fairness for victims of violent offenders act, a variation of which I introduced in 2011 and again as Bill C-479 in 2013 to ensure victims of violent crimes are treated fairly in our justice system.

We heard throughout this debate that victims of crime wanted more meaningful participation in the justice system as well as more information about prisoners. Even in cases in which victims are able to move on and rebuild their lives, painful memories, stress, and fear can resurface as the offender nears the end of his or her sentence and begins a process of Parole Board hearings.

The purpose of parole is, of course, to help convicted criminals safely reintegrate into general society so that they never go back to prison. It allows eligible convicted criminals to continue serve the balance of their sentences outside of prison. Indeed, the parole process is a critical tool to helping convicted criminals re-enter society and become law-abiding, contributing Canadians who can make a difference in their communities, often for the first time in their lives.

But what about the victims of crime and their friends and families? Does the parole system work from their perspective? Victims have told us they wanted a stronger voice in the justice system and that they were having trouble accessing the services they needed. The Government of Canada has listened and acted.

We developed a vision to transform the federal corrections system, which included giving victims of crime a greater voice and better access to available services and information.

*Private Members' Business*

Since 2006 we have moved ahead with a comprehensive agenda to bring victims' rights to the forefront. Early in our mandate, we established the Office of the Ombudsman for Victims of Crime to help victims get the services they need to help them heal from the terrible ordeals they have experienced.

In 2007 we put in place the federal victims strategy, ensuring ongoing permanent funding in 2011. We also passed a wide range of legislative measures that strengthen the parole process and empower victims. Of note, through our Safe Streets and Communities Act, we have ushered in a number of changes that help victims and strengthen the parole process.

In particular, the Corrections and Conditional Release Act now recognizes the role of victims in Parole Board of Canada hearings, and victims have access to timely information about prisoner transfers. For example, we have put in place measures so that prisoners cannot withdraw their parole applications 14 days or less before the scheduled date of a hearing. Victims should not be stuck with paying for travel expenses for a hearing that does not take place.

We have ensured that prisoners are held accountable by following a structured correctional plan from the day they enter a federal institution through to their release and reintegration into their communities.

We must continue to fulfill our commitment to help victims of crime to overcome the trauma they have experienced, give them access to information they need, and ensure they are part of the parole hearing process. For me this is a very personal mission, having observed Parole Board of Canada hearings of victims who are constituents on three occasions over recent years. As I have explained throughout the discussion on the bill, this is what prompted me to bring the bill forward.

The bill before us will help us continue on the path of helping victims. Bill C-479 proposes to modify parole and detention review dates and provide additional support for victims.

As we heard during second reading debate, the bill proposes a number of measures. For example, it would extend mandatory review periods for parole for offenders convicted of murder or a violent offence. This means that if a criminal convicted of a violent offence is denied parole, the Parole Board would be required to review the case within five years rather than the current two years.

The bill would initially increase the period to within four years in which the Parole Board must review parole in cases of cancellation or termination of parole for an offender who is serving at least two years for an offence involving violence. For any subsequent cancellations, the period would be extended to five years. Contrary to the claims of the member for Malpeque, this gives the Parole Board the tools to limit the number of Parole Board hearings, tools that they did not have heretofore.

The bill would require that the Parole Board take into consideration the need for the victims and the victims' families to attend a hearing and observe the proceedings. It would require that the Parole Board consider any victim impact statement presented by victims, particularly in cases of victims of violent offenders.

It would require the Parole Board to provide victims, if requested, with information about the date, location, and conditions of an offender's release on parole, statutory release, or temporary absence, as well as provide victims with information about the offender's correctional plan, including progress toward meeting its objectives.

• (1910)

Clearly this bill goes a long way toward making sure that victims of crime are treated more fairly.

As well, we introduced some important amendments in committee to ensure the soundest legislation possible. For example, with respect to the provision regarding mandatory disclosure to victims of information about the offender's release, we have passed amendments in committee to allow the board the option to not disclose this information in a case where doing so would endanger public safety.

After adoption of this amendment, however, a drafting error was discovered. The amendment, which related to section 142 of the Corrections and Conditional Release Act, inadvertently overwrote subclauses 6(2) and 6(3) of the bill. This error would have meant that the chairperson of the Parole Board could disclose this information at his or her discretion as well as require mandatory disclosure following a public safety test. That is why the parliamentary secretary introduced amendments to correct this error and to remove that discretionary aspect. The bill must clearly state that this important information is disclosed unless it negatively impacts public safety.

Another amendment passed in committee clarified that the disclosure of details about an offender's release, including date, location, and conditions, should be provided to victims at least 14 days before the release date only when it is feasible for the board and Correctional Service Canada to do so. We passed that amendment because sometimes, due to situations beyond their control, these agencies are not always certain of details about an offender's release a full 14 days prior to the release.

A drafting error resulted in the notation of the amendment being incorrect. The amendment wording referenced paragraph 142(1)(a) of the Corrections and Conditional Release Act, when in fact it should have referenced paragraph 142(1)(c). Again, I would like to thank the parliamentary secretary for introducing amendments to correct this drafting error.

Taking into account the amendments before us today and the amendments adopted by the committee, we are confident that we have sound legislation for the benefit of all victims. Therefore, we urge all members to support the motion to correct these drafting errors and to allow this bill to move forward as a measure to create a strong, fair system for victims of crime.

*Adjournment Proceedings*

•(1915)

**The Acting Speaker (Mr. Barry Devolin):** Is the House ready for the question?

**Some hon. members:** Question.

**The Acting Speaker (Mr. Barry Devolin):** 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 Acting Speaker (Mr. Barry Devolin):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Barry Devolin):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Barry Devolin):** In my opinion the yeas have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Barry Devolin):** Pursuant to Standing Order 98, the recorded division stands deferred until Wednesday, May 7, immediately before the time provided for private members' business.

---

## ADJOURNMENT PROCEEDINGS

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

[*English*]

### DEMOCRATIC REFORM

**Mr. Bruce Hyer (Thunder Bay—Superior North, GP):** Mr. Speaker, on March 25, I asked during question period whether the minister would fix the real electoral problem and make our electoral system more proportional. The answer I received at the time was completely irrelevant to the question that I posed. I hope the parliamentary secretary will attempt to provide a more on-topic response this evening.

Unamended, Bill C-23 could have prevented thousands of Canadians from voting, and likely violated the charter in the process. I am pleased to see that the minister of state has finally agreed to amend at least some of the most anti-democratic aspects of this legislation, but only after thousands upon thousands of Canadians stood up against this bill.

However, the fact remains, that the real problem facing Canadian democracy is our first-past-the-post, antiquated, unfair, and undemocratic electoral system, which delivered 100% of the power to the party that received less than 40% of the vote in the last election. What is the primary symptom of that? Many Canadians believe their vote will not count, and increasingly they remain home on election

day. Too few voters is our problem in Canada, not too many. As many voters stayed home during the last election as voted for the governing party. This appears to suit the Conservatives just fine.

What is the solution to this crisis in our democracy? The answer is to move to a more proportional voting system where every vote counts, and all Canadians have a genuine opportunity to have an equal say in selecting their government. First-past-the-post probably harms the electoral prospects of the Greens more than any other party. For example, in 2011, despite receiving almost 600,000 Canadian votes, the Green Party of Canada was only allowed one member in Parliament. In a proportional system where every vote counted, as in the vast majority of countries with real elections, these same 600,000 Canadians would have elected 12 Green members to Parliament.

However, our electoral system does not target only Greens; it disenfranchises voters from coast to coast to coast whose ballots, whether cast for Conservatives, New Democrats or Liberals, are not reflected at all in the make-up of the House of Commons today. This huge group of Canadians of all political stripes cheated out of their votes adds up to approximately half of all eligible voters. Can we really be surprised that 40% of Canadians could not be bothered to cast a ballot in 2011?

However, there may be hope. I see hope in the thousands of Canadians who spoke out against the Conservatives' unfair elections act, forcing them to accept amendments to Bill C-23. I also see hope in the widespread support that has greeted the important private member's bill, the reform act by the Conservative MP for Wellington—Halton Hills, which would allow MPs to return to working for their constituents.

After eight years under this administration, these questions are increasingly understood as central to the health of our democracy. Electoral reform and restraining the centralized power of the Prime Minister and other party leaders must be understood as central to fixing the crisis in Canadian democracy and restoring Canadians' faith in our government.

I ask this question again. Rather than attempting to invent some fake plague of voter fraud, are the Conservatives prepared to fix the real problem facing Canadian democracy? And what are they prepared to do to ensure that every vote actually counts?

•(1920)

**Mr. Dan Albas (Parliamentary Secretary to the President of the Treasury Board, CPC):** Mr. Speaker, I note in the member's written question a reference was made regarding proportional voting and he just expressed some concerns about the first past the post system that we now use. I also note that the member opposite was first elected as a member of the New Democratic Party, later to become an independent member of Parliament, and more recently to join a party again, in this case, the Green Party. The Green Party, as we know, supports proportional voting and as such we are here to deal with this question tonight.

To the best of my knowledge, the official opposition, the New Democratic Party, that this member was first elected to be a part of, has not stated publicly support for proportional representation voting. I only mention this because I would question if the member's constituents have given a mandate that supports proportional voting.

*Adjournment Proceedings*

In my home province of British Columbia where the leader of the Green Party also represents an electoral riding, B.C. voters have rejected the very idea of a new electoral system twice. While I understand that the Green Party supports the idea of proportional representation, I do not believe that there is a clear mandate for Canadians that is in agreement with this.

I would also point out in this place I am not aware of any of the official parties sharing support for proportional representation outside of the member's party. It is perhaps one of the few things that collectively many members of the House do agree upon. In that respect I would submit that it would be undemocratic to support a voting system that to date is only supported by the two members of the Green Party.

I should also point out that when we consider the proposed amendments to the fair elections act, what remains of the bill for the most part are changes more of a technical nature as opposed to a wholesale change of our electoral process as the Green Party would prefer.

For example, adding one more day of advanced polling, something that has shown increased usage by voters, is not to the best of my knowledge being opposed. Again I would hope that the member opposite would think that offering an extra day so that any Canadian who would like to vote can find the time to do so and participate in our democracy, the very thing the member brought up in his comments pointing to the issue of not having enough people voting and participating. I hope the member would support it; likewise, the stiffer penalties for impersonating Elections Canada staff.

As for eliminating a decades-old provision for blacking out certain electoral information so people on the west coast of Canada would not know what results there were, obviously social media has changed that. Closing loopholes around unpaid leadership loans and using estate bequests to circumvent donation limits are not aspects being opposed by the fair elections act.

As for vouching, the member is likely aware that this is an issue being addressed by an amendment, although the majority of Canadians I have heard from strongly support that they want to see people have the ID necessary to vote.

In closing, I would submit that the amendments to the fair elections act will ultimately help eliminate irregularities in our voting system and ultimately help increase voter participation because we all do want to see Canadians take their democratic rights and take the opportunity to vote in order for us to do the work of the people.

**Mr. Bruce Hyer:** Mr. Speaker, unfortunately, the hon. member is in error about the position of the NDP on this issue. It has always been in favour of proportional representation and still is.

Bill C-23 will be back before the Standing Committee on Procedure and House Affairs late tonight. The leader of the Green Party will be tabling substantial amendments to this very flawed bill and we all hope that Bill C-23 looks very different when it returns to the House.

My question this evening has not really been answered. I and hundreds of thousands of Canadians would like a proper response. Will the Conservatives fix the crisis in Canadian democracy

resulting from the antiquated and anti-democratic electoral system that discards half the votes cast in every election?

There is no evidence of voter fraud in Canada, but there is lots of evidence of electoral unfairness in the way the government abuses an already flawed electoral system.

I will ask again. Will the Conservative government ensure equal and effective votes for all Canadians through a more proportional electoral system?

● (1925)

**Mr. Dan Albas:** Mr. Speaker, I appreciate where the member is coming from. He obviously feels that this particular proportional representation proposition is supported widely by the New Democrats. I have not heard any New Democratic members come forward with that. However, that is their business to decide.

Again, I have been speaking to my constituents about the fair elections act, and they are quite happy with many of the provisions that are in there. Obviously that is why we consult widely with our committee work, so that at the end of the day we can have a very clear bill that has the majority support of Canadians.

If the member wants to question why there is not a proportional representation proposal before the House, he has two options. Either more Green members can be elected in the coming election and they can press for change, or that member can propose a bill in this House. His leader put forward a bill on Lyme disease, which I think it is certainly worthy of a look and support.

There are plenty of opportunities for the Green members to advance their cause. It should not be up to the government to enact their policies; it should be their responsibility.

## FOREIGN INVESTMENT

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, I am pleased to have a few moments to rise and speak about this question that I raised in the House not too long ago.

In my view, the Conservative government has once again proven its incompetence when it comes to reviews under the Investment Canada Act. It is unclear, in fact, whether the interests of vulnerable Canadians are being properly protected.

I asked a question about Nordion and what is happening with it. I am thinking of those Canadians who rely upon medical isotopes for medical diagnosis and treatment.

Despite repeated promises to make the Investment Canada Act more transparent and to provide a clear definition of net benefit, we have another case that is shrouded in secrecy and uncertainty. I am talking about the \$800 million deal for a United States company to acquire Kanata-based Nordion.



*Adjournment Proceedings*

Before the government approves this deal, we should know the criteria it will use to assess the transaction, but we do not. Since the sale means that Nordion, which supplies medical isotopes, will become private, there should also be some assurances given to Canadians who rely on medical isotopes.

Sterigenics Inc., which wants to acquire Nordion, is a sterilization services company, and it is owned by a Chicago-based private equity firm. Nordion's CEO says the transaction delivers value to shareholders and is a good, strategic fit. We take him at his word.

However, we still need to ensure that it is also in the best interests of all Canadians, and especially those who need a safe and secure supply of medical isotopes.

According to media reports, Sterigenics said its initial focus will be on the use of cobalt-60, a radioactive isotope used to sterilize medical equipment.

Nordion officials said Sterigenics is supportive of Nordion's continued efforts to secure a long-term supply of medical isotopes.

However, before the deal goes through, the government would have to also lift foreign investment restrictions that currently apply to Nordion. These restrictions prevent non-residents from controlling more than 25% of Nordion, which of course is involved in the nuclear industry in Canada.

There are measures in the Conservative omnibus budget bill to remove that restriction, so some may think that the government approved the deal even before it reviewed it, because it has these measures in the budget bill and it has not even reviewed the deal yet.

Of course, the Conservatives will say the sale is a net benefit to Canada, because it just happens to define what net benefit means.

This decision has been and continues to be worrisome, and we are all too aware of the consequences of a shortage of medical isotopes.

I look forward to hearing the answer to this important question from the government side.

● (1930)

**Mr. Dan Albas (Parliamentary Secretary to the President of the Treasury Board, CPC):** Mr. Speaker, I would like to start by reaffirming our government's commitment to welcoming foreign investment in Canada that particularly benefits Canadians. Foreign investment is crucial to the Canadian economy and for prosperity in Canada. It introduces new technologies and practices that promote growth, employment, and innovation here at home. It brings some of the most productive and specialized firms in the world to Canada and it results in some of the highest-paying jobs for Canadians.

The budget implementation act introduces measures to remove the non-resident ownership restrictions on Nordion under the Nordion and Theratronics Divestiture Authorization Act. Removing these restrictions allows the company to seek other avenues to succeed.

That said, any specific proposal by a foreign investor to acquire control of Nordion is subject to the Investment Canada Act and to approval. I understand that Sterigenics has indicated that it will file an application for review under the Investment Canada Act.

As the hon. member for Halifax West knows, the minister approves an application for review only when he is satisfied, based on the plans, undertakings, and other representations of the investor, that the investment is likely to be of net benefit to Canada.

In making his determination of net benefit, the minister considers the factors listed in section 20 of the act. These include, one, the effect of the investment on the level and nature of economic activity in Canada; two, the degree and significance of participation by Canadians in the Canadian business or new Canadian business; three, the effect of the investment on productivity, industrial efficiency, technological development, product innovation, and product variety in Canada; four, the effect of the investment on competition within any industry or industries in Canada; five, the compatibility of the investment with national industrial, economic, and cultural policies; and six, the contribution of the investment to Canada's ability to compete in world markets.

The review process under the act is rigorous, and as part of the process, the minister considers the views of a variety of stakeholders. He consults affected provinces or territories as well as the federal department with policy responsibility for the sector involved.

In addition, any person or group that has a view on a specific investment proposal may provide those views to the minister during the review process.

Our government's balanced approach ensures foreign investment transactions are reviewed on their merits, based on the long-term interests of Canadians. I would like to reassure my colleagues in the House that Sterigenics' proposed acquisition of Nordion will be reviewed thoroughly and carefully. It will not be approved unless the minister is satisfied that it is likely to be of net benefit to Canadians.

I would like to thank the member for the opportunity to discuss these points and I hope that the six points added some clarity for people watching the debate at home.

**Hon. Geoff Regan:** Mr. Speaker, I thank my hon. colleague for his comments.

I mentioned a few moments ago the worry about the consequences of a shortage of medical isotopes that this situation could lead to. Unfortunately, the one region that has been left out of plans to produce medical isotopes using new technology and to be part of the experimentation going on right now in those new technologies is my region of Atlantic Canada.

I have written to the minister about the exclusion of Atlantic Canada's only medical isotope production facility—the only area that is really doing work in this field—from the isotope technology acceleration program, or ITAP. The federal government has now invested more than \$50 million in the development of an alternative supply of medical isotopes, and I am informed that none of this funding has been invested in Atlantic Canada. This is unacceptable in a region where the supply of medical isotopes is precarious.

Like many others, I am concerned that patient care for residents of Atlantic Canada will be jeopardized should the Conservatives neglect to invest in the region under ITAP.

*Adjournment Proceedings*

•(1935)

**Mr. Dan Albas:** Mr. Speaker, while I can appreciate that the member has a certain interest in making sure that his riding can fully participate in the economic and social well-being of our country, there are many regions that would like to see investment. There are many regions that would like to see government programs and those kinds of things come in to help that riding or region to grow and prosper. That is why the government does consultations on a regular basis.

However, getting back to his original question which was based on the Investment Canada Act and the feeling that there was not a strong, transparent process, I would just go back to the six points. I

hope they have relieved the member somewhat of some of his concerns. If he or any stakeholders have any concerns, as I mentioned in my speech, he or any individual group is free to advise the minister of their concerns as part of that process. I would encourage the member to take that opportunity.

[*Translation*]

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

(The House adjourned at 7:36 p.m.)

---





# CONTENTS

Wednesday, April 30, 2014

## STATEMENTS BY MEMBERS

<b>Intergovernmental Relations</b>		Mr. Mulcair.....	4741
Mr. Fortin.....	4737	Mr. Harper.....	4741
<b>Battle of the Atlantic</b>		<b>Employment</b>	
Mr. Goguen.....	4737	Mr. Trudeau.....	4741
<b>Rail Transportation</b>		Mr. Harper.....	4742
Mr. Sullivan.....	4737	Mr. Trudeau.....	4742
<b>Canada-China</b>		Mr. Harper.....	4742
Ms. Young (Vancouver South).....	4738	Mr. Trudeau.....	4742
<b>Canadian Armed Forces</b>		Mr. Harper.....	4742
Ms. Murray.....	4738	Mr. Mulcair.....	4742
<b>Council of Europe</b>		Mr. Harper.....	4742
Mr. Tilson.....	4738	Mr. Mulcair.....	4742
<b>Shannon Park</b>		Mr. Harper.....	4743
Mr. Chisholm.....	4738	Mr. Mulcair.....	4743
<b>Ukraine</b>		Mr. Harper.....	4743
Mr. Goldring.....	4738	Mr. Mulcair.....	4743
<b>Veterans</b>		Mr. Harper.....	4743
Mr. Gill.....	4739	<b>Employment</b>	
<b>Fisheries</b>		Ms. Sims.....	4743
Mr. Cleary.....	4739	Mr. Kenney.....	4743
<b>Hamilton</b>		Mrs. Groguhé.....	4743
Mr. Sweet.....	4739	Mr. Kenney.....	4743
<b>Pensions</b>		Mrs. Groguhé.....	4743
Ms. Nash.....	4739	Mr. Kenney.....	4744
<b>Natural Resources</b>		<b>Air Transportation</b>	
Mr. Benoit.....	4739	Mr. Cash.....	4744
<b>Canadian Kumite Karate Champion</b>		Ms. Raitt.....	4744
Ms. Foote.....	4740	<b>Employment</b>	
<b>Public Safety</b>		Mr. McCallum.....	4744
Ms. Bateman.....	4740	Mr. Kenney.....	4744
<b>Conservative Party of Canada</b>		Mr. Cuzner.....	4744
Mr. Harris (Scarborough Southwest).....	4740	Mr. Alexander.....	4744
<b>Ukraine</b>		Mr. Goodale.....	4744
Mr. Toet.....	4740	Mr. Kenney.....	4745

## ORAL QUESTIONS

<b>Privacy</b>		Mr. Angus.....	4745
Mr. Mulcair.....	4741	Mr. Moore (Port Moody—Westwood—Port Coquitlam).....	4745
Mr. Harper.....	4741	Mr. Angus.....	4745
Mr. Mulcair.....	4741	Mr. Moore (Port Moody—Westwood—Port Coquitlam).....	4745
Mr. Harper.....	4741	Mr. Boulerice.....	4745
Mr. Mulcair.....	4741	Mr. Moore (Port Moody—Westwood—Port Coquitlam).....	4745
Mr. Harper.....	4741	Mr. Boulerice.....	4745
Mr. Mulcair.....	4741	Mr. Moore (Port Moody—Westwood—Port Coquitlam).....	4745
Mr. Harper.....	4741	<b>Foreign Affairs</b>	
Mr. Mulcair.....	4741	Mr. Komarnicki.....	4746
Mr. Harper.....	4741	Mr. Harper.....	4746

<b>Pensions</b>					
Mr. Rankin .....	4746				
Mr. Sorenson .....	4746				
Mr. Rankin .....	4746				
Mr. Sorenson .....	4746				
Mr. Cullen .....	4746				
Mr. Sorenson .....	4746				
<b>Securities</b>					
Mr. Caron .....	4747				
Mr. Oliver .....	4747				
<b>National Defence</b>					
Ms. Murray .....	4747				
Ms. Finley .....	4747				
<b>Democratic Reform</b>					
Mr. Simms .....	4747				
Mr. Poilievre .....	4747				
<b>National Defence</b>					
Mr. Harris (St. John's East) .....	4747				
Mr. Nicholson .....	4747				
Ms. Michaud .....	4747				
Mr. Nicholson .....	4748				
<b>Sealing Industry</b>					
Mrs. O'Neill Gordon .....	4748				
Mrs. Shea .....	4748				
<b>Canadian Broadcasting Corporation</b>					
Mr. Dion .....	4748				
Mrs. Glover .....	4748				
Mr. Nantel .....	4748				
Mrs. Glover .....	4748				
<b>Canadian Heritage</b>					
Mr. Lizon .....	4748				
Mr. Kenney .....	4748				
<b>Aboriginal Affairs</b>					
Ms. Ashton .....	4749				
Mr. Valcourt .....	4749				
<b>Natural Resources</b>					
Mr. Del Mastro .....	4749				
Mr. Rickford .....	4749				
<b>ROUTINE PROCEEDINGS</b>					
<b>Government Response to Petitions</b>					
Mr. Lukiwski .....	4749				
<b>National Metastatic Breast Cancer Day</b>					
Ms. Fry .....	4749				
Bill C-594. Introduction and first reading .....	4749				
(Motions deemed adopted, bill read the first time and printed) .....	4749				
<b>Petitions</b>					
<b>Canada Post</b>					
Mr. Hawn .....	4749				
<b>Impaired Driving</b>					
Mr. Hawn .....	4750				
<b>Blood and Organ Donation</b>					
Mr. Hawn .....	4750				
<b>Impaired Driving</b>					
Mr. Hawn .....	4750				
<b>Avro Arrow</b>					
Mr. Hawn .....	4750				
<b>Canada Post</b>					
Mr. Thibeault .....	4750				
Ms. Foote .....	4750				
<b>The Environment</b>					
Ms. Foote .....	4750				
<b>Divorce Act</b>					
Mr. McColeman .....	4750				
<b>Shark Finning</b>					
Mr. Donnelly .....	4750				
<b>The Environment</b>					
Mr. Simms .....	4750				
<b>Anaphylaxis</b>					
Mr. Butt .....	4750				
<b>Rail Transportation</b>					
Mr. Godin .....	4750				
<b>Blood and Organ Donation</b>					
Ms. Fry .....	4751				
<b>Agriculture</b>					
Mr. Albrecht .....	4751				
<b>Blood and Organ Donation</b>					
Ms. Sims .....	4751				
<b>Canada Post</b>					
Ms. Sims .....	4751				
<b>Blood and Organ Donation</b>					
Mr. Mai .....	4751				
<b>Sex Selection</b>					
Mr. Warawa .....	4751				
<b>Impaired Driving</b>					
Mr. Warawa .....	4751				
<b>41st General Election</b>					
Ms. May .....	4751				
<b>The Environment</b>					
Ms. May .....	4751				
<b>Canada Post</b>					
Mr. Sullivan .....	4751				
<b>Blood and Organ Donation</b>					
Mr. Sullivan .....	4751				
<b>Lyme Disease</b>					
Mr. Brown (Barrie) .....	4752				
<b>Agriculture</b>					
Mr. Brown (Barrie) .....	4752				
<b>Proportional Representation</b>					
Mr. Brown (Barrie) .....	4752				
<b>Human Rights in Venezuela</b>					
Mr. Brown (Barrie) .....	4752				
<b>Canada Post</b>					
Ms. Duncan (Edmonton—Strathcona) .....	4752				
<b>Blood and Organ Donation</b>					
Ms. Duncan (Edmonton—Strathcona) .....	4752				
Mr. Cannan .....	4752				

<b>Consumer Protection</b>			
Mr. Cash .....	4752	Mr. Bevington .....	4765
<b>Blood and Organ Donation</b>		Mr. Albrecht .....	4766
Ms. Mathysen .....	4752	Mr. Cullen .....	4766
<b>Algoma Central Railway</b>		Mr. Strahl .....	4767
Mrs. Hughes .....	4752	<b>Bill C-33—Notice of Time Allocation Motion</b>	
<b>Consumer Protection</b>		Mr. Van Loan .....	4770
Mrs. Hughes .....	4752	<b>Second Reading</b>	
<b>Employment</b>		Ms. Duncan (Edmonton—Strathcona) .....	4770
Ms. Liu .....	4752	Mr. Lamoureux .....	4770
<b>VIA Rail</b>		<b>Business of Supply</b>	
Mr. Caron .....	4752	<b>Opposition Motion—Temporary Foreign Worker Program</b>	
<b>Agriculture</b>		Motion .....	4771
Mr. Atamanenko .....	4752	Motion negated .....	4772
<b>Health of Animals and Meat Inspection</b>			
Mr. Atamanenko .....	4753	<b>PRIVATE MEMBERS' BUSINESS</b>	
<b>Questions on the Order Paper</b>		<b>Tax Evasion</b>	
Mr. Lukiwski .....	4753	Motion .....	4772
<b>Motions for Papers</b>		Motion negated .....	4773
Mr. Lukiwski .....	4753	<b>National Capital Act</b>	
<b>Privilege</b>		Bill C-565. Second reading .....	4773
<b>Remarks by Minister of State for Democratic Reform—Speaker's Ruling</b>		Motion negated .....	4774
The Speaker .....	4753	<b>Public Safety and National Security</b>	
<b>Points of Order</b>		Bill C-479. Report stage .....	4774
<b>Standing Committee on Agriculture and Agri-Food</b>		<b>Motions in Amendment</b>	
Mr. Rathgeber .....	4754	Ms. James .....	4774
		Motion No. 1 .....	4774
		Mr. Garrison .....	4776
		Mr. Easter .....	4776
		Mr. Garrison .....	4776
		Mr. Easter .....	4778
		Mr. Sweet .....	4779
		Division on Motion No. 1 deferred .....	4781
		<b>ADJOURNMENT PROCEEDINGS</b>	
		<b>Democratic Reform</b>	
		Mr. Hyer .....	4781
		Mr. Albas .....	4781
		<b>Foreign Investment</b>	
		Mr. Regan .....	4782
		Mr. Albas .....	4783

Published under the authority of the Speaker of  
the House of Commons

---

### SPEAKER'S PERMISSION

---

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

---

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

---

### PERMISSION DU PRÉSIDENT

---

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

---

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>