



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Tuesday, June 2, 2015**

—

**Speaker: The Honourable Andrew Scheer**

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# HOUSE OF COMMONS

Tuesday, June 2, 2015

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

● (1000)

[English]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's responses to 25 petitions.

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### LAKE SUPERIOR NATIONAL MARINE CONSERVATION AREA ACT

**Hon. John Duncan (for the Minister of the Environment)** moved for leave to introduce Bill C-61, An Act to amend the Canada National Marine Conservation Areas Act.

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

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### NATIONAL INSTITUTIONAL ABUSE AWARENESS DAY ACT

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP)** moved for leave to introduce Bill C-683, An Act to establish a National Institutional Abuse Awareness Day.

He said: Mr. Speaker, I rise today in the House to table a private member's bill calling on the Government of Canada to establish a national day of awareness for people who have been abused by clergy, lay officials, and institutions in Canada.

A national day of awareness would be a step on the path towards healing. By shining a light on the abuse, promoting awareness and education, decreasing stigma, and addressing the harm that has occurred through clergy, lay officials, and institutions as a whole, we can start to move forward.

This bill proposes that June 1 be set aside as the national day of awareness, because it is the beginning of the National Aboriginal History Month in Canada and the day the Roman Catholic Church in

Newfoundland and Labrador closed Mount Cashel orphanage for good.

By setting aside a national day, Canadians can engage in their communities to work together to ensure that this never happens again.

I call on all members of the House to support this bill.

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

\* \* \*

● (1005)

### CANADIAN ENVIRONMENTAL PROTECTION ACT

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Ind.)** moved for leave to introduce Bill C-684, An Act to amend the Canadian Environmental Protection Act, 1999 (microplastics).

He said: Mr. Speaker, this bill would amend the Canadian Environmental Protection Act, 1999, to prohibit the importation into Canada and the manufacture for use or sale in Canada of personal care products that contain pieces of plastic of up to five millimetres in size.

The bill had been ready to be tabled since the beginning of last fall, but due to some distractions, I decided it best to wait and table this bill today so that the focus could be on taking action in response to numerous recent studies that highlight the damage microbeads inflict on our marine ecosystem.

As a Montrealer, I am personally troubled that my city's main waterway, the St. Lawrence River, contains high levels of microbead contamination.

Even though this House unanimously passed the motion in March to deal with this problem, the government has yet to take action.

Seeing how little time is remaining in this session, and the fact that this bill is non-controversial, and that the House has already pronounced itself in favour of this matter, I was wondering if I can request unanimous consent to send this bill directly to the environment committee for study.

**The Speaker:** Does the member have the unanimous consent of the House?

**Some hon. members:** Agreed.

*Routine Proceedings*

**Some hon. members:** No.

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

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## COMMITTEES OF THE HOUSE

### HEALTH

**Mr. Terence Young (Oakville, CPC)** moved:

That the sixth report of the Standing Committee on Health, presented on Tuesday, October 21, 2014, be concurred in.

He said: Mr. Speaker, it is a privilege to rise today to speak about the serious and lasting health risks of smoking marijuana, especially for our youth.

I will be splitting my time with the hon. Minister of Health.

The report before us today, authored by the health committee, of which I am pleased to be a member, provides context on this important public health concern and a contrast to the disturbing proposal put forward by the Liberal leader to make marijuana available in stores, just like alcohol and cigarettes, making it even easier for children and teens to get their hands on and smoke.

Marijuana is illegal for a reason, and that reason is well documented in this report on marijuana's health risks and harms. Indeed, the former president of the Canadian Medical Association put it best when he said, "...especially in youth, the evidence is irrefutable—marijuana is dangerous".

That is why our Conservative government wants to stop children and teens from smoking marijuana. Unlike the Liberal leader, we do not support making access to illegal drugs easier.

Through the national anti-drug strategy, our government is allocating approximately \$100 million over five years to raise awareness and combat the production and distribution of unhealthy illegal drugs. The Liberal leader, by contrast, would legalize marijuana, making it easier for children and teens to buy and smoke. This Liberal plan is irresponsible and can have only one indisputable effect. That is increasing access to and use of marijuana.

Whereas the Liberal leader, who advised one journalist he had smoked marijuana five or six times even as a member of Parliament, wants to make smoking marijuana a normal, everyday activity for Canadians, our Conservative government is contributing to safer and healthier communities through coordinated efforts to prevent illicit drug use, treat dependency, and reduce the production and distribution of illicit drugs.

The national anti-drug strategy and the RCMP are actively working together to raise awareness of this serious public health issue, of which, incredibly, the Liberal leader makes light. The national anti-drug strategy encompasses three action plans: prevention, treatment, and enforcement.

The prevention component aims to prevent youth from using illicit drugs, through raising awareness of the harmful health effects of drug use, and to develop community-based interventions to prevent such drug use.

The treatment action plan supports effective treatment and rehabilitation systems and services by implementing innovative and collaborative approaches.

The enforcement element contributes to the disruption of drug operations in a safe manner, primarily targeting criminal organizations.

The RCMP has organized thousands of community outreach events to raise awareness among youth of the harms and risks of illicit drugs, including Kids and Drugs, which is a national prevention program for parents to help them learn strategies to prevent their school age children from abusing alcohol and other drugs. Drug abuse resistance education, commonly known as DARE, is a program designed to equip school children with the skills they need to recognize and resist social pressures to experiment with tobacco, alcohol, and drugs. Aboriginal shield is a program created to better enable aboriginal youth to make informed healthy lifestyle choices regarding alcohol, drugs, and positive alternatives.

Educating youth on the harmful effects of smoking marijuana is a responsibility that the RCMP has taken seriously, and our Conservative government commends it for its service to our communities. Indeed, the current head of the Canadian Medical Association was quite clear on the subject when he said, "Any effort to highlight the dangers, harm and potential side effects of consuming marijuana is welcome".

This report from the health committee lays out in plain language that which all members of the House should know: smoking marijuana damages teens' developing brains and everyone's lungs and causes other serious harms. This is the essence of what is so wrong with the Liberal leader's irresponsible plan to make smoking marijuana appear to be an acceptable, everyday activity.

Our Conservative government recognizes the responsibility we have to Canadian families to prevent our youth from smoking marijuana. That is why we made tough new rules ending grow ops in residential neighbourhoods.

In terms of enforcement, the RCMP established the marijuana grow enforcement initiative back in September 2011 to better tackle marijuana grow operations. This initiative has resulted in strengthened collaboration among government agencies, community groups, businesses, and community members. It has also resulted in many successful enforcement activities.

● (1010)

As part of the Safe Streets and Communities Act, our government has also introduced mandatory minimum penalties for serious drug offences carried out by organized crime or those targeting youth, and it has increased the maximum penalty for the manufacture of controlled drugs, including marijuana, from 7 to 14 years.

Shockingly, the Liberal leader cannot even agree that ending dangerous home grow ops is a good policy. He quickly condemned the work to end these dangerous neighbourhood grow ops stating:

*Routine Proceedings*

Our worries are that the current hyper-controlled approach around...marijuana that actually removes from individuals the capacity to grow their own, is not going in the right direction.

...we don't need to be all nanny state about it...

These are homes with rerouted wiring for high-powered lights that are a fire hazard. They have high humidity that causes unhealthy moulds, and they are sometimes booby-trapped to ward off the theft of these drugs. Sometimes children live in these grow ops. Grow ops are extremely dangerous for children. However, the Liberal leader is focused on aging hippies who want to grow their own. I wish there were some way to sugar-coat these statements by the Liberal leader. However, the truth is that is what he actually believes. Protecting children or teens is being a nanny state, to the Liberal leader.

The Liberal leader wants to make smoking marijuana a normal, everyday activity for our youth, wants to make marijuana available in stores, just like alcohol and cigarettes, and wants to have home grow ops in neighbourhoods across Canada. It is that kind of irresponsible approach that is proving to Canadian parents each and every day that he is just in over his head.

Another important element within this report from the health committee is the concern about marijuana-impaired driving. It seems everybody knows that alcohol-impaired driving is bad and that no one should drink and drive. The message has been out there for a long time. However, the issue with drug-impaired driving is not as well understood. Drug-impaired driving is dangerous, illegal, and a risk to our communities and Canadians.

A 2011 report by the Canadian Centre on Substance Abuse indicates that drugs are found in approximately one-third of all fatally injured drivers, almost as often as alcohol. Moreover, the age group most at risk is young men age 16 to 24, and the drug of choice for them is marijuana. On top of that, a study by the Canadian Council of Motor Transport Administrators found that 26% of respondents did not believe that a driver can be charged while impaired by marijuana. That is, marijuana was found in the system of dead drivers age 16 to 24, and many of those drivers did not know it was dangerous or illegal to drive after smoking marijuana.

The Canadian Centre on Substance Abuse described that 15.8% of youth have reported being in a vehicle where the driver has smoked marijuana in the previous two hours. That is why the RCMP is working to prevent impaired driving and educate our youth. Through RCMP Talks, the RCMP has provided a series of live, interactive video conferences with students in classrooms across Canada on many important issues, including impaired and distracted driving.

The Liberal leader has said that this current approach is not going in the right direction, and yet we are seeing results. Youth surveyed by the RCMP have reported a decrease in the numbers of licensed students who drive after using marijuana or who get in a vehicle as a passenger with a driver who has been using marijuana. These and other initiatives are making a difference in communities from coast to coast.

According to the Canadian Alcohol and Drug Use Monitoring Survey, marijuana use by youth has dropped by almost 30% since 2008 and 45% since 2004. The Liberals' plan to legalize marijuana and their leader's insistence on normalizing the practice is reckless

and will minimize all of these efforts by making it far easier for children and teens to buy and smoke marijuana. It would also make it socially acceptable, perhaps even a status symbol for youth. This Conservative government wants to stop children and teens from smoking marijuana, and we do not support making access to illegal drugs easier.

This discussion in the House today is timely. Our position is grounded in facts, and it is the right public health message that needs to be delivered to Canadian teens and their parents.

• (1015)

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I was on the Standing Committee on Health when this study was done as well. Therefore, I am interested in hearing the member's comments about the study. I think the member is aware that one of the witnesses we heard from told us that Veterans Affairs Canada pays for the cost of medical marijuana for the treatment of PTSD in veterans.

This study was completely biased and one-sided. In fact, we were extremely disappointed that the study was so one-sided. It serves no useful purpose other than to bolster the already-held political Conservative views that are not based on evidence.

I would like to ask the member this. Why did the study only consider health risks and harms? Why were the Conservatives not willing to hear about some of the advances that have been made in medical marijuana and the fact that it is actually used by a federal agency to help veterans?

**Mr. Terence Young:** Mr. Speaker, there are approximately 5,000 prescription drugs available on the Canadian market for patients who need them. Those drugs, with one exception, have been proven safe and effective for Canadians, and we are working to improve the standards, to improve the safety of those drugs.

Smoking marijuana has never been proven safe and effective for anything. The reason it is available to Canadians is because a court decided it should be made available. Instead of directing Health Canada to conduct studies to see if marijuana is safe and effective, the court simply ordered it to be made available on the market, so it has never been proven safe and effective for anything. The harms were outlined in the study. As a member of the committee, you heard about the harms. Sorry, my colleague opposite is well aware of the harms.

Over a quarter of our children and teens, aged 11 to 15 years old, already use marijuana. They are risking addiction, memory loss, apathy, psychosis, respiratory problems, diminished mental functions and even death in motor vehicle accidents.

**The Acting Speaker (Mr. Barry Devolin):** I remind all hon. members to direct their comments to the Chair.

*Routine Proceedings*

Further, members who rise to ask a question while the previous member is still answering will not be recognized, in an effort to avoid encouraging that behaviour.

Questions and comments, the member for Kingston and the Islands.

**Mr. Ted Hsu (Kingston and the Islands, Lib.):** Mr. Speaker, I wonder what my colleague across the floor on the Conservative benches thinks about the fact that marijuana use is so high in Canada among youth. To me it must mean that whatever we have right now is not working.

In my colleague's speech, he talked on and on about the Liberal leader. My question to him is, did the committee report mention the Liberal leader and what was the purpose of the committee report or even the member's motion, given the content of his speech?

**Mr. Terence Young:** Mr. Speaker, I am very pleased to have a question from the Liberal side of the House because of the Liberal position on marijuana.

We heard a great deal in this committee about the risks and harms of marijuana. I strongly recommend that the members of the Liberal caucus read this report, take it to your caucus meeting and tell your leader what it says. There may still be time for him to reverse—

• (1020)

**The Acting Speaker (Mr. Barry Devolin):** Order, please. Could I remind this hon. member to direct his comments to the Chair rather than directly at his colleagues?

**Mr. Terence Young:** Mr. Speaker, the position of the Liberal Party is that it would legalize marijuana and regulate it.

Let us look at another harmful substance that we do not want children using, which is alcohol. How is regulation working for alcohol? Because if it were working, no teen would get access to alcohol.

We have heard from a CAMH speaker that over 25% of our youth in grades 7 to 12 are binge drinkers, and over 40% aged 20 to 24. Eight per cent of those youth will become addicted to alcohol. Motor vehicle crashes are the leading cause of death among teens 15 to 20 years old, and with alcohol a factor in half those deaths.

How is regulation really working for our youth with alcohol?

**Hon. Rona Ambrose (Minister of Health, CPC):** Mr. Speaker, I am pleased to have the opportunity to contribute to today's discussion on the serious and lasting health risks of smoking marijuana, especially for our youth.

I would first like to congratulate the health committee on its excellent work in providing the report that is before us today. Over the course of a month, I understand, the committee heard compelling testimony from various witnesses, including medical experts, researchers, the RCMP and government officials.

What is clear from this report is that the Canadian Medical Association's former president was right when he said, "especially in youth, the evidence is irrefutable—marijuana is dangerous". Contrast this reality with the Liberal leader's plan to make smoking marijuana a normal, everyday activity for youth and to have

marijuana available in stores, just like alcohol and cigarettes, and we arrive at why it is so important to have this discussion today.

This report provides a thorough assessment of marijuana's potential for addiction and its negative effects on the developing brains of young people. The evidence is clear that when youth smoke marijuana, they have increased risks of developing mental health issues, including psychosis and schizophrenia. We also know that the regular, long-term smoking of marijuana can harm concentration, memory, the ability to think and to make decisions, and cause paranoia.

The report also points to the alarmingly low level of awareness about the very real risks and harms for youth associated with smoking marijuana. The Liberal plan would not help to raise this awareness. The Liberal leader wants to legalize marijuana, trivializing its risks and harms by making marijuana as easy to access as alcohol or cigarettes. The Liberal leader even wants to allow for and expand home grow ops in neighbourhoods.

Liberal MPs are on the record defending marijuana storefronts in Vancouver. These marijuana dispensaries have absolutely no regard for the rule of law and have been caught selling marijuana to kids as young as 15. These stores are hallmarks of what Canadian neighbourhoods from coast to coast should expect from the Liberal Party. Make no mistake that the Liberals' plan is to have marijuana storefronts across the country. Storefronts selling marijuana are illegal and, under this Conservative government, will remain illegal. We expect the police to enforce the law.

The serious health impacts on youth make this an important public health issue. We have been working hard to prevent kids from smoking marijuana, and that is why it is so encouraging to see that marijuana smoking among youth is trending downward. The Canadian drug use monitoring survey's most recent figures report that while 20% of youth smoked marijuana in 2012, it has dropped by almost 45% since 2004. This is a significant reduction and speaks to the success of our approach, which helps to educate families on the serious health risks of smoking marijuana.

Contrast this with another figure included in the same survey. Some 70% of youth drank alcohol in 2012, a fully regulated substance. The Liberal leader's contention that regulating a substance will prevent kids from accessing it is simply absurd. Such measures would serve only to legitimize and normalize the smoking of marijuana by youth and could mean more than tripling its use, as we have seen with alcohol.

*Routine Proceedings*

The key problem with the Liberal plan to legalize marijuana, expand home grow ops and make marijuana more available in stores across Canada is simply that the role of a government is to communicate responsibly when it comes to public health messaging. I ask what kind of a message would we be sending to kids and parents if the government were to endorse the sale and smoking of marijuana? It would send the message that smoking marijuana is okay and that it is safe, when the reality is that it has serious and lasting health risks for kids. That is why this Conservative government wants to continue to discourage and stop kids from smoking marijuana.

Our national anti-drug strategy and its focus on the prevention and treatment of drug addiction is clearly having an impact. We have brought in tough new sentences on drug dealers and reduced youth smoking of marijuana by over 30% now. This report from the health committee makes it clear that there is still more that we should be doing. The Liberal plan to legalize marijuana would not help to reduce the number of youth smoking marijuana. It would make marijuana more easily available and would normalize it.

One study that was discussed before the committee revealed that the area of the brain most affected by marijuana use is the prefrontal cortex, the area of the brain responsible for executive cognitive functions, including decision making, planning, organizing behaviour, and setting and achieving goals. Most concerning for parents, however, is that long-term use can also lead to an increased risk of serious mental health conditions, such as schizophrenia or psychosis. I have heard loud and clear from addiction specialists across the country about the overload of marijuana-addicted kids who are checking in for help.

• (1025)

It can also lead to psychological dependence and addiction. A 20-year medical review published in the journal *Addiction* shows that regular marijuana smokers face a one in ten chance of developing a dependency on the drug, and that number goes up to one in six for users who started smoking regularly when they were young.

We must also consider the effects on the body and the lungs. We know the effects of tobacco addiction, but what about marijuana? Witnesses before the committee explained that there are risks to a person's respiratory system as a result of smoking marijuana, which can contain between 50% and 70% more carcinogens than tobacco smoke. During testimony, witnesses noted that smoking marijuana resulted in the inhalation of these carcinogens and carbon monoxide, which can create health risks even greater than those that arise from smoking tobacco. Witnesses also noted research showing that marijuana smoke is an irritant to the lungs, increasing the prevalence of conditions such as bronchitis. These are not simply worrying statistics. The facts speak for themselves and the risk is very real for our youth.

One of the witnesses who provided testimony during the committee study was Dr. Melton Kahan, who said, "...public health organizations need to conduct public health campaigns to counter the prevailing myth that cannabis is harmless and therapeutic". Last year, when Health Canada launched an awareness campaign on the serious health risks of smoking marijuana for youth, the Liberals cried foul. They do not want Canadian families to know about the

health risks that come with smoking marijuana because that would, of course, harm the Liberal leader's credibility and plan for legalization.

Indeed, the Liberal member for Vancouver Centre was present during that committee study and even said this on the record, "...we have known all along that the long-term effects of cognitive problems coming from the smoking of marijuana over long periods amongst young people, under about 40, are high..."

Canadians will not be fooled. They know that the Liberal leader's plan to legalize marijuana, making it available in stores just like alcohol and cigarettes, is another example of how he is just not ready for the job.

It has now taken us 50 years to curb tobacco smoking in this country and now the Liberal leader wants to open the door to commercial and retail marijuana companies. What is clear is that the scientific evidence on the risks and harms associated with smoking marijuana continues to grow. There is an ongoing need to ensure that this information is readily available to all Canadians, especially parents and youth.

As it stands, evidence shows that Canadian parents and kids are not properly informed about the risks of smoking marijuana as they are about other illicit drugs. For example, during the committee proceedings, a representative from the Canadian Centre on Substance Abuse outlined how some Canadian youth are not aware of the effects of smoking marijuana and that they perceive it as a natural product rather than a drug. Some even believe that smoking marijuana before driving is not as dangerous as drinking and driving.

Our government shares the health committee's concerns about the harmful effects of smoking marijuana for youth. Unlike the Liberal leader, we do not support making access to harmful illegal drugs easier. As health minister, I find the Liberal leader's campaign to legalize and normalize smoking marijuana for youth completely irresponsible. This plan sends the wrong message. It sends the message that smoking marijuana is okay and safe for young people, when, in reality, it has very serious and lasting health risks.

Again, I thank the health committee for its report and we will continue to make sure that parents and young people are aware of the health risks of smoking marijuana.

• (1030)

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I am very surprised to hear the Minister of Health today in the House defend a report that is so clearly biased.

*Routine Proceedings*

The report that we are debating today only looked at health risks and harms. If the minister has read the testimony, she will know that approximately 50% of people who use medical marijuana do so to relieve chronic pain, according to Dr. Perry Kendall, who is a medical health officer in B.C. The research on medical marijuana is very limited because of prohibition and yet when we look at the government report, none of the recommendations would allow, call for or urge the government to do research on medical marijuana.

I would like to ask the minister why she is taking such a biased political stance, because it is very clear it is not based on evidence, and why she is so opposed to legitimate research on medical marijuana that would actually give us the information that is required. Why is she so opposed to that?

**Hon. Rona Ambrose:** Mr. Speaker, I would ask the member opposite why she is so opposed to the scientific evidence, which the former head of the Canadian Medical Association said is irrefutable, that the harms and risks of marijuana for young people are irrefutable. The evidence exists internationally. Here in Canada, we have outlined it. We had experts in front of the committee. This report is backed by science.

I have said repeatedly that if there is any research that anyone wants to do to prove a health impact or a health effect of marijuana, they are welcome to do that research. The member is incorrect. There is no prohibition on research.

The problem is that there has been a lot of research, but there has not been any proof that marijuana actually has, other than in very specific instances, any medical effectiveness in any way, sense, or form. However, we do have irrefutable evidence that it is harmful to young people, and as the Minister of Health, I have to make my decisions based on science, not on hearsay.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the current government and the Prime Minister know no shame.

Let me quote the Prime Minister, who, while the leader of the Canadian Alliance, said, when speaking to a classroom, “I like to tell people I was offered a joint once, but I was too drunk to smoke it”.

I suspect that the Prime Minister was trying to give an image of being cool to a bunch of teenagers. However, he is not alone. What about the member for Lanark—Frontenac—Lennox and Addington, a Conservative member of the caucus, who said to Grade 10 students that we should have full, complete legalization of marijuana.

The government wants to use this issue as a wedge issue, using tax dollars to try to spread misinformation. Canadians should not be surprised by the current government, which consistently uses tax dollars to spread misinformation to Canadians. It should be ashamed of itself.

My question for the minister is, why does she believe she has the right to use tax dollars to spread false information to Canadians?

**Hon. Rona Ambrose:** Mr. Speaker, one of the first things I did as Minister of Health to deal with the numerous parents I ran into who told me about the marijuana addiction their kids were suffering from and who did not have anywhere to go for information was get a group together of the top addiction experts and specialists across Canada. We held a round table. I asked them, “What is the number one thing we can do to support you, as a government?”. They said,

“Please, please, have a national ad campaign for marijuana smoking cessation”, and I said, “I will do that”. That is exactly what we have done to raise awareness for parents and for young people.

They have repeatedly told me that in our society, in the last 10 years, across the country, governments have failed to make the proper evidence available to parents and to young people. We said that we are going to turn that around, and we are going to make sure young people know. We are going to work hard to curb marijuana smoking for youth, because it is very harmful to their health.

We are succeeding. We are down by 30%. We are seeing that message get to kids. We are going to continue to work hard to make sure that the message continues to reach not only young kids but their parents so that they know that the marijuana that it is out there now is 300% stronger than what they might have used when they were young. It has lasting health effects, as serious as schizophrenia.

We are seeing more and more young people check into rehab addicted to marijuana, and this has to stop.

•(1035)

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I am glad we are having this debate today on the report from the Standing Committee on Health, which was produced in October 2014, because it is a very important subject in terms of public policy as it relates to marijuana. The first thing I want to say is that the report we are debating is unfortunately completely biased.

The name of the report is “Marijuana's Health Risks and Harms”. We can see from its title that in looking at the subject of marijuana, the majority of the members of the committee, the government members, were only interested in building a political case for themselves to show what they believe to be risks and harms. From day one, the study and the report were very suspect, because they were actually not based on evidence and a scientific approach in terms of how we should be conducting studies by standing committees of Parliament.

We heard from a number of witnesses. It is regrettable that the government members tried to prevent witnesses from coming forward who hold evidence-based views on marijuana based on a health approach. It was very difficult to get that point of view across in the committee. However, I am pleased to say that we were able to get some witnesses who gave us a very balanced picture of what is taking place in terms of public policy. I would say that the approach that was put forward, and certainly the approach the NDP favours, is an approach that focuses on health promotion and on public education and safety. We need to have an approach to marijuana that is more balanced. That is something that did not result from the study and this report.

We produced what is called a dissenting or minority report for this study. Our number one recommendation to the Government of Canada was that it is essential to pursue a public health approach to marijuana that is focused on education, and where necessary, treatment and harm reduction. This is something we heard from witnesses. It is something that is sensible.



*Routine Proceedings*

We understand that there is a broad consensus now in this country that the Conservatives' approach of a war on drugs and prohibition has been a catastrophic failure economically, socially, and through the justice system. Giving people criminal records, having a zero-tolerance policy, and denying the reality of what is going on in terms of marijuana in this country is something that is producing more harm than good. That is the Conservatives' approach.

We have a different approach in the NDP. It is based on focusing on public health and health promotion.

We heard from a number of witnesses, like Dr. Evan Wood, Dr. Tony George, the Canadian Public Health Association, Philippe Lucas, and Dr. Perry Kendall. These are all eminent doctors and scientists who have actually studied this issue, and they all told us that a public health approach to the non-medical use of drugs is necessary, and in fact critical, to minimize the risks and the harms.

I spoke a bit earlier and questioned the minister about the fact that very limited research has gone on. We heard at the committee that approximately 50% of people who use medical marijuana do so to relieve chronic pain. This came from Dr. Perry Kendall, who was a very credible witness. We also heard from Veterans Affairs Canada that the department pays for medical marijuana for the treatment of PTSD in veterans. The witnesses all said that we need to have more research on medical marijuana, but it has been very difficult to do so because of the approach of the government.

I find it contradictory that on the one hand, the Conservatives are willing to encourage research to look at risks and harms, yet there is not one recommendation in the majority government report that calls for research on medical marijuana and some of the benefits that have already been shown. So much for a parliamentary study. It is actually shameful that it is so biased and prejudicial.

• (1040)

We believe that we need have more research done. We believe that we need to take a broad public health approach. In fact, what we think should happen, and this is one of our recommendations in our report, is that we should:

Establish an independent commission with a broad mandate, including safety and public health, to consult Canadians on all aspects of the non-medical use of marijuana and to provide guidance to Parliament on the institution of an appropriate regulatory regime to govern such use.

Why do we come to this conclusion? We come to this conclusion because it is very clear that the current unregulated market has been a complete failure. It produces violence, stigma, and, in fact, control by organized crime. It is very clear.

I think most Canadians understand that criminalization is not the answer. In fact, criminalization produces a huge amount of harm in and of itself. The reality is that whether the Conservatives can see it or not, they know that it is there. It is very clear that they politically choose to deny it. Our marijuana laws need to be modernized, and they need to be based on evidence and public health principles.

This is something that is taking place throughout the world. We only have to look south of the border to see that different states, whether it is Colorado or Washington, are taking a much more realistic public health approach to marijuana based on a balance of

prevention, public health, well-being, harm reduction, community safety, and public education.

That is the kind of approach we need in Canada. It is something the government has politically decided it wants to reject. It simply wants to play a little political game. All it talks about is youth. I have not heard anyone in this House or any witness who came forward say that they think marijuana should be available to youth. In fact, that is precisely the reason we need a regulatory approach; it is so we can set clear rules as to where use can take place, and it should be adults who look at issues of commercialization. We need to look at issues of distribution, just as they have done in some of the states south of the border.

The government's sort of political mantra on this focuses on youth. There are issues around the use of any substance, whether it is alcohol, marijuana, or any other substance, but that is only part of the question we are looking at. I would argue strenuously that a regulatory approach, a public health approach, would enable us to have much better coordination and an overview of what we need to do in terms of ensuring that youth do not have access to substances, whether it is marijuana or anything else, that are harmful.

It is staring us in the face that this is the classic example of the response of the Conservative government to an issue. It is tougher laws and bringing in mandatory minimum sentences. That is what it did for drug crimes. However, everything we see before us is telling us that criminalization of drug use, whether it is marijuana or other substances, is actually producing more harm.

It is abundantly clear that what is needed is a public health approach, which has been adopted by the medical health officers across the country and has been supported by many major cities across the country. Certainly the city of Vancouver has led the way on this issue.

I find it astounding that, still today, as this report comes forward, the Conservatives are using this as a political hammer. I want to say that I do not think it is going to work. It is a failure.

Canadians actually understand what this debate is about. Canadians understand that criminalization is something that has failed in this country. The so-called war on drugs, just as we saw with Prohibition in the 1930s, actually produces more crime and violence. That is what we are facing in Canada today. We can look at what has been happening in Surrey or Vancouver. We can see the gang violence and the violence that comes about as a result of prohibition.

In this party, we would rather be on the side of evidence. We would rather be on the side of reality. We would rather be on the side of a proper regulatory approach that produces a coherent response, based on public policy and public health, to the issue of marijuana.

• (1045)

The Conservatives can rant all they want and try to create a black and white situation in which people are either with them or against them, as we have heard so often in the House, but Canadians are not fooled. Canadians know that we need to have these laws modernized. They know that we need to have proper oversight and a regulatory approach that will actually help young people be safer.

*Routine Proceedings*

We need a regulatory approach that would ensure that we have proper rules, regulations, and guidelines about where marijuana use can take place. These are all very important questions.

I am very proud of the fact that the NDP produced a brief report in the overall Standing Committee of Health report in October. It lays out very clearly the principles and the direction that we believe are absolutely necessary in dealing with the issue of marijuana use in Canada.

To conclude, I will again reiterate that, one, we think it should be pursued as a public health approach; two, we believe that we need to fund research to examine the potential effectiveness of medical marijuana; and three, we call for an independent commission with a broad mandate to provide guidance to Parliament on the institution of an appropriate regulatory regime to govern such use.

**Hon. Michelle Rempel (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, in my role as Minister of State for Western Economic Diversification, I find myself spending a lot of time in the beautiful city of Vancouver, and I know my colleague opposite represents a riding there. However, one of the issues I hear about outside my economic portfolio is the issue of the marijuana dispensaries that are operating illegally in British Columbia right now and in other cities in the country.

The fact is that they are operating illegally, and since my colleague opposite represents a riding in a city where this is a big issue for many people, I am wondering if she could give her thoughts on the marijuana dispensaries that are operating illegally in the city right now.

**Ms. Libby Davies:** Mr. Speaker, I thank my hon. colleague for the question. It is a very good and thoughtful question. She is correct that there are numerous medical dispensaries for marijuana, and probably most of them are in my riding of Vancouver East.

The reality is that in Vancouver, local law enforcement has basically not enforced whatever laws it could against these dispensaries, nor has the City of Vancouver, in terms of zoning or licensing, because they are not considered to be harmful.

The member may not be aware that recently the City of Vancouver made an announcement that it wants to provide a proper licensing and regulatory approach to these medical dispensaries. It was very interesting to hear the response from the Minister of Health in Ottawa, who is so far away from what is going on in Vancouver. Of course, her response was nothing surprising: it was no, no, no, this is not going to be allowed to happen.

The fact is that in the city of Vancouver, elected officials, the police department, and other agencies understand that it is much better to have oversight, licensing, and a regulatory approach to these dispensaries to make sure they are operating properly. That is something, again, that is based on public interest.

Therefore, yes, there is a lot going on in Vancouver, and I expect as with other issues, Vancouver will lead the way on this and will be able to bring in proper oversight and a proper licensing system.

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, I want to commend the member for Vancouver East for her clear remarks about the use of marijuana as a health issue.

I too am from Vancouver, and I have also heard from people like Dr. Perry Kendall and Dr. Evan Wood. Actually, four former attorneys general of British Columbia have spoken out for legalization because of the crime factors and the access for youth in this situation, in which prohibition is the Conservative government's approach.

I do not disagree with anything the member said. Everything she said was consistent with legalizing this product so that we can regulate and control it, make it inaccessible to young people, and take it out of the hands of criminals. However, my understanding is that on this issue, her party does not support legalization but is actually in favour of decriminalization. While that is better than the current situation in which it is regulated and controlled by the criminal underworld, decriminalization would still not allow regulation and control by government.

I would ask the member how decriminalization is consistent with the factors of control and regulation that she described as being important, as is done south of the border?

• (1050)

**Ms. Libby Davies:** Mr. Speaker, I appreciate the member's comments. I would draw her attention to the report from the standing committee within which the NDP minority report is contained. This is an official response from the NDP, and its recommendation is very clear: we are calling for an independent commission to institute an appropriate regulatory regime to govern such use.

I would encourage the member to read the reports. If we look at the Liberal minority report, we see that it uses the word "explore".

The NDP has been very clear about the direction and the steps that are needed, based on public health and public interest. We need to have an independent commission and we need to have the guidance to Parliament to institute an appropriate regulatory regime. I think that should be very clear to her.

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank my colleague for her speech.

The sun is definitely setting on the Conservative government's reign. It reminds me of monarchs in ancient times who, during their final days, assassinated their entourage to facilitate the transition in an attempt to ease their own passing.

This is so sad because the Conservatives have adopted a really hard-line attitude that rejects scientific evidence and social consensus. I am talking about consensus among various stakeholders with an interest in the problems associated with drug use in general, including marijuana use. I would like my colleague to tell me how concerned the witnesses who appeared as part of the study were about the government's attitude and what it is trying to achieve through excessive criminalization.

*Routine Proceedings*

[English]

**Ms. Libby Davies:** Mr. Speaker, I appreciate the clarity with which my colleague has put forward this issue. He is quite right. There is a sense of desperation that we see from government members. They are clinging to the vestige of a criminalization and prohibitionist policy, even though they know that it was a failed policy many decades ago when it came to alcohol. There is a sort of blindness to what they are doing. That is very evident.

To answer the question, a number of witnesses came forward and made it very clear that we need to have more research. We have some evidence now about medical marijuana, but we need to have more evidence-based research. However, the problem is that it is not going to happen with this government, because it has already said in its report that it would only allow research based on risks and harms. Therefore, it is a completely one-sided debate.

We have to reject that, just as we hopefully will reject the government so that it will not be here any longer and we can actually move forward with an intelligent public health-based approach to marijuana and many other issues.

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, the member wants to talk about reality and evidence, so why not look at the reality and evidence from Colorado, where marijuana was legalized and where its sale was normalized in January 2014.

Here is what has happened so far. First, the tax revenues Colorado expected have levelled off because given the choice, people would rather stay in a bar and meet their old drug dealer and get their dope 29.5% cheaper, with no tax, than travel to a government-run store. Therefore, that is not proving to be true. Forty-five children eight years old and under have ended up in hospitals getting spinal taps and having their stomachs pumped after eating gummy bears or brownies or whatever their parents left around the house with marijuana in it. There were 45 very seriously ill children. As well, there have been at least two deaths reported from psychotic reactions from people who consumed too much marijuana.

That is the experience so far. Were you aware of that, and are you not afraid the exact same things would happen in Canada?

• (1055)

**The Acting Speaker (Mr. Barry Devolin):** Once again, could the member direct his questions and comments to the Chair? I am presuming it is the member for Vancouver East he would like to hear from.

The hon. member for Vancouver East.

**Ms. Libby Davies:** Mr. Speaker, that is the fourth time that the member has not gone through the Chair. I would hope someone with his experience would know the respectful way to debate in this House.

Yes, I am somewhat familiar with what is going on in Colorado. In fact, I was there a year ago as part of a conference, where we heard directly from Colorado officials from the Governor's office. They have a special law enforcement unit only for marijuana that was very impressive, so I do have some knowledge.

The fact is that their approach for legalization has only been in operation for about a year, so I am not surprised to hear that there are still issues that they are working out.

However, let me say this: the member is cherry-picking. I am sure that there have been youths who have been harmed by marijuana, but let us put that in relation to prescription drugs and the number of people who have died from so-called legal prescription drugs. This is all a relative debate.

Rather than cherry-picking and saying that this happened to two youths or whatever it might be, as tragic as that is, let us learn from what is happening in Colorado or in Washington State. Let us focus on the need to have a made-in-Canada public-health-based approach to marijuana use that has the proper oversight and regulations to actually protect our young people while ensuring that there is not criminalization and that we bring forward a modernization of our law as it pertains to marijuana. Why would the government not do that?

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, I find it very interesting that we are speaking to the concurrence on a report that was tabled in April 2014. This is obviously no longer about a report and its concurrence, but about politics.

At no point when we were studying this in the health committee did people start talking about the Liberal leader. We were talking about marijuana. The fact that the summary is about a report that was not even mentioned is quite amusing and fairly transparent, which is probably the only time the government has been transparent about anything.

The Liberal Party of Canada rejects this report. We do not concur with it, and we presented a dissenting report. I want to be very clear that this report does not reflect the testimony and advice we heard from expert witnesses who presented to committee. In fact, much of the testimony, specifically around scientific evidence, is absent from the report. There is very little scientific evidence in this report, so we find the report inherently flawed.

The Liberals asked that the study include the benefits versus the risks, as all drug studies do in any kind of appropriate review of any drug. My colleagues in the New Democratic Party also asked for it. It was completely rejected. We have a study that is very flawed because it looks at only its harms and risks, and not its benefits. In fact, in the testimony we listened to during the whole course of the five committee hearings on this, we heard about the benefits, but they were completely discarded in the report. Many witnesses said that this should be looked at in an objective, scientific manner, in the same manner in which all drugs are assessed.

What we heard was very clear. We have the Centre for Addiction and Mental Health recommendations, based entirely on evidence and because of the high use of marijuana among youth aged 11 to 15 years old in Canada. UNICEF reports that Canada has the highest use among all other countries. The UNICEF report is a comparative report, based on looking at other countries in the world.

*Routine Proceedings*

The minister continues to refer to one report that says that the rate is going down. It is one simple report, and it is a Canadian report. It is not a comparative report. It simply says that the rates are going down. The minister has yet to prove to anyone what she is in fact referring to when she says that new reports have shown this.

The Canadian Alcohol and Drug Use Monitoring Survey showed very clearly that of the 41.5% of Canadians who had used marijuana in the past, at least once in their lifetime, 25% were chronic users. In that report, what we did not break down in the report was that 17% of people who used cannabis did so for medical purposes. Of that 17%, 50% use it for pain and the other 50% use it for depression, insomnia, and anxiety, which suggests there is a medical benefit to marijuana. Incidents among youth remained at 20.2%, as per UNICEF.

Here is what we did not see in the report. Every scientific group presented conflicting evidence.

Mr. Philippe Lucas of the University of Victoria said that regulated access to marijuana was associated everywhere that it was done with a decrease in the recreational use of other drugs, such as alcohol and prescription drugs. It is important to look at the regulated use of marijuana.

Dr. Evan Wood at the BC Centre for Excellence in HIV/AIDS and the Urban Health Research Initiative pointed out that the illegal status of marijuana did not prevent youth access, since 80% of young people in a U.S. suggested that cannabis was very easy to obtain.

● (1100)

Dr. Le Foll of the University of Toronto and Dr. Didier Jutras-Aswad of the University of Montreal recommended legalizing marijuana through a system of strict regulation of use and taxation, which would help reduce its health risks and harms. However, they also said that if we regulated it, there should be oversight of content, including the level of THC, which we know has gone up a great deal since the 1960s. They also said that we could look at less harmful ways of using medical marijuana and marijuana per se.

Clearly, we have all of these very well-known incredible researchers and physicians saying that we should legalize marijuana and that wherever that is done, it not only brings down the use by youth, but also brings down the use of other related drugs that are used in conjunction with marijuana, such as alcohol, cigarettes and prescription drugs.

We recommended that the Government of Canada explore a regulatory framework of legalization, working with experts in the field, that aimed at keeping marijuana out of the hands of youth. We wanted to explore what the legislation would look like based not only on best practices of other countries, but by bringing in the experts to show exactly what should be included in that kind of recommendation, one of the biggest things being age-related.

Data from 2002 told us that hospitalizations in Canada related to cannabis accounted for 0.3% of all hospitalizations in our country. Yet hospitalizations for the use of alcohol was 5.8%, and for tobacco was 10.3%. Tobacco and alcohol are legal drugs in our country. The direct cost to the health care system of cannabis in 2002 was \$73 million, for alcohol it was \$3.3 billion, and for tobacco it was \$4.4

billion. Here we have huge health risks associated with two legal drugs.

When the minister spoke so movingly about how much she cared about youth and how much she cared about the harms of the drug, did she mean that she intended to make alcohol and tobacco illegal in the country? I do not know. If she really cares, that is what she might be talking about.

One of the things that we learned was that a public awareness campaign was very important. For instance, Dr. Tony P. George of the University of Toronto said that in the United States it was found that the perception of harm among youth would decrease if there was a public awareness campaign. However, what he did not say was that a public awareness campaign needed to focus on accurate information, because using scare tactics have been shown to be the least effective way. The government put out its ad that was a scare tactic and did not have any accurate information at all in it.

This is important. When the government asked the Canadian Medical Association and the College of Family Physicians of Canada to help it with the public awareness ad, both of these groups, which are very credible organizations, said no because the ad was all about scare tactics and did not have anything to do with accurate information.

Here we have this predisposed bias of which the government is taking care. Therefore, if the government cares so strongly, why would it not want to legalize it?

We found a lot of conflicting reports about the harms and risks of using cannabis versus the benefits of using cannabis. From some groups we heard that there were obviously risks of cognitive impairment, brain development, respiratory effects, mental health problems, motor vehicle accidents and cardiovascular disease. Then we heard from others that there was no direct causality between chronic marijuana use and long-term cognitive effects. We heard that there was a comprehensive meta-analysis done at the University of British Columbia that showed no substantive systemic effects of long-term cannabis use and neuro-cognitive function. Therefore, we are getting two sets of conflicting reports.

● (1105)

Then we heard again that there were long-term effects of marijuana toxicity on the lungs and yet others suggested that research in this area was unclear and that more studies were necessary, especially with the vehicle for inspiring marijuana, either with paper and all of the leaves, which has an effect, or vaped. We heard two sides of that argument, all from very credible scientists.

*Routine Proceedings*

Some witnesses said that marijuana impaired cognitive function and psychomotor skills, and that it could lead to driver impairment. Others said that, in fact, traffic fatalities related to cannabis were always combined with multi-drug use or alcohol. Therefore, we cannot take these simplistic responses that we have been hearing from across the way that this bad and this is good, unless we understand the causality of certain things and the multi-factorial causality involved. Always in terms of motor vehicle accidents there was use of another drug, mostly alcohol.

All researchers pointed out that MRI and brain activity studies showed that the developing prefrontal cortex was where marijuana had its biggest effect. However, other researchers warned that other factors could contribute to intellectual attainment in certain youth who used marijuana, because we had to take into consideration the multi-factorial causality: economic static, social stress and personality characteristics. Therefore, we cannot say that one plus one equals five in the way the report suggests.

In summary, all of the contradictory evidence pointed to a need to look at benefits versus harms and risks. We heard that cannabis increased anxiety and psychosis and yet other physicians and scientists said that it was used as an antipsychotic. One is a benefit and one is a risk. We heard that evidence of panic attacks and increased depression came from the use of cannabis. Then we heard that cannabis was used to diminish anxiety and chronic pain conditions, such as multiple sclerosis, HIV-AIDS and post traumatic stress disorder. I find it increasingly amusing, and I do not know if maybe the Minister of Health was not aware of it, that Veterans Affairs Canada pays for the cost of medical marijuana for PTSD patients.

Much of this contradictory testimony was not included in this report. In fact, the vast majority of witnesses pointed to inconclusive evidence so far of direct harms and risks and the need to research. The Liberals suggested that extensive research be done on the risks and benefits, and we got an absolute no from the Conservative members of the committee. The report, as we can see here, does not mention research.

It is unfortunate that much of the evidence from credible witnesses would be taken out of the report. It is unfortunate that something as serious as a drug is being used by Canadian youth starting at the age of 11. Remember when people used to smoke cigarettes, when they 10 and 12, behind the barn. We now see, with all of the regulation that came about in terms of tobacco use, 11 and 12-year-old kids are not hiding out behind the barn. In fact, there are enormous fines if a young person tries to buy cigarettes. Therefore, we can see how the legalization, regulation, age-related specifics and strong penalties for selling to young people has had an impact.

I remember when I graduated from medical school, and I am sure many in this room can remember this, that the whole idea was to get absolutely blind drunk at the graduation. Today, with the work of MADD and the regulation on age-related limits being imposed and enforced with regard to alcohol, we have dry grads. Any kind of public health approach to anything needs to be based on evidence. We need to look at the benefits of the drug. Every drug has a benefit and every drug has harms. Aspirin has benefits and also has huge harms.

Let us really talk about scientific evidence and data. We cannot look at any drug without doing both. This report, which we do not concur in, does not speak to both and does not weigh those two pieces of evidence so we can look at that drug in the way we look at all other drugs. Also, we have heard that the cost to the health care system of alcohol and tobacco is, by thousands, more costly and harmful than cannabis.

● (1110)

Here, we have some stuff we have to look at. If we are going to look at evidence-based systems, we have two drugs in use currently that are regulated and that are legal and that have a lot of evidence to show that regulating and legalizing and imposing penalties makes us decrease the use of those drugs.

The idea that this is being used as a political football is a disservice to our caring about the young people we do not want to see drink, smoke and use cannabis. Why would we take cannabis and treat it so differently? It is a drug, just like alcohol and just like nicotine.

Let us really talk about good scientific evidence, objective data. We in this party care about youth. We do not want to see our young people using cannabis in large amounts. We do not want to see them using it at all. We know how easy it is to get. Eighty per cent of youth have testified it is easy to get.

Let us start regulating this drug, very clearly, and let us start putting penalties to the drug, but let us also, at the same time, do research so that we do not deprive our population of any benefits that this drug could have.

I notice that the minister talked a lot about Vancouver and the municipality of Vancouver and how it is licensing dispensaries.

Way back, in about 2001, Health Canada decided to license dispensaries for the production of medical marijuana because there was evidence that for people with MS, HIV/AIDS, chronic pain, depression, certain mood disorders and terminal illness, it did have impact. Doctors would write prescriptions. People would go to the licensed dispensaries, that Health Canada licensed, and they would be able to get their prescription filled.

The current government came in and decided that, in fact, it did not like the idea that Health Canada licensed it. The government decided to commercialize the industry, giving licences to commercial entities, and stalking people who needed to use this drug and who would grow two plants. We actually set up regulations in which people could grow two plants, for personal use only. Now, people are not allowed to do that. The current government cancelled that. What we have are thousands of commercial industries waiting to get licensed to produce medical marijuana and we have not got very many of them done. Those that have licences are in the single digits.

*Routine Proceedings*

We have a government that entered the fray and changed what was working extremely well. Now we are in limbo. The Province of British Columbia and certain health authorities in British Columbia took the Government of Canada to court because it did not want people to grow two plants and people were now going to have to buy it at enormous prices from these commercial entities. The Supreme Court of British Columbia said, “Well, no, you can’t do that. You cannot protect people who are taking something that is helping them, in effect. If some physicians are prescribing it for them, you cannot remove that at a cost that many people cannot afford.” Many of the people who use this for medical purposes are either terminally ill or disabled and are not working full time. They do not have money to buy an extraordinary amount of drugs. We know, in this country, that most people cannot afford to buy prescriptions for diseases like hypertension, diabetes, et cetera, because the cost of drugs is so high.

The government absolutely admitted that there was a medical benefit to it because it was going to license commercial industries for the production of medical marijuana.

The City of Vancouver, because of the chaos caused by the current government that does things and then never follows up on them, has been sitting in limbo now for about two years. We find that there are many dispensaries being set up that are not licensed and are not legal. The cities of Victoria and Vancouver had to take matters into their own hands to license and bring some control to the chaos of the current government.

Finally, I am saying we presented a dissenting report. I gave all the reasons we cannot concur with the report that we are discussing today.

• (1115)

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, the member has claimed that the marijuana issue has become a political football. That has never been the goal of the government. It is not a political football. The government’s goal is to protect Canadian youth. To the extent that it could be considered a political football, that came when the Liberal leader went to a high school on Prince Edward Island where children as young as 14 were present and announced to great cheers that he wanted to legalize marijuana. If the marijuana issue is a political football, it is because of the Liberal leader’s attitude.

The member has also said, “there is very little scientific evidence in this report”. I am sorry, I was at the same committee hearings she was, and we heard from Meldon Kahan, Women’s College Hospital; Harold Kalant, University of Toronto; Michel Perron, chief executive officer of the Canadian Centre on Substance Abuse, and their senior researcher. We heard from Andra Smith, associate professor, University of Ottawa, and three professors who came as individuals, professors of psychiatry from the University of Toronto, and others.

Here is what they told us. They told us that marijuana can cause psychosis, marijuana can cause neurological damage, marijuana damages the prefrontal cortex of children’s brains. That is scientific evidence.

Why is the member misleading this House?

**Hon. Hedy Fry:** Mr. Speaker, I was not misleading anybody.

I quoted the people who talked about the frontal lobe. I quoted the people who said there were harms. However, this report is only quoting those people; it is not talking about the other people who said that there is no actual causal link and that we have to look at some of the effects of combined drug use, with cannabis, that may have caused some of the problems.

If members are going to present scientific evidence in a report, they have to present both sides, including the ones that a particular political party does not like. They cannot just pick and choose one set.

I stood in this House and talked about all the pluses and all the minuses that we heard from different scientific evidence. I did not cherry-pick. I gave both. We need to research this thing properly. The government does not want to do that, because we have a ideological belief in here that this is bad for people. That is what the government is saying. As far as politicizing it, the Liberal leader spoke to a policy issue. That is going to be our policy. He said it very clearly.

Now, we said why we think it is important, and all who care about youth would think it is important as well.

• (1120)

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I certainly appreciate the hon. member for Vancouver Centre and her contribution on the HESA committee. I know she is very knowledgeable on this issue, and I thank her for that.

We had a Liberal government and there was a commitment to move to decriminalization. I remember it was in a Speech from the Throne. Former Prime Minister Jean Chrétien had that commitment. A bill came forward. I was the NDP critic on it, so I remember it very well.

It went through second reading. It even went to committee. In fact, we were at the point where we had the then-minister of justice Martin Cauchon agreeing with us on an amendment that the bill would be amended to ensure that the estimated 600,000 Canadians who have a criminal record for the personal use of marijuana—that he would agree to that.

Then all of a sudden, it came to a crashing halt. The government decided not to proceed with the bill.

We actually did have that opportunity. I am wondering if the member could tell us why the bill did not proceed, was dropped at that time and never came back.

**Hon. Hedy Fry:** Mr. Speaker, as the hon. member mentioned, there was a move to decriminalize.

*Routine Proceedings*

The hon. member also remembers when this went through and came to second reading. There was an election very soon after, so a lot of these bills did not come to the floor and get done. The government did decriminalize the use of marijuana in terms of allowing people to grow enough plants for medical purposes.

In the meantime, there was enough evidence coming out to suggest that legalization, as some countries in Europe were doing, was achieving better and more effective results than simple decriminalization.

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, I want to commend the member for Vancouver Centre for her health-based approach and all her work on good public policy on marijuana.

Coming from Vancouver, of deep concern to me is the kind of unfettered access that young people have to this product, at very young ages, in the corners of their schoolyards.

I would like to ask the member this. From the research and the testimony that she has heard, how would regulating and controlling marijuana help to prevent children from accessing this product? That is a big concern to some of the communities in Vancouver, whether in Richmond, Surrey or Vancouver itself. Reducing young children's access to marijuana is a big priority for us in Vancouver. How would regulating and controlling help accomplish that?

**Hon. Hedy Fry:** Mr. Speaker, I look at the experience with tobacco. There was a time when I first came into this House in 1993 when we found that young people were able to buy cigarettes off street corners. There were contraband cigarettes being sold all over the schoolyards. We began to tighten and increase regulations until we got it right. Now we have high penalties, and labelling on tobacco packages that says the harm that tobacco can do. We have seen rates of smoking among young people in this country go down very much as a result of those regulations and the strengthening and enforcement of those regulations.

When 11-year-olds to 15-year-olds in Canada have the highest use of marijuana among 11-to-15-year-olds in all other countries in the world, it is something that concerns everyone in the same way it did with alcohol and tobacco. We are suggesting that if we learn from what we did with tobacco, we can get some of those same results if we ensure that there is an age-related regulation to this and that in fact huge penalties are attached to selling to minors. However, it has to be legal to regulate.

**Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of Health and for Western Economic Diversification, CPC):** Mr. Speaker, I find it very bizarre that the hon. member brought up the issue of smoking. We saw just yesterday billions of dollars in settlements against the tobacco companies. We watched some of the coverage of families who were so distraught over what that did to their loved ones who either died or were suffering from cancer. We have seen municipalities taking on this issue. I compare Vancouver to Whistler. In Whistler, people are saying that they are going to ban smoking, not just in public buildings and patios but more broadly. We have provinces where people are very concerned about youth and they are getting into banning flavours. We have so many issues related to smoking.

The member has made the point that when we have something that is very harmful we can never catch up with that process. I would

like the member to acknowledge and recognize that legalization of marijuana would not help youth at all.

• (1125)

**Hon. Hedy Fry:** Mr. Speaker, I cannot actually agree with the member. She would like me to acknowledge something that is untrue.

We are talking about evidence again. Evidence is what used to happen. We would apply certain policies and the results would show that we got improved outcomes. Evidence is telling us that in fact the rates of smoking have gone down because of the regulations that have been applied and that alcohol use has gone down because regulations have been applied.

If we are very concerned about 11-to-15-year-olds using marijuana here more than in any other country in the world, we need to look at how we legalize, regulate and tax. We have seen this happen with very much more harmful drugs. If the member does not think that we should legalize and regulate, then is the member suggesting, as I asked before, that we actually make tobacco and alcohol illegal in this country?

**Mrs. Cathy McLeod (Parliamentary Secretary to the Minister of Health and for Western Economic Diversification, CPC):** Mr. Speaker, I am really pleased to contribute to the debate today. I would like to note that I will be sharing my time with the member for Kootenay—Columbia.

The health committee did an excellent job in producing the report before the House today that enumerates the evidence provided by expert witnesses detailing the serious health risks and harms of smoking marijuana.

From the debate that has happened today so far, it is really clear that our government's position is starkly different from that of both the Liberal Party and the NDP. I would argue that we are really the only ones who have a strong focus on the health of Canadian youth.

For the benefit of my colleagues I will read a portion of the report, which is in fact a quote from Dr. Harold Kalant, a professor of pharmacology in the faculty of medicine at the University of Toronto, who has been involved in researching the harmful effects of marijuana since 1959. Dr. Kalant said:

...the use of cannabis for pleasure comes at a cost, and society must ponder whether the pleasure is worth the cost...society as a whole must give careful thought to changes in policy that could increase the number and severity of health problems caused by use by its more vulnerable members, which, as I have pointed out, means its younger users.

This is just one of the quotes from one of the experts who testified during the committee's study. This particular expert has over half a century of his own professional expertise and research to back up his testimony. It is one of the reasons I am concerned when the Liberal leader wants to make smoking marijuana a normal, everyday activity for Canadians and make marijuana available in stores, just like alcohol and cigarettes.

*Routine Proceedings*

The report from the health committee details comments from not only Dr. Kalant but others too that highlight the problem with the proposal to legalize marijuana. For the benefit of my colleagues, I will quote again directly from page 15 of the committee's report. It states:

Witnesses such as Dr. Kahan, Professor Kalant and Dr. Sabet do not support the legalization of marijuana because it would increase the health risks and harms associated with its use. They suggested that the legalization of marijuana would increase its availability and lower its price, which would make its use more widespread...the legal status of alcohol and tobacco does not prevent youth from gaining access to it, nor does it eliminate the black market for tobacco, where content remains unregulated.

Legalization is irresponsible in my opinion and can only have one effect: increasing access to and use of marijuana by our young people. Our Conservative government does not support making access to illegal drugs easier. We have made significant progress in recent years, reducing drug use through the national anti-drug strategy. What is more, this strategy is working. The Canadian Alcohol and Drug Use Monitoring Survey's most recent figures report that while 20% of youth smoked marijuana in 2012, this has dropped by almost 45% since 2004. That is a significant reduction. This speaks to the success of our approach in educating families on the serious health risks with smoking marijuana

The same survey highlights the problems with the Liberal leader's plan. Seventy per cent of youth drank alcohol in 2012, which is of course a regulated substance. Comparing 20% to 70%, it is very clear that the legalization process would, at least in my opinion, add to increased use.

Not only have medical experts and families lined up to criticize the Liberal plan, but we have also heard hard numbers demonstrating the fallacy of his logic. Having marijuana in stores just like alcohol and cigarettes would not decrease the use in this country and it could actually triple its use. Remember that figure of 20% compared to 70%.

I have to go back to the question I just asked the hon. member. We look at the tremendous concern and effort by our municipalities and provinces around the issue of smoking and by individuals suing tobacco companies. It really contrasts moving forward and encouraging use, on one hand, with the huge costs and enormous effort being put into concerns about the use of tobacco, as an example, on the other hand.

The committee report also put forward some important recommendations that have helped inform our Conservative government's action to prevent kids from smoking marijuana.

● (1130)

The first recommendation tasked the government to work with relevant stakeholders and experts to develop a campaign to raise public awareness and knowledge of the risks and harms associated with marijuana use.

Health Canada did just that. The preventing drug abuse campaign ran from mid-October to early December and provided parents with the tools they need to talk with their families about the risks of smoking marijuana and prescription drug abuse.

The campaign featured ads that focus on the fragile brains and bodies of teenagers, and demonstrated how marijuana use and

prescription drug abuse can cause permanent damage to their development.

I can remember key instances in my past career when I saw young people who came in to the ER with their first psychotic episode. As we did the histories with families and friends, we heard of heavy use, and so anecdotally there were certainly some causal relationships, and we saw traumatized and devastated families and friends, and we saw young adults whose lives had been changed irreversibly.

Health Canada worked with research experts throughout the development of the campaign to ensure that it was based on the most up-to-date peer-reviewed scientific evidence.

I'm pleased to say that the results of this collective effort were extremely positive. Over 60% of parents saw the campaign, and of those, more than 80% understood the message of the dangers drug use can inflict on youth.

The second recommendation from the committee's report was regarding the need to increase awareness of the scientific evidence regarding marijuana's health risks and harms. Again, we have taken action in this area as well.

In April 2014, the Minister of Health hosted a round table with representatives of the health care community and research experts to discuss the scientific evidence of the risks associated with the use of marijuana by youth, especially over the long term.

The committee's third recommendation calls for further strategies to address the risk of impaired driving due to marijuana consumption.

Canadians, unfortunately, know all too well the risks of impaired driving related to alcohol and the devastating impact it can have on families and communities. We should be just as intolerant of impaired driving due to drug use, and there is a real misconception that driving while under the influence of drugs, such as marijuana, is harmless.

Our government shares this concern and is committed to ongoing enforcement of impaired driving laws and is working with provinces, territories, and key stakeholders on strategies and initiatives to prevent drug-impaired driving. I contrast this work again with the Liberal plan to legalize and normalize the smoking of marijuana.

The Liberal leader wants to allow for and expand home grow ops in residential neighbourhoods, normalizing marijuana and creating grow ops in neighbourhoods across the country. He quickly condemned our Conservative government's work to end these dangerous neighbourhood grow ops saying:

Our worries are that the current hyper-controlled approach around...marijuana that actually removes from individuals the capacity to grow their own, is not going in the right direction.

...we don't need to be all nanny state about it ...

Again, we heard that same comment from the previous speaker.



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Liberal MPs have brought their leader's legalization policy to its logical conclusion by supporting marijuana dispensaries in B.C. that are, as of today, operating illegally and providing marijuana to children. In fact just a few weeks ago the Vancouver Police, who had so far been loathe to enforce the law, finally raided one of these dispensaries when an employee was caught selling marijuana to a 15-year-old who actually ended up in hospital.

The message that our Minister of Health and Minister of Public Safety and Emergency Preparedness have sent to the City of Vancouver is crystal clear: storefronts selling marijuana are illegal, and under this Conservative government will remain illegal, and we expect the police to enforce the law.

To sum up, the committee's hearings over the course of a month and the testimony heard from expert witness have painted a very clear picture. Marijuana is an illegal drug that is so for a reason: it has lasting and serious health effects for kids who smoke it.

Whereas the Liberal leader would legalize marijuana, making it easier for kids to buy and smoke, this Conservative government wants to prevent kids from smoking marijuana.

I would like to thank committee members for their report and end with a quote from the former president of the Canadian Medical Association who said:

...especially in youth, the evidence is irrefutable—marijuana is dangerous.

● (1135)

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I know that the Parliamentary Secretary to the Minister of Health has some very strongly held views, but I wonder if she could comment on whether or not this report was actually balanced in its views. As she knows, the name of the report was the “Marijuana's Health Risks and Harms”, so there was no intent from the beginning to actually look at, say, medical marijuana and what benefits there have been, what research needs to be done. I am sure she is aware that Veterans Affairs actually does dispense or allow medical marijuana as part of its program to help veterans.

I am curious to know the member's response as to why government members refused to include a recommendation that would have allowed research into medical marijuana. All of the research that the recommendations speak about are only associated to risk and harm, as opposed to any of the benefits that we believe have come about. I wonder if she could tell us why they were so biased that they refused to allow research on medical marijuana to be included in their government report.

**Mrs. Cathy McLeod:** Mr. Speaker, I am very happy to speak to this issue, but as the member knows, committees are responsible for their own destiny and decisions. In this case, the committee clearly decided to look at the health risks and harms, and I think that is important to do. We have not done enough of that.

We have heard a lot of issues out there about medical marijuana, but we have not looked at the normalization and what the potential health risks and harms are. This study was strategically and importantly focused on something that is very important to Canadians.

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, I wonder if the hon. parliamentary secretary can answer a question.

Dr. Philippe Lucas of the University of Victoria, Dr. Evan Wood of British Columbia Centre for Excellence in HIV/AIDS and Urban Health Research, Dr. Le Foll of the University of Toronto, Dr. Didier Jutras-Aswad as well of the University of Montreal, and the Centre for Addiction on Mental Health, based entirely on evidence, have all suggested that marijuana be legalized, regulated, and taxed.

They have shown that in other jurisdictions, and I visited many of those countries in Europe, it has brought down use, especially among youth. What part of that evidence does the hon. parliamentary secretary not understand?

**Mrs. Cathy McLeod:** Mr. Speaker, within my comments and remarks we looked at alcohol use as an example and the incidence of its use with our youth of 70%, and the use of marijuana, which is an illegal substance, has now gone down to about 20%. So it is important that we look at what the impact would be. To me, not only intuitively but from many of the experts from whom we heard, we would be heading down a path of potential disaster in terms of our youth.

As we are getting more and more evidence, it is becoming more clear in terms of the real significant concerns that we need to hold as parliamentarians in terms of the impact, especially on our youth and especially in terms of the brain, the link with mental health, psychosis, schizophrenia, and others.

● (1140)

**Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC):** Mr. Speaker, I listened with interest, and it is somewhat bizarre. The government has recognized that there are potential medical reasons for a regulated system, but it is somewhat bizarre to suggest that we legalize a drug that we know principally, aside from medicine, is used to get stoned, frankly. I am wondering if the parliamentary secretary could comment. We have listened about experts saying this and experts saying that, but what about moms, what about moms with kids? Can the parliamentary secretary tell us what they think about the Liberals proposing that we legalize marijuana for that purpose?

**Mrs. Cathy McLeod:** Mr. Speaker, we all have families and friends who have had challenges in terms of their children, not only in terms of becoming addicted to marijuana, but becoming addicted to harder drugs, and the tremendous toll it takes on the families and the life of a particular child, as the families try to support their young ones, their children, into rehabilitation. So again, as parents, we all want our children to grow up healthy, to have lives that are very strong and positive. Really, to support making it easier for them to perhaps head down a path that is less healthy is not in anyone's interests.

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**Mr. David Wilks (Kootenay—Columbia, CPC):** Mr. Speaker, it is my privilege to rise and contribute to this timely discussion on the health committee's report on marijuana's health risks and harms. The report details clear evidence of marijuana's risks for addiction, the effects on the developing brain, and the level of awareness among Canadians regarding the health risks and harms associated with marijuana use.

Our government shares the committee's concern about the harmful effects of marijuana on youth. That is why we are working to stop kids from smoking marijuana. This approach is in stark contrast to the Liberal leader's policy of legalizing marijuana and making it available in stores, just like alcohol and cigarettes. The Liberal leader's approach is irresponsible and shows that he is just not up to the job.

There is increasing evidence that marijuana today is much more potent than it was even three decades ago. On average, it is 300% to 400% stronger. We also know that smoking it can seriously harm the developing brain. Numerous studies show that being exposed to THC early in adolescence, frequently and continuously over time, can not only interfere with brain development and harm brain function but can increase the risk of triggering a psychotic episode or a mental illness such as schizophrenia. These lasting and serious health risks, enumerated in the report before this House today, demonstrate how the Liberal leader's plan to make smoking marijuana a normal everyday activity for Canadians is irresponsible.

Regular marijuana use poses a risk of becoming dependent on the drug, and those who begin as teenagers have a one in six chance of dependency. These are facts the Liberal leader has either willfully ignored or missed entirely.

The normalization of marijuana would have a very serious consequence on intellectual function. Marijuana impairs concentration, reaction time, memory, and the capacity to make decisions effectively. These are essential abilities needed in operating a vehicle, going to work, paying attention in school, or indeed, delivering responsible leadership. When it is mixed with alcohol, as many young people may do, these functions are further impaired.

The Liberal plan to legalize and normalize marijuana sends a message to youth that smoking marijuana is not only an acceptable activity but is one endorsed through government regulation. The Liberal leader's policy is irresponsible. It ignores marijuana's lasting and serious health effects, as reported by the health committee in the report before the House today. It is quite simply bad policy.

We know that exposure to marijuana use before birth also has an impact on the intellectual development of children, based upon the findings of the Ottawa Prenatal Prospective Study, which followed groups of children of mothers who smoked marijuana during pregnancy and compared them to the offspring of mothers who smoked tobacco or did not smoke any substance at all. It followed them from birth until young adulthood. The study found that children of mothers who smoked marijuana during pregnancy experienced certain cognitive harms, beginning at school age, that stayed with them into their adult years. These harms were reported as being significant enough to affect the children's educational attainment.

The many dangers and unpredictable consequences of drug abuse make this a real and widespread public health issue, and no one feels that more acutely than families.

This Conservative government takes the responsibility to inform Canadians of the real and lasting health effects of smoking marijuana seriously. Unlike the Liberal leader, this government wants to stop kids from smoking marijuana.

In 2013, we invested an additional \$11.5 million to support the Canadian Centre on Substance Abuse drug prevention strategy. The 2014 economic action plan also committed \$44.9 million to expand the national anti-drug strategy, which educated Canadians about the serious effects of drug use and abuse.

● (1145)

What is more, we are seeing results. According to the Canadian drug use monitoring survey's most recent report, marijuana use by youth has dropped by almost 30% since 2008 and 45% since 2004. These are some encouraging figures, which demonstrates that when families are made aware of the health risks associated with substance abuse, they take notice. Another interesting point from the same report is that while 20% of youth smoked marijuana in 2012, 70% drank alcohol. The Liberal leader's plan to make marijuana available in stores, just like alcohol and cigarettes, could see kids smoking marijuana at more than triple the rate seen today.

Early in her mandate, the Minister of Health met with the Canadian Medical Association and a broad range of researchers and health stakeholders to discuss the harmful effects of smoking marijuana. The clear message coming from this meeting was that it is imperative to make sure that health messages on the serious and lasting effects of smoking marijuana were reaching parents and their children. They also said that kids do not know how harmful marijuana is to their health and that parents think it is the same as it was 30 years ago. They do not realize how harmful it is today.

Researchers recognize psychosis and schizophrenia as real and serious health issues resulting from marijuana. That is why they recognize the need for action, and the Government of Canada has responded. The Canadian Medical Association called for a national marijuana smoking cessation campaign for youth. The president of the CMA said, "Any effort to highlight the dangers, harm and potential side effects of consuming marijuana is welcome". The former president of the CMA was a strong advocate against smoking marijuana, having stated that "especially in youth, the evidence is irrefutable—marijuana is dangerous".

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Contrast these experts with the Liberal leader's plan to legalize and normalize the smoking of marijuana by our young people and it shows that he is just not up to the job. What is more, the Liberal leader not only wants to make marijuana available in stores, just like alcohol and cigarettes, but wants to allow for expanded dangerous home grow ops in neighbourhoods across Canada.

This Conservative government does not support making access to illegal drugs easier, and we will continue to support strategies that stop kids from smoking marijuana. Health Canada, for example, has done its research to advance its successful awareness campaigns. Its recent marketing campaign was aimed at educating parents on how to talk with their teenagers about the dangers associated with smoking marijuana. The campaign, which ran from October 20, 2014, to December 28, 2014, featured television ads that focused on the fragile brains and bodies of teenagers and how smoking marijuana and prescription drug abuse can cause permanent damage to their development. Additional web and social media content, including print-ready resources on the dangers associated with drug abuse, was developed to encourage parents to get the facts and tips on how to speak with their children about drug abuse.

After the completion of this campaign, surveys were conducted to look at recall and awareness levels and to evaluate the ads' overall effectiveness. I am pleased to say that over 60% of parents saw the campaign, and of those, more than 80% understood the message about the dangers such abuse can inflict on youth.

What I found particularly striking about this campaign was that it was designed to help parents protect their children from the dangers of marijuana, first by describing the harmful affects it can have on the developing brain and second by equipping parents and educators with the information they need to keep their children safe.

• (1150)

This Conservative government's approach is to educate families about the lasting and serious health effects and to stop kids from smoking marijuana. The Liberal leader's plan is irresponsible, ignores the facts in the health committee's report, and is simply bad policy.

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, it is pretty sad to hear the Conservatives' messages. This is a show of political power. They are trying to strong-arm their opponents. Good for them. I do not blame them.

However, we know that to achieve their goal, the Conservatives chose to listen to a very limited number of opinions and to focus solely on the dangers of marijuana. Nobody here denies that there are problems associated with marijuana use. However, by taking a very narrow view and carefully selecting a few witnesses who support their hard-line position, the Conservatives are preventing us from seeing a bigger picture and taking a more sensible approach that could prevent drug abuse.

Can my colleague comment on why the Conservatives are choosing to emphasize just the dangers of marijuana rather than educate people and adopt much broader policies based on prevention and knowledge of this phenomenon?

[*English*]

**Mr. David Wilks:** Mr. Speaker, the member opposite answered his own question when he said that no one denies the harm from marijuana. Since I retired from the RCMP, I still go into schools and speak about the harmful effects of marijuana and other drugs. There is no good that can come from this.

The member opposite has spoken about the medical uses of marijuana. From the perspective of the medical uses of marijuana, we have been brought down this path by the courts, and we are respecting the courts' decision, and we will move forward on that. However, with regard to harm to youth in this country, it is irrefutable that smoking marijuana at younger ages can have extremely harmful effects on the brain and can have other cognitive effects.

• (1155)

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, just repeating something over and over again does not make it true. The suggestion that we are constantly hearing from the other side is that the Liberal leader is committed to making marijuana available in stores and is encouraging young people to use marijuana, both of which are not true. Repeating that over and over again does not make it true.

My question for the member is based on his law enforcement background. He would know full well that enforcement of the simple possession law for marijuana across this country is extremely uneven. In his own province, in fact, it is routine for people not to be charged with simple possession. What does it say about the progress that has been made by the government with respect to the war on drugs when front-line enforcement has decided what the most appropriate allocation of its resources is at the low end of the scale?

**Mr. David Wilks:** Mr. Speaker, the member opposite brings up a very good point. It was his government that changed the rules in 1995. I would encourage the member to go back and look at what the Attorney General of Canada did in 1995 to change the laws with regard to simple possession. That is the problem today with police officers having a lot of difficulty with regard to enforcement for small amounts. When I say "small amounts", it is under subsection 4 (5) of the Controlled Drugs and Substances Act. He should read it.

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, since 2010, 5,000 Ontario youth, 18 years old and under, have ended up in emergency rooms of hospitals desperate for care after smoking or ingesting marijuana. Some of them were treated, some were addicted and had been there before, and some were there due to automobile accidents. I think there is great value for the House in hearing from the member who I think was an RCMP officer for over 20 years.

I wonder if he could please tell the House what he witnessed, as a police officer on the front line on the streets, roads, and hospital emergency rooms, of the harms and risks of marijuana.

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**Mr. David Wilks:** Mr. Speaker, the fact of the matter is that children have become normalized to using marijuana at younger and younger ages. The challenge we have as a government is ensuring that children do not have access to marijuana at young ages because their cognitive activities, especially in school, become affected. As a police officer, I saw time and again that youth who were smoking marijuana on a daily basis were making poor judgments that they normally would not make under other circumstances. If they had not been smoking, they would have not made the same decisions.

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, I am very pleased to rise and contribute to this important debate today.

The government has sought concurrence in a report from October 2014 from the Standing Committee on Health, entitled “Marijuana’s Health Risks and Harms”.

I start by noting the title because, as members will note from my remarks to follow, it seems to be the theme of the government to emphasize one part of this complex public policy debate involving marijuana. I was not the deputy chair of the health committee, as I am proud to be now. At the time, it was my colleague from Vancouver East, who has been leading the charge on this debate for the official opposition. I salute her work on the dissenting report. I would like to focus my remarks upon this dissenting report and then talk more generally about the war on drugs and what has led us to this state today.

The report that the government wishes us to concur in is a report that focuses, as its title would suggest, on health risks and harm, which are of course not to be minimized. However, there is another side to the story, and that is why the New Democratic Party produced three recommendations in a dissenting report, the subject of which I would like to address today.

The dissenting report starts by saying what I did: that the current study was unbalanced and designed to focus on the harms of marijuana policy and use in Canada. It then says that significant testimony was dismissed, so the committee was not allowed to hear and address points of view that were different from the government’s preconceived notions about marijuana. The dissenting report also says that so-called opinions are what were at stake, rather than evidence-based decisions, which everyone in health policy says is the important way to do business. As a result, there were more witnesses focused on harms and risks than on the other side of the debate.

The point I want to make by way of introduction, which the dissenting report clearly addresses, is that a war on drugs is simply not working. To that end, I would like to refer to last month’s issue of *The Economist* magazine, a very right-wing publication from the U.K., which starts a full discussion on illegal drugs with the following:

In 1971 Richard Nixon fired the first shot in what became known as “the war on drugs” by declaring them “public enemy number one”. In America and the other rich countries that fought by its side, the campaign meant strict laws and harsh sentences for small-time dealers and addicts. ... Billions of wasted dollars and many destroyed lives later, illegal drugs are still available, and the anti-drug warriors are wearying.

The article concludes by saying:

Those preparing to prosecute the next drug war need only look west to see what lies ahead of them: more violence and corruption; more HIV/AIDS; fuller jails—and still the same, unending supply of drugs.

Prohibition, which seems to be the only solution offered by the government, is simply not working. Billions of dollars later, even *The Economist* magazine has acknowledged that reality. That is why the NDP has sought a more balanced approach, focusing on health promotion, public education, and safety. To that end, three recommendations were made. I would like to address each of them in turn.

The first was that we “pursue a public health approach to marijuana focused on education, and where necessary, treatment and harm reduction.”

Let me be very clear. No one is suggesting that somehow there are no risks or harms associated with this activity, and I hope I am not misunderstood. Particularly for youth, there are issues that need to be addressed, without a doubt. However, to avoid a public health approach and to simply revert to a war-on-drugs approach is not going to work in addressing those harms.

For example, many people came forward—including a constituent of mine, Dr. Philippe Lucas—to advocate a public health approach to the non-medical use of marijuana and other drugs in order to minimize risks and harms. Public awareness campaigns aimed at youth have to focus on accurate information. I am old enough—and I believe you are too, Mr. Speaker—to remember the reefer madness ads that used to be around in my day. It was a joke. They did not work, and they were dismissed by most of the young people whose marijuana consumption the ads were trying to change.

• (1200)

Using a zero tolerance approach has not worked either. Something more nuanced is required. We should listen to the experts like Dr. Lucas and others to that end, so I will come back to that first recommendation, the public health approach.

The second recommendation by the NDP in its dissenting report is to “fund research to examine the potential effectiveness of medical marijuana.”

Medical marijuana has become a large industry. Dr. Perry Kendall, from my part of the world, claims that approximately 50% of the people who use medical marijuana do so to relieve chronic pain. There are a number of illnesses, such as HIV-AIDS and multiple sclerosis, for which it has been proven to be an important contributor to treatment. Indeed, Veterans Affairs Canada pays for the cost of medical marijuana to treat veterans with post-traumatic stress disorder.

However, research on medical marijuana, which could provide benefits in many areas, is limited because of the prohibition approach that the government takes to this issue. We need more research. I am the first to acknowledge that. Funding research on clinical effectiveness and, yes, on risks to youth and others is critically important.

The expansion of the use of medical marijuana in Canada has been absolutely remarkable. In an article in the *National Post* back in March 2014 that examined the marijuana medical access regulations program, I was shocked to see that in 2001 there were 88 Canadians authorized to possess marijuana under those regulations. As of 2013, that number had gone up to almost 37,000 Canadians. There were 85 marijuana production licences in 2001; in 2013, there were almost 30,000.

We can see that this is an enormous issue and a challenge, but it seems to be beyond dispute that medical marijuana has certain benefits.

The third recommendation that I would like to focus on is the one that is the most salient in this discussion: that we “establish an independent commission with a broad mandate, including safety and public health, to consult Canadians on all aspects of the non-medical use of marijuana and to”—here is the punchline—“provide guidance to Parliament on the institution of an appropriate regulatory regime to govern such use.”

We believe there needs to be this kind of independent commission to hear from people from different communities, including the law enforcement community, the medical community, the legal community, and others, to figure out how we can provide guidance to Parliament on instituting an appropriate regulatory regime, because prohibition has failed. All it has produced is violence, stigma, and control by organized crime. Simply continuing with the criminalization model is not going to work. We need to use evidence-based solutions to figure out an answer to this problem together.

Dr. Lucas is now with Tilray, a licensed producer of marijuana on Vancouver Island near Nanaimo. He has pointed out that cannabis prohibition creates more harms than cannabis use itself and that prohibition has failed to control the use and domestic production of marijuana. He points to higher and higher arrest rates in certain parts of the country, and one of my colleagues made reference to the very uneven enforcement across the country with respect to marijuana.

He says cannabis is our top cash crop in Canada and claims it has been used by approximately 50% of the population. He says prohibition ensures that young Canadians can access unregulated cannabis of unknown potency and quality and points out that it is a well-known fact that the potency of this drug has changed dramatically since the 1970s and that the drug is often cut with other products that are either very addictive or cause great harm to those people who take them. There is no quality control. People do not know what they are getting.

Youth cannabis rates have been going up. They have gone down in the last little while, but they have generally gone up. So much for the war on drugs. So much for saying, “Thou shalt not, young people.” It has not worked. We know that. Certainly in my part of the world, it is self-evident.

●(1205)

Cannabis enforcement is highly disproportionate across the country. That much we know. Young men, visible minorities, and

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first nations are greatly overrepresented in cannabis arrest statistics. That is a fact as well. Gangs, organized crime, and so forth are part of the picture, as we all know.

There are other ways to address the problem. The country I am most interested in at the moment is Portugal. In 1997, opinion polls in Portugal said that drug use was the country's biggest social problem. Now, 12 years since Portugal decriminalized personal use of small amounts of marijuana and other drugs, meaning less than 10 days' worth, what has happened is that drug use now ranks 13th in concerns. All parties in that country—left, right, and centre—support the policy of treating drug use as a health issue, and that is the first thing that was said in the dissenting report of the NDP: that this issue needs to be understood as a public health challenge and that we have to address it as such.

In Portugal, all parties support the policy of treating drug use as a health issue, not a crime. HIV rates have plummeted as well. However, decriminalization is not the same as legalization. Portugal uses what they term “dissuasion boards”, made up of doctors, psychologists, and other specialists, which aim to get addicts into treatment and prevent recreational users from falling into addiction. When necessary, they can impose fines and community work. However, removing the fear and stigma of criminal punishment has encouraged drug users to seek the help they need.

There are different approaches around the world that need to be studied if we are going to come to terms with this issue. That is why the fundamental recommendation of the NDP in its dissenting report, again, is to create an independent commission to guide Parliament on instituting an appropriate regulatory regime for the non-medical use of marijuana.

The law of unintended consequences is with us in so many areas. We now know that states such as Colorado and Washington have essentially legalized marijuana. After a year, have there been increased rates of driving under the influence? Has there been an impact, positive or negative, on youth who consume this drug? What is the reality of that? We need an evidence base.

We have the benefit of seeing whether there have been any unintended consequences. We could now check out that experience, as well as see what has been done in Uruguay or Portugal and other parts of the world. We could see whether or not there are lessons for Canada.

That is why this independent commission has to look at what is going on in other countries and see how we can address this issue. There is no doubt that issues with respect to youth have to be addressed first and foremost, so what lessons do we have in that regard?

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One thing is clear: the Conservatives' "Let's just say no" is not going to work. Zero tolerance and the war on drugs have been an unmitigated disaster. We can just look at any of the streets of any city in Canada.

The question is, what we can do if we are serious about addressing the situation with respect to youth? What are the lessons we learned? That is why this commission ought to be taken very seriously.

I remember when Mr. Justice Le Dain led the Le Dain Commission back in the 1970s. We have many insights from that experience, but all that data needs to be updated. One thing that is clear is that this is not a black and white, yes-or-no issue.

Somebody who is often a witness in British Columbia cases involving drug use and addictions is Professor Mark Kleiman, a drug policy expert at the University of California, Los Angeles. As a scientist, he says that, as with any social initiative, there could be negative effects. He advocates close monitoring of excessive use among adolescents. As I said, driving under the influence certainly has to be addressed. With respect to politicians, he says that we need to inform them that they have underestimated the complexity of this problem.

It is a complex problem. That is why these yes-no, on-off solutions, the "thou shalt nots", just simply do not cut it. We need to hear from experts like Dr. Kleiman going forward.

That is why we talk, in the second recommendation, about the need to fund research. We need to know whether this product that is so prevalent can have benefits. We need to know what those benefits are and what the risks are. Everything in life is risk versus benefit.

●(1210)

We can say that alcohol is a drug, which it is, that is causing harm to many families, has a staggering impact on the workplace, et cetera, but I do not think anybody is recommending a prohibition on that substance, yet we have to figure out ways to address it more effectively. I suggest that marijuana is no different in that regard and requires the kind of multi-faceted solution. As I mentioned, the commission could address it.

The NDP has talked for many years about the idea of decriminalizing and ticketing for small amounts of marijuana, and investing in additional education and programs to reduce marijuana use by young people. I was pleased to hear the Canadian Association of Chiefs of Police say that it was open to that suggestion. It wanted an expanded range of enforcement options and so forth.

This is a problem among our young people. According to the United Nations Children's Fund, in August 2013, Canadian youth were the top users of marijuana in the developed world. In fact, 28% of our youth were considered in that category. However, apparently marijuana use among Canadian youth has declined to 20.3% in 2012, according to the Canadian Centre on Substance Abuse.

Why has that happened? If that statistic is accurate, does it apply across the board to all demographics, all communities, aboriginal, non-aboriginal, visible minority, non-visible minority? What part of the country more or less? I would think that if we had a serious public health problem, we would want to grapple with that very type of question.

Maybe a one-size-fits-all regulatory solution does not make sense. In which case, how will we deal with it in different parts of the country if we do not assume that it is simply a criminal law issue that needs to be addressed through a simple prohibition model?

Those are exactly the kinds of things that the independent commission advocated by the New Democratic Party would address to provide guidance on implementing an appropriate regulatory approach, a modernized marijuana legal regime based on evidence and public health principles, seeking to balance prevention, public health and well-being, harm reduction, community safety and public education. Those are the hallmarks of good public policy.

I suggest that addressing the marijuana issue, both recreational and medical, is no different than any other challenge in the sphere, and that evidence-based policies need to be understood on the basis of comparative research and other countries, assessing best practices made available to Canadian legislators so we can come up with a made-in-Canada solution to address it to meet the unique needs of our country and our population.

●(1215)

**Mr. David Wilks (Kootenay—Columbia, CPC):** Mr. Speaker, I listened to the member's speech intently. He kept flopping between a regulatory regime versus decriminalization. They are completely different. There is not one iota where one is the same as the other.

Could the member explain to me what his definition of decriminalization is? I know what it is. However, I would like to hear from members on the other side what their definition of decriminalization is.

**Mr. Murray Rankin:** Mr. Speaker, the definition of decriminalization, I guess, is relevant and not relevant to the debate before us. We have talked about an appropriate regulatory regime and in the context of that, I talked about decriminalization. My focus in my remarks was that third recommendation about an appropriate regulatory regime, but decriminalization would allow for a range of options, such as ticketing for small amounts and that sort of thing, as opposed to simply throwing people in jail for small amounts.

We want to take away the sanctions that are in the Criminal Code in the controlled drug substance legislation, move that to a different place, and deal with it in an entirely different way, as a first step in dealing with an appropriate regulatory regime, which would be much more comprehensive in nature.

*Routine Proceedings*

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, I listened with great interest to my colleague from Victoria. He made some very good points. I hate to say it, but he makes good points in the House quite frequently on a range of issues. He is a pretty smart fellow.

On any criminal justice issue, it is really important to look at examples from other countries. For instance, if we want to talk about things like mandatory minimums, we could look at the U.S. and say that if putting more people in jail for longer periods of time created safer communities, then American cities would be the safest in the world.

However, on the decriminalization side of marijuana and some other drugs, if we look at the Portugal example, 12 years ago Portugal decriminalized marijuana and some other drugs. Since then, the rate of drug abuse and addiction has declined because the government redirected money that it was spending in the past on interdiction, jail and the whole police and judicial system on health promotion. It treated drugs as a medical issue and invested in mental health, addiction treatment and health promotion, telling people the dangers of it.

Does the hon. member agree that perhaps things could lead to less drug abuse and addiction if we redirected resources to health promotion, mental health treatment and addiction treatment?

• (1220)

**Mr. Murray Rankin:** Mr. Speaker, I would like to thank my friend from Kings—Hants for his very supportive comments.

I absolutely concur that that is what has happened in Portugal. There has been a reduction in the use of drugs, including marijuana, since the regime was changed 12 years ago. As I said, it was not just legalization in that context, but it also tried to dissuade people using a harm reduction type of approach. I think health promotion would be at the centre of that particular regulatory approach, an approach which we need to study in Canada to come up with the best possible solution.

It is like the anti-tobacco regime. The government has taxed cigarettes very aggressively, but those monies are not necessarily made directly available for prevention programs, as the Canadian Cancer Society reminded me of this morning. We need to take that kind of an approach to deal with the anti-tobacco regime and apply it to marijuana in a comprehensive new regulatory program.

**Mr. Tyrone Benskin (Jeanne-Le Ber, NDP):** Mr. Speaker, I would like to go back to what my colleague spoke about with respect to the need for continued research into medical marijuana. There is an operation in my riding that supplies medical marijuana and it has helped many people with issues such as cancer and glaucoma. I have heard members on the other side sort of allude to the apparent safety of standardized drugs. I am sure members have heard the ads that list a litany of harmful side effects that some prescription drugs have, including death, as well as the growing problem among young people about using prescription drugs illegally.

I have a two-part question. Would my colleague like to comment on the importance of research into medical marijuana and the irony of the government's support of prescription drugs but not the medical use of marijuana?

**Mr. Murray Rankin:** Mr. Speaker, the key reason we have such difficulty doing research on medical marijuana is because of the government's prohibition approach. The second recommendation in the dissenting report addresses that. It says that more in-depth research to examine the potential benefits of medical marijuana is needed, but is difficult to undertake due to current Canadian government policies on marijuana. It recommended that the government fund research on the clinical effectiveness of marijuana, as well as the long term effects on vulnerable populations, such as youth and those who suffer from mental illness.

Smoking anything cannot be good for people and I know ingesting it in other ways is an option as well, and that is before the courts right now. That is the first thing. The emphasis on prescription drugs versus marijuana actually needs to be addressed as we find more and more people producing medical marijuana in the market, as I described in my remarks.

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, the member opposite was paraphrasing something that apparently came out of the Canadian Association of Chiefs of Police. I want to ensure that the House has no misapprehension that the Canadian Association of Chiefs of Police supports legalizing marijuana.

In fact, I will quote from a resolution it made at its August 2013 annual conference. It states:

We believe that decriminalization or legalization is not the direction we should be moving toward from a public safety perspective....

The illicit use of cannabis can have a negative impact on public safety and the health of young persons in particular.

Cannabis is a drug that impairs cognitive function, can cause delusional thoughts or hallucinations, and negatively impacts the ability to operate a motor vehicle or machinery.

There are other comments as well.

I wanted to ensure that the House does not think somehow the chiefs of police from across Canada want to make marijuana legal or decriminalize it.

Would the member care to comment?

**Mr. Murray Rankin:** Mr. Speaker, if I gave that impression, it certainly was not my intent. My friend from Oakville is absolutely right. There was never anything specifically to that effect in the comments made by the association. However, in its resolution of 2013, to which he referred, it did emphasize the need "to expand the range of enforcement options [for] law enforcement". That is what I was getting at.

It is just not right in a country like Canada where in Vancouver one would basically have to do something outrageous to be charged with possession of small quantities of marijuana whereas in other parts of the country one could go to jail. That is wrong. The fact that the Canadian Association of Chiefs of Police recognizes that we need to have a different array of enforcement options is very telling.

*Routine Proceedings*

•(1225)

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I certainly agreed very much with what the member for Victoria had to say. He talked about one of the key planks in the position of the NDP with respect to establishing an independent commission to look at a legislative regime. To me, that sounds like the door is open to the New Democrats supporting legalization. I thought all along their position was one of decriminalization. Could the member clarify that?

**Mr. Murray Rankin:** Mr. Speaker, I thank my friend from Charlottetown for the opportunity to restate what is so clear on page 42 of the report before us today. The position of the NDP is that we need to establish an independent commission to consult on the non-medical use of marijuana and “to provide guidance to Parliament on the institution of an appropriate regulatory regime to govern such use”. In other words, we need to get it right, we need to study it, and we need all of those voices, as I mentioned, at the table. Then we need guidance on how we would implement an appropriate regulatory regime. That is where we stand. We think a made-in-Canada solution to this complex issue is necessary.

**Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC):** Mr. Speaker, I am pleased to have the opportunity to rise in the House today to speak about the serious health risks of marijuana. I will be splitting my time with the member for Mississauga East—Cooksville.

The health committee's report largely confirmed what members of the House already know. The health risks of smoking marijuana are simply irrefutable. Whether that be schizophrenia, psychosis, challenges with respect to impact on blood pressure or, quite frankly, even blood sugar, members of this House should know that Canadians kids who smoke marijuana far too frequently experience these risks.

Compare this reality with what the Liberal leader plans to do in legalizing marijuana that would see marijuana sold in stores, just like cigarettes or alcohol or, quite frankly, even candy. This approach is simply irresponsible, and I can tell the House about the risks in which it puts children. Unlike members of the opposition, I stand in emergency departments and see these children as they come in first hand. I see the impacts on these children and how terribly disturbed they are when they hit the emergency department.

No matter what the opposition says, no parent in my riding or no parent, I would think, in this country, wants their child to experience the severe experiences of psychosis or schizophrenia, things we would never want to see our children experience.

The Liberal members, as I said earlier, actually think that aspirin is just like marijuana. If we asked anyone in the area of the world I come from, they really think an aspirin is helpful when they need it, but they would never use marijuana in the same way.

This Conservative government wants to stop kids from smoking marijuana, and I just want to highlight a few of the initiatives that our government is undertaking.

In 2007, our government announced the national anti-drug strategy. The strategy contributes to making communities safer and healthier by coordinating to prevent the use of illicit drugs and the

abuse of prescription drugs. It is helping with efforts to treat dependency for those who have serious addiction problems, and by working toward reducing the production and distribution of illicit drugs, some of which have already been mentioned in the House already. We are doing that. We have taken action on it. We started in 2007.

Research shows that marijuana is the most commonly used illicit drug by young people. Almost one in five students in grades 7 to 12 have used marijuana in the past year. The average age at which teens first try marijuana is 14 years old.

These statistics are alarming and confirm that the Liberal plan to legalize marijuana and their leader's insistence on normalizing the practice is, quite frankly, irresponsible and will make it even easier for kids to buy and smoke marijuana.

If the Liberal leader had his way, he would make marijuana more accessible, and has even called this Conservative government's action to shut down home grow ops, “hyper-controlled”. I would rather have that “hyper-control” and make sure children in my riding are protected rather than what the opposition is suggesting. Home group ops are dangerous and are found throughout Canadian neighbourhoods already because the courts are standing in the way of our action to shut them down to make sure children cannot access marijuana. This Conservative government will not tolerate home grow ops and we will continue to fight the courts on this issue.

We do not support making access to illegal drugs easier for kids or any Canadian. Under the national anti-drug strategy, we are undertaking specific action to address marijuana use by our young people, and we are seeing results. According to the Canadian drug use monitoring survey, marijuana use by youth has dropped by almost 30% since 2008 and 45% since 2004. The Liberal plan to legalize marijuana can only have one effect: increasing access and use.

Health Canada monitors and assesses emerging scientific evidence of the harms of marijuana use, and conducts ongoing monitoring of changes in the prevalence of youth and adult use of marijuana.

Through significant funding, Health Canada helps raise awareness through various projects and research initiatives. These projects help raise awareness of the health risks of marijuana as well as support health professionals, like myself, in their efforts to prevent marijuana and drug abuse. The effects of marijuana use, as I said, are serious, lasting and cannot be ignored.



*Routine Proceedings*

The opposition would try to lead people to believe that the literature does not exist, but it does. As this report and scientific literature detail, the short-term effects of marijuana use include anxiety, fear or psychosis, among other things. It can also lead to problems with concentration and the ability to think and make decisions, which can impede a child's ability to learn and succeed long term.

● (1230)

Long-term use can lead to an increased risk of triggering or aggravating psychiatric or mood disorders such as schizophrenia or bipolar disorder. I am not sure how many opposition members have met someone who is suffering from schizophrenia, has met someone suffering from bipolar disorder, but those people really suffer. They cannot function to the level of their true potential because of those impacts. These effects can cause lifelong problems for the individuals and their families. This Conservative government recognizes the need to keep marijuana out of the hands of kids. We do not support making access to illegal drugs possible, like the Liberals.

The hon. member of Parliament for Vancouver Centre has even stated, "...we have known all along that the long-term effects of cognitive problems coming from the smoking of marijuana over long periods amongst young people, under about 40, are high"

The Liberal leader has seen these facts and decided to completely ignore these harms and risks to Canadian youth. Preventing youth from smoking marijuana is particularly important for our most vulnerable communities. Research indicates that the typical age of onset of most substance abuse is between grade 7 and grade 9. Vulnerable communities can be at a higher risk of drug use for a variety of reasons. There may be reduced access to youth programming and limited access to safe drug-free environments.

The Liberal leader will not help deter youth from using marijuana, but instead, would rather normalize it and make it even more accessible. I guess we are supposed to then have even more programming to make sure that we can treat these children who have been impacted by becoming addicts to this terrible drug. This will not help vulnerable communities that struggle day in, day out with drug abuse.

While the Liberal Party focuses on the legalization of marijuana, our Conservative government is helping Canadian families with multiple projects to greater help youth at risk. Research shows that there is a wide range of reasons why youth begin using marijuana. Through using these data, more finely tuned prevention and educational materials have been developed, tested and distributed to children and their families.

The Liberal leader's plan to legalize marijuana and normalize smoking marijuana trivializes its risks and quite frankly sends the wrong message to our young people. Telling kids it is okay to smoke marijuana, telling kids it is okay to use marijuana every day is not a message Canadian parents want to convey to their kids.

Making marijuana available on store shelves like alcohol and cigarettes will reverse the progress that has already been made in educating young people and their parents of why this is a dangerous substance.

In addition to other projects through the Canadian Centre on Substance Abuse, our government is also providing \$11.9 million over five years extending until 2018 for activities that help reduce drug abuse among youth. These activities include reviewing and synthesising research evidence on the effects of marijuana during adolescence and examining the effectiveness of brief interventions for reducing the use of marijuana.

These activities look at the effects of cannabis and strive to educate young people with up-to-date information about the serious and lasting harms of marijuana.

The former president of the CMA also stated very firmly the position against this, "...especially in youth, the evidence is irrefutable—marijuana is dangerous". This is a statement that should be taken very seriously, a statement from a well educated physician. This Conservative government takes this issue very seriously and we will continue to fight to prevent kids from smoking marijuana.

In conclusion, I offer yet another quote from Dr. Meldon Kahan who is the medical director of the substance use service at the Women's College Hospital in Toronto. He said during the study by the committee, "...public health organizations need to conduct public health campaigns to counter the prevailing myth that cannabis is harmless and therapeutic".

As the current president of the Canadian Medical Association has said, "Any effort to highlight the dangers, harm and potential side effects of consuming marijuana is welcome."

I can say irrefutably having met children who have been under the influence in the emergency department with their parents in exceptional distress, whether it be because they are experiencing a psychosis, or because they have become bipolar, we need to do everything we can to make sure that this is not a legalized drug so that we protect Canadian children, unlike the approach of the Liberal leader who wants to normalize this for every Canadian kid.

● (1235)

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank the minister for her speech.

Since this debate began, we have unfortunately seen a very clear show of political power by the Conservatives, who want to strong-arm certain members of the House. It is disappointing to see the Conservatives' hard-line attitude. This attitude has also been evident at the Standing Committee on Finance regarding the budget implementation bill. There too, we know very well that the Conservatives will not accept any of the proposals brought forward by the opposition.

At the Standing Committee on Health, the other parties came up with some very reasonable, very sensible proposals, but unfortunately, the government refuses them and remains blinded by its singular truth, the only reality that it will accept.

*Routine Proceedings*

I want to ask the minister why she has decided to latch on to a few of the witnesses' statements, the answers that she wanted to hear, instead of looking at the big picture and finding a solution, a more comprehensive proposal for all Canadians.

[English]

**Hon. K. Kellie Leitch:** Mr. Speaker, I want to be very clear. Marijuana is bad for kids, and that is why I am standing here making sure that children are protected.

We know what the medical effects are when, as I mentioned in my speech, children have short-term or long-term exposure to this drug. We know the health effects can be long lasting, impacting their concentration or developing terrible mental health diseases that impact the rest of their lives.

This is actually not about political posturing, like the opposition. This is about making sure Canadian children are protected.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I believe the minister is quite wrong in her assessment when she directs personal attacks toward the leader of the Liberal Party. The Liberal Party has taken the responsible position of dealing with our young people in Canada. To try to portray that someone could go into a corner store and purchase marijuana like one can purchase candy is just utter nonsense and absolute garbage. However, the minister will stand in her place and that is what she will espouse.

My question for the minister is, why does she feel that she and her government have the right to waste Canadian tax dollars on bogus one-sided reports and spend millions of tax dollars on Conservative partisan ads promoting its political agenda?

• (1240)

**Hon. K. Kellie Leitch:** Mr. Speaker, I recognize the member in the opposition side wants to change the dialogue here, but let us be really clear. Marijuana is an illegal drug and it has long-lasting, severe health effects on children.

The Liberal leader would want to legalize marijuana, making it easier for kids to buy. That is the simple truth. That is what he said he wants to do. This side of the House believes it should be illegal, that children should not have access because of the huge impacts it has on their long-term potential. Our government is going to protect kids. They obviously want to put them at risk.

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, something has happened during this debate. I think what has happened is someone is calling down from the Liberal leader's office because we are starting to get this message. We have heard twice now from the other side that, given the chance and they legalize marijuana, one could not just go into a store and buy it. Therefore, my question would be, had I the opportunity, where would I buy it? Would someone have to show ID? That is a tough condition, having to show ID. We know that a huge number of our teens suffer from binge drinking and the regulatory regime for alcohol and cigarettes does not prevent teens from getting alcohol and cigarettes.

One of the members across was talking about how marijuana is used based on the patient's claim that it kills pain. No one can refute that per se, but there is no research that proves it does kill pain, certainly not better than the other 200 painkillers on the market. However, we do not give powerful narcotics to people who do not

have serious pain. Why is that? It is because they are risky. They can damage organs. They can cause addiction, et cetera. Why would we want to put another powerful narcotic on the market and make it available young people to endanger their health?

**Hon. K. Kellie Leitch:** Mr. Speaker, similar to my colleague from Oakville, I completely agree. Why would we want to legalize another drug that could just put children at risk?

Our government has been very clear. We do not support making access to illegal drugs easier. This Conservative government will focus on making sure children do not have access to smoking marijuana, unlike the opposition members who seem to want to put children at risk through this process.

**Mr. Wladyslaw Lizon (Mississauga East—Cooksville, CPC):** Mr. Speaker, I am pleased to rise in the House today to speak to the health committee's report, "Marijuana's Health Risks and Harms", and how this Conservative government is addressing the problem of youth smoking marijuana.

I would first like to thank the committee for its excellent work on this issue, and especially for the detail that the report offers regarding the lasting and serious harms that come from smoking marijuana. This report makes it clear for all to see that the Liberal leader's plan to make marijuana more available to kids is irresponsible and disturbing.

The Liberal Party wants to legalize marijuana, making it even more accessible to young Canadians. This is irresponsible and completely ignores the scientific evidence regarding its health risks and harms. The serious and lasting health risks of smoking marijuana are irrefutable. The rate of marijuana use among youth in Canada is already twice the rate of use among adults. The committee also found that Canadian youth age 11 to 15 are among the highest users of marijuana compared to their peers in other countries. Evidence suggests that Canadians are also not as well informed about the risks of smoking marijuana as they are about other illicit drugs. These statistics are alarming, and this Conservative government is concerned about the harmful effects of marijuana on youth.

*Routine Proceedings*

Unlike the Liberal leader, we do not support making access to illegal drugs easier. Marijuana is dangerous, and it is irresponsible for governments to communicate that it is somehow safe and normal for kids to smoke it. Research has already shown that marijuana is harmful to the lungs and brain. The Liberal leader wants to make smoking marijuana a normal, everyday activity for kids and have it sold in stores just like cigarettes and alcohol. The Liberal leader has chosen to ignore the serious and lasting health effects of smoking marijuana, which the health committee has painstakingly detailed in the report before the House today. Marijuana is illegal and is so for a reason. Its lasting and serious health effects cannot be understated.

That is why our government's anti-drug approach through the national anti-drug strategy is working to stop Canadians of all ages, especially kids, from smoking marijuana. Since the launch of the strategy, its drug treatment funding program has provided funding for 29 projects across Canada. Concerning problems related to smoking marijuana, we are also helping with efforts to treat dependency for those people who have serious addiction problems.

We are also providing \$1.2 million to the Nova Scotia government for a project entitled "Nova Scotia's strengthening treatment systems project" to increase the uptake of treatment practices by addictions workers. A key target group for these projects are those suffering from concurrent mental health and substance use disorders. This client group suffers from two serious health problems: illicit drug use, like marijuana; and ongoing mental health concerns. The Liberal leader ignores these vulnerable individuals when he attempts to normalize the smoking of marijuana and its lasting and serious health risks.

Our government is also providing \$1.2 million to the Saskatchewan Ministry of Health to undertake its project implementing evidence-informed practice in Saskatchewan's addiction treatment program. This project is working toward improving its standardized treatment practices across addiction and mental health sectors. When addiction is coupled with problems such as anxiety and depression, the related challenges are compounded for clients as well as the professionals in charge of their care.

The good news for my colleagues is that the rate of kids smoking marijuana in Canada is actually trending down, thanks to this good work. According to a Canadian drug-use monitoring survey's most recent report, marijuana use by youth has dropped by almost 30% since 2008 and by 45% since 2004. The same report noted that, while 20% of youth smoked marijuana in 2012, 70% of youth drank alcohol.

• (1245)

The Liberal leader's plan to make marijuana available in stores, just like alcohol and cigarettes, would mean increasing the rate at which youth smoke marijuana to the same rate at which they consume alcohol, almost tripling its use.

The president of the Canadian Medical Association said:

Any effort to highlight the dangers, harm and potential side effects of consuming marijuana is welcome.

We know that work needs to be done to reduce the rate at which our kids smoke marijuana, but the Liberal leader is choosing to ignore the advice of experts, showing once again that he is just not

ready for the job. The Liberal leader's own MPs are even on the record defending illegal marijuana storefronts in B.C. and elsewhere. His refusal to condemn these illegal operations, which are regularly caught peddling marijuana to kids, should not surprise anyone. These storefronts are the Liberal vision of Canada.

Make no mistake, storefronts selling marijuana are illegal under this Conservative government and will remain illegal, and we expect the police to enforce the law. A marijuana store on every street corner fits perfectly with the Liberal leader's on-the-record statements defending the dangerous home grow ops in Canadian neighbourhoods, which this Conservative government is fighting in court to shut down.

The irony of the Liberal plan to legalize marijuana is that it would in no way reduce the rates of youth smoking marijuana or, indeed, the illegal drug trade. Expert witnesses who contributed to this report by the health committee actually spoke to this point at length. I will quote Dr. Harold Kalant, who said:

...I would point out that the hope that legalizing would eliminate the black market would be true only if it were sold legally at a lower price than the black market. If you do that, the use is likely to increase greatly.

However, this expert's testimony conflicts with the Liberal vision of Canada, so its leader will pay it no mind. Dr. Kalant offered further thoughts on the subject, which I will highlight here before I conclude. He said:

...the use of cannabis for pleasure comes at a cost, and society must ponder whether the pleasure is worth the cost. ...society as a whole must give careful thought to changes in policy that could increase the number and severity of health problems caused by use by its more vulnerable members, which, as I have pointed out, means its younger users.

The Liberal leader asserts that our government's work, which actually shows results in stopping kids from smoking marijuana, is a "hyper-controlled" approach. He cannot even agree with the actions being taken against home growers. He wants to make smoking marijuana an everyday activity for Canadians and completely ignore its serious and lasting health risks. He ignores the risks that the home grow ops put on communities.

The Conservative government is making significant progress on the complex issue of drug addiction. We all have a role to play and a contribution to make. Our government believes in collaborating with our key partners in these efforts. We applaud the work being done and support these efforts by our partners in undertaking research and knowledge brokering, by making intelligent policies, crafting important legislation, and providing funding where appropriate.

The Conservatives' approach to stopping kids from smoking marijuana is working. It is the right public health message to send to Canadian families, and above all, it is responsible.

*Routine Proceedings*

Again, I want to thank the Standing Committee on Health for undertaking this work and for this insightful report on marijuana's health risks and harms. My hope is that the Liberal leader takes this report seriously and takes the time to listen to the medical experts who agree with the former president of the Canadian Medical Association, who said, "especially in youth, the evidence is irrefutable—marijuana is dangerous".

• (1250)

[*Translation*]

**Mr. Mathieu Ravignat (Pontiac, NDP):** Mr. Speaker, I listened with great interest to my hon. colleague's speech.

There is something we have to take into account in this debate: marijuana has changed a lot over the years. It has been bred in order to increase its hallucinogenic effects and can indeed have a very harmful effect on a child's young brain. Obviously, I am completely against giving marijuana to children. However, it is a question of age, of course.

We need to do more to educate people about the harmful effects of this drug, which has been modified so much that it is a far cry from its natural state.

[*English*]

**Mr. Wladyslaw Lizon:** Mr. Speaker, as the member probably knows, I do serve on the health committee, and I was at the meetings and listened to the witnesses.

What the member did not say was that the marijuana that is available today is from 10 to 30 times stronger than it was in the 1970s. It is stronger and, therefore, it is more dangerous.

When I was growing up, there was no culture of smoking marijuana. I never saw it. I was never offered it. I never tried it. However, I did witness the tragedies of people addicted to alcohol, and I do not think this is any different. This is an addictive substance. It does not do anybody any good.

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, the hon. member did remind everyone that he was on the committee and that he listened to the evidence.

If he listened to the evidence, he would have listened to at least five researchers from the University of Montreal, from British Columbia, and from the University of Toronto, all suggesting that in fact, when there is legalization and regulation, not only is the actual substance regulated but the potency of the substance is regulated.

He is right, of course, that the THC in marijuana today is not the same as it was even 10 or 12 years ago. The problem is that, if it can be regulated, one of the things in regulation would be that it would not be allowed to contain more than X grams of THC. The potency would be changed and that would be regulated as well.

Did the member not hear that from people who presented at the committee?

• (1255)

**Mr. Wladyslaw Lizon:** Mr. Speaker, the member serves on the health committee. We work together.

I remember all the testimony. The member probably remembers the testimony of one scientist from Toronto. He concluded by saying

that if the members of the committee ever decided to legalize this substance, he wished we would not make the same mistake that was made when alcohol was legalized. The member probably remembers that.

I do not understand the concept. How is it supposed to be good for our citizens, our youth? What purpose does it serve to bring another addictive substance to the market and make it widely available to everybody? What good is that?

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, legalization of cannabis is actually a sensible, pragmatic policy that has been recommended to this chamber from the Senate, which studied the matter thoroughly. The World Health Organization studied it thoroughly.

No one who advocates for it—certainly no one I know of within the Green Party or the Liberal Party, which has joined us—makes the case that it is safe and that there are no issues. Just as cigarettes and alcohol are legal in this country, there is a need for them to be very carefully regulated because there are health risks.

If the Conservatives think that ending a failed prohibition policy on cannabis means that those of us who advocate for it want children to have access to this dangerous drug, how do they justify leaving alcohol and cigarettes legal? Are they hoping children will have access?

**Mr. Wladyslaw Lizon:** Mr. Speaker, none of these substances are good, not cigarettes and not alcohol. As I said in my first response, I have personally witnessed the tragedies of people addicted to alcohol, tragedies for families and society. I do not think we are making any progress by introducing another addictive substance for wide consumer use.

**The Acting Speaker (Mr. Bruce Stanton):** Before we resume debate with the hon. member for Charlottetown, I will let him know that there are about six minutes remaining in the time provided for this debate on the motion for concurrence.

The hon. member for Charlottetown.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, it is my honour to stand in the House to make a small contribution to this debate on concurrence on a committee report with respect to the harms and risks of marijuana use.

Let me start with a few facts that I believe we can all agree on. Among Canadian youth, there is the highest incidence of usage in the developed world. Therefore, the war on drugs has been an abject failure. If that were not the case, we would not have the usage rate among youth being among the highest in the developed world.

Extensive resources are being allocated to the war on drugs, whether it is police, prosecutors, resources within the legal system, or probation officers. All of these resources are being dedicated to this losing battle.

*Routine Proceedings*

There are winners and losers in this battle. The winners are those involved in organized crime. Organized crime is profiting from the abysmal record this country has on the war on drugs. The losers are kids, who are using marijuana at a higher rate than anywhere else in the developed world, and taxpayers, who are paying for the resources within the legal and law enforcement systems, the prosecutors, and the judges. They are the losers.

It is time for an adult conversation in this country about marijuana usage. We know that the Conservatives have a bit of an aversion to adult conversations. We need not look any further than the recent debate in the House with respect to physician-assisted death. The Liberals dedicated their opposition day to setting forth a process to have Parliament respond to the Supreme Court of Canada decision in Carter. That process was defeated, and we were assured by the government that it would institute its own process that would be extra-parliamentary and would hear from groups. We are still waiting, the clock is ticking, Parliament is about to rise, and the deadline imposed by the Supreme Court is about to be upon us.

To bring it back to topic, it is high time for an adult conversation on marijuana use, not megaphone participation, not screaming at one another, not scare tactics, but a reasoned conversation based on health, evidence, hearing from experts, and learning from experiences in other jurisdictions. We can learn from other jurisdictions that are ahead of us on this issue. Colorado and Washington are going through this right now, and there is no good reason why the experiences that have taken place in those jurisdictions cannot form part of the discussion and our examination here.

I believe it was Einstein who said that the definition of insanity is doing the same thing over and over again and expecting a different result. Yet time and time again, we see that the response to any complex social problem is mandatory minimum sentences and budget cuts. That is it.

There are young people in this country who are being saddled with criminal records for possessing six marijuana plants. They are being saddled with criminal records that will affect their futures, employability, and ability to travel to the United States. If they want to get their records expunged, there is no such thing as a pardon. A record suspension is expensive and time consuming. How many young lives have been jeopardized and how many young people who have made an error in judgment and want to turn their lives around are saddled with this one-size-fits-all approach?

We have before us a report that is unbalanced and fundamentally flawed. The Liberal Party has submitted a dissenting report that sets forth a much more balanced and reasonable position on a problem that is not black and white. There are shades of grey. There always are with any complex social problem. They cannot be solved with mandatory minimums and budget cuts.

• (1300)

The Liberal Party has recommended that the government explore a regulatory framework of legalization, working with experts in the field, that aims to keep marijuana out of the hands of youth. We have recommended that the government work with relevant stakeholders and experts to develop a campaign to raise public awareness and knowledge of the risks and harms associated with marijuana use and that the Government of Canada fund research aimed at improving

the understanding of the short- and long-term harms and benefits related to the use of marijuana among all cohorts of society.

The approach of the Liberal Party is one that respects evidence and respects Canadians. It is not one that is oversimplified, which is what we are hearing in the talking points from the other side. Canadians are ready for an adult conversation. It is high time that the Government of Canada participated in and facilitated that discussion and trusted Canadians.

• (1305)

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. It is now my duty to interrupt the proceedings at this time and put forthwith the question on the motion now before the House.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** The recorded division is deferred until later today at the end of government orders.

\* \* \*

## PETITIONS

DORVAL GOLF COURSE

**Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):** Mr. Speaker, it is my pleasure today to present 12,000 signatures from residents of Laval and surrounding the airport of Montreal. The airport of Montreal wants to expand to have screening and distribution facilities on the golf course of Dorval. The residents are against that proposition.

[*Translation*]

The residents absolutely want to conserve a green space that is essential to the people of Dorval, a space where seniors can play sports, go for walks and socialize. It is important for our community.

Some 12,000 people signed this petition, and we are still gathering petitions. It is important for the Minister of Transport to understand that this is a major issue for the West Island of Montreal.

*Government Orders*

[English]

## CELL TOWERS

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, it is a pleasure to rise to present a petition that has been signed by several Prince Edward Islanders, including many in the riding I represent. The petitioners are extremely concerned about the erection of a cellphone tower on top of a range lighthouse owned by the Department of Fisheries and Oceans. This cellphone tower is 250 metres away from an elementary school, in a residential area. There was absolutely no consultation with the residents, because the rules for this tower allowed for there to be no consultation. Therefore, the petitioners are calling upon the government to change the rules, so these things cannot be done in secret, and to stop the construction of this cellphone tower in a residential area of Charlottetown.

[Translation]

## TAXATION

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I am pleased to present a petition calling on the government to exempt feminine hygiene products, such as tampons, from the GST.

As it says in the petition, these products are essential to the lives of women and this tax adds a disproportionate financial burden.

[English]

## WORKERS' RIGHTS

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, a few months ago, I spoke to students in Ms. Kasserra's class at my old high school, Frontenac Secondary School in Kingston, Ontario. I spoke to the kids about the death of 1,100 garment workers under Rana Plaza when it collapsed in Dhaka, Bangladesh. The students took it upon themselves to circulate a petition that calls upon this House to remember that wherever workers are in the world, they have a right to work in healthy and safe workplaces and to return to their families every night. They also call upon this government to endorse the Accord on Fire and Building Safety in Bangladesh.

I want to thank the kids for their concern and initiative. I also thank Ms. Kasserra for inviting me into her classroom, proof again that the impact of great teachers extends well beyond their classrooms.

● (1310)

## IMMIGRATION

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, I am pleased to present a petition, which is signed by several hundred people. It refers to many home children, child migrants and their descendants who were victimized by an immigration policy that unfairly and systemically uprooted families and sought to essentially sever basic extended family ties.

The petitioners ask for an official apology, which has already been delivered by the governments of Britain and Australia. The home children, child migrants and their descendants are deserving of a similar apology from the Government of Canada for its role in the said program

[Translation]

## TAXATION

**Ms. Paulina Ayala (Honoré-Mercier, NDP):** Mr. Speaker, I am presenting a petition signed by a hundred or so people who want feminine hygiene products to be tax-free.

\* \* \*

[English]

## QUESTIONS ON THE ORDER PAPER

**Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I ask that all questions be allowed to stand.

**The Acting Speaker (Mr. Bruce Stanton):** Is that agreed?

**Some hon. members:** Agreed.

## GOVERNMENT ORDERS

[Translation]

## DIGITAL PRIVACY ACT

The House resumed from May 12 consideration of Bill S-4, An Act to amend the Personal Information Protection and Electronic Documents Act and to make a consequential amendment to another Act, as reported (with amendments) from the committee, and of the motions in Group No. 1.

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, I am pleased today to speak to the very important Bill S-4. It concerns the sharing of personal information in the digital age. It deals mainly with the way in which we legislate against companies responsible for the loss or sharing of information. We know this is a very sensitive issue because we are in the digital age where more and more personal information is found online. We think first of banking information, and also of information that sometimes seems not that important, but that is nevertheless part of peoples' private lives. It is information that we share on social networks, such as photos.

This covers all kinds of of complex issues, such as copyright, that we have addressed in the House since the last election, and the dissemination of information pertaining to national security. We had an important debate on this issue during the debate on Bill C-51. We learned that information technology companies, or startups, had concerns about some of the bill's provisions.

Of course, we are all familiar with the infamous story of Bill C-30, where the minister of public safety and emergency preparedness at the time told us that we stood either with the government or with child pornographers. This example shows just how big an issue we are dealing with and the Conservatives' poor record in this regard.

*Government Orders*

First, I would like to mention something very important and very simple: the obligation to review the privacy legislation every five years. Obviously, this is very important given how quickly technology changes. Unfortunately, such a review has not been implemented. A number of bills were introduced in this regard, but they died on the order paper when the Prime Minister prorogued Parliament. There was, of course, Bill C-30, which is a whole other story, and there was also the bill introduced by my colleague from Terrebonne—Blainville. That bill, which the government refused to support, sought to implement a robust privacy review process, give more power to the Privacy Commissioner and have clearer legislative provisions.

Bill S-4 includes similar provisions. However, they do not go far enough and there are still worrisome loopholes. One of the grey areas that I am particularly concerned about has to do with organizations, such as banks, that could share private information. These organizations are required to report a loss of personal information to the Privacy Commissioner only “if it is reasonable in the circumstances to believe that the breach creates a real risk of significant harm to an individual”. That may seem clear, but when it comes to legislative measures, we can see that there is a lot of leeway in how this provision of the bill is worded. The company could decide that no one's privacy was really violated and that there was no risk of harm to the individual and simply not report the privacy breach.

One of the flaws in this bill is the requirement for a court warrant, which my colleague from Terrebonne—Blainville brought up earlier and which she included in her bill. The Supreme Court recently ruled that any invasion of privacy by the government and any request that the government makes to a private company that is in possession of our information require a mandate. There is no such requirement in this bill, which is extremely worrisome. That is why I made the link earlier to Bill C-51 and the debate on Bill C-30, which did not end up taking place because we managed to get the government to back down. The government seems to be on the wrong track and does not seem to take privacy seriously.

•(1315)

Its record is a great example of that. How many times does the House need to hear criticisms about mismanagement at the Canada Revenue Agency, for example, during question period or at every possible opportunity, whether it is when bills are introduced and petitions are presented or at press conferences?

This department is in possession of the most sensitive information on Canadians, such as their social insurance numbers and their tax information. The department has been the victim of data breaches, and the government does not seem to be taking any responsibility. That makes it hard for us to trust that the government will require private companies to comply with high privacy standards when it is not capable of doing so itself. This situation is extremely worrisome.

We know that this is a complex issue because more and more things are done online. As far as matters of national security are concerned, we know that as legislators we have work to do. We wanted to propose amendments to ensure that this bill went further and complied with the Supreme Court decision. Like a number of

witnesses in committee, we question the constitutionality of this bill in its current form.

If I am not mistaken, the 18 amendments the NDP proposed were all rejected. True to form, the Conservatives did not listen to any of the testimony or pay any regard to the amendments proposed by all the parties. The amendments proposed by the NDP were all based on what the public had to say and on the very hard work of my colleague from Terrebonne—Blainville, who was trying to get suitable provisions for 2015, not 2000. Technology changes and so does our reality, and we have to adjust accordingly.

In this context, there are a number of troubling aspects. First, this bill was introduced in the Senate, which, naturally, we criticize every chance we get. The Minister of Industry made an announcement about how he wants to proceed in the digital age, but instead of introducing this bill in the House himself, he introduced it in the Senate. That is one problem.

The second problem is that the Conservatives wanted to skip second reading and send the bill straight to committee. That is not a bad idea in and of itself. The NDP has asked for the same in order to study certain extremely complex files.

For example, we asked to take this approach for Bill C-23, which we called the “electoral reform” bill. Since the government wanted to go straight to committee, we thought it was willing to accept amendments and listen to witnesses, but that did not happen.

The third problem concerns another of the government's bad habits: the honour of the 97th time allocation motion was bestowed on Bill S-4 in order to limit debate. Unfortunately, at this rate, the Conservatives will have moved 100 such motions by the time the election is held. To be blunt, that is pretty shabby.

Although it is important to protect Canadians' privacy and to do what it takes, in 2015, to implement an approach appropriate for the digital age, recent Supreme Court decisions have cast doubt on the constitutionality of this bill.

This bill does not go far enough, and since the government wants to limit debate and does not accept the amendments and the work done in committee, we cannot and will not support this bill. I am very pleased to rise in the House to say that.

*Government Orders*

• (1320)

[English]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the member talked about the ability of corporations nowadays, through the digital area, to accumulate information and the type of information collected. Whether it is through our financial industries or through a lot of groups that sell merchandise over the Internet, there is a great deal of information about virtually everyone in Canada. The government needs to put into place safeguards to protect the identity and other related issues.

Perhaps the member might want to provide more of his thoughts with respect to the important role that government can play in protecting the interests of Canadians who engaging with the Internet and different types of transactions more and more everyday.

[Translation]

**Mr. Matthew Dubé:** Mr. Speaker, I would like to thank my colleague for his question.

There is a lot of information circulating, and our world is changing quickly. The challenge for us as legislators is to stay on top of all these changes.

Sometimes some information that seems innocuous can pose a threat to our privacy. An IP address, for example, can identify the location where we accessed the Internet, the device we used and what we did with it. All manner of information is hidden, and sometimes we are not even aware that it exists.

One aspect of this problem can be addressed through public education. However, as my colleague mentioned, the government has a responsibility to protect Canadians.

A private company with personal information about a citizen has an obligation to protect it. Sometimes, despite great efforts, this information can be lost or even stolen.

The government itself could ask for this information for reasons of national security. That is why the courts need guidelines that must be spelled out in the law to ensure that the government cannot simply extract this information from companies.

If that information is stolen from companies or if they lose it, there has to be a way to ensure that the Privacy Commissioner is informed and has the right tools to take action and protect people.

[English]

**Hon. Michelle Rempel (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, I am pleased to rise to speak on behalf of Bill S-4, the digital privacy act, which is referred to the House by the Standing Committee on Industry, Science and Technology.

When Parliament first enacted the Personal Information Protection and Electronic Documents Act, commonly known as PIPEDA, in 2001, it recognized there were certain limited circumstances in which an individual's right to privacy must be balanced with other fundamental rights and public interest.

One such interest is the need for investigations into breaches of agreements, contraventions of law and for fraud prevention, which in certain circumstances must be conducted by the private sector.

Examples of these are common. They include investigations into professional misconduct by self-regulating professional associations, like the provincial colleges of physicians and surgeons, as well as the law societies. Another example is cross-sector investigations to detect crime and prevent fraud, such as the work done by the Bank Crime Prevention Centre and Investigation Office of the Canadian Bankers Association and the investigative services division of the Insurance Bureau of Canada.

It is not difficult to see that there is a real public interest in ensuring that these organizations have the ability to investigate. In order to do so, they must be able to obtain personal information that is protected under PIPEDA.

The Privacy Commissioner told the committee:

I totally agree that there needs to be provision in PIPEDA allowing organizations to address the issue of fraud or breaches of agreements that they may face.

The need for such a provision is also recognized within the legal community. The committee heard from Eloise Gratton, leading privacy officer and partner at the law firm of Borden Ladner Gervais and a professor of law at the University of Montreal. Ms. Gratton spoke of her own experience as counsel to private organizations conducting investigations into wrongdoing. She said:

The bottom line is that I agree that we need to have a provision authorizing the disclosure of personal information without consent to address these types of situations.

To enable this type of information sharing, PIPEDA currently has a regime that allows organizations to disclose an individual's personal information in order to conduct certain types of investigation.

As it stands right now under the current law, investigators who want to access personal information must be listed as an investigative body in the regulations. This involves coming forward with an application to the government and if the federal cabinet decides that the application is warranted, the organization is added to the list.

This is an extremely burdensome process for organizations. During the first parliamentary review of the act in 2007, the Standing Committee on Access to Information, Privacy and Ethics recommended that this system be scrapped and replaced with a different set of rules based on those that had been in place for a decade in Alberta and British Columbia. The bill would implement this recommendation.

A number of witnesses who came forward at the committee to express support for the importance of the changes within the bill expressed many positive sentiments in this regard.

The Life and Health Insurance Association of Canada told the committee that these amendments would help the industry's effort to detect, deter and minimize insurance fraud, which is stated to be extremely costly to the industry. A witness from the association explained to committee members that there was a current gap in PIPEDA to which he said:



[It] restricts the ability of organizations to disclose information without consent... for the purpose of conducting an investigation into a breach of an agreement or of a law of Canada.

The Central Credit Union of Canada also testified that it supported the proposed exception for consent for fraud prevention. In the words of the Central Credit Union witness it would:

—reduce the administrative burden associated with some of the activities of...my organization's Credit Union Office for Crime Prevention and Investigation.

Finally, the Insurance Bureau of Canada also spoke to the importance of the proposed amendments for the investigation and prevention of automobile fraud. According to Insurance Bureau statistics, automobile fraud cost the Ontario economy an estimated \$1.6 billion in 2014 alone.

The witnesses from the Insurance Bureau explained in detail to the committee how Bill S-4 would make an insurance crime easier to detect and prevent as a result of the changes our government was making, and this is great news. However, I should note that during the committee's review of the bill, some concerns were expressed about the potential for misuse of such an exception to consent or resulting in the over-sharing of personal information, as my colleagues opposite have noted today.

However, the bill would protect against this aspect. Organizations can only make use of the exception to consent when a four-part test is met.

First, the disclosure must be made to another private organization, not to the government or to law enforcement. Disclosure to government authorities must follow a different set of rules, for example, when police must obtain a warrant to get private information.

● (1325)

Second, the exception to consent is only available if the information is being shared for the purpose of conducting an investigation into a breach of Canadian law or a breach of an agreement, such as a contract, and it must be reasonable. This means that an average Canadian must be able to see the merit of disclosing the information in question for the purposes of an investigation.

Third, the investigation has to be legitimate. It must pertain to a contravention of law or a breach of agreement that has occurred, is occurring or is imminent. Information cannot simply be disclosed because an agreement might be broken.

Finally, it must be reasonable to believe that seeking the consent of the individual in question to disclose the information would compromise the investigation, for example, by allowing them to destroy or alter evidence.

The intention of this four-part test is to allow legitimate investigations that are in the public interest to take place in a manner that is being balanced with an individual's right to privacy.

My colleagues have brought up the issue of copyright trolling. Certain concerns have been raised that copyright lawyers could abuse the amendment to target Canadian consumers. Let me be clear. This type of activity is not an investigation. Nor is it fraud prevention. Under no circumstances do we believe this proposed amendment provides a backdoor that could be used for trolling, due

### *Government Orders*

to these tests. PIPEDA has always provided a legal certainty with respect to the rights of legitimate private sector investigations. Bill S-4 maintains that legal certainty.

I also want to touch on a couple of comments that have been made in light of the bill.

First is the definition of “significant breach”. There has been some doubt as to what this means. As set out in the bill, a significant breach is a breach that poses a real risk of significant harm based on the sensitivity of the personal information involved in the breach, the probability that the personal information has been, is being, or will be misused and any other factor prescribed in the regulations.

The definition of “significant harm” was also brought up. It is defined in Bill S-4 as bodily harm, humiliation, damage to reputation or relationships, loss of employment, business or professional opportunities, financial loss, identity theft, negative effects on a credit record or damaged or lost property.

There was also some doubt about “private investigation”. It is defined as an investigation carried out by private sector organizations, therefore, not a government authority into an alleged contravention of a Canadian law, or an alleged breach of agreement.

Since we are getting to the end of this session of Parliament, should I not have an opportunity to rise again in debate in the next few weeks, I would like to thank all of my constituents in Calgary Centre—North for the privilege of allowing me to serve them in the last four years, as well as my volunteer team and certainly, in a moment of non-partisanship, my colleagues across the aisle and in the House who every day travel away from their families to spend time in the honour of public service. This is not a job. This is service. Certainly, when we all rise here in debate to discuss these issues, we might be passionate opponents one way or the other but we all do it to build a better Canada.

It is a wonderful position to be in to rise to support bills like this, which are common sense measures to make Canada a better place, to support better legislation, better privacy, better access to information and strengthening Canadian laws. These are the things with which we as parliamentarians are often seized.

It is always a great pleasure to speak in this place and it is a great pleasure to be here as a parliamentarian.

● (1330)

[*Translation*]

**Mr. Matthew Dubé (Chambly—Borduas, NDP):** Mr. Speaker, I thank my colleague for her speech.

*Government Orders*

The Supreme Court recently established that the government must have a warrant to obtain personal information from a private company. In committee, several witnesses said that the bill contained no provisions making it mandatory to get such a warrant from the court, so we have to wonder whether the bill is even constitutional.

Is the minister concerned about that? If so, can she tell us why the government rejected all amendments at committee stage despite the Conservatives' show of good will in sending the bill to committee right away?

[*English*]

**Hon. Michelle Rempel:** Mr. Speaker, as I mentioned in my speech, the changes in this bill affect private investigations, which, as the bill defines, are investigations carried out by a private sector organization, not a government authority.

With regard to the Supreme Court decision, the Supreme Court itself noted that PIPEDA does not create any search and seizure powers for law enforcement; instead, it allows companies to provide information to police should they choose to do so when—and here is the kicker—the police are legally able to obtain the information, meaning through normal warranting procedures.

The court has clearly stated that this is only when police have a warrant, are acting in exigent circumstances, are acting under an authority granted to them in law, or are obtaining information for which there is no reasonable expectation of privacy.

The Supreme Court decision itself clarifies how PIPEDA works, and it does not mean how the act or Bill S-4 needs to change.

I hope that my colleague will inform himself. I know he is well informed on this bill. He certainly knows the ramifications of the Supreme Court ruling in this regard. I hope that he would actually provide the correct information to his constituents and to folks abroad about this. Indeed, as the member for Terrebonne—Blainville said on April 8, 2014, “We have been pushing for these measures and I'm happy to see them introduced.”

This is something that supports all Canadians and is a common sense measure to help strengthen our legal system.

• (1335)

[*Translation*]

**Ms. Paulina Ayala (Honoré-Mercier, NDP):** Mr. Speaker, on June 2, 2014, the Supreme Court of Canada handed down an important decision about sharing personal information.

In their decision, the Supreme Court justices stated that information about customers, including their names, addresses, email addresses, phone numbers and IP addresses, could not be shared with a third party without a warrant.

In light of that decision, does the member believe that some of the provisions in Bill S-4 might not be constitutional?

[*English*]

**Hon. Michelle Rempel:** Mr. Speaker, unfortunately the member was not listening to her colleague, who just asked the exact same question from the talking points that the lobby handed them.

I will, in fact, indulge her with the same response. This bill refers to private investigations, and private investigations are defined as investigations carried out by private sector organizations, meaning they would not be a government authority. The Supreme Court itself has noted that PIPEDA does not create any search and seizure powers for law enforcement.

This bill relates to information sharing between private organizations when such investigations are required to prevent fraud. We heard testimony from the law society and the insurance bureau at the committee. The Privacy Commissioner himself put forward a comment saying that this change needed to be made.

Again, to refer back to the decision just so the member is perfectly clear, PIPEDA allows companies to provide information to police should they choose to do so in circumstances where the police are legally able to obtain the information. In terms of relating information to law enforcement officers as part of an investigation, warrants are most often required. What this bill does is ensure that there are information sharing provisions between private organizations as part of an investigation.

**Mr. Jasbir Sandhu (Surrey North, NDP):** Mr. Speaker, I rise in the House today on behalf of my constituents from Surrey North to speak on Bill S-4, an act to amend the Personal Information Protection and Electronic Documents Act and to make a consequential amendment to another act. I rise today because I oppose the bill in its current form.

Members from three parties proposed amendments to the bill so that it would stay within constitutional boundaries. However, the Conservatives rejected every single one of those amendments, even the amendments that were drafted according to the comments and suggestions from the witnesses.

As the official opposition, it is essential that we carefully review the legislation and voice dissenting opinions in order to ensure that each bill is thoroughly examined. In this case, as in most cases that I have experienced in the past four years, it is evident that the Conservatives are determined to push through their own agenda on their own timeline.

I feel strongly that it is important for Canadians to know that their privacy is being protected, especially in the digital age that we live in. However, just because the Conservatives have not conducted the mandatory five-year review of the Personal Information Protection and Electronic Documents Act, PIPEDA, does not mean that we should rush through an unbalanced bill.

I feel very strongly that the bill before us was not well studied and needs to be fixed before it is passed through the House. In fact, the Conservatives did not support or submit any amendments to the bill because they did not think that would allow enough time to pass the bill before the election. This sounds politically expedient to me. Canadians deserve better than what the Conservatives are giving them.

*Government Orders*

The issues surrounding online privacy and safety are not new problems. Rather, they are existing problems that have become increasingly harder to protect against as technology continues to advance. Therefore, given the changing nature of the problem, it is important that the legislation that we create also evolves.

I am glad that after so many years of inaction, we are finally considering legislation to address online privacy issues. My colleague, the member for Terrebonne—Blainville, tried to take action to protect Canadians' privacy back in 2012 with Bill C-475. Unfortunately, that bill, which was stricter and more effective than the bill before us although very similar to it, was voted down by the Conservatives.

The Conservatives have become very good at pretending they know how to do their jobs and protect Canadians. They are actually able to stand up in this House and lie through their teeth in saying that this is a balanced bill, and they believe that.

Online privacy and security breaches have the potential to significantly harm an individual. Protecting these rights is important for all Canadians so that we do not put anyone potentially in harm's way.

Some Canadians may feel that the bill does not affect them in their daily lives, but I can assure them that Bill S-4 would affect every single Canadian.

One part of the bill that I am very concerned about pertains to the sharing of our personal information. The bill contains a provision that would make it easier for companies to share our information without our knowledge or consent, without a warrant, and with zero oversight. It is troubling to me that there is no mechanism in place for oversight.

Do the Conservatives remember the ruling in *Regina v. Spencer*? I do. In this decision, the Supreme Court of Canada ruled that Canadians have a reasonable expectation of privacy online. More specifically, the Supreme Court stipulated that spyware data cannot be disclosed to a third party without a warrant.

In light of this decision, it is questionable whether certain provisions in Bill S-4 are even constitutional. There are limits on what the government can do, but the Conservatives seem to have forgotten that.

• (1340)

We are demanding that every clause pertaining to the warrantless disclosure of information be withdrawn out of respect for the Supreme Court ruling and the privacy of Canadians.

There is no doubt that the Conservatives have a dark past when it comes to protecting personal information, and this bill would only add to that darkness. The lack of oversight and the allowance of warrantless disclosure has led to 1.2 million secret requests from Conservative government agencies for personal information from telecommunications companies in one year alone. Under the current Prime Minister, staggering numbers like this show that something needs to change, and it starts with this bill.

The Conservatives' hesitation to accept amendments to this bill makes me question whose interests they are truly protecting. Are

they protecting the interests of Canadians, who deserve to trust that their personal information will be protected, or are the Conservatives protecting their own self-serving interests?

We would like to see this bill contain a mandatory data loss or data breach reporting mechanism. However, the bill in its current form would most likely result in fewer breaches being reported. It would be up to the organization that suffered the breach to determine if the breach posed a real and significant risk of harm. Companies want to save their reputation and money, so why would they inconvenience themselves by reporting a potentially embarrassing breach of privacy that could cause consumers to lose trust in them when they could just hide it instead?

There would be no incentive to report a breach and no advantage to doing so. This is a conflict of interest that would deprive Canadians of the information that they need to make informed choices about which companies they decide to share their personal information with.

Furthermore, because of the Conservatives' inaction, PIPEDA, which is supposed to be updated every five years, is falling far behind international standards. Since the first statutory review in 2007, subsequent attempts to amend PIPEDA have died on the order paper. After this long wait to update PIPEDA, the bill would simply not go far enough to protect Canadians in this digital era. We as Canadians are getting the message that the government does not take the protection of personal information seriously.

I, along with my fellow NDP members, truly do not ask for much when it comes to this bill. We have long called for the modernization of Canadian privacy laws. They are not up to date. Instead of making it easy for companies to share our information, the government should put deterrent penalties put in place that would require or encourage these private companies to respect and follow Canadian laws. Following that, we insist that the provisions in Bill S-4 to allow organizations to share personal information without consent or a warrant be removed and that the loopholes in PIPEDA, which do the same thing, be closed.

The point of the Constitution and the Canadian Charter of Rights and Freedoms is to protect the very rights and freedoms contained within them. Warrantless access to our subscriber data and personal information most definitely poses a risk to Canadian privacy.

*Government Orders*

Modernizing the laws that govern the protection of personal protection is an important issue in the digital age. However, ramming through a bill that has huge holes, such as this bill, is not a fix that can make up for years of inaction by the current government. I urge the Conservatives to accept the amendments to this bill so that we can work collaboratively to ensure that all Canadians can trust that their personal information is being protected to the best of the government's ability.

One of the other things that was very troubling was seeing time allocation moved for the 97th time. Time allocation basically puts closure on this bill. It does not allow for all of the members to bring the views of their constituents into the House, which is one of our primary jobs.

•(1345)

This is the 97th time the Conservatives have done it and I can assure you, Mr. Speaker, they are not going to get the chance after October 19, because Canadians are tired. They have seen democracy and the workings of democracy crumble. These guys are going to be out.

**Mr. James Bezan (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, it is my pleasure to be here today to express my strong support for Bill S-4, the digital privacy act. This bill would make significant and long-overdue improvements to Canada's Personal Information Protection and Electronic Documents Act, or PIPEDA.

One question that has been asked repeatedly by members opposite is why the government is not amending PIPEDA in response to the Supreme Court of Canada's decision in *Canada v. Spencer*. They claim they cannot support the digital privacy act because the bill fails to act on this decision. Those are very strong words and it is clear that the opposition parties have not done their homework before speaking on this matter.

The answer to their question is quite simple. The government is not proposing amendments to PIPEDA in response to the Spencer decision because the Supreme Court confirmed that PIPEDA does not give the police any search and seizure powers. In fact, the whole purpose of the law is to increase the protection of Canadians' personal information.

Given the questions that have been raised around the Spencer decision, it is important that I take time today to clear up some of the misinformation. My hon. colleagues opposite do not need to take my word for it. They can always take the time to read paragraphs 71 and 73 of the decision themselves. The Spencer decision deals with a child pornography investigation carried out by the Saskatoon police department. As part of the ongoing investigation, police identified the IP address of a computer that was being used to access and distribute child pornography.

It is important to understand that the police were able to obtain the IP address simply by going online and interacting with the child pornographer, because computers make their IP addresses public whenever they engage in a file-sharing activity. With this IP address in hand, the police then asked the Internet service provider to voluntarily provide account information for the subscriber assigned to the IP address. The account information included the subscriber's name and mailing address. The police asked for the service

provider's co-operation on the good faith belief that the subscriber did not have a reasonable expectation of privacy with respect to his or her basic account information, which is the individual's name and address.

With this information in hand, the police obtained a warrant to search the suspect's house, at which time a computer was seized and found to contain child pornography. Mr. Spencer was charged and convicted of possession of child pornography. Mr. Spencer appealed his conviction on the grounds that he had a reasonable expectation of privacy with respect to the account information obtained by the police. In other words, he argued that the police were required to obtain a warrant before getting his basic subscriber account information from his Internet service provider to make sure that his charter rights were respected.

In its decision, the Supreme Court found that Canadians in general have a reasonable expectation of privacy with respect to their Internet browsing habits and history. This is because the sites we visit and the online activities we engage in can reveal "intimate biographical details" about ourselves, details that we may wish to keep private. Because linking an IP address with a specific account holder enables the police to learn about and observe an individual's Internet habits, the court found in the specific circumstances of the Spencer case that the police should have obtained a warrant from a judge to collect Mr. Spencer's account information.

It is, however, important to note that because the police were acting in good faith, believing that Mr. Spencer did not have a reasonable expectation of privacy in his account information, the court did not exclude the evidence obtained by the police and Mr. Spencer's conviction was upheld.

These are the facts. It is difficult to see how this decision means that PIPEDA, the digital privacy act or Bill S-4 in some way violates the charter rights of Canadians, as the members opposite have asserted at every opportunity. This is blatantly false.

As I stated at the outset of my remarks, the Supreme Court confirmed that PIPEDA does not create any search and seizure powers for law enforcement. Nothing in the law compels companies to provide personal information to law enforcement and the digital privacy act would not change that fact.

•(1350)

Justice Cromwell stated in his decision, "In short, I agree with the Ontario Court of Appeal...on this point that neither...the Criminal Code, nor PIPEDA creates any police search and seizure powers".

*Statements by Members*

He said, “PIPEDA is a statute whose purpose” as set out in section 3 “is to increase the protection of personal information”. Justice Cromwell further clarified that there are clear restrictions that PIPEDA places on disclosures by private businesses to law enforcement agencies. He stated that even in child pornography cases, the circumstances “cannot override the clear statutory language of...PIPEDA, which permits disclosure only if a request is made by a government institution with 'lawful authority' to request the disclosure”.

This fact clearly demonstrates that PIPEDA prohibits unlawful disclosure unless the requirements of the law are met, including that the government institution demonstrates the necessary authority to obtain, not just simply to ask, for the information.

In addition to a warrant or court order, what might this lawful authority to obtain information include? Justice Cromwell stated:

“Lawful authority” may include several things. It may refer to the common law authority of the police to ask questions relating to matters that are not subject to a reasonable expectation of privacy. It may refer to the authority of police to conduct warrantless searches under exigent circumstances or where authorized by a reasonable law.

Justice Cromwell clearly noted that issues of disclosure and lawful authority arose in this case simply because the investigation was begun by police. This is simply not the case for private organizations. In his Supreme Court decision, Justice Cromwell wrote that, “...entirely different considerations may apply where an ISP itself detects illegal activity and of its own motion wishes to report this activity to the police”.

To summarize, this is what the Supreme Court said about PIPEDA in the Spencer decision.

PIPEDA does not provide law enforcement with any “search and seizure powers”.

Consistent with the charter, PIPEDA permits businesses to disclose personal information to law enforcement without consent in only the following circumstances: law enforcement have a warrant or a similar court order; the information is required to address an emergency, such as information that is needed to stop a crime in progress that threatens someone's life; the law enforcement agency is acting pursuant to a specific law that gives it the authority to obtain private information without a warrant; in response to a routine inquiry by law enforcement regarding information for which there is no reasonable expectation of privacy; or the organization, on its own initiative, provides the information to police to report a crime.

Clearly, the Supreme Court did not find any part of PIPEDA unconstitutional.

I hope that with this clarification, all hon. members will join us in supporting the digital privacy act Bill S-4, the digital privacy act, in ensuring that Canadians' personal information is protected.

• (1355)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, we know that Canadians are very much concerned about the digital era. There are many corporations and companies worldwide, let alone in Canada, that collect a lot of valuable information and we should be concerned about that, as we continue to go on the Internet

and the compilation of information continues to grow by leaps and bounds.

If the member believes that this is such an important issue, why did it take the government literally months away from an election to start bringing the bill back to the House? Nor was it even initiated by the House of Commons, rather the Conservatives chose to have the Senate initiate the legislation. This tells me that the Conservatives are not concerned about the issue of privacy for Canadians in the digital era.

**Mr. James Bezan:** Mr. Speaker, I reject the premise of that question. My friend from Winnipeg North knows that the House has been very busy, that we do have two bodies in Parliament. We are a bicameral system and sometimes legislation starts in the Senate. This is a bill that was started there. It went through three readings and committee study. We brought it here and had committee study here. Now we have brought it here for second reading with all the considerations and evidence already presented to the House committee on the bill.

It is important that we get together and make sure that we study this. I want to assure the member that we do take this issue very seriously. The digital privacy of Canadians is very important to us and that is why we made sure in the bill that there are more powers for the Privacy Commissioner to ensure that digital privacy is respected, not just by government departments, but by everybody in this country.

**The Acting Speaker (Mr. Bruce Stanton):** The hon. Parliamentary Secretary to the Minister of National Defence will have three minutes remaining time for questions and comments when the House next resumes debate on the question.

Now we are going to statements by members, the hon. member for Bas-Richelieu—Nicolet—Bécancour.

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## STATEMENTS BY MEMBERS

[*Translation*]

### JACQUES PARIZEAU

**Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ):** Mr. Speaker, a great Quebecker passed away yesterday, an exceptional giant of a man.

One of the most important architects of modern Quebec, he was behind most major initiatives from the 1950s to the 1990s. Jacques Parizeau both transfixed and transformed Quebec society.

A renowned economist who knew how to break down complex issues, a special adviser, a member of the National Assembly, finance minister—without a doubt the best Quebec has ever had—then leader of the opposition and, finally, premier of Quebec, this man left an indelible mark on Quebec society and helped not only build it, but also define and expand it.

*Statements by Members*

Jacques Parizeau is the man who brought Quebec the closest it has ever been to sovereignty. Separatists and federalists alike recognize Mr. Parizeau's contribution to Quebec society.

An exceptional man of conviction and action, he devoted his life to Quebec. May his political legacy, his vision and his determination guide us in the future.

I would like to offer my heartfelt condolences to his entire family.

\* \* \*

• (1400)

[English]

**FORT MCMURRAY—ATHABASCA**

**Mr. David Yurdiga (Fort McMurray—Athabasca, CPC):** Mr. Speaker, as the member of Parliament for Fort McMurray—Athabasca, I get a lot of questions about Fort McMurray when I am outside the riding.

Most people know that our region is home to the oil sands, but I am often asked if Fort McMurray is some sort of boom town or work camp. My response clear. It is a hometown, a place to live, a place to raise a family, and a place to retire.

It used to bother me that people had this misconception of our region. Now, I see it as an opportunity to talk about how great our region is. We have all the attractions of a city twice our size, with a vibrant arts community, food options from around the world, and world-class recreational facilities. We also have a model of multiculturalism in this region from which most of Canada can learn.

However, what really sets our community apart is our community's passion to make everyone welcome and where volunteering in second nature.

In addition, I am looking forward to the Northern Kickoff event in Fort McMurray on June 13, where the Edmonton Eskimos will battle the Saskatchewan Roughriders.

\* \* \*

**AIR TRANSPORTATION**

**Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):** Mr. Speaker, despite pleas from 12,000 signatories of a petition and having ample land for expansion, the airport of Montreal continues to push for the elimination of the Dorval golf course to build distribution and screening facilities. This would subject residents to increased noise and air pollution, destroy green space, and reduce the overall quality of life for those in the area.

This green space has long served as a recreational, sport, and social hub for the local community, which helped maintain both quality of life and community inclusion throughout the year.

Today, about 100 people came all the way to Ottawa to protest the government inaction, to intervene and incite the ADM to listen to their concerns and preoccupations, in the hopes of finding a common ground. It has been suggested, for instance, that the ADM consider alternate sites for the proposed expansion projects in other nearby areas.

[Translation]

I therefore urge the Minister of Transport to intervene to facilitate dialogue among all the parties involved and do everything she can to help reach an agreement that is acceptable to both sides.

\* \* \*

[English]

**TAXATION**

**Mr. John Williamson (New Brunswick Southwest, CPC):** Mr. Speaker, Winston Churchill once said that:

...for a nation to tax itself into prosperity is like a man standing in a bucket and trying to lift himself up by the handle.

His words aptly explain why nations cannot raise taxes to punitive levels and be successful.

States or provinces with excessive tax levels have less dynamic economies, fewer dollars for social programs, and witness the departure of entrepreneurs, workers, and young families to other jurisdictions with lower taxes and more robust economies.

Yet, these real-world lessons are lost in New Brunswick.

Under the Liberal government, my home province has imposed the highest personal income tax rate in North America. Today, the combined rate on top income earners, like doctors and surgeons, is 54.75%.

The federal Liberals would make the situation even worse. If elected, they would hike the top tax rate on personal income to an eye-popping and heart-stopping 58.75%.

Unlike the Liberals, we understand that high taxes hurt growth, kill jobs, and cause economies to slow or even regress.

Our Conservative government will keep taxes low to keep Canada working.

\* \* \*

**ABORIGINAL AFFAIRS**

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, today's release of the Truth and Reconciliation Commission's recommendations is the culmination of a six-year journey of healing, but that journey must not end today.

We now know the truth about a dark chapter in our history. It is time for all governments, civil society, and every Canadian to commit to carrying on the important work of reconciliation going forward.

As Justice Sinclair said, this morning, meaningful reconciliation will require, "deliberate, thoughtful and sustained action".

[Translation]

I urge the federal government to initiate this sustained action by making a commitment to implement all of the recommendations of the Truth and Reconciliation Commission of Canada.

*Statements by Members*

[English]

It is time to fundamentally restructure Canada's relationship with aboriginal peoples, in the spirit of respect, trust, and partnership, and rooted in the principles of the UN Declaration on the Rights of Indigenous Peoples. As Gitxsan chief Ray Jones said to me this morning:

[Member spoke in Gitxsanimaax and provided the following translation:]

The canoe must be uprighted.

\* \* \*

● (1405)

**NATURAL RESOURCES**

**Mr. David Wilks (Kootenay—Columbia, CPC):** Mr. Speaker, in my riding of Kootenay—Columbia, from Nakusp to Elkford and at all points in between, logging is a mainstay of the economy. The Interior Lumber Manufacturers' Association is a coalition of 14 forest companies based in 13 communities in the southern interior of British Columbia. Most of these companies are small, and many are family owned. All are the cornerstones of their communities. Caring for the environment is front and centre. All of their members meet or exceed existing forestry regulations. It is not just part of gaining social licence; it is the way they think business should be done. It is important because they live in these communities. They are a primary source of employment in the communities in which they live and work. Continued sustained sources of timber are vital to their employment. They care about jobs and the economic boost they bring to these economies. I would like to congratulate the ILMA on 74 years of dedication to the Kootenay—Columbia region and timber harvesting—a sustainable natural resource.

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**ABORIGINAL AFFAIRS**

**Ms. Peggy Nash (Parkdale—High Park, NDP):** Mr. Speaker, it is my honour to rise today representing the riding of Parkdale—High Park, the traditional territory of the Mississaugas of the New Credit First Nation. My riding also includes the ancient first nations' site of the Toronto Carrying Place Trail, a portage route connecting Lake Simcoe and Lake Ontario along the east bank of the Humber River. The trail was used for nearly a thousand years as an important trade route for first nations. In 1615, 400 years ago, the first French settlers travelled that same route.

Today is a historic day, with the release of the final report from the Truth and Reconciliation Commission. We thank all those whose emotional testimony made this report possible. We need to respond with a serious commitment to reconciliation. On this 400th anniversary, it is a chance to build a renewed relationship based on respect and equality.

\* \* \*

**TAXATION**

**Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC):** Mr. Speaker, our Conservative government has a great story to share. As I go door to door this summer in Lambton—Kent—Middlesex, I cannot wait to tell every single family with children about our enhanced and expanded universal child care benefit. I cannot wait to

tell hard-working families that only our Conservative government has put and left more of their tax dollars in their pocket. I look forward to sharing with law-abiding gun owners that they can continue to count on our Conservative government to protect their rights. What a joy it will be to talk to small business owners and tell them that we have cut the small business tax rate, inform farmers that we have increased the lifetime capital gains exemption, and to tell seniors we have doubled the tax-free savings account.

I will also have to tell 100% of my constituents that the Liberal leader, if given the chance, would turn all of that good news into a horror story. Thankfully, we will not give him the chance, nor will hard-working Canadians.

\* \* \*

**CONSERVATIVE PARTY OF CANADA**

**Mr. Peter Goldring (Edmonton East, CPC):** Mr. Speaker, 18 years ago today, newly elected members of the class of '97 joined their colleagues in Canada's two Conservative loyal opposition parties. CBC's Saša Petricic was alarmed that our party had supposedly been taken over by those with special interests, such as Chuck Cadman for criminal justice, the member for Calgary Southeast for taxation, and myself from Edmonton East for Canadian unity. Canadian voters did not share the CBC's concerns. Election '97 and each subsequent election saw gains. Then, as we came together as one party united in principle and policy, we became the Government of Canada in 2006.

Today, June 2, eight of the Class of '97 remain, proud of our accomplishments together with colleagues over the past 18 years, through the roller coaster of Canadian politics.

Congratulations to my Conservative colleagues, one and all. It has been a voyage of excellence, and our journey of great success continues today.

\* \* \*

**VANCOUVER EAST**

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, this is an excerpt from *Being True to Ourselves* by poet Sandy Cameron:

The map we inherited  
isn't any good.  
The old roads mislead  
and the landscape keeps changing.  
People are confused  
and drift from place to place,  
clothes scorched by fire  
eyes red with smoke.

*Statements by Members*

The old map tells us  
to look for gold  
in the city,  
so we go to the city  
and find the garbage dump.  
We need a new map  
with new roads  
and a new destination.

Some people fear a new map, and  
they cling to the old one  
like flies to fly paper...

I don't have a new map,  
so I write stories.  
The stories draw lines  
dig holes  
and above all, remember...

...And in this harsh world draw your breath in pain  
To tell my story.

Hamlet said to Horatio:

"I seem not to speak  
the official language," the poet  
Adrienne Rich said, so  
she created an unofficial language,  
the language of the heart.

It has been an honour to serve the people of Vancouver East and  
the NDP for the past 18 years.

\* \* \*

● (1410)

**MARIJUANA**

**Mr. Terence Young (Oakville, CPC):** Mr. Speaker, the Liberal leader wants to make smoking marijuana a normal, everyday activity for Canadians, making it easier for children and teens to buy and smoke.

More than a quarter of our children and teens age 11 to 15 already smoke marijuana, risking addiction, memory loss, apathy, psychosis, respiratory problems, diminished mental functions, and even death in motor vehicle accidents.

More than 5,000 children and teen marijuana users have ended up in emergency rooms in Ontario since 2010, yet the Liberals are promising to sell marijuana in stores, like cigarettes and alcohol, normalizing its use.

It is too bad the Liberal leader missed the ugly scene at St. Paul's Hospital emergency room after a marijuana street party in Vancouver, as 64 youth arrived with nausea, vomiting, heart palpitations, and decreased levels of consciousness.

Our marijuana laws exist primarily to protect our children and teens from the proven dangers of marijuana. Our Conservative government will not abandon our youth by normalizing this powerful narcotic.

[Translation]

**JACQUES PARIZEAU**

**Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP):** Mr. Speaker, yesterday evening, a great man was taken from us. Former Quebec premier Jacques Parizeau died at the age of 84.

It is with great sadness that I rise on behalf of all my NDP colleagues to offer our sincere condolences to Lisette Lapointe, his wife and the mayor of Saint-Adolphe-d'Howard, his family and friends, and all Quebecers, who saw in him a rare statesmanship.

Mr. Parizeau was one of the main pillars of the Quiet Revolution. He left his mark on Quebec's history by building the foundations of Quebec's modern economy. Take for example his role in the nationalization of electricity and the creation of the Quebec pension plan and the Caisse de dépôt et placement du Québec.

Everyone agrees that Mr. Parizeau was a determined, passionate man who worked for the common good.

Rest in peace, Mr. Parizeau.

\* \* \*

[English]

**PENSIONS**

**Mr. Ted Opitz (Etobicoke Centre, CPC):** Mr. Speaker, the Ontario Chamber of Commerce is criticizing Premier Wynne's Ontario pension plan saying it will "...harm Ontario's economy and will penalize employers and employees...".

The leader of the Liberal Party has pledged, "...a mandatory expansion of the CPP of the type that...Kathleen Wynne put forward in Ontario".

These reckless schemes hurt business, kill jobs, and hike taxes on all Canadians. This means that, for someone earning \$60,000, it is an extra \$1,000 in tax they would have to pay each year.

Our approach is a low-tax plan for a secure retirement. We want to keep more money in the pockets of hard-working Canadians.

\* \* \*

[Translation]

**JACQUES PARIZEAU**

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, Jacques Parizeau was a formidable intellectual opponent, always ready to offer a new substantive argument or new way of doing things that no one else had thought of, but with which the independence movement in Quebec was on board.

As proponents of Canadian unity, it was up to us to find a way and to find a counter-argument, knowing that Mr. Parizeau would be relentless in his response. He always kept us on our toes and kept us in top intellectual form. There was never a dull moment when he was around.



Today, I cannot help but think about what he could have accomplished for Quebecers and all Canadians if he had put his exceptional talents to work for a united Canada, with the benefit of all of the creativity and culture of a Quebecer like him. However, he made a different choice and we respect that.

We in the Liberal Party of Canada offer our sincere condolences to the family and loved ones of the former Quebec premier and an architect of the Quiet Revolution.

\* \* \*

• (1415)  
[English]

### PENSIONS

**Mr. Daryl Kramp (Prince Edward—Hastings, CPC):** Mr. Speaker, today, Ontario job creators have already started pushing back on Ontario Premier Kathleen Wynne's plan to introduce an Ontario pension plan. Why? Because it will harm Ontario's economy and it will penalize both employees and employers alike.

The Liberal leader now wants to introduce a federal version of this plan. The Liberal leader says he wants a plan “of the type that Kathleen Wynne put forward in Ontario”. For people earning \$60,000 a year, that is an extra \$1,000 right out of their pocket in tax that they will have to pay each and every year.

Therefore, we reject this plan, and Canadians across the country will never accept it.

\* \* \*

### ABORIGINAL AFFAIRS

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, I would like to acknowledge that we are on an unceded Algonquin territory.

Today, the Truth and Reconciliation Commission on Canada's Indian residential schools issued its final report. The documentation is of a tragedy, a cultural policy of assimilation carried out by the Canadian government and institutions that stole children and childhoods, devastated communities and destroyed lives. Over 6,000 students died while in residential schools.

[Translation]

More than 150,000 aboriginal children were sent to residential schools, and the intergenerational traumas persist: poverty, health problems and addiction.

It is time for the government to be part of the solution.

[English]

As Commissioner Sinclair said, “Reconciliation is not an Aboriginal problem — it is a Canadian problem”.

This is a tragedy that spans generations. We must honour it through action. It is time for true reconciliation.

\* \* \*

### PENSIONS

**Mr. Dean Allison (Niagara West—Glanbrook, CPC):** Mr. Speaker, in Canada we have built a pension plan system that is world-class and is based on principles on which all Canadians can

### Oral Questions

agree. Maximizing choice and cutting taxes for families and business owners alike rank high on that list.

We refuse to introduce a mandatory increase to Canadian pension plan premiums and we refuse to universally expand CPP contributions. We believe that Canadians are best placed to decide how to save for their retirement with voluntary options rather than have tax hikes imposed on them.

We will always side with hard-working business owners and middle-class Canadians. We will always side with giving Canadians a choice where there is one to be had. When the middle class of this great nation is concerned about the consequences of a high-tax agenda on the economy, that means we are as well.

The high-tax and high-debt plan of other parties in the House would mean approximately a \$1,000 tax hike for every employee who earns \$60,000 per year.

On this side of the House, we do not raise taxes on the middle class, we cut them.

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## ORAL QUESTIONS

[English]

### ABORIGINAL AFFAIRS

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, I would like to acknowledge that we are on unceded Algonquin territory.

My colleague, the member of Parliament for Abitibi—Baie-James—Nunavik—Eeyou, presented a bill to fully implement the Declaration on the Rights of Indigenous Peoples, a United Nations document that my colleague actually helped draft. The Prime Minister and all Conservatives voted against it.

In light of today's report of the Truth and Reconciliation Commission, is the Prime Minister willing to vote to implement the UN Declaration on the Rights of Indigenous Peoples?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I would point out that Canada is one of the very few countries in the world where aboriginal treaty rights are fully recognized in our Constitution. That is one of the reasons why the government accepted the UN declaration as an aspirational document.

We have taken specific actions to enhance the rights of aboriginal people, particularly women living on reserves and generally all aboriginal people, under the Canadian Human Rights Act. Sadly, the NDP and the opposition parties voted against it. I hope they will reconsider some of those positions.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** “Aspirational”, Mr. Speaker.

[Translation]

Seven years ago, the Prime Minister officially apologized to Indian residential school survivors and first nations. He promised reconciliation.

*Oral Questions*

To that end, will he acknowledge that aboriginal peoples are entitled to a nation-to-nation relationship with the Government of Canada, as our laws have stated for over 250 years?

• (1420)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, our government signed the residential schools agreement and created the Truth and Reconciliation Commission of Canada.

Our government has implemented many initiatives to improve the lives of first nations in this country, and our government will keep working with aboriginal communities and individuals to improve the lives of aboriginal people.

[*English*]

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, intentions are not enough. An apology is only meaningful if it is accompanied by real action.

There were 150,000 children taken from their homes and from their parents in Canada. They were mistreated and horribly abused. As many as 6,000 of them died. That is 6,000 children dead in Canada.

Does the Prime Minister agree with Justice Sinclair and the Truth and Reconciliation Commission that the residential school program was nothing short of cultural genocide?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I addressed these issues some seven years ago in the House of Commons when I spoke about the devastation caused by a policy of Indian residential schools. This was a policy of forced assimilation that not only destroyed the lives of individuals but of entire families and societies, and it has had long-lasting implications on entire communities in our country.

That is why we have moved forward with the apology and why this government has taken multiple actions over the years to improve the lives of aboriginal Canadians. We continue to do so. These are concrete steps that are taken. The NDP members have voted against every single one of them. I would encourage them to start to do something positive on this.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, a good way to move forward, a good concrete action, would be to recognize that the Truth and Reconciliation Commission is right, that this was an attempt at cultural genocide.

[*Translation*]

It affected 150,000 children. They were subjected to horrible and depraved physical and sexual abuse, and 6,000 of them died.

Residential schools left their mark on seven generations of aboriginal children, but to this day, aboriginal children receive 30% less than other Canadian children.

Would the Prime Minister accept such a thing for his own children?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, our government has taken action on many fronts to improve the lives of aboriginal people.

[*English*]

I would just mention that in the most recent budget we put in place funding for training first nations people for available jobs, and new opportunities for economic development through the first nations land management regime. Vast amounts of money are being made available for further progress and reform on first nations education, including more post-secondary scholarships and opportunities. There are also some health investments, particularly in mental health, on reserves. These are concrete things.

I would encourage the NDP, rather than opposing them all, to actually support some of these initiatives.

**Hon. Thomas Mulcair (Leader of the Opposition, NDP):** Mr. Speaker, all Canadian children deserve an equal opportunity in life.

The House voted unanimously to close the funding gap for first nations schools. Why will the Prime Minister and his government not fulfill that promise?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, this government arrived at an historic agreement with the Assembly of First Nations to do just that, to make investments to modernize the education system so first nations children would have all the same opportunities, accountabilities and curriculum of other Canadians. The NDP fought that tooth and nail.

We will continue to move forward with investments and continue to move forward with willing partners, because it is important that first nations children have those opportunities.

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the Truth and Reconciliation Commission asks for meaningful actions to address residential schools' legacy of cultural genocide and the ongoing impacts on first nations, on the Métis nation and on Inuit communities. Canada has not yet taken these actions, and so reconciliation remains elusive.

Will the Prime Minister match the sincere apology he made seven years ago with a commitment to real action, nation to nation, on reconciliation?

• (1425)

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, once again, it was this government that for the first time in Canadian history recognized the full extent of the damage done by residential schools, not just the destruction of communities and families, and the abuse but also the loss of life in many cases.

That is why we issued the historic apology. That is why we signed the settlement and moved forward with the Truth and Reconciliation Commission, and have moved forward with various initiatives in every single budget, every single year, on a series of things to improve the lives of aboriginal Canadians.

I encourage the Liberal Party to actually support some of those rather than just give us rhetoric.

*Oral Questions**[Translation]*

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the Truth and Reconciliation Commission of Canada has clearly said that we can no longer simply talk about reconciliation; the time has come to act. The commission has made 94 recommendations for beginning the process of reconciliation and rebuilding our relationship with first nations, Inuit, and Metis peoples.

The Liberal Party of Canada accepts these 94 recommendations and commits today to implementing them. Will the Prime Minister do the same?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the government will begin by examining the report and the commission's recommendations before deciding what the next steps should be.

We have been following through on specific measures in this area for quite some time. In the most recent budget, we addressed employment, economic development, education and health. Every time, the Liberal Party votes against our specific initiatives to help aboriginal people. I encourage the Liberals to change tactics.

*[English]*

**Mr. Justin Trudeau (Papineau, Lib.):** Mr. Speaker, the commission issued 94 recommendations to advance the process to close the quality of life gaps that exist, to revitalize indigenous languages and cultures, and to restore the original respectful relationship with first nations, Métis nation and Inuit peoples.

The Liberal Party, today, accepts and commits to implement these recommendations. Will the Prime Minister stand in this place and do the same?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, I am not sure there ever was an original relationship that, quite frankly, was as satisfactory as the hon. leader of the Liberal Party would like to say.

What I would say is that obviously the commission has spent a long time on this report, a commission established by this government. It has issued a large number of recommendations. We are still awaiting the full report. The government will examine all of these and, obviously, read them before deciding what the appropriate next steps are.

*[Translation]*

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, today we heard a clear message from survivors and from the commission. Reconciliation is more than just words; it is also meaningful action. We need to start fresh, nation to nation, with a new approach.

It is in this spirit that I want to reach out to the members across the aisle and I ask the Prime Minister whether he will implement the principles set out in the UN Declaration on the Rights of Indigenous Peoples.

*[English]*

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we thank the commission for its work. As was said, Canada is one of the only countries in the world where aboriginal and treaty rights are entrenched in the Constitution. We have

endorsed the United Nations declaration as an aspirational document and as a significant step forward in strengthening relations with aboriginal peoples.

We will continue to take concrete measures to improve the living conditions of aboriginal peoples.

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, National Chief Bellegarde was pretty clear on this. He said:

It's hard to talk about reconciliation when you have 120 First Nations communities with boil water advisories.

We will not have reconciliation as long as first nations live in poverty and there are kids who do not have schools and safe drinking water.

For years the Liberal and Conservative governments have underfunded first nations, compared to other Canadians. Will the government right this injustice and close the funding gap?

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, our government remains committed to a fair and lasting resolution to the legacy of the Indian residential schools. As acknowledged in the Prime Minister's historic apology on behalf of all Canadians in 2008, there is no place in Canada for the attitudes that inspired the Indian residential school system to ever prevail again.

We continue to make significant investments in aboriginal education. Economic action plan 2015 committed substantial funding for education on reserve and built upon a \$500-million investment announced by the Prime Minister. We will continue to work with first nations parents, teachers, and schools to improve the quality of education on reserve.

● (1430)

*[Translation]*

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, today we heard the testaments of survivors who want the commission's final report to finally be a step towards reconciliation and towards healing. Concrete recommendations have been made, and one of them calls for a national inquiry into murdered and missing aboriginal women. However, the minister prefers to sit back and do nothing.

My question is therefore for the Prime Minister: will he show some leadership and call a national inquiry?

*[English]*

**Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC):** Mr. Speaker, these were terrible crimes against innocent people. The RCMP said in its own study that the vast majority of these cases are addressed and are solved through police investigations.

We do not need yet another study, as I have mentioned before, as some 40 studies have already been done. What we need is a place to catch those responsible and ensure that they are punished. What we need now is action, action like what our government has taken on matrimonial property rights, the creation of safety plans, or making sure that there are shelters available for women on reserves.

*Oral Questions*

We are taking action. We encourage the opposition to follow our lead.

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, reconciliation, as we heard today, includes an national inquiry into missing and murdered women.

Let us move to housing. One third of first nations in Manitoba live in inadequate housing conditions. I have seen them first-hand in our north: families in overcrowded houses, houses in deep need of repair, homes infected with black mould.

As national Chief Bellegarde said, how can we expect reconciliation when people live in these conditions? Will the government finally listen to first nations and act on addressing the deplorable housing conditions in first nations in the spirit of reconciliation?

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, our government has taken concrete steps to support first nations and in providing safe housing. Since 2006, our government's investments for on-reserve housing have resulted in the construction of close to 12,000 new homes and the renovation of nearly 22,000 existing homes in first nations communities.

While we continue to work in collaboration to improve first nations' quality of life and infrastructure on reserve, the opposition has voted against all of our aboriginal housing investments, all of our infrastructure investments on reserve, and everything we have done to improve the lives of people living on first nations reserves.

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Mr. Speaker, the Truth and Reconciliation Commission has called on the government to implement the United Nations Declaration on the Rights of Indigenous Peoples. Justice Murray Sinclair has described it as “the starting point for reconciliation”, but the Conservative government has steadfastly refused to implement the declaration, has voted against our bill, and has spent hundreds of millions of dollars fighting aboriginal rights in court.

Will the government listen to the commission, and will it finally implement the United Nations declaration?

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, as has already been said, Canada is one of the only countries in the world where aboriginal rights are protected under the Constitution. We have endorsed the United Nations Declaration on the Rights of Indigenous Peoples as an aspirational document in strengthening the relationship between aboriginal Canadians and the government.

We will continue to take concrete measures, and we would ask that the opposition support our concrete measures to bring things like the same rights for women living on reserve, to bring the same water and waste water standards that other Canadians expect, and to bring the Canadian Human Rights Act on reserve. All of these things we have done, the opposition has opposed. It should get on board.

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):** Mr. Speaker, for too long first nations waited for redress for the injustices they suffered at Canada's residential schools. Students were forced to live in inhumane conditions, and many experienced abuse. Tragically, thousands never returned home. Today, survivors face social, psychological, and health barriers to

overcoming the trauma. Yet too many first nations communities do not have access to quality health care.

Will the government finally close the gap in first nations' health outcomes and guarantee that survivors can access the medical care they require and so desperately need?

● (1435)

**Hon. Rona Ambrose (Minister of Health, CPC):** Mr. Speaker, our government is very proud of the relationship Health Canada has with first nations. It has provided over \$2.5 billion a year in health care on first nations reserves. In fact, we support \$200-million worth of mental health services on reserve, and I am very proud to see in the latest budget a new investment in mental health task crisis teams that can go onto first nations reserves to support them at crisis times.

[Translation]

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):** Mr. Speaker, we need to bring the sad residential school legacy to an end. Far too many children were subject to heinous acts of abuse. More than 6,000 of them did not survive. Today, the survivors still suffer the effects of a stolen childhood. They suffer from health problems that also affect their families. They need help and support.

We have a moral obligation to provide that. Will the government take action and provide proper funding for aboriginal healing centres?

[English]

**Hon. Rona Ambrose (Minister of Health, CPC):** Again, Mr. Speaker, we are providing primary care, and most importantly, I think, mental health services on first nations reserves for families and children who require it. We have 24/7 access to essential nursing services in almost 80 remote communities across Canada, and we have home and community care in almost 500 first nations communities across Canada.

As I said, we have a very good relationship with first nations, especially when it comes to mental health services.

[Translation]

**Mr. Jonathan Genest-Jourdain (Manicouagan, NDP):** Mr. Speaker, this is the legacy of the residential schools: more than 150,000 children forced to abandon their culture and their language; thousands of cases of abuse, humiliation and heinous acts; mothers and fathers who never saw their children again after they were taken from their arms; more than 6,000 children dead—a mortality rate similar to that of the Second World War; and intergenerational trauma that is still present today.

*Oral Questions*

We have a moral obligation to take action. Will the government finally show some leadership and support the first nations?

[English]

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, we certainly thank the residential school survivors for their strength and courage in sharing their stories with the commission and with all Canadians. Our government remains committed to a fair and lasting resolution to the legacy of Indian residential schools.

As acknowledged in the Prime Minister's historic apology on behalf of all Canadians in 2008, there is no place in Canada for the attitudes that inspired the Indian residential school system to ever prevail again. Our government will continue to move forward in the spirit of reconciliation and to take concrete measures to improve the living conditions of aboriginal people.

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, the House apologized to the generation of the residential school survivors, but who will make it right for this generation? We have schools that are crippled by the 2% funding cap, children scooped from their families into a broken child welfare system, a minister who refuses to provide support to fight youth suicide and then blamed their parents.

Children have only one childhood. It is a resource too precious to be squandered. The government broke its commitment to close the education funding gap. In the spirit of reconciliation, will it address the education crisis today and make it right for this generation of indigenous children?

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, I reject much of the premise of that question.

Our government remains committed to a fair and lasting resolution to the legacy of Indian residential schools, and as acknowledged in the Prime Minister's historic apology on behalf of all Canadians in 2008, there is no place for the attitudes that led to the Indian residential school system. We will continue to make significant investments in aboriginal education. In the last budget, \$200 million more was committed to aboriginal education. The Prime Minister committed \$500 million to first nations' schooling infrastructure, and we will continue to work with first nations parents, teachers, schools, and leaders to improve the quality of education on reserve.

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**PENSIONS**

**Hon. Judy Sgro (York West, Lib.):** Mr. Speaker, Conservatives have always hated the Canada pension plan. They voted against its creation in 1965 and have voted against improving it every time since, but no Conservative hates it more than the Prime Minister. He actively campaigned to eliminate it entirely and actually demanded that Alberta opt out of it, while his closest adviser referred to it as a Ponzi scheme.

As the Prime Minister raises the retirement age and slashes numerous benefits, how can Canadians possibly trust him to safeguard the Canada pension plan?

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, we know what the Liberal policy is on the Canada pension plan. Their leader was very clear. He said:

We're looking at an expansion and a mandatory expansion of the CPP of the type that [Premier] Kathleen Wynne put forward in Ontario.

For someone who earns \$60,000 a year, the Liberal policy is a massive tax hike. While we are letting middle-class Canadians choose how they spend and save their money, the Liberal leader's only solution is raising taxes. A \$1,000 tax increase Canadians do not—

• (1440)

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

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, it is actually time for an answer from the Minister of Finance. Nobody should believe for a minute that the government had a grand conversion and is committed to strengthening the Canada pension plan.

Is it not true that this new voluntary scheme is just a stepping stone to a completely voluntary pension plan, as proposed by the Prime Minister when he was president of the National Citizens Coalition?

As step one, they are stealing two years of income from low—

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

**The Speaker:** Order, please. Members need to come to order when the member for Malpeque is asking a question.

I see the Minister of State (Finance) rising to answer.

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Again, Mr. Speaker, the Liberal leader does not have a stepping stone; he has a springboard, a springboard to higher taxes. He was very clear. He said what the Liberal Party is looking for is “an expansion and a mandatory expansion of the CPP of the type that [Premier] Kathleen Wynne put forward in Ontario”.

Again, that means, for the income earner earning \$60,000 a year, a \$1,000 tax hike. For a two-income family, it means thousands of dollars in extra taxes. The Liberal leader's only solution is raising taxes.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, let us get to the facts. Step one, the Conservatives are stealing—

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

**The Speaker:** Order, please. The hon. member for Malpeque.

**Hon. Wayne Easter:** The facts are, Mr. Speaker, step one, the Conservatives are stealing two years of income from low-income seniors.

Now, step two, they want to make the Canada pension plan just optional. All we need to do is look at the Prime Minister's so-called firewall letter, where he stated, “Withdraw from the Canada Pension Plan”.

*Oral Questions*

Is this new scheme to go voluntary not just to over time make the Canada pension plan optional? Why will the government not tell the truth?

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, the hon. member talks about step one and step two. We know the Liberal leader's step one is a tax increase. His step two is getting rid of the universal child care benefit. He was clear. He said that the Liberal party is looking at a mandatory tax increase and adjustment of the CPP of the type Kathleen Wynne put forward in Ontario.

For someone earning \$60,000, that step is a high step toward yet higher taxes. It is a step Canadians cannot afford.

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**NATIONAL DEFENCE**

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, the minister has named the members of his new procurement body, but he has not said why he is setting up yet another layer of bureaucracy to help distance himself from responsibility for his government's repeated failures on military procurement. We have had a decade of Conservative mismanagement, and our military is contending with delayed, over-budget, and underperforming equipment.

What Canadians want to see from this minister is some accountability for this failure, not more ways to divvy up responsibility. When will the minister take real action to fix this broken process?

**Hon. Jason Kenney (Minister of National Defence and Minister for Multiculturalism, CPC):** Mr. Speaker, the question itself demonstrates how unserious the NDP is with respect to military procurement.

Virtually every expert in the country on these matters agrees that it will help to accelerate procurement to have a challenge function early in the process, where an external body of experts can consult with industry and others to ensure that platforms are available and that the statements of demand from the military are realistic and affordable before proceeding with procurement decisions, to avoid years of wasted time at the end of the process.

However, on every one of these procurements, the New Democrats have been opposed. Their own leader in 2010 criticized this government for spending too much on the military.

We will not take any advice from the NDP when it comes to supporting procurement.

• (1445)

[Translation]

**Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP):** Mr. Speaker, the Conservative government's failures with military procurement keep piling up. There was the F-35 fiasco, the delay in purchasing search and rescue planes, the cost overrun for the Cyclone helicopters, and I could go on.

The minister is now announcing a reform of the defence procurement system, but he unfortunately has no plan to find the billions of dollars wasted as a result of the Conservatives' incompetence.

Will the minister fix his mistakes and finally give the Canadian Forces the equipment they need to accomplish their missions?

**Hon. Jason Kenney (Minister of National Defence and Minister for Multiculturalism, CPC):** Mr. Speaker, we have already done so, with the acquisition of the C-17s, the strategic capacity for the air force, as well as new CC-130J Hercules aircraft to help the air force. We have also done so with the new artillery, the new LAVs and all-new equipment.

As for defence procurement, all the experts agree that it is necessary to create a panel at the beginning of the process to reduce procurement backlogs. However, the NDP was against purchasing any new equipment for our armed forces.

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**VETERANS**

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Mr. Speaker, this government spent more than \$700,000 to drag our veterans to court. That money should have been spent on something else. It could have been used to provide services to veterans and their families.

The postponement of the Equitas lawsuit until after the election is good news. However, veterans should not have had to take the government to court, period.

Can the government promise to respect its social, judicial, moral, and legal obligation to our Canadian veterans?

[English]

**Hon. Erin O'Toole (Minister of Veterans Affairs, CPC):** Mr. Speaker, I agree, the litigation process can be adversarial. That is why I appreciate the efforts that the Equitas Society has made over the last few months to build a respectful dialogue on veterans' issues, including the purpose clause stating our obligation to our veterans that found its way into Bill C-59.

For that reason, I hope that member can finally drop the rhetoric, get behind the bill and support our veterans.

\* \* \*

**NATIONAL DEFENCE**

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, veterans and their families deserve fair treatment now, just like LGBT members in the Canadian Forces deserved better than the discriminatory treatment they faced in the past; treatment that saw hundreds hunted down and driven out of the Canadian Forces.

Will the Minister of National Defence help right this historic injustice by issuing an official apology and by ensuring that those who were discharged solely on the basis of their sexual orientation or gender identity have their records revised to reflect their honourable service on behalf of all Canadians?

*Oral Questions*

**Hon. Jason Kenney (Minister of National Defence and Minister for Multiculturalism, CPC):** Mr. Speaker, I just learned about the motion tabled by a member opposite, which unfortunately was tabled at the very end of this Parliament. I would be happy to study it.

Of course, the Canadian Armed Forces is one of the most diverse in the world and has included gay and lesbian Canadians in the Canadian Forces for well over two decades.

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**SCIENCE AND TECHNOLOGY**

**Mr. Jay Aspin (Nipissing—Timiskaming, CPC):** Mr. Speaker, Canada under our Conservative government remains strong, proud and free.

Can the Minister of Industry update this House on how our government is ensuring that Canada remains a global leader in international space exploration?

**Hon. James Moore (Minister of Industry, CPC):** Mr. Speaker, Canada has an extraordinarily proud history in space, and the future is even brighter. In this year's budget, we are supporting Canada's full participation in the European Space Agency, the James Webb space telescope and the Thirty Meter Telescope.

Today I was very proud to announce that Canada will be extending our full participation in the International Space Station through 2024. As a result of that, building on the legacy of success of Colonel Chris Hadfield as commander of the International Space Station, Canada will be sending two more astronauts to space: Lieutenant-Colonel Jeremy Hansen and Dr. David Saint-Jacques, who are with us today in Ottawa.

We wish them all the best as they go to space.

**Some hon. members:** Hear, hear!

**The Speaker:** Members would do well to remember that it is for the Speaker to introduce guests and not for MPs.

The hon. member for Beaches—East York.

\* \* \*

• (1450)

**TRANSPORTATION SAFETY**

**Mr. Matthew Kellway (Beaches—East York, NDP):** Mr. Speaker, yesterday, the Conservative government finally agreed to the NDP's long-standing proposal to give Transport Canada the power to order vehicle recalls. It is likely too little, too late, with little hope of passing this change in the dying days of the 41st Parliament. Instead, the legacy left by the current minister will be cuts to the motor vehicle safety program and the failure to improve vehicle safety in Canada.

Would the minister at least stop the cuts to Transport Canada and ensure that it has the staff resources necessary to enforce vehicle safety?

**Hon. Lisa Raitt (Minister of Transport, CPC):** Mr. Speaker, I can inform the House that according to Transport Canada's own documentation there will be zero changes in the number of people employed in motor vehicle safety in the next three years. In fact, we

are doing very much to ensure that these people have the tools needed. That is why we are intent on introducing a bill that would address a problem that we have come across in the past number of years.

I find it audacious that the member opposite would indicate that he has been trying to move this forward when, indeed, the reality of the truth is he voted against the notice of compliance, the notice of defect regulations that we passed last year.

[*Translation*]

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, the truth is that it was the NDP that forced the government to take action.

The minister finally announced that she was introducing a bill to give Transport Canada the power to recall vehicles. However, what the minister did not say is that her department's budget for vehicle safety has been cut by nearly 35% since 2009. In 2009, there were 126 full-time employees. Today, we know there are far fewer.

How can the minister claim that fewer employees does not mean less oversight?

[*English*]

**Hon. Lisa Raitt (Minister of Transport, CPC):** Mr. Speaker, in the past six years and going forward, the number of full-time employees at Transport Canada and motor vehicle safety has not changed significantly at all. Indeed, as I already mentioned in my previous answer, and I will be clear again, the fact is that there will be no changes in the number of people working in motor vehicle safety in the coming years. In fact, we are seeking to increase their ability to ensure that they are working on behalf of the Canadian people and protecting Canadian consumers.

\* \* \*

[*Translation*]

**INTERNATIONAL TRADE**

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, the Conservatives are continuing to negotiate the trans-Pacific partnership behind closed doors. They are still refusing to tell us whether they are really going to protect our supply management system. The meeting with the Conservative minister responsible for Quebec that took place over the weekend had a chilling effect on farmers: the minister told them that his government would have to make concessions for the trans-Pacific partnership to work.

Have the Conservatives decided to sacrifice supply management, yes or no?

**Hon. Maxime Bernier (Minister of State (Small Business and Tourism, and Agriculture), CPC):** Mr. Speaker, I want to again point out to my colleague that Canada has signed free trade agreements with a number of countries and that we have always promoted and protected the supply management system. We are doing the same thing in these negotiations. We are well aware of the importance of supply management for dairy, egg and poultry producers.

### Oral Questions

We are going to continue to defend this system as we have in the past, while ensuring that we sign an agreement that is in the best interests of all of Canada's industrial sectors—not just the agricultural sector, all of our industrial sectors.

**Ms. Ruth Ellen Brosseau (Berthier—Maskinongé, NDP):** Mr. Speaker, do the Conservatives understand that their refusal to protect supply management could result in the disappearance of 3,500 farms in Quebec alone?

A total of 7,000 farms in Quebec actively produce such products as milk, chicken and turkey under the supply management system. This represents approximately \$3.2 billion in revenue. The supply management system has never been so threatened.

I would therefore like to repeat my simple question: have the Conservatives sacrificed supply management in this agreement?

**Hon. Maxime Bernier (Minister of State (Small Business and Tourism, and Agriculture), CPC):** Mr. Speaker, when a government signs a free trade agreement with another country, it is because that agreement is good for the entire Canadian economy. I can assure members of the House that in the negotiations that are currently under way we are going to promote supply management and all of the other industrial sectors.

I would like to tell my colleague that the past is an indication of the future. We have signed agreements with over 37 countries and regions around the world, including the most recent agreement with the European Union. In all of those agreements, we have protected the supply management system, while allowing other industrial sectors to export their products to other countries without tariffs and without quotas.

\* \* \*

●(1455)

### CITIZENSHIP AND IMMIGRATION

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, in the time that this government has been in power, Canadians have witnessed a decade of Conservative failures on immigration. Under the Conservative government, processing times for applications have increased by 70% for children and spouses and by 500% for parents and grandparents.

What have Canadians done to deserve a decade of Conservative failure on family reunification?

**Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC):** Mr. Speaker, the reality is that Liberal governments, including the one the honourable member belonged to, always took immigrants for granted. The Liberals left us a backlog. They ignored abuses. They refused to strengthen the rules and, at the same time, did favours in exchange for political support. We have done the opposite. We have maintained an immigration record—

**The Speaker:** The hon. member for Markham—Unionville.

[English]

**Hon. John McCallum (Markham—Unionville, Lib.):** Mr. Speaker, nine years later it has nothing to do with the Liberals. We have had a decade of Conservatives' failure on refugees, an attack on refugee health care, no due process, foot-dragging on Syria, a decade of Conservatives' failure on citizenship, quadrupling

of fees, doubling of wait times and unnecessary new barriers to citizenship. It has nothing to do with the Liberals. Why have Canadians had to endure a decade of Conservatives' failure on family unification, a decade of Conservatives' failure on refugees and—

**The Speaker:** The hon. Minister of Citizenship and Immigration.

**Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC):** Mr. Speaker, that member has been living in a parallel universe, obviously. The truth is that Liberal governments always took immigrants in this country for granted, including the government of which that member was a part. The Liberals left us backlogged. They turned a blind eye to abuse and when crisis came, they did favours only to their political friends. We on this side have taken action. We have sustained the highest levels of immigration in Canadian history. We have brought more parents and grandparents to this country than any government before in Canada. We will take no lessons from that member.

\* \* \*

[Translation]

### AIR TRANSPORTATION

**Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP):** Mr. Speaker, a petition organized by the residents of Dorval with more than 12,000 signatures calls on the Minister of Transport to save the Dorval golf course. A very important green space in the area will disappear if the airport authority does not choose another site for its expansion. A delegation of more than 90 residents and local elected officials came to Ottawa today to convince the minister.

What will the minister do to help the people who came here today?

[English]

**Hon. Lisa Raitt (Minister of Transport, CPC):** Mr. Speaker, I appreciate the question from the hon. member because it gives us the opportunity to point out that the Aéroports de Montréal is actually an arm's-length agency that is in charge under lease to deal with the development and planning of the airport. It is their decision and it is they who the residents should be speaking with.

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### FOREIGN AFFAIRS

**Mr. Paul Dewar (Ottawa Centre, NDP):** Mr. Speaker, while the international community is taking meaningful steps toward a world free from the threat of nuclear weapons, Canada is sitting on the sidelines. Just last week, the Conservatives played the spoiler role by blocking consensus at the nuclear non-proliferation treaty talks in New York. The Conservatives have also refused to join more than 100 countries in signing the international agreement recognizing the terrible consequences of nuclear weapons.

Why is the government not working with our allies constructively to free the world from nuclear weapons?



*Oral Questions*

**Hon. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs and for International Human Rights, CPC):** Mr. Speaker, contrary to what the member is saying, Canada is very heavily engaged to ensure that we have a nuclear-free world. Let me say very clearly, we will not support a one-sided resolution, a one-sided agreement over there. Canada took a stand very clearly out there to ensure that if there is a consensus, it is a fair consensus for everyone.

\* \* \*

● (1500)

**PENSIONS**

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Mr. Speaker, the Ontario Chamber of Commerce has raised red flags over the proposed Ontario pension plan by Premier Kathleen Wynne.

Could the Minister of State for Finance inform the House on the action our government has taken to help Canadians in retirement?

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, while we are helping middle-class Canadians choose how they spend and save their money, the only solution of the opposition members is to raise taxes. It is true. The Liberal leader said last week “We’re looking at an expansion and a mandatory expansion of the CPP of the type that...Kathleen Wynne put forward in Ontario”.

For someone earning \$60,000 a year, the Liberal leader’s tax hike would mean \$1,000 less in take-home pay. A middle-class family with two incomes would pay thousands of dollars extra in taxes. Canadians know they are better off with this Conservative government.

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**NATIONAL DEFENCE**

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, Wally Fowler has been diagnosed with post-traumatic stress disorder as a result of racial discrimination and harassment he experienced while serving in the Canadian Armed Forces.

Mr. Fowler made repeated complaints about the treatment he received and the lack of assistance the military provided to him and his family as they dealt with the impacts of the harassment they experienced. After a decade, his complaints have still not been fully investigated.

Will the government commit to conducting a public investigation into Mr. Fowler’s complaints?

**Hon. Jason Kenney (Minister of National Defence and Minister for Multiculturalism, CPC):** Mr. Speaker, I acknowledge the question. I am not familiar with the individual case. I would be happy to receive more information from the member and request a briefing from my department, and to get back to the member as soon as possible.

[Translation]

**CITIZENSHIP AND IMMIGRATION**

**Mrs. Sadia Groguhé (Saint-Lambert, NDP):** Mr. Speaker, on very short notice, the Minister of Citizenship and Immigration imposed new work permit rules for foreign interns. Nearly 30% of the French interns who usually come to Quebec gave up because of these complications. That last-minute decision threatens many France-Quebec post-secondary exchange programs.

Why did the minister jeopardize relations between France and Canada on post-secondary education without consulting stakeholders?

**Hon. Chris Alexander (Minister of Citizenship and Immigration, CPC):** Mr. Speaker, there were lots of consultations. Our reform, which is working very well for the temporary worker program, has one single goal: to put Canadians and Quebecers first when it comes to available jobs.

All foreign workers who come to Canada have to follow the new rules, whether they are interns or full-time workers. This system will cover all sectors of our economy. We should be working toward greater reciprocity in our relationship with France because the number of French nationals who come here as part of—

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

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[English]

**PUBLIC SAFETY**

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, Ayatollah Khomeini’s brutal legacy was celebrated recently at an Islamic Society of York Region event in Richmond Hill. Could the Minister for Multiculturalism update the House on the government’s position on support of state-sponsored terrorism?

**Hon. Jason Kenney (Minister of National Defence and Minister for Multiculturalism, CPC):** Mr. Speaker, two weeks ago on behalf of the government, I condemned this outrageous event being sponsored by the Islamic Society of York Region to celebrate the legacy of one of the 20th century’s worst dictators, Ayatollah Khomeini. He and his regime were responsible for mass torture; mass killings; rape in prisons; the murder of thousands of political prisoners, both in its prison system and around the world; for the stoning to death of women and the execution of gay men; and, for the murder of thousands of Baha’is and Zoroastrians and members of other religious communities.

This is why every year Canada is leading the United Nations General Assembly in the motion to condemn Iran’s deplorable—

**The Speaker:** Order, please. The hon. member for Edmonton—St. Albert.

*Government Orders***FINANCE**

**Mr. Brent Rathgeber (Edmonton—St. Albert, Ind.):** Mr. Speaker, this year's budget was delayed until April 21 because the government apparently required the extra time to contemplate the drastic reduction in the price of oil and reduced corporate tax revenue. However, notwithstanding this extra time, the government continues to engage in ad hocery, musing about further GST reductions and enhanced voluntary contributions to the Canada pension plan. Neither of these are necessarily bad ideas, but neither are mentioned in the budget.

Does the government have an actual plan for an economy that is contracting, or will it continue to make things up on the fly based on which way the wind is blowing, on polls and on focus groups?

• (1505)

**Hon. Kevin Sorenson (Minister of State (Finance), CPC):** Mr. Speaker, again, the member knows the strong leadership of this Conservative government.

He knows that it steered Canada through some of the most difficult times and created 1.2 million net new jobs. He also knows that this government wants to give choice to Canadians on how they save and how they prepare for a secure, dignified retirement.

Again, we would encourage all sides of the House to come together on the budget, but also to bring forward ideas like we have on helping Canadians save for their retirement.

\* \* \*

[Translation]

**ABORIGINAL AFFAIRS**

**Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ):** Mr. Speaker, after six years of work, the Truth and Reconciliation Commission of Canada released its report and recommendations this morning. The report contains 94 recommendations, some of which the government can implement immediately.

When will the government recognize and implement the UN Declaration on the Rights of Indigenous Peoples, and when will it work with aboriginal groups to develop and implement a first nations education funding plan, as outlined in the Bloc Québécois's Bill C-599 in 2010?

[English]

**Mr. Mark Strahl (Parliamentary Secretary to the Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, again, we would like to thank the residential school survivors for sharing their stories, and the commission for its work to bring this to the attention of all Canadians.

As acknowledged in the Prime Minister's historic apology in 2008, the attitude that gave rise to the Indian residential schools was unacceptable and has no place in Canada. We will continue to move forward in the spirit of reconciliation, and take concrete measures to improve the lives of aboriginal people.

\* \* \*

**PRESENCE IN GALLERY**

**The Speaker:** I would like to draw to the attention of hon. members the presence in the gallery of Commissioners of the Truth

and Reconciliation Commission Murray Sinclair, Marie Wilson and Wilton Littlechild.

**Some hon. members:** Hear, hear!

**The Speaker:** I would also like to draw the attention of hon. members to the presence in the gallery of the Hon. Stephen Parry, Senator and President of the Senate of Australia.

**Some hon. members:** Hear, hear!

**The Speaker:** I would also like to draw the attention of hon. members to the presence in the gallery of His Excellency Olumuyiwa Benard Aliu, President of the International Civil Aviation Organization, and His Excellency Raymond Benjamin, Secretary General of the International Civil Aviation Organization.

**Some hon. members:** Hear, hear!

**The Speaker:** Now I would officially like to recognize the presence in the gallery of two Canadian astronauts, Jeremy Hansen and David Saint-Jacques, who will both travel to the International Space Station within the next decade.

**Some hon. members:** Hear, hear!

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**GOVERNMENT ORDERS**

• (1510)

[English]

**DIGITAL PRIVACY ACT**

The House resumed consideration of Bill S-4, An Act to amend the Personal Information Protection and Electronic Documents Act and to make a consequential amendment to another Act, as reported without amendment from the committee, and of the motions in Group No. 1.

**Mr. Adam Vaughan (Trinity—Spadina, Lib.):** Mr. Speaker, before I begin my remarks on the bill, I would like to pay my respects to the members of the House who rose today and shared personal experiences regarding the Truth and Reconciliation Commission, which reported today. Many of their words were heartfelt and were received that way. The House has work to do and I commit on behalf of my constituents to share in that journey and in that work. It is important work that lies in front of us. Not all of us will get a chance to speak to it today, so I wanted to be on the record with those comments.

Regarding the legislation that sits in front of us, this is yet another piece of legislation that toys with privacy and the impact of changing privacy rules. There have been several in this session of Parliament. Taken in isolation, they all creep toward something that is making more and more Canadians worried about their privacy and the security of their private data, wondering what the true motive of the government is when we take all of the items in concert.

*Government Orders*

There are ways of rationalizing and accepting, and even valid criteria to act upon in changing the privacy rules around data, but what seems to define the legislation and much of the actions of the government is that each and every one of those pieces of legislation is rushed through. Careful consideration of the impacts that are proposed are almost never part of the consideration, never reflected in amendments, and never reflected in the refinement of rules.

This latest legislation was presented to the House, then presented and pushed through committee and re-presented to the House as perfect from the get-go. I have covered politics most of my life. I have been around legislative processes in all three levels of government in our country and I have never seen such arrogance around the notion of presenting perfect legislation. The record of the government having its rules and regulations tested by the Supreme Court ought to give it pause for consideration, that when wise individuals and learned groups appear before committee and point out glaring mistakes, omissions or concerns there never seems to be a capacity to listen, only to soldier on.

While perhaps I respect the tenacity of the government on these files, errors are being made that put people at risk. However, what it really does, and I think this has been seen in the last part of the session, is that Canadians do not trust the government with their privacy anymore. It leads to speculation, worries and even paranoia, to the point where the faith in the government has disappeared. That is a concern.

In many of the omnibus bills is the kernel of a good idea, of a legitimate process, but it gets obscured by the omnibus nature of some of these bills, by the vagaries of some of the language, and by the intransigence and stubbornness of committee members and members of the opposite party to sit there, to listen, to take input, to make amendments, and to make a good idea a better idea, which is the role of Parliament. It astounds me that the government seems to think it gets it right the first time, every time. I have never seen that in any government. Any government that has that much self-assurance really ought to stop and consider whether it is acting in the best interest even of itself.

One of the dynamics here is that there seems to be this belief that the private sector is acting in the interests of the private sector, that it has the best interests of private individuals at heart. If the government truly believed that surveillance, the sharing of information, and the distribution of that information to third parties was such a wise way to go and was part of the argument toward stronger public safety rules and regulations, imagine if we were not talking about metadata right now and talking about rifles instead. The government would never tolerate, in fact has never tolerated, this kind of tracking, intrusion and data banking of people's information about something which is really dangerous, such as a gun. Yet when it comes to private information, it lets it go this way, that way and every way. It clamps down on the very same individual rights and privileges of people with their data. It will release that information and share it willingly, but will not do it when it comes to guns. There is a contradiction there that does not make sense.

● (1515)

There is a balance that needs to be struck. We hear about that balance all the time around various other debates, but when it comes

to sharing information, it seems to go out the window. We have a party that on the one hand says we cannot share any information about who owns weapons in this country, but on the other hand says that we can go into anybody's computer and distribute that information as widely as we want in the name of public safety.

If the party opposite could reconcile that contradiction for me, I would be happy to listen to the arguments. However, from my perspective, we need a balance in both of those issues, and that balance has not been achieved in either one of them. In large part, that is because the paranoia with which the government pursues one file is coupled with a complete lack of trust on another file. As I said, it is contradictory and does not make any sense to me.

The other issue that crops up again and again is the government's inability to orchestrate proper civilian oversight of the changes it is making. Just as it has no doubt about the legislation that it introduces and believes it to be perfect from the word go, the government never seems to think that there is a need to review and be perpetually vigilant about where the legislation may be going off track or delivering results that were not intended or expected. There is no oversight about how this information is being shared or how the agencies that are pursuing, sharing, or developing it are conducting themselves.

The absence of this oversight on so many files tells me another thing. It tells me that the government does not trust civilians as much as it trusts itself. That, at the heart of the legislation, has to raise concerns on the opposite side. Either we trust people or we do not. The government does not trust the opposition. It does not trust ordinary Canadians. Half of the time it does not even trust the courts to provide this oversight and review and to check the government against its own mistakes.

Parliamentarians are human, and they make mistakes. We all have to correct each other, and if we do not build that into legislation, particularly into privacy legislation, we fail each other. That is one of the reasons that, despite there being some good in this bill, on balance it fails.

The bill fails in two regards. It fails in that it would not create a consistent approach or a collaborative effort to create better legislation, which worries us. It also fails because it would once again fail to bring in a mandatory and processional review of how this legislation is performing. Without those checks and balances, the legislation leads to Canadians worrying that their government is not protecting them. Those worries take Parliament, the respect for Parliament, and the respect for the rule of law into places that they just should not go in a modern democracy.

For those reasons, my party and I will not be supporting this bill.

*Government Orders*

New powers require new responsibilities, and the best way to make sure that they serve both the public and private interests of individual Canadians is to make sure that Canadians have oversight of these rules and regulations. Once again, that is absent from this legislation, even though experts who appeared before the government in committee urged that it be there. That is a failing, and it is a failing that has ramifications far beyond this bill.

• (1520)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I wonder if the member might provide further comment regarding the importance of the government getting legislation of this nature right. We have a continual reliance on and growth in the Internet, where private information is becoming more and more prevalent and corporations and other types of agencies have large data banks where they accumulate all sorts of personal and non-personal information about Canadians.

There is a role for the government to play, but it is absolutely critical to ensure that information is protected and that individuals' rights pertaining to their information are also protected.

**Mr. Adam Vaughan:** Mr. Speaker, there is an old saying that the pen is mightier than the sword. The government is sometimes more afraid of the pen than it is of the sword. We can see that in its approach to managing the firearms issue in this country.

When it comes to information, it is completely paranoid. It wants to track every computer, it wants to look into every set of data, it wants to use that data, and it wants to share that data as widely as possible.

I would suggest that there is a need for balance here. Just as there are legitimate reasons that someone might want to track data and just as there are legitimate ways in which someone might do that, with checks and balances in place to make sure that private individuals' rights are protected, the same care should be used when it comes to the sword as it is with the pen.

What I find funny about the government is that it does not care where the weapons are in this country, but it really wants to know what people's thoughts are. When it comes to that, what we are thinking as a group of libertarians is somehow more dangerous than what we are doing. I find that very strange in a government that claims to be on the side of the individual. It is not. It is tracking them. It is not taking care of that information, and when it comes to checks and balances, it is missing in action.

[*Translation*]

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP):** Mr. Speaker, I listened to my Liberal colleague's speech.

He said he is extremely concerned about protecting Canadians' personal information. However, his party voted in favour of Bill C-13, which represents a major threat to protecting Canadians' personal information. He himself voted in favour of Bill C-51, which truly poses serious risks to personal information protection, since it allows our personal information to be shared among a number of government agencies without any parliamentary or judicial oversight. It is very disconcerting.

I am confused. Does the hon. member want to protect personal information or is it not as important as all that?

[*English*]

**Mr. Adam Vaughan:** Mr. Speaker, I thought the member could hear from my comments that it is never an either-or total proposition. There are changes that are constantly required to protect public safety, just as there are changes constantly required to protect the public's charter rights. We rely and depend heavily on our courts to protect those charter rights.

In the situation of the legislation that was referred to, sometimes there are elements in an omnibus bill that one supports and other parts one fights to change. One continues to work toward the change.

I will give an example. Civilian oversight to me is a fundamental principle. I know there is a private member's bill before the House that advocates for civilian oversight of security forces. What we could not achieve through committee we are going to continue to fight for in the House, and we will continue to fight after the next election as well.

Yes, there are ways of framing an issue as being perfectly black or perfectly white, perfectly this or perfectly that, but when it comes to public safety, public charter rights, and the way in which we guard our civil liberties, it is a nuanced position that is constantly being evolved and crafted.

I share the concerns of the opposition party down the aisle on this issue. We cannot simply let legislation lie still and hope it defends rights. We must constantly re-evaluate it. There must be sunset clauses in provisions like this one. There must be civilian oversight.

As parliamentarians we need to agree where we agree and disagree where we disagree, but we must never lose sight of the fact that constant vigilance on this file is the only way it is going to be made right. Having an independent judiciary is fundamental to that as well. Those are the principles I think we can agree on while we sometimes disagree on specific parts of specific legislation.

**Mr. Lawrence Toet (Elmwood—Transcona, CPC):** Mr. Speaker, I am pleased to rise in my place today to express support for Bill S-4, the digital privacy act, which was first introduced in April of last year. The digital privacy act would make important changes to Canada's private sector privacy law, the Personal Information Protection and Electronic Documents Act, or PIPEDA, to better protect the privacy of Canadians.

I would like to spend my time highlighting the measures in Bill S-4 that are designed to better safeguard the privacy of minors and protect vulnerable members of our society. In our modern digital economy, it is absolutely critical that we make sure our children have safe and secure access to online resources.

Being digitally literate is no longer merely nice to have; it is now a necessary prerequisite for young Canadians, whether to be successful in school or to find their first job. In fact, a recent survey revealed that in 2013, 99% of Canadian students were able to access the Internet outside of school.

*Government Orders*

While there are many benefits to being digitally connected, going online can also expose our children to risks. As we have unfortunately seen, young people can become targets of online intimidation and abuse. Our government has acted to protect our children from cyberbullying and other similar threats through Bill C-13, the Protecting Canadians from Online Crime Act. This bill, which came into force on March 9, 2015, ensures that all Canadians can freely access the Internet without fear of victimization.

Bill C-13 protects children and adolescents from online predators and exploitation. Provisions of the bill permit and empower the courts to penalize those who harass, intimidate, exploit, or threaten others online or through telecommunication devices. In other words, Bill C-13 serves to counter cyberbullying in Canada.

The Government of Canada takes cyberbullying very seriously and supports a no-tolerance framework. In January 2014, our government launched the anti-cyberbullying national awareness campaign called Stop Hating Online, which raises awareness of the impact of cyberbullying and how this behaviour amounts to criminal activity.

We have also taken further steps to protect children from online predators. Our government has invested \$14.2 million a year through the national strategy for the protection of children from sexual exploitation on the Internet. In addition to Bill C-13, our government has implemented other concrete measures to keep young Canadians safe online and in their communities. Such measures include increasing the maximum penalties for luring a child online, strengthening the sentencing and monitoring of dangerous offenders, and strengthening the sex offender registry, to name only a few. All of these initiatives align with our government's commitment to stand up and protect Canadians.

Bill C-13 was introduced to provide a safe and secure environment for Canadians online, and the digital privacy act seeks to accomplish this as well. In this rapidly growing digital world, we must be aware that going online can expose vulnerable Canadians to privacy risks. For example, minors can be subject to aggressive marketing tactics or can have their personal data collected and shared without them truly understanding what is being done and the potential long-term privacy consequences.

To address this concern, the digital privacy act includes an amendment to clarify requirements for the collection, use, and disclosure of personal information. Specifically, the bill clarifies that when a company is seeking permission to collect, use, or disclose personal information from a group of individuals, such as children, it must take the necessary steps to ensure that, as a group, these individuals are able to understand what would happen to their personal information. In practice, this means that the organization's request for information must be presented in a clear and concise manner and must be appropriate for and easily understood by the target audience. This includes making sure the wording and language used in the request are age-appropriate.

Let me take a minute to give an example explaining to the members of the House how this would work. Let us say that an online service designed for children wishes to gather information about who visits their site. In order to seek consent, the company would be required to design and present its request to collect, use,

and disclose information using language that a child could reasonably be expected to understand. If a child could not be expected to understand what the website seeks to do with their information, the child's consent would not be valid. As a result, consent from a parent would need to be sought.

● (1525)

The Privacy Commissioner expressed his strong support for this amendment when appearing before the standing committee. This is what the Privacy Commissioner said:

I think with the clarification that Bill S-4 provides, it is a useful clarification of what consent is, and it has the potential of improving the situation for the issue of consent sought from children....

There are additional amendments in Bill S-4 that are also designed to better protect the interests of other vulnerable individuals. I would like to bring to the attention of hon. members two particular amendments that would allow information to be more easily shared in emergency situations.

The first of these amendments would allow organizations to share personal information in order to contact a family member of an injured, ill, or deceased individual. The importance of this amendment was well summarized by the representative of the Canadian Pharmacists Association in her appearance before the standing committee when she said:

Pharmacists, as well as any health care provider, may find themselves in the difficult situation of having to deal with patients who may be severely ill, unconscious, or incapacitated for any number of reasons. In such circumstances it may be imperative for the pharmacist or other health professional to immediately contact family members or next of kin to inform them of the patient's condition, or to seek valuable information on the patients' medical history. But seeking permission or consent to contact those individuals in advance may simply not be reasonable nor in some cases possible. This clause would provide pharmacists and other health care providers with the comfort and knowledge that in the case of a severe health emergency they will not be in contravention of PIPEDA for acting in the best interests of their patients by contacting next of kin or authorized representatives.

The second of these amendments would allow information to be shared in situations such as accidents or disasters, in order to assist in the identification of injured, ill, or deceased individuals. For example, this would allow dentists to provide an individual's dental records to authorities in order to identify victims of a natural disaster.

These two amendments are clearly in the public's interest and are long overdue.

The government is committed to protecting the privacy of Canadians. The digital privacy act would take necessary actions to protect the most vulnerable members of our society, including children.

*Government Orders*

• (1530)

**Ms. Joyce Bateman (Winnipeg South Centre, CPC):** Mr. Speaker, I very much appreciate the comments of my colleague from Elmwood—Transcona on this very important act.

I wonder if the member could expand on exactly how our government is helping to protect Canadians' personal information by mandating that organizations inform their clients when personal information is lost or stolen.

The reason I ask is that I know the people I serve in Winnipeg South Centre are very concerned about this issue, and so I would like to know what we are doing on it.

**Mr. Lawrence Toet:** Mr. Speaker, it is very important that we have this protection and the mandating of organizations to inform their clients when their information has been lost or stolen. It is critical that Canadians know if their personal information has been lost or stolen, so they can take the necessary actions to protect their privacy going forward.

Organizations would have to tell individuals what steps they need to take, and would also guide them through the process and the actions they need to take to make sure of their credit card PIN, for example, or email password, if that had been compromised. They would not only have this ability but would be walked through the steps necessary to protect their privacy. This is very important.

It should also be noted that organizations that do not comply with this measure would face some very significant penalties—up to \$100,000 for every individual they fail to notify. Obviously, this would make corporations and organizations very aware of the fact of keeping this information private in the first place, because they do not want to be facing fines of \$100,000 each. That can add up very quickly if they have the data or information of many Canadians compromised in their system.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, I am less interested in the speech that my colleague was given to read into the House of Commons today and more interested in hearing his views about the fact that the bill is labelled “S-4”, which means it did not originate in the House of Commons; it originated in the Senate.

In my view—and I would like the view of the member for Elmwood—Transcona, to see if he agrees with me—senators have no legitimate right to introduce legislation. No one elected them to be legislators. In fact, they are appointed, usually because they were good fundraisers on behalf of their party. They were hacks and flacks and fundraisers, and they get rewarded with this lifetime sinecure in the other place.

For God's sake, how did we ever get to the point where we are debating legislation that they have developed? How have we slipped to this, in the status of our parliamentary democracy, that it is the House of Commons' job, that the elected representatives, the duly, democratically elected representatives in the House of Commons, have to end up debating legislation that was put together by a bunch of unelected, undemocratic, and under indictment half the time, senators?

Does he agree with me that there is something fundamentally wrong with this picture? Will he stand up on behalf of his elected colleagues in the House of Commons and say the bill has no

legitimate right to be in the House of Commons, never mind the points he was making about its relative merits?

• (1535)

**The Deputy Speaker:** The hon. member for Elmwood—Transcona has just about a minute.

**Mr. Lawrence Toet:** Mr. Speaker, I am not quite sure whether it is a question. It sounded like quite a long rambling commentary of somebody who has been in this House for a long time and should have a clear understanding of the rules and how the rules in this House and in Parliament work.

If he still has not understood that after these many years, I do not think that in the minute you have given me, Mr. Speaker, I am going to be able to educate him on that.

With respect to the bill, though, this is a bill that is very important. I did outline in my statement some of the great things it would do to protect our young people and the vulnerable in our society, and I will continue to support any legislation that would protect the vulnerable in my riding of Elmwood—Transcona

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, it is my pleasure today to rise and speak to Bill S-4.

As my colleague mentioned a couple of minutes ago, I too have very serious concerns that here we are in a parliamentary democracy with elected MPs sent here by their constituents to do the work of Parliament, and Conservatives have brought forward a bill introduced by the unelected Senate. It sort of begs this question. What was the real agenda behind doing this? Was it to fast-track it? Was it to try to give the Senate some sense of credibility as it goes through some very difficult and challenging times?

Nevertheless, it is about process, and now that I have made my point, I also want to make the point that in Parliament, as my colleague across the way pointed out, there is a natural rhythm as to how bills are introduced in the House and debated. The government, in its wisdom, first took a Senate bill instead of spending the time, of which it has a lot, to bring forward its own bill. It took a Senate bill and, even before second reading, basically declared that it was not willing to accept any amendments, which really makes one wonder what the purpose has been behind a lot of legislation.

Now I know that my colleagues across the way have an allergy to evidence, science, and data and do not really like listening to all the expert witnesses that are flown in to appear before committees. The interesting thing is that even before they heard from those witnesses, they started to make comments such that they did not want to accept any amendments because if they did, the bill would have to go back to the Senate. It does not seem to me to be a good reason to bring forward legislation that is poorly thought out.

I am not saying it is not needed. It is.

*Government Orders*

As a matter of fact, my esteemed colleague from Terrebonne—Blainville introduced Bill C-475, which would have actually addressed many of the concerns that Canadians want addressed. That is an example of a well-thought-out bill that would not overreach but would actually do the job that is needed, which is to modernize our code of conduct around personal information. With the advent of electronic and digital media, we absolutely need some changes.

Getting back to the bill, once again, it is a process that is flawed. Experts came forward and gave testimony. I sometimes wonder, if the government's mind is already made up that it is not going to accept any amendments, what the purpose is of flying in experts to present their testimony. To me, that is the highest sign of disrespect. It basically says the government has already made up its mind, but just to make witnesses feel better, it will hear from them. That is really bad form.

Here is something else. The NDP put forward 18 amendments, well thought out and researched, supported by the evidence that was presented and by experts; and other people presented 14 other amendments. True to their commitment or the bizarre statement before the bill got debated, there were zero amendments accepted by my colleagues across the way. So much for committees working with consensus.

I have often heard ministers from the other side of the House say they have to rush things through the House because at committee stage experts will be heard and that is when we get to have the really meaty debates. I have never bought that, and evidence bears out that it is not how committees work. Despite hearing expert witnesses and hearing from the opposition, the Conservative government accepted zero amendments, and that says a lot about the process.

• (1540)

Now the bill is back in the House, and we are debating it, but once again, there is time allocation. The government could have moved on the bill over the last number of years, but it chose not to. Here we are in the last three weeks, when suddenly the Conservatives have rediscovered that they had better do something. After all, it is election time. They are now moving time allocation to prevent the Canadian public from knowing what is really in the bill. One way to do that is to limit and shut down debate, which seems to be a very common move by the government.

Here are some facts and figures. The Conservatives made 1.2 million requests to telecommunication companies to obtain Canadians' personal information in just one year. Some 70% of Canadians feel less protected today than they did 10 years ago. With this bill, they have reason to feel even more concerned and worried, because now there are all kinds of loopholes in the bill whereby their information can be shared way beyond the person they give it to.

Some 97% of Canadians say they would like organizations to let them know when breaches of personal information occur. That is reasonable, but if companies are giving away data themselves, I personally see that as a breach, because they have breached my trust, because I gave the data to them. We have some concerns around that as well. Some 80% of Canadians say they would like the stiffest possible penalties to protect their personal information, and 91% of respondents—not 51%, not 41%, not 21%, but 91%—are very or

extremely concerned about the protection of privacy. It seems to me that the government should be paying some attention to what Canadians are feeling and their fears.

There was also a Supreme Court ruling, on June 13, 2014, pertaining to the sharing of personal information. The Supreme Court stipulated that subscriber data, including name, address, email address, phone number, ID address, et cetera, cannot be disclosed to a third party without a warrant. In light of this decision, the constitutionality of certain provisions in Bill S-4 is questionable.

I am sitting here thinking that a government that really wanted to do due prudence would actually pay attention to the fact that the Supreme Court had made a ruling. Despite that ruling, we did not see any amendments from the Conservatives, nor were they willing to accept any of ours, which really lets me know that to pander to their friends, they are willing to sell out Canadians, they are willing to ignore the Supreme Court ruling, and they are burdening hard-working taxpayers with future challenges in the courts, because that is where this will certainly end up.

The NDP believes that Canada needs a mandatory data loss or data breach reporting mechanism based on objective criteria. We are not the only ones who are saying that. Witness after witness said that we need the Privacy Commissioner to have some powers over this.

• (1545)

Huge companies get our data through nefarious means, some of them very innocent, like when we pay bills with a credit card. They not only get what we paid and where we bought something but all that micro-targeting information can now be moved on to other companies when a company deems fit. To me, that is just not acceptable.

I would urge my colleagues across the way to not ignore Canadians or the Supreme Court ruling. Let us make sure that we address the deficiencies in this bill.

[*Translation*]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, I thank my colleague for her speech on defending privacy and people's personal information.

Through Bill S-4, the Conservatives are making a third attempt at talking about privacy protection, but they missed the mark yet again. As my colleague pointed out, the opposition parties, including the NDP, proposed a number of amendments, but the Conservatives categorically rejected them all.

Some of the amendments would have prevented companies from determining whether or not privacy has been breached and whether or not complaints should be addressed. We want a third party to take care of this in order to keep the process transparent and effective.

*Government Orders*

We are also calling for the Federal Court decision to be complied with so that information shared between companies is better protected and Canadians' personal information cannot be shared without their permission.

Bill S-4 does not do any of that. We are talking about a very serious breach of privacy. The current Privacy Commissioner raised some concerns about this. This bill still has a number of major flaws.

I would like my colleague to comment on that.

[*English*]

**Ms. Jinny Jogindera Sims:** Mr. Speaker, I want to thank my hard-working colleague for the very thoughtful question. There is nothing more important than one's private information. There is some information people just do not want to share with other people. We have insisted on removing the provisions in Bill S-4 that would allow organizations to share personal information without Canadians' consent and without a warrant. We have also said that there are loopholes in this bill that need to be addressed. We tried to address them with amendments, but of course, we were ignored.

However, we are not the only ones who are saying that. Here is a quote from Michael Geist, who is a law professor at the University of Ottawa:

the broad provision that we have here opening the door to massive expansion of non-notified voluntary disclosure without any of the kinds of limitations that we typically find even the courts asking for should be removed.

He has also said:

While the government has claimed that this provision should not concern Canadians, the reality is that the broadly worded exception will allow companies to disclose personal information to other companies or organizations without court approval.

It is a lack of transparency, a lack of disclosure, and a lack of reporting requirements and believing that these companies can police themselves. Surely we have learned lessons from other situations. There are some glaring omissions in this bill, and they should be addressed.

As a matter of fact, Michael Geist even says, "[This bill] is both not well studied and ought to be fixed. Canadians deserve better".

• (1550)

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, it is important to me that anyone watching this debate today keep in mind that there is nothing normal about the way the Conservatives ram through their aggressive legislative agenda.

First, there is nothing normal about the House of Commons debating a bill that originates in the Senate. There is nothing normal about the Conservatives moving closure on every single piece of legislation they introduce. Sometimes the same day they table the legislation, they move closure on the legislation.

It undermines everything that is good and decent about our parliamentary democracy to see these guys systematically strip down all the checks and balances, all the controls put in place to make the Westminster parliamentary democracy one of the best systems in the world. It should offend the sensibility of anyone who calls himself a democrat to realize that these guys have not allowed a single amendment to a single piece of legislation in the entire 41st Parliament. They do not respect Parliament.

I want any Canadian tuned in today to know that this is not normal. This will not be tolerated. We have to restore everything that is good about our parliamentary democracy and stop the current Conservative government in its tracks before it does more irreparable damage and harm.

**Ms. Jinny Jogindera Sims:** Mr. Speaker, I absolutely agree. Ditto.

[*Translation*]

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Mr. Speaker, I am pleased to rise in the House today to speak to a bill, perhaps for the last time in this 41st Parliament. I would like to thank the interpreters, who have helped us so much these past four years, as well as the team of clerks and pages and everyone who supports our work every day.

In the digital age, privacy is extremely important. It often feels as though I have a clone that is wandering around computer networks with information on my life, my past, my present, my sexual orientation, my purchases, my consumption and my travels. All of these data are like a twin over which I have no control. That is a problem.

Unbeknownst to me, my twin goes from company to company, government agency to government agency. No one will inform me that an agency is using the information my clone carries to determine how it will approach and deal with me.

A number of distinguished analysts who testified obviously told us that this bill could be challenged by the Supreme Court. The court recently ruled that a warrant was required to access the personal information and IP addresses of customers of Internet service providers. It is therefore highly likely that a number of provisions in this bill will be challenged by the Supreme Court.

The Conservative government has a strange relationship with the Supreme Court. This will not be the first time that a bill has ended up before the Supreme Court. Under the Conservative government, we have gotten used to seeing bills that, according to experts and parliamentarians, violate our charters and our laws. These bills risk being challenged by the Supreme Court and, in fact, they are being challenged. The government has suffered many defeats, and yet again it is risking being put in its place.

Introducing these constitutionally weak bills is a real waste of time. How insulting it is to the intelligence of the members of this Parliament and the members of civil society who give their input on these issues. What contempt it shows for our institutions and the Canadian Constitution.

The Conservatives have botched the drafting of dozens of bills. Take Senate reform as an example. Everyone knew that that measure would be declared unconstitutional, because 50% of the population would have had to agree, but the government went ahead with the measure anyway.



*Government Orders*

As for the appointment of Justice Nadon, everyone said that it would not work. The appointment was challenged, and Justice Nadon was ineligible under the Supreme Court Act. The matter still had to go to court, but everyone knew how it would end. Once again, it was an insult to the intelligence of parliamentarians and the experts who were advising us.

Another example is the repatriation of Omar Khadr. Two Federal Court rulings and a Federal Court of Appeal ruling ordered his repatriation, but the government still took the matter to the Supreme Court. What happened? The Supreme Court of Canada upheld that young man's rights and even said that they had been violated since he was captured in 2002. The government's attitude puts it at odds with civil society, the opposition members and the Supreme Court.

• (1555)

We told the House that mandatory minimum sentences were not constitutional. The government pushed ahead anyway. What happened? The Supreme Court said that the opposition was right and that these sentences were not constitutional. The Federal Court of Appeal had come to the same conclusion, but the government did not listen to that court.

The government tried to close safe injection sites by passing a law. What happened? The Supreme Court found that the site in Vancouver could continue to operate without the risk of criminal prosecution. The government's refusal to grant an exemption to InSite violated the right to life guaranteed in the Canadian Charter of Rights and Freedoms. This once again showed the Conservative government's contempt for our institutions, the Canadian Constitution and the Canadian Charter of Rights and Freedoms.

The Conservative government also lost its case before the Supreme Court regarding the retroactive application of the Corrections and Conditional Release Act. It was not constitutional to do away with accelerated parole review. Those who challenged it were granted parole. The NDP told the House that the measure would not work and that it violated the Canadian Constitution and the Canadian Charter of Rights and Freedoms. The government did not listen. It went to the Supreme Court and lost once again.

Another case that the government lost before the Supreme Court is the case regarding the Canadian securities commission. We told them that setting up a Canada-wide commission would not work since that is an area of provincial jurisdiction. The government did not listen to us and said that it was going to set up the commission anyway. The government went to court and the Supreme Court told the government exactly what the opposition had told the House. What is more, the Supreme Court suggested that the government take a co-operative approach. This government has failed to co-operate with the provinces, as we have seen with the TFSAs in the latest budget. By 2080, that measure will cost the provinces \$34 billion. Did the government discuss that with the provinces? Did it seek to co-operate with them? Not at all.

I am getting to my last and main point: Internet users' privacy. The issue is whether searching through people's personal information is lawful or not. I am reiterating this because the government has to understand that it cannot use any pretext whatsoever to search through people's personal information: the police need a warrant to obtain the name, address and telephone numbers associated with a

subscriber's IP address. The Supreme Court has told the government that.

We are debating Bill S-4, which could still go to the Supreme Court. How do we know? We listen to the experts. Not all members claim to be experts in law, computer issues and general issues that apply to data management. People appeared before the different committees, in the Senate and the House of Commons, to explain why the current version of this bill is weak. We spoke about Michael Geist earlier. In his testimony, he said that although the government claimed that Canadians should not worry about this provision, this exception will let companies share personal information with other companies or organizations without the court's authorization. That is one of this bill's flaws. He added that the failure to require transparency, disclosure and accountability with respect to the communication of information without a warrant was a glaring omission in this bill.

This is not the first time that we have told the Conservatives that their laws are flawed. They are unconstitutional. Here again, provisions will be struck down by the court. Why not fix this now? Why waste time, money and energy in the Supreme Court just to be slapped on the wrist again? The Conservatives have been slapped on the wrist 10 times by the Supreme Court. They may want to continue. Perhaps systematically going against Canada's Constitution and the Canadian Charter of Rights and Freedoms is part of their political agenda. That seems to be the case. The Conservatives do not like the Canadian Charter of Rights and Freedoms, because in the case of the 10 laws that I mentioned, the Conservatives went against the charter.

• (1600)

Is there someone who can read it and interpret it properly? Why not listen to the opposition once in a while?

[English]

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Mr. Speaker, I want to inform my colleague that the Supreme Court specifically noted that PIPEDA does not give any special search and seizure powers and that information can only be shared with law enforcement when it is legally able to be requested and obtained.

I also want to let the member know that in every meeting of the industry committee, I was in attendance. I chair that committee. I heard witness after witness. Each witness had differing opinions about some aspects of the bill, but when asked by my colleagues on the committee, all of them said that they would prefer to have the bill pass and move forward and have some kind of update on PIPEDA.

I wonder if my colleague might consider what all of the witnesses said. They said they would like to see the bill move forward, and it would obviously come back to the government with more improvements later.

*Government Orders*

•(1605)

[*Translation*]

**Mr. Pierre Dionne Labelle:** Mr. Speaker, parliamentarians are concerned about how personal information is handled, and what I read in the testimony in no way reflects the opinion that the hon. member just expressed.

We demand that the government withdraw the provisions in the bill that allow companies to share information on subscribers without a warrant and without their knowledge or consent because the constitutional validity of those provisions is dubious and they are a threat to Canadians' rights and privacy protection. That is what we want.

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I thank my colleague for his speech.

I would like him to comment further on the government's attitude toward the opposition's ideas given that the government rejected all of the amendments the opposition put forward.

We warned the government of the dangers inherent in various bills studied by various committees over the past four years.

Can my colleague comment on the government's marked tendency to reject all ideas from parties other than its own and the threat such an attitude can pose to the constitutionality and effectiveness of the bills introduced and debated in the House?

**Mr. Pierre Dionne Labelle:** Mr. Speaker, I thank the member for his question. I would like to commend him for the excellent work he is doing in his riding, as well as the member for Terrebonne—Blainville if I may, who also helped us understand this very complex, multi-faceted bill.

The Conservative government likes to provoke the opposition and the Supreme Court by always pushing the limits imposed by our institutions. The Conservatives always think they are right. They are blinded by their ideology, which also makes them immune to any arguments presented by experts in various domains.

It is no coincidence that the Conservatives have made huge cuts to the sciences since 2011. They do not like to hear the opinions of experts; they would rather hear an opinion that lines up with their ideology.

However, it does not always work that way in the real world, which is fortunate, because we have institutions that are stronger than the Conservative Party of Canada.

[*English*]

**Mrs. Tilly O'Neill Gordon (Miramichi, CPC):** Mr. Speaker, I am pleased to have the opportunity to speak to Bill S-4, the digital privacy act. The bill would make significant improvements to Canada's private sector privacy legislation, the Personal Information Protection and Electronic Documents Act, or PIPEDA.

One aspect of the digital privacy act that has not received a lot of attention is how the bill would help reduce red tape for businesses. Reducing red tape for Canadian businesses saves money and helps encourage greater investment in our economy. I would like to focus my comments today on these important changes.

We must always bear in mind that strong privacy legislation is not just good for everyday Canadians; it is also good for businesses. In our rapidly evolving digital economy, personal information is becoming increasingly valuable, creating tremendous new opportunities for businesses to innovate and develop new products and services.

Canadians will not provide their private information to businesses if they do not trust that it will be protected. At the same time, if the rules are too cumbersome and complex for businesses to manage and show no clear benefit to consumer privacy, then companies will struggle to implement them. It is for these reasons that the digital privacy act proposes a number of common sense changes to help businesses protect privacy in a way that does not hinder their ability to conduct business.

All of these changes make sense. They were all identified by the Standing Committee on Access to Information, Privacy and Ethics when it conducted the first statutory review of PIPEDA back in 2006. Businesses have been waiting a long time for these changes, and it is important that we move now to implement them. I would like to briefly touch on each of these important changes.

The first changes are in relation to business transactions. Currently, if a company wants to examine personal information as part of its due diligence—for example, if a business is thinking of buying a magazine and would like to look at the list of current subscribers—it first needs to obtain the consent of each individual subscriber. This requirement not only presents a tremendous burden for the company but is also often impractical, given the confidential nature of most prospective business transactions.

Bill S-4 fixes this problem by creating an exception to the requirement for consent that would allow businesses to share information in this context. This must be done in such a way that the privacy interests of those involved are protected.

Under the digital privacy act, information could only be shared for the purpose of assessing the feasibility of the transaction. If the transaction did not proceed, the information would have to be destroyed or returned. If the transaction did proceed, then the individuals would have to be informed.

This amendment would implement a recommendation made by the standing committee during the first statutory review and is modelled after a similar exception that is currently in place in Alberta and British Columbia under their private sector privacy laws.

In addition, the amendment has widespread support among stakeholders. Ms. Éloise Gratton, a lawyer with the Borden Ladner Gervais law firm, appeared before the Standing Committee on Industry, Science and Technology. She said:

I offer my support to two important provisions in the bill: mandatory breach notification and business transaction exception.

*Government Orders*

The next important amendment I would like to highlight is the change to how business contact information is dealt with under PIPEDA. Currently, certain types of business contact information are not defined as personal information. Specifically, a person's business title, address, and telephone number are not considered personal information and are therefore not regulated.

● (1610)

As was pointed out during the first statutory review of PIPEDA, this would present an obvious problem: only a few bits and pieces of information are considered to be business contact information under PIPEDA. A person's work email address or fax number or their LinkedIn account or a business Twitter handle are all considered personal information.

The digital privacy act would correct this problem by creating a technology-neutral definition of "business contact information". It would do this by being inclusive of all types of communication points of contact, such as social media applications like Twitter and LinkedIn. With this change, a sales manager would now be allowed to share an employee's work email address with a client without having to get permission first. This would create a better balance between protecting privacy and allowing information to flow in a digital economy. At the same time, the act would continue to protect business contact information if it is used outside of a business context.

Another important amendment in the digital privacy act would be the clarification around the rules for when someone's personal information is included in their work product. An example would be when a garage mechanic signs off on a vehicle's inspection or a work estimate. The fact that the mechanic signs off on the estimate would mean that it now contains his personal information.

Currently, under PIPEDA, a business must obtain an individual's consent to use or share any work product he or she creates if it contains the individual's personal information. Again, this seems like a rather silly and unnecessary bit of red tape. Bill S-4 would fix this problem by ensuring that businesses can use their employees' work without getting the employees' consent.

Finally, the digital privacy act would ensure that insurance companies can use witness statements when assessing or processing any insurance claim. Witness statements provided to the police or other investigating authorities may contain personal information. For example, if I were to witness someone running a red light that results in a car accident, my statement to the police would include personal information. Currently, under PIPEDA, an insurance company processing any claims for the accident would need to get the consent of anyone named in my witness statement in order to use it. Such a requirement would create the potential for someone who breaks the law to use privacy as a shield to avoid responsibility for his or her actions.

The digital privacy act would fix this problem with an amendment that would enable an organization to obtain a witness statement without having to obtain the consent of an individual whose personal information is contained within it. However, this experience would only apply when the information is necessary to assess, process or settle an insurance claim.

In addition to strengthening privacy protection in Canada through measures like mandatory data breach reporting and stronger enforcement powers for the Privacy Commissioner, which had been discussed extensively in this place, the digital privacy act would also make a number of important changes that would cut red tape for Canadian businesses.

I hope hon. members will join with me in supporting a balanced and carefully considered bill that would dramatically improve Canada's privacy law.

● (1615)

[*Translation*]

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP):** Mr. Speaker, the NDP is entirely supportive of the need to update our privacy laws, especially in the digital age, when we frequently share our private lives online. However, something about this bill really bothers me, which is why the NDP will not be supporting it.

Unfortunately, although the bill is called the digital privacy act, some of its measures actually work against privacy by opening the door to more sharing of personal information among organizations, on a voluntary basis, without the knowledge or consent of the individuals in question. The Privacy Commissioner even raised some concerns about this. This will really open the door to a lot of information sharing. Sometimes it will be for legitimate reasons, and sometimes not.

Why has the government not taken action in this regard? Why did it not include the amendments put forward by the Privacy Commissioner to ensure that this bill really does protect Canadians?

[*English*]

**Mrs. Tilly O'Neill Gordon:** Mr. Speaker, I assure the member opposite that our government takes the privacy of Canadians very seriously. That is why we introduced the digital privacy act, which contains important new protections for Canadians. Based on the testimony heard at the industry, science and technology committee, our government believes that we have struck the right balance in this bill.

We take the privacy of Canadians seriously, and so do Canadians right across our great country. I want to share a quote from a well-known Canadian, the current Privacy Commissioner. He stated:

*Government Orders*

I am greatly encouraged by the government's show of commitment to update the Personal Information Protection and Electronic Documents Act, and I generally welcome the amendments proposed in this bill.

• (1620)

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I thank my colleague for her speech.

I would like her to come back to why this bill is coming from the Senate. The question was asked earlier, but the government did not provide an answer.

Would the hon. member like to tell us why the government has decided, more than once, to have unelected senators introduce bills that in fact are government bills, and likely from the Minister of Industry?

Why did the Conservatives decide to send this bill to the Senate before elected members of the House could look at it? They could have simply introduced the bill here and let it follow the usual process, like most bills introduced by the government.

[*English*]

**Mrs. Tilly O'Neill Gordon:** Mr. Speaker, I assure the House, and the member opposite must know as well, that this bill has to go through the two Houses regardless. Therefore, that is the path we chose. It will be well worth it to get it moving on, and well received by all Canadians because it is a very important change.

[*Translation*]

**Ms. Charmaine Borg:** Mr. Speaker, the thing that bothers me about this whole process is that this bill was introduced in the Senate first, as the hon. member for Sherbrooke mentioned in his question, and then brought to the House.

We even adopted a motion to study the bill before second reading stage, which instilled confidence and was a sign of good faith. We thought we could amend this bill and make the necessary changes to ensure that it truly protects Canadians' personal information in the digital age.

However, the government kept saying we did not have enough time to amend the bill because it needed to be passed as quickly as possible.

I want to point out that this government introduced similar bills in the past and I myself introduced a bill on this topic that we could have passed and would already have become law. The Conservatives refused it all. They did nothing and now suddenly they are making this an urgent matter.

Why did they fail to do anything about this before it became an urgent matter?

[*English*]

**Mrs. Tilly O'Neill Gordon:** Mr. Speaker, I assure the member opposite, and all members of the House, that our government is getting the job done, and that is why we are moving on.

**Mr. Rodney Weston (Saint John, CPC):** Mr. Speaker, I am pleased to rise today to speak Bill S-4, the digital privacy act, which would significantly strengthen Canada's private sector privacy law.

In today's increasingly digital world, Canadians need to have confidence that their online transactions are secure and their privacy is protected. Unfortunately, data breaches, computer hacks, malware and other online threats are simply a reality of today's modern digital landscape. If Canadians do not trust that their private information is safe when it is in the hands of business, then they will not provide it. Without the free flow of information, our digital economy will stall. This is why strong, effective privacy laws that protect personal information are essential to building consumer trust and confidence. Canadian businesses need clear and balanced rules to follow so that their handling of personal information meets the expectations of Canadians.

The digital privacy act would provide important improvements to Canada's private sector privacy legislation, the Personal Information Protection and Electronic Documents Act, PIPEDA. Canadians want control over their personal information and our privacy laws give them exactly that. PIPEDA requires businesses to obtain a person's consent before collecting his or her personal information and ensures that this information is used only for the stated purposes. PIPEDA also gives Canadians control over which type of information is collected about them, how it is used and with whom it is shared. PIPEDA holds businesses accountable for the private information they hold, requiring them to keep it safe and out of the hands of hackers or thieves.

Further, the law gives Canadians the right to access their information at any time to make sure that it is accurate while also giving the Privacy Commissioner strong tools to enforce compliance. Privacy is a major concern for Canadians and they want to know that their personal information is secure. Businesses that can offer that security have a clear competitive advantage.

If I have a choice between a company that does not make protecting my personal information a priority versus one that tells me exactly what information it is collecting and how it is protecting it, I am going to choose the business that offers me the most protection. Businesses that are clear about what they are doing with personal information and have appropriate safeguards in place to protect that information will have an advantage in the marketplace.

Thankfully, limiting the collection, use and disclosure of personal information, having appropriate safeguards and being open about privacy practices are all part of the founding principles of PIPEDA. PIPEDA applies to all private sector organizations operating in Canada. It came into force on January 1, 2001, and its framework has stood the test of time. It is based on a set of 10 internationally recognized principles called the fair information principles. These principles give individuals control over their personal information and the way it is managed in the private sector. They establish strong privacy rights for Canadians and real obligations for companies.

*Government Orders*

By requiring businesses to protect personal information, PIPEDA is not only protecting the privacy rights of Canadians but is helping contribute to a vibrant Canadian economy. These founding fair information principles for PIPEDA mean that the act is flexible and scalable and allows data to move seamlessly across borders, all of which are good for Canadian businesses. PIPEDA is a flexible piece of legislation. It is technology neutral, which means that it evolves and will apply to new technologies in businesses as they emerge. It applies to all categories of businesses, not just one sector. It also lets companies find innovative new ways of protecting privacy because it is not overly prescriptive.

As I said, PIPEDA is also scalable. It applies to organizations of all sizes in Canada. Whether a small business or a large multinational corporation is doing business in Canada, it is governed by PIPEDA. Having a foundation based on these internationally recognized principles, being flexible and scalable, all contribute to PIPEDA reducing unnecessary red tape for businesses while also maintaining and protecting the privacy rights of Canadians. This puts Canada at a strategic advantage globally.

PIPEDA's balance between these two approaches allows Canadian businesses to be competitive in different markets around the world. By not being overly burdensome, PIPEDA allows Canadian businesses to adapt to new technologies as they emerge, thus allowing them the opportunity to compete with international markets and increase their revenues. At the same time, because PIPEDA is not overly lenient, Canadians can feel secure that their personal information will be protected in their dealings with businesses in Canada. It is clear that privacy is important for businesses and our economy.

• (1625)

Clearly, PIPEDA supports business activities, while protecting the personal information of consumers. Bill S-4 takes Canada's privacy protection a step further and clarifies rules for businesses.

Our government recognizes that companies need to have access to and use personal information to conduct business activities. That is why Bill S-4 provides a clear set of guidelines for businesses when it comes to the collection, use and disclosure of the personal information of Canadians in the course of commercial activities. These activities can include undertaking a merger or acquisition, processing an insurance claim or simply share an employee's email address and fax number with another company.

Bill S-4 would maintain PIPEDA's balanced approach and would provide important clarifications for businesses to conduct themselves with confidence, while at the same time offering consumers the assurances they need that their information is being protected.

The digital privacy act would also provide for oversight and accountability to ensure that when safeguards failed, individuals would be told about it and could take the appropriate measures to protect themselves.

The balanced approach found in PIPEDA and continued in Bill S-4 is an important element in establishing a growing trust and confidence in today's digital economy. Once again, it is that consumer trust and confidence that will help businesses and the

economy to flourish. It is that trust and confidence that will help us to continue to build a digital Canada.

Thanks to PIPEDA and the improvements proposed in Bill S-4, Canadians can be confident that their privacy is being protected when they provide their personal information to businesses.

The digital privacy act proposes common sense changes that will reduce red tape for businesses, while also maintaining and protecting the privacy of Canadians. A clear set of rules for privacy protection allows businesses to focus on providing exceptional service to their clients, while simultaneously offering them an advantage in today's increasingly competitive worldwide marketplace.

I want to take this opportunity to urge all hon. members to join me in supporting the bill.

• (1630)

[*Translation*]

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP):** Mr. Speaker, this bill establishes a mechanism to be used by organizations to report data breaches, data thefts, and so forth, which is very important. I called for such a mechanism in the House and proposed one in my Bill C-475.

However, the model proposed by the government in this bill is extremely subjective. The organization itself determines whether or not the data breach is serious and whether or not to notify the people concerned. Some data breaches may not be reported to the commissioner or the individuals in question. The individuals would not have the opportunity to take the necessary steps to properly protect themselves.

Instead of implementing a subjective measure, why not implement an objective measure that would put more power in the hands of the individuals whose identity or personal information has been stolen or breached?

[*English*]

**Mr. Rodney Weston:** Mr. Speaker, the member talked about the bill she brought before the House. However, I think we all have to agree that Canada does not need a heavy-handed approach that would add red tape for businesses and increased cost. We are all about increasing business in our country, driving our economy, and trying to create jobs and seeing Canadians work.

The Privacy Commissioner also agrees with us. He said:

—we believe it would be counterproductive to require organizations to notify individuals of all breaches. Similarly, we do not think it would be practical or efficient to require organizations to notify our Office of all breaches.

The Privacy Commissioner understands that the heavy-handed approach that the member opposite talks about in requiring more red tape for our businesses does not drive our economy. It is not beneficial to Canadians as a whole, and that is why we could not support that approach.

*Government Orders*

[Translation]

**Ms. Charmaine Borg:** Mr. Speaker, I simply want to respond to the hon. member's answer. My proposal ensured that the Privacy Commissioner was the one who determined whether the data breach was significant enough to report. What the Conservatives are proposing will put the burden on companies because, regardless of how big they are, this law applies to them. There are larger companies that have departments responsible for ensuring that people's privacy is respected and our country's laws are complied with. However, it is more difficult for small companies to determine whether that is the case. Some have no idea what to do, not because they do not want to co-operate, but because they simply do not have the people to do it. Why not help them out a little by giving them access to the Privacy Commissioner's resources and expertise?

I would like to reiterate that the Conservatives' bill provides far less help to small and medium-sized businesses.

[English]

**Mr. Rodney Weston:** Mr. Speaker, Bill S-4 would better protect the privacy of Canadians by requiring organizations to inform Canadians when their personal information had been lost or stolen. Organizations would also be required to keep all records of data breaches and report significant breaches to the Privacy Commissioner of Canada. Organizations that deliberately covered up a data breach or intentionally fail to notify individuals and report to the commissioner could face up to \$100,000 for every individual they have failed to inform.

The law being put into place would protect Canadians. It would force businesses to be expedient when they were dealing with the personal information of Canadians. I trust that businesses in our country will take this very seriously when they look at the penalties that are in place for any breach of privacy that might occur.

By keeping these records, if a complaint is laid, the Privacy Commissioner can go to the records at any time and if the breach has not been recorded or if there is any further breach, the maximum penalty can be applied.

[Translation]

**The Deputy Speaker:** 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 Charlesbourg—Haute-Saint-Charles, Official Languages; the hon. member for Windsor West, Tourism Industry.

• (1635)

[English]

**Mr. Craig Scott (Toronto—Danforth, NDP):** Mr. Speaker, it is my pleasure to speak to Bill S-4, and I would like to do so by addressing three themes. The first will be how Bill S-4 reflects rather badly on our democratic process. The second theme will be that Bill S-4 is already hopelessly out of date. It is behind the technological times. The third theme is that there are worrisome features in Bill S-4 to the extent that it would inadequately protect privacy, even within the limits of what it is trying to do.

On that first theme of democracy, we should recall that a lot of what has subsequently come through the House in a series of different bills started with Bill C-30, which I always called the

Internet surveillance bill. It got so panned by experts and civil society that the government tried to take it off of the table in the House by sending it to committee for study before second reading. It then disappeared, because the government knew that too much in there had attracted too much early attention from Canadians.

I mention that, because parts of it have begun to reappear in bits and pieces since Bill C-30 disappeared.

Bill S-4 uses one of the same techniques as Bill C-30 to try to take it away from public scrutiny. It is ironic that the method it would use is one that was recommended by the McGrath committee in 1982 or 1984, which is to make better use of committees by having them look at bills before the principle of the bill has been fixed, by having the government send the bill to committee before second reading. That is between first and second reading. It would allow committees to effectively look at the bill as a strong draft from the government, but for MPs, presumably from all parties, to try to improve and perfect the bill without being hamstrung in the way we are now in our committee study of bills by the principle having been fixed, as it gets fixed when we go to second reading for a bill in principle.

Bill S-4 did get sent to committee and, surprise, surprise, with the way that the government has operated since I have been here and since it got a majority in 2011, there were no amendments. The government rejected every amendment and presented no amendments itself. It was as if it had not heard anything that had convinced it of anything, despite all of the witnesses who had appeared and who, in very measured tones and with a very focused analysis, had indicated that there were ways, even within the limited confines of what the government was trying to do in the bill, that the bill could be improved. However, the government, through its MPs on that committee, decided that the bill was fine as-is.

Look at *House of Commons Procedure and Practice*, second edition, on page 742. It tells us what this procedure was intended to be when the McGrath report came down in 1982 or 1984. It was intended to be an empowering mechanism for the House in relation to government legislation. It was meant to create more of a partnership between MPs and the government. It says:

This empowers Members to examine the principle of a bill before second reading, and enables them to propose amendments to alter its scope.

*Government Orders*

In the end, this was a subterfuge. Who here is going to doubt that the reason it was sent to committee between first and second reading was to get it off the agenda in the House, which can tend to lead to a bill receiving more public attention and producing the kind of civil society push back that we have seen meet the government's bills on and on for the last little while? It was a mechanism to reduce its visibility and to have it reappear just about now, with two weeks to go, when there is no steam, no energy, nothing left for civil society to get its mind around in terms of general resistance.

My colleagues have mentioned a problem with this bill, as with other bills that start in the Senate, which is a structural problem that will hopefully be dealt with after the next election by having the Senate put in its proper place. There is also something here, which is that there has been no acknowledgement by the government that this bill probably does conflict with the Spencer decision of 2014 in the Supreme Court of Canada.

● (1640)

This decision recognized the nature of the privacy interests in Internet users' data, including all the metadata that identifies various features of their existence on the Internet, and indicated that in a police context, warrants are needed in order to get access to that information.

PIPEDA, as amended by Bill S-4, would now allow private sector organizations, using the guise of fraud investigations, contractual breach investigations, et cetera, to request of any other private actor all that same information, and nothing is put in here by way of safeguards. It is as if the Spencer decision never came down.

We have had no opinion tabled anywhere from the Department of Justice, through the Minister of Justice, to say that under section 4.1 of the Department of Justice Act, the minister has assessed that Bill S-4 complies with the charter, even after the Spencer judgment. That is because the government never tables opinions and never takes charter arguments seriously.

The record is clear. Last year alone, something like a dozen judgments came from the courts, and 10 out of the 12 found that the government's legislation breached the charter or other principles of law.

The bottom line is that this bill is not a good story for democracy, but that again, I am sorry to say, is not a new story.

The second theme is that the bill has missed the boat.

This all started in 2007. That was when the PIPEDA review was mandatory under the statute, and very quickly a couple of different bills began to appear in the House. They just never got through the minority Parliament at all. Nothing really changed along the way. The government is still stuck back in whatever its thinking was around 2007.

Let me quote from the Library of Parliament's background paper on Canada's federal privacy laws. It says:

As advances in technology increase the ease with which information about individuals can be gathered, stored and searched, the need to protect the privacy of such information presents a rapidly evolving challenge for legislators.

That challenge has not been met. It is as if the government does not know how much of an information economy we have rapidly, almost exponentially, year by year, evolved into being.

How about these basic facts?

The world's largest taxi company right now has no cars. It is the largest taxi company because it has information. That is Uber.

The world's largest accommodations company, Airbnb, owns no property, but it is the richest and largest company by virtue of how it owns information.

The world's largest retailer has absolutely no inventory. That is Alibaba, in China.

This is the world we live in now, and there is nothing in the PIPEDA amendments, in Bill S-4, to indicate the government is at all aware of what it means to be living in this economy.

We should think about the so-called Internet of Things. According to recent research, by 2020, 26 billion devices will be connected to the Internet. That is roughly an average of something like three or four per person on earth. There is no evidence that this bill even comes close to understanding the privacy issues that arise from the fact that we are increasingly living in a connected world in which our phones will be reporting on our heart rates, our fridges will report on our eating habits and even order our groceries, self-driving cars will be out there on the roads, and thermostats and smart meters will monitor our every movement. There is nothing in the bill in that regard. All I would say is that amendments that are 10 years out of date are not exactly something to write home about.

The third theme is the inadequacies and the problems in the bill.

Let me just list them. They have been mentioned before.

First, the way in which the bill deals with giving consent on the web is inadequate after the Spencer case.

Second, the loophole that allows for private organizations to pass on information without any kind of safeguard system analogous to a warrant system, on the simple basis that they are investigating breaches of agreement or fraud or financial abuse, is a recipe for incursions into privacy.

Third, I would end by saying that the reportability standard whereby, if there is a breach of data, a company or holder of the data must tell the person whose data has been lost on the basis of a real risk of significant harm is a subjective standard that is assessed by the company. There is no real system to ensure that it does not become a mechanism for breaches to be hidden from public view and hidden, therefore, from accountability.

● (1645)

**Mr. Dan Albas (Parliamentary Secretary to the President of the Treasury Board, CPC):** Mr. Speaker, I want to thank my colleague across the way. I always find him to be a very learned member who always brings to the debate a level of intelligence and levelheadedness.

*Government Orders*

He mentioned the Senate in his speech. He said that after the election, he has a plan to solve the Senate. I would like him to extrapolate what he means by that and explain his rationale or how he is seeking to solve it. I would like to hear a little more about that.

**Mr. Craig Scott:** Mr. Speaker, I am sure my colleague would, but I think we will keep the topic on Bill S-4 today.

**An hon. member:** You raised it.

**Mr. Craig Scott:** I did raise it. You are correct.

Mr. Speaker, there are a whole range of measures that we would ask the Senate to consider to put itself in the proper relationship of complementarity to the House of Commons for so long as it exists. I will be releasing those measures at some point, but not at the moment. Meanwhile, we will do everything we can to convince Canadians and the other partners in Confederation that the Senate has seen its final days.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, my colleague wonders whether the NDP might be looking at changing its position on the Senate, but that is not why I stood up.

My question is in regard to privacy-related issues. Privacy continues to be a major issue in the minds of Canadians, and justifiably so. With the growth of technology, growth in participation in the Internet, and growth in the concerns related to privacy, whether in relation to government or in relation to private sector companies, we want to make sure that this information is being guarded. We want to make sure that the government can provide leadership in the form of legislation and that the potential for fines will in fact be realized.

The member referred to the government's lack of enthusiasm in dealing with this concern. Does he believe that the government has failed in terms of understanding the need for robust legislation that would protect the interests of consumers and has lost the opportunity to do so, as Canadians will likely want to see change toward the end of the year?

**Mr. Craig Scott:** Mr. Speaker, the short answer—and I think I spoke to it in my speech—is yes, the government has generally lost the plot.

Privacy is more rhetorical from that side of the House, at least from the government ranks. I am not saying that is the case for all members of Parliament, but I do not think the Conservatives have any sense at all of where privacy absolutely needs to be taken seriously versus when it is used as a shibboleth for other kinds of agendas, as my colleague from Trinity—Spadina pointed out very well in his speech by noting that when privacy suddenly rears its head on such things as the long form census and the long gun registry, it does not quite rear the same head when it comes to privacy in the Internet context.

[*Translation*]

**Ms. Charmaine Borg (Terrebonne—Blainville, NDP):** Mr. Speaker, I congratulate my colleague on his speech.

I would also like to talk about the process this bill would establish. The government could have taken this opportunity to fix the flaws in the Personal Information Protection and Electronic Documents Act, in order to ensure that Internet service providers and government

agencies could no longer voluntarily share information without a warrant. There were at least 1.2 million requests in a single year. We have no details about why or about the circumstances surrounding these requests. The one thing we do know is that there was no warrant.

Could my colleague talk more about this missed opportunity?

• (1650)

[*English*]

**Mr. Craig Scott:** Mr. Speaker, I thank my colleague for the question and for all her work, without which I would not be even half as informed about this bill as I believe I am.

The issue is ultimately that the government is not at all interested in having Canadians know the extent of something even so comparatively innocuous as the government asking for voluntary disclosure of information from private companies. The minimum, for example, that certain witnesses asked for is just to have statistics that the Privacy Commissioner and everybody else could be looking at, so that people would have a sense of the scope of the phenomenon. Nothing like that is even in the bill, let alone a regime that would actually regulate the phenomenon.

The bottom line is that the more Canadians know about the scope of government access to private information, the more concerned they become. The government is quite far behind on this issue. I think the Conservatives have a tin ear when it comes to where Canadians are on privacy issues.

**Mr. Jay Aspin (Nipissing—Timiskaming, CPC):** Mr. Speaker, I am pleased to rise to speak to Bill S-4, the digital privacy act, which has been referred back to the House by the Standing Committee on Industry, Science and Technology.

Last year, our government launched digital Canada 150, an ambitious plan for Canadians to take full advantage of the opportunities of the digital age. It is a broad-based, ambitious plan to take full advantage of the digital economy as we celebrate our 150th anniversary in 2017. It is the next step to build our nation and connect Canadians to each other.

As the digital economy grows, individual Canadians must have confidence that their personal information is being protected. That is why, under digital Canada 150, one of the five pillars is known as “protecting Canadians”. The digital privacy act would provide important and long-awaited updates to our private sector privacy law, the Personal Information Protection and Electronic Documents Act, commonly known as PIPEDA.



*Government Orders*

PIPEDA provides a legal framework for how personal information must be handled in the context of commercial activities, while also setting guidelines for the collection, use, and disclosure of personal information. These rules are based on a set of principles developed jointly by government, industry groups, and consumer representatives.

The digital privacy act would strengthen marketplace rules set out by PIPEDA in important ways. In addition to protecting and empowering consumers, amendments would clarify rules for businesses and reduce red tape. These guidelines would also ensure that vital information is available to Canadian businesses, so they have the necessary tools to thrive in the global digital economy.

Balancing the individual expectations for privacy and the needs of businesses to access and use personal information in their day-to-day operations is important, and Bill S-4 gets it right. It would ensure individuals that, no matter the transaction, their personal information would continue to be protected under Canadian law.

The need to update rules for online privacy continues to grow. Breaches of personal information held by retail giants like Target and Home Depot, where the credit card information of millions of Canadians was stolen, underscore the need to strengthen PIPEDA with mandatory breach requirements.

The bill before us would do exactly this by establishing new requirements for organizations to inform Canadians when their personal information has been lost or stolen and there is a risk of harm. The privacy commissioner must also be notified. An organization that deliberately covers up a data breach, or intentionally fails to notify individuals and report to the commissioner, could face significant fines as a result.

Let me now take a minute and point out some of the ways in which the bill before us would create an effective and streamlined regime for reporting data breaches. The digital privacy act would establish a clear and straightforward test that businesses must apply to determine whether or not they are required to report a breach. If a business determines that a data breach creates a significant risk of harm to a customer or client, then it must report this information both to the individual affected and to the privacy commissioner. If the organization determines that a data breach does not pose a risk of significant harm—that is, their data security safeguards were compromised but they avoided a situation where their customers are exposed to threats like identity theft, fraud, or humiliation—then that organization must keep a record of the breach.

The requirement to maintain these records, even if the breach is determined not to be serious at the time, would serve two purposes. First and most important, it would require companies to keep track of when their data security safeguards fail, so that they can determine whether or not they have a systemic problem that needs to be corrected. An initial breach may not be serious because the information lost is not particularly sensitive. The next time, however, the company and the individuals affected may not be so lucky. Keeping track of all breaches would help companies identify potential problems before individual privacy is seriously harmed.

Second, these records provide a mechanism for the privacy commissioner to hold organizations accountable for their obligations to report serious data breaches.

● (1655)

At any time, the privacy commissioner might request companies to provide these records, which would allow him to make sure organizations are following the rules. If companies chose to deliberately ignore these rules, the consequences, as set out under the digital privacy act, would be serious.

Bill S-4 would make it an offence to deliberately cover up data breaches or intentionally fail to notify individuals and report to the commissioner. In these cases, organizations could face fines of up to \$100,000 for every individual whom they fail to notify. These penalties represent just one way in which the digital privacy act would safeguard the personal information of Canadians.

The Privacy Commissioner of Canada strongly supports the proposed data breach rules in Bill S-4. He told the standing committee that:

...I am greatly encouraged by the government's show of commitment to update the Personal Information Protection and Electronic Documents Act, and I generally welcome the amendments proposed in this bill.

Proposals such as breach notification, voluntary compliance agreements and enhanced consent would go a long way to strengthening the framework that protects the privacy of Canadians....

Similarly, the Canadian Bankers Association voiced its support for these amendments, telling the committee:

The banking industry supports the requirements in the digital privacy act for organizations to notify individuals about a breach of their personal information where there is a risk of significant harm... We also support the commissioner's new oversight powers to ensure that organizations comply with these new provisions.

I think it is clear that Bill S-4 would deliver a balanced approach to protecting the personal information of Canadians, while still allowing for information to be available in a growing, innovative digital economy.

Mr. Karl Littler, vice-president, public affairs, Retail Council of Canada, summed it up best, when he told the standing committee:

Generally speaking, Bill S-4 strikes the right balance between action to protect digital privacy on digital fraud and financial abuse, while recognizing the strengths of PIPEDA and its forward-thinking technologically neutral approach.

I think we have it right with the digital privacy act. Both business and consumers have been empowered in the digital age, but if Canada is to remain a leading digital nation, Canadians need to have confidence that their online transactions are safe and their privacy is secure.

*Government Orders*

Bill S-4, the digital privacy act, would strengthen the rules protecting the personal information that is essential to the conduct of business in virtually all sectors of the economy. The digital privacy act would go a long way to improving the protection of privacy for Canadians.

I urge hon. colleagues to join me in supporting this bill.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I would like to pose the same question I asked another colleague of the member, and that is in regard to the timing of the legislation itself and the government's unwillingness to recognize the need to allow for amendments of its own legislation, which could ultimately provide greater strength and improve the legislation itself.

No doubt the member recognizes, as I am sure all members of the House would, the concern Canadians as a whole have in regard to privacy-related issues. It is somewhat surprising that the government has been unable to really bring in robust legislation that would, in fact, provide assurances to Canadians that the government really understands the issue.

At the last minute, months away from an election, with only a few weeks to go, now we seem to see the government in a hurry-up mode or attitude, in terms of, well, this is the best we can get.

Does the member recognize that the government has actually fallen short in addressing the very important issues that Canadians have, related to protecting their privacy, especially given the growth of the Internet and other technologies and the amount of information available on the Net today?

• (1700)

**Mr. Jay Aspin:** Mr. Speaker, clearly, the time to act is now.

These ideas have been around for a long time. We have debated them for quite a period of time. What Canadians are looking for is action. This is not a perfect bill by any means, but we do not let the perfect be the enemy of the good.

Chantal Bernier, former interim privacy commissioner, says, "I welcome proposals" in this bill. The bill contains "very positive developments for the privacy rights of Canadians...". "I am pleased that the government has" addressed such issues as breach notifications.

The current Privacy Commissioner, Daniel Therrien says:

...I am greatly encouraged by the government's show of commitment to update... [PIPEDA], and I...welcome the amendments proposed in this bill.

I submit that it is time to act, and that is precisely what our government is prepared to do.

[*Translation*]

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, I thank my colleague from Nipissing—Timiskaming for his speech on Bill S-4.

I worked on Bill C-51, which thousands of Canadians opposed. They were worried that the bill would invade their privacy and violate their rights and freedoms. In the answer he just gave, my colleague said that this bill was not necessarily perfect but that we need to take action. I have a question for him.

Bill S-4, and also Bill C-13, would allow greater access to personal information without a warrant and without provisions for a proper oversight mechanism. This is reminiscent of the extremely distressing Bill C-51, which we studied not too long ago.

Why is the government working so hard to allow snooping without a warrant by creating bigger holes with Bill C-13 and Bill S-4?

[*English*]

**Mr. Jay Aspin:** Mr. Speaker, as I indicated, I believe that this bill strikes the right balance. I believe the time to act is now.

We certainly have ample support from across Canada: the Canadian Chamber of Commerce, the Canadian Bankers Association, Credit Union Central of Canada, the Insurance Bureau of Canada, the Retail Council of Canada, the Canadian Marketing Association, the Canadian Pharmacists Association, and the Canadian Life and Health Insurance Association. All of these groups show a good, broad, strong base of support for this legislation, and I submit that the time to act is now.

**Mr. Dan Albas (Parliamentary Secretary to the President of the Treasury Board, CPC):** Mr. Speaker, I am very happy to be in this place and to rise on behalf of the people of Okanagan—Coquihalla. I am also pleased to express my support for Bill S-4, the digital privacy act.

Bill S-4 provides a number of important updates to the Personal Information Protection and Electronic Documents Act. In my view, these updates are long overdue and will better protect Canadians, in particular consumers, seniors, and children, who could be more vulnerable to sharing personal information online.

I believe that most parents would agree that today's kids' use of the Internet and related digital technologies is unprecedented in our history. Today, children have access to everything online, from information for school projects to gaming, music, movies, and much more.

A wide variety of devices are used to engage in activities such as socializing or gaming with friends, and of course, sharing photos and videos on social media sites that can be viewed by people all over the world. A young teenager may have a picture or a self-made video viewed by tens of thousands of people. While that may be an exhilarating experience, I would also say that it could potentially be a dangerous one.

As we know, a survey conducted in 2013 found that 30% of grade 4 to grade 6 students had Facebook accounts. By grade 11, that increases to 95% of all students, and that is just Facebook. What about Twitter or Instagram or Snapchat?

*Government Orders*

Businesses are not naive to these trends. Online services can generate massive amounts of revenue. The action of collecting and analyzing personal information for marketing purposes is huge and increasingly valuable. This includes personal information taken from websites, apps, and search engines aimed at kids.

Do kids have any idea that their information is being gathered? Do parents? Is there a clear understanding of what happens to that information that is required to register and download or play a free online game?

Our government recognizes that the digital world offers benefits to children. We are also aware that the online community is often a reality in our day-to-day lives.

The skills kids develop by participating and navigating in online activities can create a significant advantage as they grow up and transition into the job market. Indeed, many high-school-aged kids today have as much, or more, online literacy than a technician would have had a decade ago. However, with growing participation in the online world come increased threats to privacy.

PIPEDA currently contains provisions that protect the personal information of children. As an example, businesses cannot obtain consent in a deceptive or misleading manner. The act also prevents companies from denying access to services on the basis of a refusal to share personal information.

The digital privacy act proposes an amendment to increase protection by creating new safeguards related to the collection, use, and disclosure of personal information. The bill would require that an organization ensure that users, as a group, were able to understand what happens to the information that is collected about them.

I would like to provide this place with a few examples of how the proposed amendment would work.

One example could be an educational website designed to help elementary school kids develop math skills. Under the proposed amendment, requests by that particular website to collect, use, or disclose personal information would need to be understandable by the average elementary school student. This would ensure that these requests used words and language that was appropriate for the website's target audience. Under the digital privacy act, it would not be reasonable to simply expect average elementary kids to understand what clicking the "I agree" box actually meant. If there was no clear understanding as to why the information was being collected, the company would not have valid consent.

As another example, in the case of a mobile app that allowed teenagers to create music recordings, that app would need to obtain the consent of these teens in a manner that would be different if the app were targeting adult users.

● (1705)

I am also aware that during the committee hearings on Bill S-4, a number of witnesses shared their views on the proposed consent measures.

The Privacy Commissioner of Canada, when expressing his support for this amendment, stated the following:

it is a useful clarification of what consent is, and it has the potential of improving the situation for the issue of consent sought from children... So, when the individual is a child, if your product is addressed to children, you should think about what is reasonable to expect of a child in understanding the consent being sought. Overall, I think, again, the definition of consent in Bill S-4 will assist generally and will assist particularly groups that are more vulnerable, like children.

The committee also heard from other expert witnesses who offered their support for the consent amendment. For example, the Retail Council of Canada stated its wholehearted support for this proposed amendment on valid consent, emphasizing in particular that, "a vulnerable population such as children should be protected".

In addition, the Marketing Research and Intelligence Association, which represents the Canadian survey research industry, also wrote to the committee to share its views on Bill S-4. In its submission, it stated that the amendment "provides added clarity for organizations when they seek the valid consent of an individual when collecting, sharing and disclosing their personal information" and "that specifying the elements of valid consent will go a long way to protecting the most vulnerable Canadians, such as seniors and children".

These are positive endorsements, and I believe they speak to the idea that children need and require extra protection when it comes to their online activities and the protection of their privacy.

In early May of this year, an international network of privacy commissioners, called the Global Privacy Enforcement Network, or GPEN, conducted a worldwide spot check on children's privacy protection. This privacy sweep, as it was called, looked at whether apps and websites worldwide inappropriately gathered information on children.

For some background, GPEN began conducting worldwide privacy sweeps in 2013. The first sweep focused on website privacy notices, and then in 2014, it focused on mobile apps. These sweeps have involved the active participation of Canada's own Privacy Commissioner. They have highlighted areas where privacy practices are lacking. Each time the sweeps have successfully resulted in concrete positive changes to a large number of apps and websites.

This year GPEN also looked at the types of information being collected from children and whether protective controls exist to limit that collection. This year's sweep also looked at whether these sites and applications take steps to make privacy policies understandable to kids, using things like simple language, large print, audio and animation, and whether parental involvement is encouraged.

The Privacy Commissioner of Canada had this to say about the children's privacy sweep:

Children are more connected than ever before and these platforms must bear that in mind when seeking potentially sensitive data such as name, location or email address. This is about protecting children. I can't think of anything more important than that.

*Government Orders*

I agree with the Privacy Commissioner.

This year's sweep was a privacy spot check that included 29 data protection authorities from 20 countries, including the Privacy Commissioner of Canada. I believe that many members of this House will look forward to the results of this groundbreaking privacy sweep when it is released in the fall. I expect the results will be of assistance to the Privacy Commissioner and the private sector in determining where changes need to be made to comply with the new enhanced consent requirements under the digital privacy act.

Earlier this year, our Privacy Commissioner also published a top 10 list for protecting children's privacy for organizations with services aimed at children and young people. These tips offered by the Privacy Commissioner emphasize that when it comes to children, the privacy protection bar needs to be set extremely high. I submit that this is why the Privacy Commissioner of Canada has publicly recognized that the amendment would enhance the concept of consent.

• (1710)

We have heard from the Privacy Commissioner and from privacy commissioners that this is an emerging field. I believe that the amendments made to PIPEDA will help protect our children and other vulnerable populations, like seniors. I would humbly ask all members in this place to give these provisions their due review and support.

[*Translation*]

**The Deputy Speaker:** Order. It being 5:15 p.m., pursuant to an order made Thursday, May 28, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the report stage and second reading stage of the bill now before the House.

• (1715)

[*English*]

The question is on Motion No. 1. A vote on this motion also applies to Motion No. 4.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

**The Deputy Speaker:** The recorded division on Motion No. 1 stands deferred. Accordingly, the recorded division will also apply to Motion No. 4.

The next question is on Motion No. 2. A vote on this motion also applies to Motions Nos. 3 and 5.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

**The Deputy Speaker:** The recorded division on the Motion No. 2 stands deferred. The recorded division will also apply to Motions Nos. 3 and 5.

[*Translation*]

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

Call in the members.

• (1755)

[*English*]

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

(*Division No. 411*)

## YEAS

## Members

Andrews	Angus
Ashton	Atamanenko
Aubin	Ayala
Bélanger	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulerice	Boutin-Sweet
Brahmi	Brison
Brousseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Choquette
Christopherson	Cleary
Comartin	Côté
Cotler	Crowder
Cullen	Cuzner
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Dubourg	Duncan (Etobicoke North)
Dusseault	Easter
Eyking	Fortin
Freeland	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Goodale	Gravelle
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Julian	Kellway
Lamoureux	Lapointe
Latendresse	Laverdière
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)

*Government Orders*

Leslie	Liu	O'Neill Gordon	Opitz
MacAulay	Mai	O'Toole	Paradis
Marston	Masse	Payne	Perkins
Mathysen	May	Poilievre	Preston
McCallum	McGuinty	Raitt	Reid
McKay (Scarborough—Guildwood)	Michaud	Rempel	Richards
Moore (Abitibi—Témiscamingue)	Morin (Chicoutimi—Le Fjord)	Rickford	Saxton
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)	Schellenberger	Seeback
Morin (Saint-Hyacinthe—Bagot)	Mourani	Shea	Shipley
Mulcair	Murray	Shory	Smith
Nantel	Nash	Sopuck	Sorenson
Nicholls	Nunez-Melo	Stanton	Storseth
Pacetti	Papillon	Strahl	Sweet
Péclet	Perreault	Tilson	Toet
Pilon	Plamondon	Trost	Trottier
Quach	Rafferty	Truppe	Uppal
Rankin	Rathgeber	Valcourt	Van Kesteren
Ravignat	Raynault	Van Loan	Wallace
Regan	Saganash	Warawa	Warkentin
Sandhu	Scott	Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sellah	Sgro	Sky Country)	Wilks
Simms (Bonavista—Gander—Grand Falls—Windsor)		Weston (Saint John)	Wong
Sims (Newton—North Delta)		Williamson	Young (Oakville)
Sitsabaiesan	St-Denis	Yelich	Zimmer — 150
Stewart	Toone	Yurdiga	
Tremblay	Trudeau		
Valeriotte	Vaughan — 124		

**NAYS**

## Members

Ablonczy	Adler
Aglukkaq	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Barlow
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Eglinski	Falk
Fantino	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Goodyear	Gosal
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	James
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Maguire	Mayes
McColeman	McLeod
Menegakis	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Norlock	Obhrai
O'Connor	Oliver

Nil

**PAIRED**

**The Speaker:** I declare the motion defeated and therefore declare Motion No. 4 defeated.

[*Translation*]

The next question is on Motion No. 2. A vote on this motion also applies to Motions Nos. 3 and 5.

● (1805)

*Before the Clerk announced the result of the vote:*

**The Speaker:** The hon. member for Bas-Richelieu—Nicolet—Bécancour on a point of order.

**Mr. Louis Plamondon:** Mr. Speaker, I ask that my vote be recorded in favour of the motion.

[*English*]

**The Speaker:** Does the hon. member have the unanimous consent of the House to have his vote counted in favour?

**Some hon. members:** Agreed.

**Some hon. members:** No.

(The House divided on Motion No. 2, which was negated on the following division:)

(*Division No. 412*)

**YEAS**

## Members

Andrews	Bélangier
Bennett	Brisson
Byrne	Casey
Cotler	Cuzner
Dion	Dubourg
Duncan (Etobicoke North)	Easter
Eyking	Fortin
Freeland	Fry
Gameau	Goodale
Hsu	Hyer
Lamoureux	LeBlanc (Beauséjour)
MacAulay	May
McCallum	McGuinty
McKay (Scarborough—Guildwood)	Murray
Pacetti	Perreault
Rathgeber	Regan

*Government Orders*

Sgro  
sor)  
St-Denis  
Valeriotte

Simms (Bonavista—Gander—Grand Falls—Wind-  
Trudeau  
Vaughan— 38

**NAYS**

Members

Ablonczy  
Aglukkaq  
Albrecht  
Allen (Welland)  
Allison  
Ambrose  
Anderson  
Armstrong  
Ashton  
Atamanenko  
Ayala  
Bateman  
Benskin  
Bernier  
Bezan  
Blanchette-Lamothe  
Block  
Borg  
Boulerice  
Brahmi  
Breitkreuz  
Brown (Leeds—Grenville)  
Bruinooge  
Calandra  
Cannan  
Caron  
Charlton  
Chisu  
Choquette  
Clarke  
Clement  
Côté  
Crowder  
Daniel  
Davies (Vancouver East)  
Dechert  
Dewar  
Donnelly  
Dreeshen  
Duncan (Vancouver Island North)  
Dykstra  
Falk  
Findlay (Delta—Richmond East)  
Fletcher  
Galipeau  
Garrison  
Genest-Jourdain  
Gill  
Goguen  
Goodyear  
Gravelle  
Grogulé  
Harris (Scarborough Southwest)  
Harris (Cariboo—Prince George)  
Hayes  
Hillyer  
Holder  
James  
Kamp (Pitt Meadows—Maple Ridge—Mission)  
Kellway  
Kent  
Komarnicki  
Lake  
Latendresse  
Laverdière  
LeBlanc (LaSalle—Émard)  
Leitch  
Leslie  
Liu  
Lobb  
Lunney  
MacKenzie  
Mai  
Martin  
Mathysen

Adler  
Albas  
Alexander  
Allen (Tobique—Mactaquac)  
Ambler  
Anders  
Angus  
Ashfield  
Aspin  
Aubin  
Barlow  
Benoit  
Bergen  
Bevington  
Blanchette  
Blaney  
Boivin  
Boughen  
Boutin-Sweet  
Braid  
Brosseau  
Brown (Newmarket—Aurora)  
Butt  
Calkins  
Carmichael  
Cash  
Chicoine  
Chong  
Christopherson  
Cleary  
Comartin  
Crockatt  
Cullen  
Davidson  
Day  
Devolin  
Dionne Labelle  
Doré Lefebvre  
Dubé  
Dusseau  
Eglinski  
Fantino  
Finley (Haldimand—Norfolk)  
Freeman  
Gallant  
Genest  
Giguère  
Glover  
Goldring  
Gosal  
Grewal  
Harper  
Harris (St. John's East)  
Hawn  
Hiebert  
Hoback  
Hughes  
Julian  
Keddy (South Shore—St. Margaret's)  
Kenney (Calgary Southeast)  
Kerr  
Kramp (Prince Edward—Hastings)  
Lapointe  
Lauzon  
Lebel  
Leef  
Lemieux  
Leung  
Lizon  
Lukiwski  
MacKay (Central Nova)  
Maguire  
Marston  
Masse  
Mayer

McColeman  
Menegakis  
Miller  
Moore (Port Moody—Westwood—Port Coquitlam)  
Moore (Fundy Royal)  
Morin (Chicoutimi—Le Fjord)  
Morin (Laurentides—Labelle)  
Mourani  
Nantel  
Nicholls  
Nunez-Melo  
O'Connor  
O'Neill Gordon  
O'Toole  
Paradis  
Péclet  
Pilon  
Preston  
Rafferty  
Rankin  
Raynault  
Rempel  
Rickford  
Sandhu  
Schellenberger  
Seeback  
Shea  
Shory  
Sitsabaesan  
Sopuck  
Stanton  
Storseth  
Sweet  
Toet  
Tremblay  
Trottier  
Uppal  
Van Kesteren  
Wallace  
Warkentin  
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)  
Weston (Saint John)  
Wilks  
Wong  
Young (Oakville)  
Zimmer— 237

McLeod  
Michaud  
Moore (Abitibi—Témiscamingue)  
Morin (Notre-Dame-de-Grâce—Lachine)  
Morin (Saint-Hyacinthe—Bagot)  
Mulcair  
Nash  
Norlock  
Ohrai  
Oliver  
Opitz  
Papillon  
Payne  
Perkins  
Polievre  
Quach  
Raitt  
Ravnagat  
Reid  
Richards  
Saganash  
Saxton  
Scott  
Sellah  
Shipley  
Sims (Newton—North Delta)  
Smith  
Sorenson  
Stewart  
Strahl  
Tilson  
Toone  
Trost  
Truppe  
Valcourt  
Van Loan  
Warawa  
Watson  
Williamson  
Yelich  
Yurdiga

**PAIRED**

Nil

**The Speaker:** I declare Motion No. 2 defeated. I therefore declare Motions Nos. 3 and 5 defeated as well.

**Hon. James Moore (Minister of Industry, CPC)** moved that the bill be concurred in at report stage and read the second time.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

● (1810)

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

*Business of Supply**(Division No. 413)*

## YEAS

## Members

Ablonczy	Adler
Aglukkaq	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Barlow
Bateman	Benoit
Bergen	Bemier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Devolin	Dreesen
Duncan (Vancouver Island North)	Dykstra
Eglinski	Falk
Fantino	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Goodyear	Gosal
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	James
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenny (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Maguire	Mayes
McColeman	McLeod
Menegakis	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Norlock	Obhrai
O'Connor	Oliver
O'Neill Gordon	Opitz
O'Toole	Paradis
Payne	Perkins
Poillievre	Preston
Raitt	Reid
Rempel	Richards
Rickford	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Trost	Trottier
Truppe	Uppal
Valcourt	Van Kesteren
Van Loan	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)
Weston (Saint John)	Wilks
Williamson	Wong
Yelich	Young (Oakville)
Yurdiga	Zimmer — 150

## NAYS

## Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
Ayala	Bélangier
Bennett	Benskin
Bevington	Blanchette
Blanchette-Lamothe	Boivin
Borg	Boulerice
Boutin-Sweet	Brahmi
Brison	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Choquette	Christopherson
Cleary	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver East)
Day	Dewar
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Dubourg
Duncan (Etobicoke North)	Dusseault
Easter	Eyking
Fortin	Freeland
Freeman	Fry
Garneau	Garrison
Genest	Genest-Jourdain
Giguère	Goodale
Gravelle	Groghé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Hyer	Julian
Kellway	Lamoureux
Lapointe	Latendresse
Laverdière	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Énard)	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
Péclet	Perreault
Pilon	Plamondon
Quach	Rafferty
Rankin	Rathgeber
Ravignat	Raynault
Regan	Saganash
Sandhu	Scott
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	
Sitsabaiesan	St-Denis
Stewart	Toone
Tremblay	Trudeau
Valeriotte	Vaughan — 126

## PAIRED

Nil

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

\* \* \*

**BUSINESS OF SUPPLY**

OPPOSITION MOTION—FINANCIAL CODE OF CONDUCT

The House resumed from June 1 consideration of the motion.

*Business of Supply*

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion relating to the business of supply.

• (1820)

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

*(Division No. 414)*

## YEAS

## Members

Ablonczy	Adler
Aglukkaq	Albas
Albrecht	Alexander
Allen (Welland)	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Andrews
Angus	Armstrong
Ashfield	Ashton
Aspin	Atamanenko
Aubin	Ayala
Barlow	Bateman
Bélanger	Bennett
Benoit	Benskin
Bergen	Bernier
Bevington	Bezan
Blanchette	Blanchette-Lamothe
Blaney	Block
Boivin	Borg
Boughen	Boulerice
Boutin-Sweet	Brahmi
Braid	Breitkreuz
Brison	Brosseau
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Bruinooge	Butt
Byrne	Calandra
Calkins	Cannan
Carmichael	Caron
Casey	Cash
Charlton	Chicoine
Chisu	Chong
Choquette	Christopherson
Clarke	Cleary
Clement	Comartin
Côté	Cotler
Crockatt	Crowder
Cullen	Cuzner
Daniel	Davidson
Davies (Vancouver East)	Day
Dechert	Devolin
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dreeshen
Dubé	Dubourg
Duncan (Vancouver Island North)	Duncan (Etobicoke North)
Dusseault	Dykstra
Easter	Eglinski
Eyking	Falk
Fantino	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Fortin	Freeland
Freeman	Fry
Galipeau	Gallant
Garneau	Garrison
Genest	Genest-Jourdain
Giguère	Gill
Glover	Goguen
Goldring	Goodale
Goodyear	Gosal
Gravelle	Grewal
Groguhé	Harper
Harris (Scarborough Southwest)	Harris (St. John's East)
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	Hsu
Hughes	Hyer
James	Julian

Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kellway	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lamoureux
Lapointe	Latendresse
Lauzon	Laverdière
Lebel	LeBlanc (Beauséjour)
LeBlanc (LaSalle—Émard)	Leaf
Leitch	Lemieux
Leslie	Leung
Liu	Lizon
Lobb	Lukiwski
Lunney	MacAulay
MacKay (Central Nova)	MacKenzie
Maguire	Mai
Marston	Martin
Masse	Mathysen
May	Mayer
McCallum	McColeman
McGuinity	McKay (Scarborough—Guildwood)
McLeod	Menegakis
Michaud	Miller
Moore (Abitibi—Témiscamingue)	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Morin (Chicoutimi—Le Fjord)
Morin (Notre-Dame-de-Grâce—Lachine)	Morin (Laurentides—Labelle)
Morin (Saint-Hyacinthe—Bagot)	Mourani
Mulcair	Murray
Nantel	Nicholls
Norlock	Nunez-Melo
Obhrai	Oliver
O'Neill Gordon	Opitz
O'Toole	Pacetti
Papillon	Paradis
Payne	Pécelet
Perkins	Perreault
Pilon	Plamondon
Poilievre	Preston
Quach	Rafferty
Raitt	Rankin
Rathgeber	Ravignat
Raynault	Regan
Reid	Rempel
Richards	Rickford
Saganash	Sandhu
Saxton	Schellenberger
Scott	Seeback
Sellah	Sgro
Shea	Shiple
Shory (sor)	Sims (Bonavista—Gander—Grand Falls—Wind-)
Sims (Newton—North Delta)	Sitsabaiesan
Smith	Sopuck
Sorenson	Stanton
St-Denis	Stewart
Storseth	Strahl
Sweet	Tilson
Toet	Toone
Tremblay	Trost
Trottier	Trudeau
Truppe	Uppal
Valcourt	Valeriotte
Van Kesteren	Van Loan
Vaughan	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to)
Sky Country)	
Weston (Saint John)	Wilks
Williamson	Wong
Yelich	Young (Oakville)
Yurdiga	Zimmer— 274

## NAYS

Members

O'Connor— 1

Nil

## PAIRED

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



## ROUTINE PROCEEDINGS

[English]

### COMMITTEES OF THE HOUSE

#### HEALTH

The House resumed consideration of the motion.

**The Speaker:** The House will now proceed to the taking of the deferred recorded division on the motion to concur in the sixth report of the Standing Committee on Health.

• (1830)

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

(Division No. 415)

#### YEAS

##### Members

Ablonczy	Adler
Aglukkaq	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Ashfield
Aspin	Barlow
Bateman	Benoit
Bergen	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Devolin	Dreeshen
Duncan (Vancouver Island North)	Dykstra
Eglinski	Falk
Fantino	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Goodyear	Gosal
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	James
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Maguire	Mayes
McColeman	McLeod
Menegakis	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Norlock	Obhrai
O'Connor	Oliver
O'Neill Gordon	Opitz
O'Toole	Pacetti
Paradis	Payne
Perkins	Poillievre
Preston	Raitt

Rathgeber  
Rempel  
Rickford  
Schellenberger  
Shea  
Shory  
Sopuck  
Stanton  
Strahl  
Tilson  
Trost  
Truppe  
Valcourt  
Van Loan  
Warawa  
Watson  
Sky Country)  
Weston (Saint John)  
Williamson  
Yelich  
Yurdiga

#### Routine Proceedings

Reid  
Richards  
Saxton  
Seeback  
Shipley  
Smith  
Sorenson  
Storseth  
Sweet  
Toet  
Trotter  
Uppal  
Van Kesteren  
Wallace  
Warkentin  
Weston (West Vancouver—Sunshine Coast—Sea to  
Wilks  
Wong  
Young (Oakville)  
Zimmer — 152

#### NAYS

##### Members

Allen (Welland)	Angus
Ashton	Atamanenko
Aubin	Ayala
Bélangier	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boulerice	Boutin-Sweet
Brahmi	Brisson
Brosseau	Byrne
Caron	Casey
Cash	Charlton
Chicoine	Choquette
Christopherson	Cleary
Comartin	Côté
Cotler	Crowder
Cullen	Cuzner
Davies (Vancouver East)	Day
Dewar	Dion
Dionne Labelle	Donnelly
Doré Lefebvre	Dubé
Dubourg	Duncan (Etobicoke North)
Dusseault	Easter
Eyking	Fortin
Freeland	Freeman
Fry	Garneau
Garrison	Genest
Genest-Jourdain	Giguère
Goodale	Gravelle
Grogoué	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Julian	Kellway
Lamoureux	Lapointe
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
Nicholls	Nunez-Melo
Papillon	Péclet
Perreault	Pilon
Plamondon	Quach
Rafferty	Rankin
Ravignat	Raynault
Regan	Saganash
Sandhu	Scott
Sellah	Sgro
Sims (Bonavista—Gander—Grand Falls—Windsor)	
Sims (Newton—North Delta)	

*Private Members' Business*

Sitsabaiesan  
Stewart  
Tremblay  
Valeriotte

St-Denis  
Toone  
Trudeau  
Vaughan— 122

## PAIRED

Nil

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

It being 6:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

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**PRIVATE MEMBERS' BUSINESS**

[English]

**RESPECTING FAMILIES OF MURDERED AND  
BRUTALIZED PERSONS ACT**

The House proceeded to the consideration of Bill C-587, An Act to amend the Criminal Code (increasing parole ineligibility), as reported (without amendment) from the committee.

**The Speaker:** There being no motions at report stage on this bill, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

**Mr. Colin Mayes (Okanagan—Shuswap, CPC)** moved that Bill C-587 be concurred in.

**The Speaker:** Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

**The Speaker:** When shall the bill be read a third time? By leave, now?

**Some hon. members:** Agreed.

**Mr. Colin Mayes** moved that the bill be read the third time and passed.

He said: Mr. Speaker, I would like to thank the member for Don Valley East for seconding my bill.

My private member's bill, Bill C-587, is a continuation of Bill C-478 that was previously introduced by the hon. member for Selkirk—Interlake, which was introduced in the first session of the 41st Parliament.

Although the hon. member's bill was read twice in the House and referred to a committee, it was withdrawn after he was appointed to the role of parliamentary secretary, a position that precludes him from carrying a private member's bill forward.

The House voted to send my private member's bill, Bill C-587, to the justice committee, and I wish to thank the justice committee and the witnesses called for their insightful and informative discussion on my bill.

Two of the witnesses, Ms. Rosenfeldt and Ms. Ashley, represent more than themselves, their families and loved ones who were taken from them. They represent the community of Canadians who span our nation, a community of Canadians whose lives have been changed forever by violent offenders.

Despite the tragic losses experienced by Ms. Rosenfeldt and Ms. Ashley, they have found the strength and courage to advocate on behalf of those whose lives were stolen away, and also the thousands of Canadians who face the challenges of moving on with their lives after experiencing trauma that the majority of Canadians thankfully have never experienced.

As members of Parliament, I believe it is our duty to demonstrate solidarity with this community of Canadians and support their advocacy with our own work in legislating toward a society that values victims' rights.

As members of Parliament, it is our duty to identify and address points of our legal regime that require improvement. Specifically to this bill, I believe we must not only examine, but reform the state of existing laws governing the removal from society and long-term incarceration of violent offenders who have abducted, sexually assaulted and murdered victims.

This bill is modelled on Bill C-48, which was passed in 2011, and allows judges to set consecutive rather than concurrent periods of parole ineligibility in sentencing those convicted of multiple murders. This bill would empower judges and juries to give stronger sentences.

In the same way that Bill C-48 now allows judges to acknowledge additional degrees of blameworthiness and offence when a conviction of multiple murders has been established, this bill seeks to provide judges the ability to extend the period of parole ineligibility to likewise acknowledge accompanying offences of abduction and sexual assault. All parties worked together and passed Bill C-48, and it is my hope that this bill will likewise benefit from the input and support from all sides of the House.

As members are likely aware, section 745 of the Criminal Code provides for life imprisonment for convicted murderers subject to varying periods during which they are ineligible for parole: for first degree murder, the minimum ineligibility period is 25 years; for second degree murder, it varies from 10 to 25 years.

While all convicted murderers are morally blameworthy, first and second degree murders are distinguished from each other by the higher degree of moral blameworthiness associated with first degree murder that justifies the current mandatory period of parole ineligibility of 25 years.

While some may believe that the current thresholds for parole represent an appropriate period of incarceration for a violent offender who abducted, raped then murdered their victim, many Canadians consider this to be insufficient in instances of extreme violence and murder.

As we all know, perhaps none more so than those who have lost loved ones, the investigation and prosecution of cases involving multiple offences such as abduction, sexual assault and murder combined can take many years. The time that it takes to arrive at a conviction and then sentencing for a violent offender is excruciating for survivors, family and loved ones. Regardless, as painful as it is, it is essential to the sound carriage of justice.

*Private Members' Business*

This bill seeks to provide greater certainty, and therein relief, for the families and loved ones in that, once sentencing is completed, the sentencing judge could be given the judicial discretion to waive parole eligibility for a period of 25 to 40 years, again, at the discretion of the judge.

•(1835)

If parole is to be considered for violent offenders who abduct, sexually assault, then murder their victims, it should not occur before the offender has served at least 25 years. The toll that parole hearings take on family members and loved ones of victims is excruciating as they await the hearing date when the violent offender who took their loved ones will present his or her case. Why should the offender be awarded parole while family members and loved ones have to mobilize to keep the violent offender behind bars? This amounts to a system whereby Canadians who have already suffered tragic loss and endured years of judicial proceedings are subjected to a system that requires their continued mobilization to help keep violent offenders behind bars. This bill would add three new provisions to the Criminal Code, mandating a 25-year minimum parole ineligibility period for anyone convicted of an offence under each of the following offence categories in respect of one victim: a kidnapping or abduction offence, sections 279 to 283; a sexual offence, sections 151 to 153.1 and sections 271 to 273; and murder.

The bill would also provide a judge the discretionary prerogative to replace that 25-year minimum parole ineligibility period with a longer period of up to 40 years based on the character of the offender, the nature and circumstances of the murder, and any jury recommendation in this regard. This bill seeks to provide the sentencing judge the discretion to increase the period of parole ineligibility and, therefore, uphold the principle of judicial discretion, which provides a safeguard of charter rights. I believe that this is an important strength of the bill. Expanding the discretionary prerogatives of judges with a broader range of judicial discretion rather than imposing automatic periods beyond 25 years of ineligibility upholds charter provisions.

Second reading debate raised questions about how the amendments proposed by this bill would interact with the Rome Statute. It is important to note that article 5 of the Rome Statute establishes the jurisdiction of the International Criminal Court over the following offences: crimes of genocide, crimes against humanity, war crimes, and crimes of aggression. Therefore, the Rome Statute does not directly apply to Bill C-587 for the following two reasons: first, the bill seeks to amend the Criminal Code, which is under the jurisdiction of Canadian courts, whereas the Rome Statute only applies to the proceedings of the International Criminal Court; and second, the four offences in article 5 of the Rome Statute are not included this bill.

In conclusion, I would ask that members of the House support Bill C-587, as requested by the victims who plead for justice for the loved ones they have lost as a result of brutal, violent, and heinous murder.

•(1840)

[*Translation*]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, I thank my colleague for his speech.

[*English*]

I have a quick question for my colleague. I still do not have the answer, even after seriously studying the bill at committee.

The government had presented or filed at first reading Bill C-53, which is the life means life bill. Now we have this bill, with the possibility of appealing to the public security minister after 35 years. For the same type of infractions or crimes, we have Bill C-587, which seems to create a type of situation where we are not too sure what prosecutors would be able to do. There might be the possibility of a mix-up in front of the courts, which are already mixed up because of the crime and punishment agenda put forth by the government.

I know the hon. member suspended the study of his bill at some point in time at committee. I am curious as to why he suspended it and why he decided to continue even though Bill C-53 is still somewhere inside this Parliament.

**Mr. Colin Mayes:** Mr. Speaker, that is an obvious question. I decided, as I stated before, to look at the life means life legislation and determined it was more comprehensive and, I felt, a better bill than what I have, but I am also very aware of the time frame for things to move forward.

I am not sure if the bill will make it through Parliament and the Senate, but since I have an interest in this bill and represent people who feel very strongly about victims, who have told me that they would really like to see these actions go forward, I decided to move this bill forward. If Bill C-53 goes through to the Senate, I would have no problem with the Senate moving Bill C-53 forward and my bill failing. I have no problem with that. I just want to make sure that these actions take place in this Parliament.

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I too would like to come back to the relationship between the government's piece of legislation, Bill C-53, and this private member's bill. It appears that the government has made a conscious decision not to go forward with Bill C-53. My question for the member is whether it is the government's intention to support this bill through to the end, or is this simply another exercise in politics that we see all too often? I say that somewhat guardedly because Liberals support the intention behind the bill.

Is there a genuine intention to see this across the finish line, or is this something that was introduced for the same purposes as Bill C-53, for which there is no genuine intention to get it across the finish line?

**Mr. Colin Mayes:** Mr. Speaker, this place is all about politics. I recognize the bill that has been brought forward by the government, and I am fully supportive of it. In discussions, I was encouraged to continue with my bill. Hopefully the government's bill will move forward in a timely fashion, which would preclude my bill, but if it does not, if for some reason things are held up, as we never know with the timelines in this place, my bill would go forward to the Senate and hopefully get approval there over the next number of weeks.

*Private Members' Business*

[*Translation*]

**Ms. Françoise Boivin (Gatineau, NDP):** Mr. Speaker, Bill C-587 best represents this government's approach to justice in the four years of Conservative majority reign. I can say that with authority, having been part of in-depth studies in committee since I became the official opposition justice critic. My heart aches for justice and for the victims because the government laid it on rather thick when it claimed that it would change things for the better for them when, in reality, this is a total failure.

I say that Bill C-587 is a good example of this because it constitutes a major change that will have major repercussions. It has been left to the courts to determine whether or not a person should have to wait up to 40 years before getting parole, but that is the least of my concerns in the context of Bill C-587.

The principle underlying this whole bill—which should have been introduced by the Government of Canada, not a backbencher—is highly representative of what this government stands for. It has always tried to get things in through the back door that it knew it would have a hard time getting in through the front door. When it brings things in through the front door, it gets chastised quite regularly by the courts, including the Supreme Court of Canada.

I am not talking about just anything here; I am talking about justice in Canada. Any government that is responsible when it comes to justice would have taken a step back before going full steam ahead with its sledgehammer agenda and heading directly for a wall.

I think we need to respect justice. A democracy that lacks justice has some serious problems. That is what the government is trying to create with all of these haphazard pieces of legislation that are connected in strange ways.

The question I asked the member is extremely important. I asked the Department of Justice representative the same question. The similarities between Bill C-587 and Bill C-53 are pretty clear.

I appreciate the response given by the member, who said that he saw that his bill had a better chance of making it to the Senate so he decided to go forward with it. However, what is more important is that there is another bill coming behind his that deals with the same type of crime but that will apply in a different situation. That is not very good for the courts and for justice in general. That is not a good way to govern.

If we want to do things, we need to do them right. What will we do in the event that two bills that deal with the same type of crime but provide for two different courses of action are passed?

When a senior official from the Department of Justice indicates that he thinks the court will be able to sort things out and assess the evidence, he is complicating justice in Canada. The fact that the Conservatives have brought in so many mandatory minimum sentences—sentences that are often shorter than those that have been established in the case law—is going to have the opposite effect. It is going to give defence lawyers the opportunity to ask for the minimum sentence, since the legislator does not speak to say nothing. The fact that there is no mandatory minimum sentence in other instances sends the message that the Conservatives do not trust the courts.

That will likely be a key part of the Conservatives' legacy. I am truly saddened by that, and all those who are concerned about justice in Canada likely are as well. Justice should be administered fairly to all Canadians, regardless of whether they live in Quebec, Ontario, western Canada or the Atlantic provinces. Justice should reflect the crimes that have been committed. A desire for justice does not mean that we want improvised justice that does not do what it is supposed to do.

● (1845)

The Commissioner of the Correctional Service of Canada, Mr. Head, said that this bill might apply to one or two people a year. At some point the Conservatives need to stop laying it on so thick and claiming that they are fixing a huge number of problems.

I was struck by the argument that my colleague made at second reading. It is indeed difficult for families to appear before the Parole Board of Canada, which the government repudiates with Bill C-53. The government thinks that the Minister of Public Safety will do a better job than the Parole Board of Canada. The parole board does an amazing job, in light of all the files it has to process and the limited resources it has as a result of cuts.

I sometimes feel as though there are people who jot something down on a napkin, saying that it would sound good at a press conference. Then they bring in a few people who support them and put on a nice press conference. However, they do not think things through. If they are serious about wanting to rehabilitate criminals over a larger number of years, they need to work on rehabilitating them.

Commissioner Head told us that the parole board adjusts its rehabilitation programs based on the length of the sentence. If the individual is not released for 30, 35 or 40 years, his rehabilitation program certainly will not start as soon as he goes to jail, in light of the reduced budgets at the Correctional Service of Canada. Did they think about that? No they did not.

My colleague who introduced Bill C-587 said that he wanted to reduce the number of times that victims are asked to appear before the Parole Board of Canada. I support that argument. However, I would have preferred that he try to find ways to remove some of the irritants for victims who have to appear before the Human Rights Commission. This could be done through the victims bill of rights, even though that is merely a nice statement of principles in many respects, and it will not really do anything for victims—and the future will prove me right.

Sometimes we know that the offender will not get out of prison. As Commissioner Head was saying, not just anyone can be released, and especially not dangerous offenders. There are so many things that have to be established before the board will even consider releasing someone.

We need to remove the irritants, so let us do that. If the objective is to bring in harsher sentences, the House has already agreed to making certain sentences consecutive rather than concurrent. The member said so himself. No one can convince me that we have a soft justice system in Canada when 75-year sentences are being handed down, as was the case for the Moncton shootings. We are capable of handing out harsh sentences.

*Private Members' Business*

The criminals he is referring to are people like Bernardo. Those criminals die in prison. If the government is looking for harsher sentences, I would like to remind it that the system already ensures that dangerous criminals will never see the light of day again. Instead, we should eliminate the irritants in the parole process for victims and their families. When it comes to the principles of justice, there are smarter and safer ways to avoid these irritants.

What has bothered me about justice issues for four years is that I always feel like we are working to no avail. We know that there is almost no reason for doing this work and that problems will arise, because these sentences will be considered to be unusual punishment and will be overturned by the courts.

Just because it gives discretion to judges does not necessarily make the bill acceptable. It is a bad bill that will not do what it is meant to do. It is at odds with another bill this government has introduced and will create confusion when it comes to justice, and that is certainly not helpful. For these reasons, I will be voting against the bill. I understand some of the intentions behind the bill, but there are smarter ways to get things done on matters of justice.

• (1850)

[English]

**Mr. Sean Casey (Charlottetown, Lib.):** Mr. Speaker, I rise today to speak to Bill C-587, the respecting families of murdered and brutalized persons act. The bill would increase parole ineligibility from 25 years to a maximum of 40 years for persons convicted of the abduction, sexual assault, and murder of the same victim.

Liberals support the intent of Bill C-587, namely to allow victims' families to avoid the stress and trauma of parole hearings that are highly unlikely to result in parole being granted. As this bill would preserve judicial discretion, Liberals can support it. Judicial discretion in criminal sentencing is crucial under the charter, because specific sentences must be proportional to specific crimes. This bill respects the judicial branch of the government by preserving judges' ability to determine just sentences.

I will be saying a few words today about the Conservatives' ideological contempt for our country's constitution, especially the charter, and the high cost to taxpayers of their failed battles in court, which is almost \$7 million and counting.

First, however, let us deal with the contents of Bill C-587. It is worth reviewing the legal status quo that this bill would change.

First degree murder carries a mandatory life sentence in Canada with 25 years of parole ineligibility. I would note that murder committed in the context of sexual assault or kidnapping is first degree murder. Offenders serving a life sentence may receive day parole after 22 years and full parole after 25 years. On application, the Parole Board must review unsuccessful day parole applications every year and unsuccessful full parole applications every two years.

Under a 2011 law, offenders can now receive consecutive periods of parole ineligibility for multiple murders. Two offenders have been sentenced under this legislation. Travis Baumgartner received 40 years of parole ineligibility for murdering three of his colleagues during an armoured car robbery. Justin Bourque received 75 years of

parole ineligibility for murdering three RCMP officers in the Moncton shootings last year.

Under the current law, offenders may also be designated dangerous offenders, meaning that they may receive indeterminate sentences, subject to periodic review.

Bill C-587 would make the following specific changes to the Criminal Code. First, the bill would allow persons convicted of the abduction, sexual assault, and murder of the same victim to be ineligible for parole for 40 years, 15 years more than is currently the case. The bill would also require judges sentencing such persons to ask for the jury's recommendation on parole ineligibility.

At committee, we heard powerful testimony from Sharon Rosenfeldt, whose son, Daryn Johnsrude, was murdered by serial killer Clifford Olson. Today Ms. Rosenfeldt is the president of the Victims of Violence Canadian Centre for Missing Children.

We also heard from Susan Ashley, whose sister, Linda Bright, was murdered by Donald Armstrong. I would like to again thank both Ms. Rosenfeldt and Ms. Ashley for their brave and helpful testimony. It is difficult to imagine more traumatic and devastating experiences than what they have been through, and I commend them for speaking out to improve public policy.

As I have said before, the attempt in criminal sentencing to quantify the impact of violence is a failure from the outset, especially when we are talking about a loss of life. No criminal sentence or civil remedy can correct the wrong that has occurred. No increased period of parole ineligibility can undo the actions that society would justly have offenders repay. A life taken away cannot be restored, and the law can only deliver an imperfect measure of justice.

At committee, Ms. Rosenfeldt and Ms. Ashley described the trauma of repeated parole hearings. As Ms. Rosenfeldt said:

this bill will help in our not having to attend parole hearings every two years, which once again opens old wounds and scars that never heal, even though we try to move forward and build a new life after the violent murder of our loved one.

Ms. Ashley's words were also powerful. She said:

I speak to you...to hopefully save other families from having to endure the cruelty of reliving their horror and continued re-victimization.

*Private Members' Business*

● (1855)

As I said, Liberals support the goal of allowing victims' families to avoid the stress and trauma of parole hearings that are highly unlikely to result in parole being granted. That objective is certainly legitimate when we are talking about persons convicted of abduction, sexual assault and murder. Such crimes are among the most heinous imaginable. If the system is needlessly and repeatedly traumatizing victims, that is something Parliament should fix.

Having said that, we should not make hasty changes to the Criminal Code that are unsupported by evidence. I am disappointed that tinkering with the code has become political bread and butter for the government. A lot of the changes we see are aimed at providing ideological fodder in fundraising letters.

That is why, as Liberal justice critic, I have criticized the government for constantly amending the code, while failing to invest the necessary resources to prevent crimes from occurring. The government's approach is doomed to be ineffective because the policies are not responsive to evidence.

I think in particular of the government's recent cuts to Circles of Support and Accountability, CoSA, a community-based reintegration group that holds sex offenders accountable for the harm they have caused while assisting with their re-entry into society at the end of their sentences. CoSA has been proven to reduce recidivism among sex offenders by 70% to 83%. That is an astonishing number. According to the government's own study, it saved \$4.60 to society for every dollar invested. Over five years, it has prevented 240 sexual crimes, yet the government cut that program. It was incredibly irresponsible and that cut poses a real and ongoing threat to public safety.

With regards to Bill C-587, I was disappointed with the testimony at committee of this bill's sponsor, the member for Okanagan—Shuswap. One concern with extending parole ineligibility is that it could make some offenders more dangerous in prison. This is because they would not have an incentive for good behaviour, yet the member for Okanagan—Shuswap admitted he did not consult with corrections officers in bringing the bill forward. He also had no idea how many offenders the bill would likely affect in the future.

Fortunately, Don Head, the Commissioner of the Correctional Service of Canada, was able to answer the committee's questions on these matters. He told us that correctional staff would have to rethink how they deal with these longer-term sentences and that the bill would likely affect about one new offender per year. It is unfortunate to see a legislator proposing a bill and hoping the evidence will support it, rather than proposing a bill based on evidence.

This point about evidence speaks to the difference between Conservative and Liberal criminal justice policy. Conservatives start with ideology. Liberals start with evidence. We do so because judges look at evidence in determining the proportionality of laws that restrict charter rights. This is common sense. It is the proposition that facts matter. The Conservatives' failure to legislate based on evidence is reflected in their many stunning defeats in the courts.

Improving the country's approach to criminal justice will require a change in government. However, on Bill C-587, the goal of reducing trauma to victims' families is a good one. We heard at committee that

the bill would make a difference to victims' families going forward. Additionally, I'm pleased that Bill C-587 passes the test of preserving judicial discretion. Liberals will support it for that reason.

● (1900)

**Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, it is a privilege to be able to speak to the proposed amendments to the Criminal Code contained in the private member's bill before us today.

Let me begin by stating that the amendments contained in Bill C-587, the respecting families of murdered and brutalized persons act introduced by the member of Parliament for Okanagan—Shuswap, are based upon the same fundamental idea that underlies many recent legislative initiatives passed by Parliament: the interests of victims of crime and of their families and loved ones.

That fundamental proposition is a straightforward one. It is that the families and loved ones of murder victims should not become the secondary victims of a convicted murderer by being forced to relive the details of their terrible loss every time the killer applies for parole.

As hon. members may recall from past debates, both first and second degree murder are punishable by life imprisonment, subject to a period set out in section 745 of the Criminal Code during which the murderer may not apply parole.

While all murders are morally blameworthy, first and second degree murders are distinguished from each other by the higher degree of moral blameworthiness associated with first degree murder that justifies the longer mandatory period of parole ineligibility of 25 years, and while the mandatory minimum period of parole ineligibility for second degree murder is 10 years, it may be increased in two situations.

First, if a second degree murderer has been convicted either of a prior murder or of an intentional killing under the Crimes Against Humanity and War Crimes Act, the parole ineligibility period will automatically be the same as for first degree murders, that being 25 years. In such cases, the fact that the murderer has killed before is considered to increase his or her moral blameworthiness up to the level of first degree murder.

Second, if the second degree murderer has not killed before, a judge has the discretion under section 745.4 of the Criminal Code to impose a period of parole ineligibility of up to 25 years based upon the murderer's character, the nature and circumstances of the murder, and any jury recommendation in that regard.

*Private Members' Business*

In short, the higher the degree of moral blameworthiness associated with a second degree murder, the longer the parole ineligibility period that may be imposed to reflect it.

It is important to keep the concept of moral blameworthiness in mind when considering the proposals put forward in Bill C-587. These proposals are directed at the most morally blameworthy of murders: those in which the murder victim has also been subjected to both an abduction and a sexual assault by the murderer. It is hard to imagine a more heinous series of acts committed against the same victim.

The issue before us today is that with the exception of the case of multiple murderers, the maximum parole ineligibility period for murder permitted under the Criminal Code is 25 years. This is true no matter how terrible the circumstances in which the murder may have been committed.

As for multiple murderers, I am aware that in 2011 the Protecting Canadians by Ending Sentence Discounts for Multiple Murderers Act came into force. These Criminal Code amendments permit a judge to impose a parole ineligibility period on a multiple murderer for the first murder in accordance with the provisions that I have already described.

The judge would also be authorized to impose consecutive parole ineligibility periods of 25 years, one for each victim after the first, to ensure that the lives of each and every victim would be reflected in the sentence ultimately imposed upon the murderer. In short, this important legislation would help to ensure that no victim's life would be discounted at the time of sentencing.

However, the result of the seemingly arbitrary limit on parole ineligibility of 25 years upon those who kill once in the circumstances reflected in Bill C-587 is a symbolic devaluation of the suffering of the murder victim as well as an apparent disregard of the extreme level of moral blameworthiness exhibited by the murderer.

One has only to recall the murder of Tori Stafford by Michael Rafferty to realize the truth of this statement.

When I read the facts of that case, I felt sick for days. I felt grief, and I was not related to this little girl, Tori Stafford. I can hardly imagine the hurt that her family would have to go through each and every time her murderer came up for parole and a parole hearing was held.

Allow me to be more specific about what Bill C-587 would do.

● (1905)

First, it would amend section 745 of the Criminal Code to require mandatory parole ineligibility period of 25 years for anyone convicted of murder who has also been convicted of committing one of the listed kidnapping and abduction offences as well as one of the listed sexual offences against the murder victim. In short, the 25-year period would only apply if the murderer had been convicted of three offences against the same victim. This would ensure that this measure is applied only against those whose crimes justify this level of sanction.

Second, the bill would authorize a sentencing judge to replace the 25-year minimum parole ineligibility period with a longer period of up to 40 years, based on the character of the offender, the nature and circumstances of the offences and any jury recommendation in this regard.

As I described them in the context of second degree murder, these are well-established Criminal Code criteria that permit the judge and jury who have heard the evidence at trial to make this important sentencing decision.

Under the existing law, murderers who kidnap and sexually assault their victims already receive long sentences. This would continue to be true under Bill C-587. However, the bill would also protect the families and loved ones of murder victims from the trauma of repeated parole application by the murderer.

As the hon. member for Okanagan—Shuswap himself said when he introduced the legislation:

Sadistic criminals convicted of such crimes are never granted parole, so the hearings are unnecessary and extremely painful for the families to endure.

The justice committee heard from a number of families of victims that had gone through just these sorts of hurtful parole hearings. Sharon Rosenfeldt, who was referred to earlier in the debate, is just one of those parents of a victim of Clifford Olsen. She had to go back every two years and hear the offences that were committed against her son over and over again. This bill is aimed to prevent that kind of thing.

In short, the bill is not just about creating stiffer penalties for sadistic murderers by allowing a judge to impose up to 40 years of parole ineligibility on the depraved murderers targeted by these measures. The bill is about saving the families and loved ones of victims from having to go through the agony of unnecessary and often traumatic parole hearings. This is the fundamental proposition at the heart of the important measures proposed in the bill.

It is far too often the case that families and loved ones of victims experience a greater degree of pain and experience a greater sense of loss because the justice system has failed to protect them from being re-victimized every two years when the murderer applies in vain for parole.

Moreover Bill C-587 is entirely consistent with past legislation passed by the House, such as the Protecting Canadians by Ending Sentence Discounts for Multiple Murders Act, which ensures that a life sentence of imprisonment for murder means just that, life in prison.

Bill C-587 is also entirely consistent with the Victims Bill of Rights Act, which was passed by both Houses of Parliament and received royal assent earlier this year. The Victims Bill of Rights Act will put victims at the heart of the justice system in order to rebalance the scales of justice away from the criminals and toward those who have suffered at their hands.

Bill C-587 is yet another example in this long overdue rebalancing, and I urge all hon. members to examine it from this point of view.

*Private Members' Business*

I thank all members for their attention and urge them to come together in the interests of the families and loved ones of the victims of the truly horrific crimes targeted by Bill C-587. I strongly urge all members therefore to give their full support to the bill to ensure swift passage. It is what we need to do for the families of victims like Tori Stafford.

• (1910)

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, given that this is probably one of the last debates we are going to be having on criminal justice matters, I am going to take a somewhat broader approach to this bill. In this 41st Parliament, in this whole series of public safety bills that have been brought forward by the Conservatives, both government bills and private member's bills, we have had a tale of two different agendas: the Conservative tough-on-crime agenda up against the NDP approach of building safer communities

The Conservatives have been relentless in putting forward their tough-on-crime ideas, whether in the raft of government of bills or in private member's bills, which actually should be called "government bills masquerading as private member's bills", as this one really is. Instead of a comprehensive review of the Criminal Code, what we have are dozens of one-off measures, quite often ripped from the sensational headlines around a single case and presented as a private member's bill, again, alongside government bills that deal with the same issues.

There is, I believe, a fundamental problem with this one-off approach. It is both the problem that it is easy to run into overlap and unintended consequences when we change the Criminal Code and the criminal justice system bit by bit and the problem that before they have any chance to see if the reform is working, they are off changing some other element of the system in ways that may or may not be complementary.

We have heard much in the debate tonight about families that are forced to appear at parole hearings every two years, except that we have already changed that in another private member's bill before the House to an interval of up to four years. Here we are attacking the same problem with two different bills in two different places.

There is also the problem that amendments to criminal justice legislation in private member's bills do not go through the justice ministry, where they would be screened for compliance with the Charter of Rights and Freedoms. No matter how low the Conservative justice minister sets the bar for probable compliance, bills would still be examined from that angle. I believe that Bill C-587 is one that could have used that scrutiny with regard to its conflict with the Charter of Rights and Freedoms.

There is a related problem with bills like this one that suggest changes to sentencing and parole provisions, which are actually quite complex in practice. I often doubt that the drafters have the expertise they need in real-world criminal justice. In Bill C-587, it says that it will apply to someone convicted of a series of offences connected to the same incident, such as kidnapping, sexual assault, and murder. What we find in the real world is that, in fact, prosecutors rarely prosecute included offences when they have murder on the table.

When in committee it was asked how many offenders this would actually apply to and what the big problem was we were attacking

here, the answer given was that it would apply to one person or perhaps two people a year.

Let me come back to the contrast in approaches between the Conservatives and the New Democrats when it comes to public safety and start by looking at what the components of the Conservatives' tough-on-crime agenda are.

One of those is concern for the rights of victims, and that is a concern that we on this side of the House share and that almost all Canadians, I would say, share. There is a recognition that more needs to be done to support victims in their encounters with the justice system and to make sure that their voices are heard. We have supported measures like the Victims Bill of Rights in order to bring about positive changes. However, we have opposed other measures put forward that claim to be enhancements of victims' rights when they are sure to have negative impacts on public safety down the road and sometimes, in fact, risk creating more victims in the future.

Surely concern for victims also means listening to what most victims cite as their first concern: that there should not be more victims in the future. That means investing in crime prevention and looking at what really works when it comes to rehabilitation. That is one of the ways in which we respect the rights of victims. It is by making sure that there are fewer of them in the future.

The second element of the Conservatives' tough on crime agenda is tougher sentences. It is sometimes difficult to know if Conservatives intend tougher sentences to act as deterrents or if they simply feel that vengeance should be part of the sentencing process in Canada. What is clear is that all the evidence in criminal justice shows that if we are thinking about deterrence, then using tougher sentences clearly does not work. Those people who engage in crime do so out of addiction, mental illness, or rash actions. They do not sit down and thumb through the Criminal Code to see what the penalties are. Few people charged with offences actually have any idea what the possible penalties for their offences are.

• (1915)

There is a kind of deterrence that actually works and this is clearly shown in the research on criminal justice. Deterrence takes place when possible offenders fear the certainty of being caught and prosecuted. The question of whether they will be caught and prosecuted is clearly a question of resources. All those who consciously plot their crimes think that they are the smartest criminals in the world and they will never be caught and if they are caught, they will not be prosecuted. Putting resources into policing and prosecution actually does reduce the incidence of crime.

However, since 2012, the government has cut resources to the RCMP and Corrections and no one should be fooled by the small increases that are in this year's budget. Both the RCMP and Corrections will still have fewer resources now than they had in 2012.



*Private Members' Business*

The question of the deterrence that works, the certainty of being caught and prosecuted, is what makes it so important to know when the promised 100 additional RCMP officers for Surrey will actually be on the ground. It is one of the ways we can contribute to public safety in a community that is plagued by gang, drug and gun violence.

The third element in the Conservatives tough on crime agenda seems to be to make sure more people are incarcerated. We have seen that with the vast expansion of mandatory minimum penalties. New Democrats agree that mandatory minimums are appropriate for the most serious and most violent crimes like murder. We have expanded mandatory minimums to a whole range of crimes. The result is that we end up with more people whose crimes are the result of addiction problems or mental illness in our prison system and we certainly end up with more aboriginal people incarcerated despite the Gladue principle.

We have some very disturbing studies showing that the Gladue principle, which says that the whole circumstances of aboriginal people need to be taken into consideration in sentencing, is not being observed certainly in many provinces. Given today's announcements by the Truth and Reconciliation Commission and the experience that many aboriginal people had at residential schools, it is critically important that we take into account the Gladue principle in sentencing of aboriginal offenders and not just focus on getting more people incarcerated.

The Conservatives will say that the increase in prisons has not happened. It certainly has not happened at the rates that some predicted, but there has been a steady increase in Canadian institutions since the Conservatives came to power and many of them appear to believe that this is a good thing.

The fourth element of the tough on crime agenda tends to be to restrict parole and give less access to parole and to give access to parole only later on in sentencing. We have had this appear in many bills like the one before us today. What the Conservatives seem to be arguing here is that what will keep us safer is keeping people off the streets. Again, the evidence shows that is clearly not the case. Most of the people in the system are coming out of prison and the best way for them to do that is in gradual supervised release back into the community. That is what works.

Instead, what we have under the government is increasing numbers of people being released with shorter supervision periods or with no supervision period at all in parole and not getting any community support that they need. The government has failed to support things like halfway houses and circles of support and accountability, mentioned in an earlier speech, which helped work with sex offenders.

The bill fails to understand another factor and that is the role of possible parole as a factor in rehabilitation and good behaviour within prisons. Those with little or nothing left to lose become a great threat to corrections officers' safety. In contrast, the NDP's public safety agenda is focused on trying to address the real problems that we have, in particular, drug, gang and gun violence in urban areas, violence against women and especially the question of missing and murdered aboriginal women.

The NDP is committed to building safer communities for everyone, not through the government's tough on crime strategy, but instead through a renewed commitment to victims services, crime prevention, effective law enforcement and effective rehabilitation of offenders. We need to help victims of crime get their lives back on track by making sure the necessary services are available to them, including a full range of services from mental health services to legal services. In this area, the Conservatives have clearly failed victims. We need to tackle the causes of crime like poverty, addiction and youth gangs. Again, Conservatives have failed to provide the resources we need to attack these causes of crime.

● (1920)

We need to make sure that law enforcement courts have the resources they need and put a priority on resources directed to fighting violent crime and its consequences. Again, the Conservatives have failed to provide the resources needed for this.

We also need to reduce our reliance on incarceration and increase our funding for community support and rehabilitation programs. This bill contributes nothing to building safer communities. I am surprised to see the Liberals supporting a bill like this, especially when it affects so few people.

I just want to say in my last statement that, if there is any danger of some of the people we are talking about getting released, we have provisions on the books to make sure they would not be released.

On this side, we will be opposing Bill C-587.

**The Acting Speaker (Mr. Bruce Stanton):** Before we go to resuming debate and the hon. parliamentary secretary to the Minister of Justice, I will say that there are only six minutes remaining in the time provided for private members' business. We will give him the usual indication when his six minutes are up. The hon. parliamentary secretary.

[*Translation*]

**Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I am honoured to have this opportunity to take part in today's debate on Bill C-587, An Act to amend the Criminal Code (increasing parole ineligibility).

This private member's bill was introduced by the member for Okanagan—Shuswap on April 7, 2015. I support this bill because it will provide a higher level of protection to the families and loved ones of victims, in the sense that murderers will be prevented from applying for parole. That is why the short title of this bill is the respecting families of murdered and brutalized persons act.

*Adjournment Proceedings*

I will come back to this aspect of Bill C-587, namely, that it puts the needs of families and loved ones of murder victims first. It will be especially important that I emphasize that point during my speech on this bill given that this House is also examining another bill that also aims to protect the families and loved ones of victims. I am referring of course to Bill C-32, An Act to enact the Canadian Victims Bill of Rights and to amend certain Acts, better known as the Canadian victims bill of rights. The measures outlined in that major piece of legislation will transform our criminal justice system by rebalancing the scales of justice in favour of victims' needs.

Bill C-587 is consistent with Bill C-32, and I suggest that we consider the proposed measures in light of those contained in the Canadian victims bill of rights.

I am sure we all agree that these are very serious offences, morally and legally, and that they should be treated seriously.

The second important amendment is that Bill C-587 would authorize the sentencing judge to replace the minimum parole ineligibility period of 25 years with a longer period of up to 40 years, based on the character of the offender, the nature of the offences, the circumstances surrounding their commission and any other recommendation made by the jury.

In exercising this power, sentencing judges would use these criteria, which already exist in similar provisions in the Criminal Code, to ensure that this measure is applied to the most sadistic, hardened murderers who have already been convicted of offences in the kidnapping and sexual offence categories.

Murder is the most serious crime and it must be strongly condemned. This principle has been recognized by this country's highest courts. For example, in 1987, the Supreme Court, in Vaillancourt, pointed out the extreme stigma attached to murder, as a result of the moral blameworthiness of deliberately taking another person's life.

This moral blameworthiness justifies the harsh sentences imposed on murderers: life in prison without parole for up to 25 years in the case of first degree murder—

**An hon. member:** Oh, oh!

**Mr. Robert Goguen:** Do you want me to stop?

Mr. Speaker, I have been interrupted for circumstances beyond my control.

**The Acting Speaker (Mr. Bruce Stanton):** Resuming debate. The hon. member for Hamilton Centre.

•(1925)

[*English*]

**Mr. David Christopherson (Hamilton Centre, NDP):** Mr. Speaker, I appreciate the opportunity to join in the debate. New Democrats oppose the bill.

I was really looking forward to getting into the meat of this particular issue, because there is so much to say, but with only a couple of minutes, I guess what I will do is reiterate that New Democrats will be opposing the bill. It seems that the bill started with good intentions, but, according to an awful lot of people, for the

most part it is useless, ineffective and another one of these bills that is going to be challenged in court.

Bill C-587 would amend the Criminal Code to state that a person convicted of abduction, sexual assault and murder of the same victim in respect of the same event or series of events is to be sentenced to imprisonment for life without eligibility for parole until the person has served a sentence of between 25 and 40 years, as determined by the presiding judge after considering the recommendation, if any, of the jury.

Again, this bill would affect very few offenders. If we listen to the government, if this bill is passed, everybody is going to be safe and nobody will ever need to worry again. There is a funny thing about these kinds of bills. I went through this at Queen's Park, and I see my friend over there from the former Harris government. He will recall that every one of the speeches seemed to indicate that if we just went with Mike Harris' crime bill, the attack on crime, everything would be fine and it would all be solved. That was 20 years ago.

•(1930)

**The Acting Speaker (Mr. Bruce Stanton):** The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

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## ADJOURNMENT PROCEEDINGS

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

[*Translation*]

OFFICIAL LANGUAGES

**Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP):** Mr. Speaker, the official languages file has been stagnating for years. Every day we see the same thing: the French language is declining in this country. The Commissioner of Official Languages has been very clear about this.

Despite the federal government's promises, only 2% of immigrants in provinces other than Quebec have French as their first official language, a measly 2% of francophone immigrants outside Quebec. As the Francophonie critic, I cannot help but deplore this government's mediocre record. I am not alone. As a member of the Standing Committee on Official Languages, I have heard much testimony describing the decline in French in Canada. A number of minority communities are very concerned since they risk losing more and more of the services that federal institutions provide in French. The Fédération des communautés francophones et acadienne du Canada, the Association canadienne-française de l'Alberta, the Fédération acadienne de la Nouvelle-Écosse, and the Commissioners of Official Languages of New Brunswick, Ontario and Canada, to name a few, are sounding the alarm.

*Adjournment Proceedings*

The executive director of the Fédération acadienne de la Nouvelle-Écosse even said the following:

...although the CIC's programs have made it possible to accommodate a growing number of immigrants to Canada...it seems the services provided favour anglophone over francophone immigration...

This flies in the face of a number of Canadian laws, such as the Official Languages Act and the Immigration and Refugee Protection Act, as well as the Canadian Charter of Rights and Freedoms, no less.

Need I remind members that Citizenship and Immigration Canada has a constitutional obligation to promote the equality of French and English as the official languages of this country? However, for nearly three years the Minister of Citizenship and Immigration has been pitching his new express entry program as the answer to all the problems with francophone immigration. In January 2015, the government launched the express entry program without consulting the communities. However, this program is very flawed. First, it does not identify francophone candidates. According to the minister responsible: ...we are not satisfied with our immigration system's capacity to determine the French-language skills of newcomers...

There is not even a question asking people whether French is their first or second language. The minister is off-loading the government's linguistic obligations in the area of immigration onto employers. Given that we are talking about the express entry program, employers are asking for people to fill positions without checking what language they speak. Results to date have not been good. No one is happy with this program, not even the minister responsible for it. He said that he was disappointed with francophone immigration in Canada. In fact, he said that "[t]he number of francophones arriving in Canada could be higher than we realize."

We are hearing a lot of talk but not seeing a lot of action.

In closing, I would like to share with the House a quote from the former president of the Fédération des communautés francophones et acadienne du Canada that I found shocking. She said, "If the goal were to kill off Canada's francophone and Acadian communities bit by bit, to make them disappear through attrition, it would be difficult to come up with a better strategy."

• (1935)

[English]

**Hon. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Mr. Speaker, our goal is one we hope to achieve within a few years from now. Our aim is to increase the number of francophone economic immigrants to more than 4% of all immigrants by 2018. By 2023, our goal is to increase the proportion of francophone immigrants outside Quebec to more than 4.4% of all immigrants. That includes economic applicants and their dependents, members of the family class and those who arrive under our humanitarian streams.

Our government is convinced that our new economic immigration application management system, Express entry, will contribute toward achieving our goals. After all, Express entry is the route through which the majority of all immigrants to Canada will arrive.

In 2015, Canada plans to welcome 65% of all immigrants through our economic immigration stream. Express entry also increases the

opportunities for employers and communities to attract and recruit French speaking and bilingual immigrants. This is where the role of employers, as well as provinces and territories, is important. Skilled workers with offers of employment in Canada, or a nomination from a province, receive more points under express entry. This means an offer of employment or a nomination from a province will increase their rank in the pool, along with their chances to be invited to apply to come to Canada.

This is how express entry operates very differently from our previous immigration system. Under express entry, we now only invite top ranking economic candidates to apply for permanent residence. Candidates who speak both of Canada's official languages receive additional points for their proficiency in their second official language, which can increase their rank in the pool and their chances to be invited to apply.

The government also continues to promote francophone immigration to Canada with our partners and stakeholders abroad. Under the roadmap for official languages, our government committed to increase our promotion and recruitment activities abroad. Our Canadian embassies actively promote express entry and our francophone minority communities to prospective immigrants in French speaking countries.

We have also had great success with Destination Canada, our annual series of job fairs that take place in November. Since January, we have held 65 promotional events in countries with a French speaking population, such as France, Belgium and Senegal, to name just a few.

That being said, express entry is still very new and that is why we continue to explore ways we can further improve and expand on our efforts to date. In fact, our government just completed a series of consultations with francophone minority communities across Canada and our various partners, such as employers, provinces and territories. We are now exploring various options on how we can best move forward.

Our government is incredibly proud to promote our immigration programs to the Francophonie and French-speaking populations around the world. We will continue to find ways to attract and retain the most talented francophone immigrants outside Quebec, with the ultimate goal of ensuring our francophone communities can continue to thrive across Canada.

[Translation]

**Mrs. Anne-Marie Day:** Mr. Speaker, I would like to respond to what the member just said and tell him that of the 22,000 immigrants who came in under express entry, only 200 speak French, which is 0.9%. We are nowhere close to the 4.4% goal for immigration. They need to work much harder on this.

*Adjournment Proceedings*

As for job fairs, funding to attend them was cut, so it is no longer possible for francophone communities to go. That was the best way to recruit francophone immigrants: go to Belgium, Tunis or Senegal to promote immigration.

According to Mr. Fraser, the Commissioner of Official Languages, attracting more francophone immigrants is critical to ensuring the vitality of francophone communities and even, I would say, their survival.

When will the government take francophone communities' distress signals seriously and implement the Commissioner of Official Languages' recommendations?

[English]

**Hon. Mike Lake:** Mr. Speaker, it is our government's goal to increase the number of francophone economic immigrants outside Quebec to more than 4% of immigrants by 2018. We aim to further increase the proportion of francophone newcomers to 4.4% of all immigrants to Canada by 2023.

Our government is convinced that our new economic immigration application management system, express entry, will contribute toward achieving that goal. That is because it is the route through which the majority of immigrants to Canada will arrive.

Next year, we plan to welcome 65% of all immigrants to Canada through our economic immigration stream. Not only does this have the potential to increase the number of skilled francophone and bilingual permanent residents, it will also bring them to Canada more quickly than ever before, as most applications will be processed within six months or less.

●(1940)

## TOURISM INDUSTRY

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, I am pleased to rise tonight to talk about a question I asked the Minister of Industry with regards to tourism, particularly at it relates to Canada's strategy.

The Conservative government decided to move to international visitation tourism. It sent the Canadian Tourism Commission from Ottawa to Vancouver, away from the nation's capital, and orphaned it from the structures that made it successful. The Conservatives also cut the budget of this organization by 27%.

The response I got from the minister on a simple question asking about the connecting America campaign and the funds that were going to supposedly be provided to it came with deafening silence. There were no specifics at all with regards to this program.

As it happens, tourism in communities with American visitation has depreciated for a number of years, because we have been focusing on other markets. However, despite focusing on those other markets, Canada has dropped to a significant tourism deficit of 17.3%. Therefore, we have a problem here with regards to the strategy to go to international visitation not working, and also American Destination coming into Canada, which is significant.

Bill C-290 allowed for single-sports betting. It passed three years ago in the House of Commons unanimously, but it has been stalled in the Senate now for three years. I would like to ask the

parliamentary secretary why the Conservative government will not move on that bill. The bill would increase tourism coming from the United States and allow the provinces to have the choice to introduce that.

The fact is, the United States is moving towards this issue, as seen by Governor Christie, and the United States already has four states that have it. The Americans are moving towards this.

Why will the Conservative government not pass legislation that has actually been moved through this House?

**Hon. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Mr. Speaker, I am happy to respond to comments made earlier by the member for Windsor West regarding the tourism industry in Canada.

Our government remains committed to working with the tourism sector to promote Canada as a top destination for tourism. Canada's tourism sector is an important contributor to our economy, comprising approximately 178,000 businesses across Canada in industries such as transportation, accommodation, food and beverage services, recreation and entertainment, and travel services.

Contrary to what the member for Windsor West suggests, the Canadian tourism industry is thriving, and 2014 was a record year for many destinations across the country. The tourism sector in Canada grew by 4.7% last year, generating over \$88 billion in revenue. The industry employs over 627,000 Canadians from coast to coast to coast.

This is no coincidence. With our solid economy and sustainable financial model, the Canada brand remains strong and continues to draw a record number of visitors each year. According to the Reputation Institute, Canada is the top country in the world to visit, to live or to study in, and also the best country for attending conferences or organizing events.

Achieving results in a complex marketplace requires coordinated outreach and state-of-the-art marketing campaigns. Destination marketing organizations are working to attract those visitors everywhere in our country.

These marketing efforts are critical because today, more than ever, Canada is facing stiff competition from destinations across the globe. Yet, at the same time, we are welcoming more visitors from around the world. As economic freedom progresses in other countries, the purchasing power of millions of individuals continues to increase. The 2014 travel statistics are compelling, and clearly investments from Destination Canada in emerging markets are paying off.

For example, in 2014, Canada attracted almost 30% more visitors from China, 19% more from India and the number of Mexican travellers increased by almost 14% last year, as compared to 2013.

On May 22, the Prime Minister announced that the government will be investing \$30 million over three years, 2015 to 2018, in Destination Canada's connecting America marketing plan.

*Adjournment Proceedings*

On this side of the House, we work to encourage economic growth in Canada, whether by promoting Canada as a destination for tourism or encouraging economic growth and job creation through the lowering of taxes and red tape for entrepreneurs and small-business owners across the country.

We hope that members from all parties will join us in this important work.

•(1945)

**Mr. Brian Masse:** Mr. Speaker, it is just phenomenal. It is a simple question about how much is in the connecting America plan, and we still do not have an answer.

All we want to know is what the Conservatives have set aside in terms of public money for the connecting America plan, and they still will not provide that information. That shows us that there is no plan and that there is no commitment to it. We know that the Canadian Tourism Commission has had its budget cut by 27% by the government.

Again, Bill C-290, the single sports betting bill, is something that I specifically asked the minister about. He can throw out all of the numbers that he wants, but why has that legislation not passed in the Senate for three years? It will affect tourism in Niagara Falls. It is going to affect tourism in Windsor. It is going to affect tourism in Essex County.

British Columbia, Quebec, and Ontario have called for this measure. All it would do is allow an opportunity for those governments to engage in discussions for a single sports betting game venue, which is taking place in the United States and will usurp billions of dollars of infrastructure that we have had for our industry.

**Hon. Mike Lake:** Mr. Speaker, it is interesting that the hon. member clearly has his notes prewritten and did not listen to my answer. I will just quote from my previous statement.

On May 22, the Prime Minister announced—

**Mr. Brian Masse:** Prewritten? You are reading it.

**Hon. Mike Lake:** Mr. Speaker, perhaps he could listen instead of yelling at me. We are the only ones in here. He could talk to me afterward.

This is what I said in my statement. On May 22, the Prime Minister announced that the government will be investing \$30 million over three years in Destination Canada's connecting America marketing plan. Obviously the hon. member did not take the time to listen to what I was saying in response to his first question before he started speaking again.

Our government is proud of the concrete actions that we have taken to support Canada's tourism industry. Canada is known as a great place to live, work, and visit, and the government recognizes that tourism has strong social and cultural benefits for both rural and urban communities. Global demand for Canadian tourism products and experiences is on the rise.

[*Translation*]

**The Acting Speaker (Mr. Bruce Stanton):** The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:48 p.m.)

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