



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

Standing Committee on Public Safety and National Security

SECU • NUMBER 051 • 2nd SESSION • 41st PARLIAMENT

EVIDENCE

Thursday, February 26, 2015

—
Chair

Mr. Daryl Kramp

Standing Committee on Public Safety and National Security

Thursday, February 26, 2015

• (0845)

[English]

The Chair (Mr. Daryl Kramp (Prince Edward—Hastings, CPC)): Colleagues, we're good to go. I will refresh our memories.

On Tuesday, February 24, a motion to adjourn the meeting superseded the debate on the motion by Ms. James and the amendment by Mr. Garrison on the plan of study for Bill C-51, and of course it ended the meeting at that point. It is important to be reminded that the committee had not taken a decision on the motion or the amendment, so they do remain before the committee.

We will now resume debate on Bill C-51.

Ms. James or Mr. Garrison?

Okay, Ms. James.

Is there a point of order?

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): I believe you had a speaking list when we adjourned, and I believe I was next on the speaking list.

The Chair: The speaking list is gone on that. I have no recollection of that. I have no record of that. I've recognized the people as I've seen them here, and that is at the discretion of the chair.

Mr. Randall Garrison: Thank you.

The Chair: Ms. James will be up, and you will be up right after her. There will be plenty of time for—

Mr. Randall Garrison: Plenty of time.

The Chair: —much discussion today. You'll be followed by Mr. Norlock, who will be followed by Mr. Payne.

Ms. James, you have the floor.

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Chair, I was hoping that we could come to some sort of agreement on how we would proceed with Bill C-51 in committee. Obviously, the government believes that this is a bill that is critical to national security. I think Canadians would also agree with that statement.

We have seen a terrorist entity, ISIL, move across the region with the goal to either convert or kill anyone who disagrees with the way they think. We have seen beheadings of Coptic Christians. There was a report this morning, I believe, that 220 more have been kidnapped. We have seen hostages being burned alive. It is the reason why we're in the coalition: to conduct air strikes.

More importantly, Bill C-51 speaks to the real threat we have here in Canada with regard to terrorism. ISIL, as you know, Mr. Chair, has put Canada on a list of countries they wish to target. They have called on jihadist attacks to occur on Canadian soil against Canadians. We have seen a number of terrorist attacks around the world in recent weeks and months: in Copenhagen, in Paris of course, in Australia, and here in Canada on October 22, and I think everyone in the room today can remember that day very clearly.

Just yesterday, Mr. Chair, CBC broke the story of a young woman who was radicalized, has left the country and has gone to fight with ISIL. I did a panel last night, actually. It is important that Canadians recognize the fact that terrorism is not gender specific. Again, there's another story that has broken saying that three individuals—I believe it's two women and one man from Quebec—have also left this country to join ISIL.

This is a very serious problem we have, if you can imagine for a moment these individuals boarding planes, going over to join a terrorist organization, becoming fully trained, and then coming back to Canada.

The legislation before us has five different parts to it. Each part deals specifically with areas that would improve the ability of our national security forces to take on better protection of our citizens and to protect our national security. As you know, there has been much talk about these sections.

Part 1 of the new bill has to do with information sharing. When we talk about this, I think most Canadians would expect that when one branch of the government has information pertinent to national security—information that could stop an attack happening here in Canada, information that would prevent someone from travelling overseas and coming back as a terrorist fully trained to operate here in Canada—information sharing would happen. I think they would also think it already is happening. That's simply not the case.

This particular—

• (0850)

Mr. Randall Garrison: Mr. Chair, on a point of order, I would request that you read out the motion that is before us, and the amendment, in order to remind us of the topic that is before us now.

The Chair: The chair will definitely read out the original motion, and then I will follow that with reading the amendment.

The original motion reads as follows:

That the Standing Committee on Public Safety and National Security begin its study of Bill C-51 at 8:45 a.m. on Tuesday, March 10, 2015, and that the Minister of Public Safety and Emergency Preparedness, the Minister of Justice, and appropriate departmental officials from each be invited to appear for a full two (2) hours;

That the Committee have a further three (3) meetings with witnesses on the Bill, with up to two (2) panels and three (3) witnesses per panel;

That the Committee shall proceed to clause-by-clause consideration of the Bill no later than March 31, 2015 at 8:45 a.m.;

That proposed witness lists be submitted to the Clerk of the Committee by Thursday at 6 p.m.; and

That all amendments to the Bill be submitted to the Clerk of the Committee before 9:00 a.m. on Friday, March 27, 2015, and be distributed to members in both official languages.

To the chair's recollection, and reinforced by the clerk, the amendment by Mr. Garrison amended the number of meetings to 25 meetings. It also amended the two panels to two witnesses per panel rather than three. That is the chair's reading and understanding of the issue.

Obviously, as we are dealing with a bill that purports to deal with terrorism, the discussions related to terrorism are in order. But of course the only thing the chair will be very, very strict with during the whole course of our event today will be either repetitive statements or comments on the same topic. If members are going to talk about the same individual six times, the chair certainly will be bringing them to point. So repetitive statements...and it must be relevant. Obviously, terrorism and the activities of the world both today and yesterday—hopefully not tomorrow—will be relative to this study.

Go ahead, Ms. James.

Ms. Roxanne James: Mr. Chair, I was talking about information sharing. A good example of this might be someone who has applied for a passport who may be travelling overseas to engage in terrorist activity, whether it be to join ISIL or to receive training specifically to come back to this country. In the course of a regular process, someone interviewing or speaking to references on the application may come across information to the effect that one of the references alludes to the suspicion that this individual may be becoming radicalized and may wish to use the passport to travel overseas to join the terrorist group.

Right now, the best that Passport Canada can do is possibly refuse a passport. They cannot—and I find this incredible—pick up the phone, call our national security agencies, and inform them that there may be a possibility of a threat with this particular individual here on Canadian soil. I think anyone who is tuning in, who might be listening to this at home, or who reads the text later would be shocked to find out that's the case, and would expect that this government would correct this very blatant issue in order to protect our national security and Canadians here on our soil.

Mr. Chair, the second part to this bill has to do with the passenger protect program. I'm sure most members on the committee recognize the fact that with passenger protect we have the ability to issue a no-board order, but only in the specific case when an individual is an imminent threat to the aircraft itself. For example, if we learn information that someone may try to bomb the airport, bomb the airplane, we can issue a no-board order; we can take action. But we cannot—cannot—issue a no-board order for someone who we

believe will be travelling overseas to join a terrorist entity, to receive training, and to then come back to Canada and bring that expertise with them. We're expanding the passenger protect program on this particular issue.

The Chair: Do you have a point of order, Mr. Casey?

Mr. Sean Casey (Charlottetown, Lib.): No, I just wanted to put my name on the list.

• (0855)

The Chair: Oh, excuse me. Thank you.

Please carry on, Ms. James. Pardon the interruption.

Ms. Roxanne James: When I talk about this specific part of the bill, I can't help but think of the story yesterday that broke on the CBC about the young woman whose family is now left with the reality that she has left this country, having gone overseas to join ISIL. I cannot help but think of this particular story. Had this person been stopped at the airport, had she been issued a no-board order, it may have been a very different story that we were reading about in yesterday's news.

The third part of this important legislation that is absolutely critical to our national security is with respect to Criminal Code changes. There are a number of measures. For the first time in Canada we are making the promotion of terrorism—calling for attacks against Canada and against our citizens, calling out for random attacks to occur—a crime.

We've heard from the opposition that somehow this might be an infringement on rights. We disagree, Mr. Chair. I disagree. Calling for attacks to kill fellow Canadians is not a basic human right. It is not a freedom. It is not something that should be protected. It is a criminal act and it is an act of war. That is why this particular piece of legislation is very critical.

We've heard that there are sections of the Criminal Code that already deal with these types of incidents. That is not correct. The Criminal Code is very specific, in that you have to prove that a specific attack will take place, for example, the time, place, and the person you're asking to carry out the attack. None of that is necessarily available when you have people posting videos calling for general attacks against Canadians that can happen any time, any place. That is why this provision is so important.

We're also making amendments in the Criminal Code to lower the threshold. We've heard time and time again from the opposition that there are current sections of the Criminal Code that simply have not been used. The problem is that the threshold is too high. It's almost to the point where someone has to be at the point of committing the terrorist offence before you can actually take action, which is why lowering the threshold is so critical, to give the tools to our national security agencies in order to keep the general public safe here in Canada. This is a common sense measure. In this committee we've heard from witnesses to that effect on other bills, as well.

Part 4 of this legislation has to do with our Canadian Security Intelligence Service and threat disruption. Again, the current mandate of CSIS, Canadian Security Intelligence Service, is to gather information. That is their only mandate. That is the description they work within. They cannot, for example, during the course of their investigation while they're gathering information disrupt a potential threat. They cannot help to prevent someone from travelling overseas. They simply don't have that capacity.

This agency is very close to the information at hand. Just yesterday, and again, I'll refer back to the story, the family was very distressed that a sister or a daughter had left this country to join ISIL. Even in the story—of course it's in print—there was concern that CSIS did not try to prevent it from happening.

The problem we have here is that CSIS' mandate cannot prevent it from happening. They are only there to gather information. Had CSIS been able to speak more openly with the family, speak in very much detail, ask the family to intervene, ask the family to speak to the individual, had CSIS been able to do that, maybe it would have been a different story yesterday.

This is a very simple example of what this legislation will do. It will give the person who is right there at that moment the ability to disrupt a potential threat to Canada, to disrupt someone's activities or planned activities to travel overseas—absolutely critical to national security, absolutely critical to stopping people from travelling overseas and bringing jihadist terrorist training back to this country, absolutely critical.

The last part of this bill, Mr. Chair, and why it's so important to get this through—and we haven't heard much on this; there hasn't been a lot of discussion, but it's also a very important piece—has to do with changes to the Immigration and Refugee Protection Act, division 9, security certificates. We've been trying to negotiate with the opposition, trying to come to some agreement to get this bill before the House.

● (0900)

A lot has not been talked about on this particular part of the bill, but you know, we have witnesses coming in to talk about it. They're slated. We want them to come in. We want to hear expert testimony on how important these changes are. I'm hoping that we have some progress in today's committee.

Mr. Chair, as I said, we only need to look to recent events around the world. We hear stories every day about ISIL. It is so important that we bring this legislation to committee, that we have a full debate, and that we hear from many witnesses, so we can move on with this bill. That is our plan. That's what we want to do. Canadians would expect that when it comes to national security and the protection of citizens, all political parties would want this bill to come to committee, to hear testimony, review any possible amendments, and get this legislation back to the House and then to the Senate to have it passed.

Mr. Chair, we have fewer than 25 meetings left in the public safety committee before the House rises. What our government will not allow is for this committee to keep this bill until the end of the session, when the House rises, so that it does not pass and dies on the order paper. Our government will not do that. Canadians expect the

government to bring this legislation forward, to pass this legislation and improve national security, and that's what we are going to do. I hope we have some agreement from the opposite side.

I did have an opportunity to speak with the opposition critic and I mentioned a bit of the negotiation yesterday. I'm not sure at this point whether we are going to have that sort of agreement, but you've clarified what the amendment was, and I guess at this point I've stated the purpose of this bill. I've related it back to actual events that are occurring around the world and right here in Canada. I think Canadians expect this government to keep national security, to keep our citizens safe. This bill is going to give our security agencies the tools they need to better protect Canadians, to better protect our security, and it's absolutely critical that we get on with this bill in committee.

As such, Mr. Chair, I would like to move a subamendment to the NDP amendment that you just clarified. The subamendment to the NDP amendment would be:

That the amendment be amended by replacing the words “a further twenty-five (25) meetings” with the words “a further eight (8) meetings” and the words “two (2) witnesses per panel” with the words “three (3) witnesses per panel”.

The remainder of the original motion stands. It just changes that portion of the amendment that the NDP had brought forward.

The Chair: Thank you very much.

The subamendment is as read.

Mr. Randall Garrison: Mr. Chair, I have a point of order. I would say that a subamendment which contradicts the amendment on the floor is not a subamendment and therefore would not be in order.

The Chair: The purpose of the subamendment was to amend the amendment, not the motion, and so it is in order.

Mr. Randall Garrison: I'm sorry, my point of order was that the subamendment contradicts the amendment which is on the floor. If the government wishes to defeat the amendment, it should defeat the amendment. I would submit that you can't do that under the rules by simply substituting exactly the things that I attempted to amend.

The Chair: The chair's personal thoughts on this—and I can be held accountable, of course, to committee structure—but the chair certainly does not feel it contradicts. It amends. It does not eliminate. It does not change. It modifies, which is an amendment. In this case, if you have an amendment, you have a subamendment. The chair's ruling is that this is a subamendment and so it is admissible as it is.

● (0905)

Mr. Randall Garrison: Thank you very much, Mr. Chair.

We will be debating the subamendment.

We'll go back to what was initially presented here from the government. The concern on the government side seems to be that it couldn't get its legislation through. Since the parliamentary secretary has raised the question of some discussions we've had and she has opened the topic, I will say that I have submitted a motion to this committee, and I made it very clear in our negotiations that we were prepared to sit in the evenings, and we were prepared to sit on constituency break weeks, so that we could accommodate a full debate on this bill. I believe that's a fundamental responsibility of members of Parliament. There is an enormous amount of—

The Chair: Order.

Ms. Roxanne James: Oh, no, I'm just adding my name to the list.

The Chair: Once again, thank you.

My apologies, Mr. Garrison.

That's the second time. We've been kind of both ways now.

Madam Doré Lefebvre, is that also about the list or is it a point of order?

It's the list, yes.

Mr. Randall Garrison: There's an enormous amount of public interest in this.

What the government was initially proposing—I have to do some quick math here on the changes—certainly doesn't accommodate the number of people who have approached us and the number of people we would like to have as witnesses before the committee. It certainly doesn't approach the amount of attention that was given to the original anti-terrorism bill before Parliament in 2011.

Again, as I've said, we could accommodate the 25 meetings we're talking about by holding two meetings per day, as was done during the hearings in 2001, or by holding three or four meetings on three or four days of the constituency week. The number of meetings suggested in my original amendment in no way prevents the government from moving forward with this legislation.

The second question I have about the amendment is that, if I'm not mistaken, I believe the government subamendment moves it back to three witnesses per panel. Can I ask for clarification?

The Chair: Yes.

Mr. Randall Garrison: We suggested two witnesses per panel because of the complexity and size of this bill.

I know that for many members of the public these are details of what goes on in the House of Commons. However, if you have three witnesses presenting in a committee and they each present for seven minutes, or sometimes as much as ten minutes, you take up thirty minutes of the time with presentations, and out of an hour you're left with very little opportunity to explore and get down to the actual substance of the bill.

I'd like to address some of the things that the parliamentary secretary raised in her opening remarks broadly about terrorism, and her attempt to use the news to create pressure to limit the amount of study that this bill gets.

Both the Minister of Public Safety and the parliamentary secretary talked about youth going abroad and acted as if there's nothing that

can be done under present law to prevent that. It's very clear that Canadian law prevents going abroad to engage in terrorist activities. Absolutely there is power in the existing law to prevent that from happening.

She talked about the very unfortunate case of a family in Edmonton whose daughter has gone abroad. She asked whether it wouldn't be better if CSIS could inform families. The thing that's wrong with her point is that CSIS did talk to this family; it's very clear that they do have the ability to do that under existing legislation.

When she talks about the no-fly list in the same context, the no-fly list is limited right now to specific threats to flights. However, you can prevent someone from boarding a plane to go abroad to engage in terrorist activity. That's clearly part of the law already.

When she talks about the disruptive activities that she calls preventative, which they may or may not be, the RCMP already has the ability to engage in those kinds of activities. I would submit that this legislation forgets the very important lessons that we learned from the McDonald commission. That led to the founding of CSIS, and that was to separate the collecting of information from those enforcement activities, and indeed from those disruption activities. We had a very unfortunate series of events at that time, where I think most of the public lost confidence in those kinds of activities that were taking place.

The Minister of Public Safety has tried to imply that somehow in asking these tough questions about the bill and looking at its content, the opposition is expressing some kind of disdain or disrespect for those who work in the security agencies and the police. There is no such disrespect intended or delivered by our criticisms of this bill.

This is a bill that is about two very important things. We all accept that Canada faces a new climate that includes terrorist threats, both at home and abroad, and we need to make sure we address those in the best manner possible. However, in doing so, the government has the responsibility to also protect our basic rights and freedoms and our way of life. I think it's more than just a cliché to say that if we give up or restrict our basic rights and freedoms in ways that are probably not going to make a contribution to the actual fight against terrorism, then in many ways those who seek to use violence have won.

I will reject the subamendment that has been placed by the government and simply state that we are very intent on having a full study of this bill. I'd like to turn to the reasons for having that full study.

One of those reasons is on the number of people we would like to see as witnesses. Again, it's a combination of people who have approached us, who have approached the committee, and whom we have approached because we believe they have expertise on these issues.

Rather than talking about specific witnesses, which the chair is frowning at me about because it might be repetitious of other things that might have been said in another meeting, although that will place the chair in a very interesting position—

• (0910)

The Chair: I appreciate your consideration.

Mr. Randall Garrison: Let me start by saying there are two experts in law, Kent Roach from Toronto and Craig Forcese from Ottawa, who have done a series of backgrounders on C-51 for the public, trying to let the public know what is actually in the bill. I think that's an important part of the function of Parliament.

We've had a lot of pointing to a poll that was done, which shows 80% support for the bill. But I would submit, as both Kent Roach and Craig Forcese have, that that poll was done before people had any idea of what was in the bill. I have no doubt that 80% of Canadians think we should do our best to combat terrorism, but I also have no doubt that among those 80%, at the time the poll was done, very few had any idea of what was in this bill.

One of the things that we need to look at is the new offence that that bill proposes of advocating or promoting terrorism offences in general. Here I think we have argued many times that existing legislation already makes promotion of specific terrorism offences illegal. I would like to hear evidence from legal experts on exactly what is changed by adding a new criminal offence of advocating or promoting terrorism offences in general.

We've asked many times for either the Minister of Justice, the Minister of Public Safety, or the Prime Minister to explain to us what is added to what's already illegal with this, in general, offence of promoting terrorism. We haven't had any answer. We've tried repeatedly to get someone to talk about that.

One of the reasons we need more witnesses here is so that we can call in those legal experts who can tell us what the content of the existing law is, and what issues would be raised by adding such a new offence to the Criminal Code. I know that Mr. Roach and Mr. Forcese believe that the scope of this offence is unclear, and I would like to have them before us to explain to us the consequences of having an offence with an unclear meaning. I know they believe it's very sweeping in its criminalization of advocacy and promotion of terrorist offences in general.

That concern leads back to something I talked about in my speech at second reading. I was one of the few opposition members who was actually able to deliver a speech before the government cut off debate. The problem that we have in combatting terrorism is that many law enforcement officials have described finding terrorists as looking for a needle in a haystack. I think that we need to hear testimony on this new broad offence because it raises the danger of adding the last thing we need, which is, adding more hay to that haystack. If you draw more people into these investigations, in general, you risk missing the real terrorist threats. You risk them slipping through, because you are so busy with this huge volume of people whom you've trapped in proceedings under this general offence.

The new offence appears to be even broader than some other offences that it seems to be related to. I think the government may have had in mind offences in the Criminal Code for advocating underage sex, or genocide, or the promotion of hatred. I really feel that, as a member of Parliament, I need people who have the legal expertise, people like Kent Roach and Craig Forcese, before the

committee to explain to us the impacts of this change we are about to make.

From my point of view, the offence, at best, is ambiguous. If it's ambiguous, we risk lots of charter litigation about this, and wasting lots of time and money in court. We have legal experts in front of us who might be able to tell us, first of all, whether this is actually needed, and second, if it is needed, whether there is a way of writing this offence that would avoid the unnecessary time we would spend in court trying to deal with the poor wording or the poor definition of the scope of the intended offence.

That's just one of the major issues on which I would like to hear testimony, and I believe other members of this committee would benefit.

• (0915)

I would remind people that when time allocation was imposed at second reading, the Prime Minister, the Minister of Justice, and the Minister of Public Safety all said that they wanted to have debate in committee.

We're not looking to block the bill by full debate; we're looking to have full consideration of whether this bill meets the test of responding to terrorism in effective ways, at the same time as it protects our basic rights and freedoms.

A second area on which I think we do need some expert testimony and some reminding of what happened in the past is the new powers that the bill proposes to grant to CSIS. I would like to hear testimony on the idea that, as the bill says, CSIS can "take measures within or outside Canada, to reduce" terrorism threats or threats to the security of Canada.

We heard quite often from the government that this proposed disruptive activity would require a warrant from the courts and that therefore this constitutes oversight of CSIS in exercising these new powers. I think we would benefit from hearing from such witnesses as former Supreme Court justices who have expressed a willingness to appear before this committee. I do not believe that this issuance of a warrant will constitute oversight.

Here's the key difference which I think we need to hear testimony from legal experts on: When the RCMP gets a warrant for something like a wiretap, it does that in the context of a criminal investigation. In a criminal investigation the results of that wiretap would then end up back before the courts. The courts then have the ability at that time to look at what was done with the warrant, to see if the warrant complied fully with the law, and whether the activities undertaken by the warrant were those specified in the warrant.

We have some unfortunate examples before us, including the case that ended up before Judge Mosley in the Federal Court. The judge said in the application for a warrant that CSIS lacked candour in providing information to the judge in asking for that warrant. Judge Mosley also expressed concern that activities undertaken under the warrant were other than those suggested to the Federal Court.

This is very serious both in terms of the respect by CSIS for the courts and the court process, but also for a bill like this where activities potentially disrupt things that may not be a threat to Canada in a direct sense in the sense of terrorism.

The problem again, which I would like to hear testimony about, is the scope of the disruptive activities. This bill appears to say that CSIS can undertake disruptive activities to deal with threats, not just terrorism, but to the economic and fiscal stability of Canada and to critical infrastructure. That makes the scope of these activities that we're looking at very broad. Whether or not this would withstand scrutiny under the charter I'm not sure. I would like to hear testimony from legal experts on that point.

The other question I raised in my speech at second reading, and on which I believe we do need testimony, is whether once a warrant is issued there is any further oversight. The problem that I see here is that the context of CSIS is different from that of the RCMP.

Disruptive activities for which a warrant would be asked are not criminal offences, so the warrant will never end up back in front of the court. The court will never have the opportunity to judge the results of what happened with that warrant, and whether the activities carried out under that warrant complied with the warrant itself or complied with the charter.

It's a very different context when we talk about the use of warrants in criminal proceedings by the RCMP and disruptive activities by CSIS. I believe we need to hear some very specific testimony on that.

● (0920)

This question of oversight takes place in a climate where the government chose to eliminate the inspector general of CSIS. One of the people we would very much like to have an opportunity to have before the committee is Eva Plunkett, the former inspector general of CSIS.

Again, I don't expect most people in the public to understand the importance of the former office of inspector general of CSIS. At the time it was eliminated in 2012, the government said it was to save money and prevent duplication. That actually misunderstood the function of the inspector general of CSIS.

The inspector general was an independent officer within the CSIS organization whose responsibility was oversight of activities in real time, not review like SIRC, which is looking at activities after they have taken place, or on the basis of complaints, but actually to monitor the ongoing activities of CSIS.

The inspector general then prepared confidential reports for the minister about whether CSIS was fully compliant with the law in any of its activities. That does two things. One, it protects the very important principle: parliamentary government and the minister having clear control of the activities which take place in his or her

name as the minister. Two, it establishes the internal function that an internal inspector performs in any organization similar to the internal affairs of any police department. It ensures that members, in conducting their activities, keep their eye on the ball and keep to the highest standards knowing there is an office that is able and will check on their activities as they are taking place.

I'm very concerned and I know Mr. Forcese and Mr. Roach are very concerned about what will happen with this grant of new disruptive powers.

What the government seems to be thinking is that this is merely an expansion of what you might call the conventional role of judges in issuing things like search warrants or wiretap warrants.

Some of the stuff I have read on this and I would like to hear testimony on is that the purpose of those warrants in criminal law is to prevent charter violations. The way we judge charter violations in Canada is based on whether there is a violation of the basic right and is that reasonable and is it a reasonable violation that's proportionate?

Is it reasonable to sometimes restrict rights? It's part of the very fundamental concept of our Charter of Rights and Freedoms that it is sometimes reasonable to do so, but the second test under that, which the Supreme Court has used and established as part of our law, is that the violation must be proportionate. In other words, it has to show that it's both necessary to do so and related to the original purpose.

That is, again, what I would like to hear from constitutional lawyers and those with expertise.

The government seems to say in this bill that, at best, a special advocate will be invited to defend the public interest in cases where we're talking about judges issuing these kinds of warrants for disruptive activities.

From the very beginning, New Democrats have expressed concerns about the special advocate system because a special advocate is only an individual who is drawn into court to represent the public interest. It's not the person who would be the subject of the activities for obvious reasons.

Given the fact that's the case, we get into very difficult legal ground in our legal system with disruptive activities conducted in secret. The person who is the subject of those will have no right to even know that they are even taking place, no right to respond in any legal forum. A special advocate is supposed to fill that role without being able, of course, for obvious reasons—that's why this doesn't work with CSIS; the activities have to be secret, and I'm not implying there should be no CSIS activities—to consult with the subjects of that activity.

Perhaps we should have one of the existing special advocates in our system before this committee to talk to us about how that works in the existing context of security certificates and immigration refugee law so we could judge whether this is an appropriate way to deal with this question of disruptive activities.

● (0925)

Again I want to emphasize that disruptive activities are extremely important, because they potentially affect public confidence in our law enforcement and security agencies. As anyone who has worked closely with the police, as I have as a former police board member and in my professional career as a researcher in policing, knows and as any such person will be willing to tell the committee, the work of police and security agencies depends fundamentally on the confidence of the public. Disruptive activities by their very nature risk at best reducing and sometimes destroying that public confidence in the activities of law enforcement and security agencies.

A third area in which I think we need to hear very serious testimony is the area that was raised by the parliamentary secretary in her opening remarks: the sharing of information. What both the Minister of Public Safety and the parliamentary secretary did this morning I'm going to try to state simply as fact, not attributing motive; what they did was talk about the sharing of information about terrorism.

All of us of course would pass the nod test; it's the reason they are using that example. If we have information about a terrorist act, it should be shared. I believe it is already the case and I would like to hear testimony from experts on information sharing. They could tell us whether in fact there are barriers to information sharing concerning the most serious violent acts.

The problem in the bill as I see it—and I'm no expert on privacy law, so I would like to hear from witnesses such as the Privacy Commissioner to tell us in fact the scope of information that is proposed in this bill—is that it seems to be extraordinarily broad in scope. It seems to me to come very close to authorizing all government departments to share all information about a very broad list of things. It's not just violent terrorist acts—and this is where our concerns come in—but such phrases as “threats to the financial stability of Canada” or “threats to infrastructure”.

We've had very strong reaction after a 44-page RCMP document was made public that created a whole category of people or class of people called “anti-petroleum activists”, which I think was a term created by the RCMP memo. What we risk here again is that large net. The 44-page RCMP memo, which I have here with me and which I have read—the government accuses us of not reading things—and have read through carefully, mixes people about whom I think we should be genuinely concerned together with those who are legitimately in dissent.

We had a very interesting question asked in the House of Commons by the member for Burnaby—Douglas about the Mayor of Burnaby, whom I know quite well, who has taken a very strong stance against the Kinder Morgan pipeline and was very supportive of citizens of Burnaby who were in technical violation of a court injunction in their attempts to stop Kinder Morgan from drilling on protected parkland in Burnaby.

The government says there's an exemption in this law for “lawful” dissent. That's a change, and it's an important change in our law. The previous anti-terrorism definitions do not contain the word “lawful” in that exemption. In other words, they exempt dissent; they exempt

artistic expression. Now, in this law, we have the addition of the word “lawful”. Would that capture the Mayor of Burnaby, in his support for his citizens who were in technical violation of a court injunction and authorize the sharing of all their personal information as a result of that?

I don't think it's an exaggeration. I think it's a legitimate concern. I think we need to hear testimony on this.

● (0930)

One of the problems about information is that once it's shared, you can't get it back. Clause 6 of this bill says that once information is shared among government departments, it can then be used for any legal purpose. Again I would like to hear from privacy law experts and information experts, because to me, what this appears to do is tear down one of the basic principles of our existing privacy law. That principle is that when the government chooses to collect information, it is bound to use that information only for the purpose for which it was collected, with certain narrow exemptions.

I think all of us and the public would look favourably on changes, if they're needed, to allow sharing of information about terrorist acts. But if it's the broader categories we're talking about of these nebulous threats to security—financial stability and infrastructure—then there's a great deal more of concern about what is before us in this bill.

There's a broader question here: is existing legislation adequate for meeting terrorism? If I were going to take the same tack as the parliamentary secretary this morning, I would be reading you a long list of arrests that have been made under existing legislation for terrorism. I think there's a legitimate argument for us to look at in this committee about whether the tools the government has at its disposal to combat terrorism are in fact adequate to the task. This is the purpose of study in committee; it is our responsibility as members of Parliament to look at questions such as these.

When I look at the budgets for the RCMP and CSIS, which have been cut each year since 2012, the question I think we need to ask when we have officials before us is whether there is a question of not having the resources that would be necessary to use the tools that are available in the struggle against terrorism.

Also, there were two pieces of testimony before the Senate Standing Committee on National Security and Defence last October, one on October 20 by the director of operations of CSIS. The subject before that committee—and I was able to read the minutes and evidence several times of that committee—was responding to terrorism.

In particular, they were asking CSIS about the list of people who were a threat to go abroad to contribute to terrorist activity. At the time, there were various numbers depending on the day or week, of somewhere around 90 people who were on that list. What the CSIS director of operations very clearly said before that Senate committee was that they have to prioritize their activities and do not have enough resources to monitor all 90 of these people.

That is a concern that we have on this side. If the government has tools for monitoring, which they do, and don't have enough resources to actually do the monitoring—

• (0935)

Ms. Roxanne James: Mr. Chair, I just have to raise a point of order on this particular thing. We keep hearing that there are no resources to do anything, and yet the member is trying to insinuate that somehow law enforcement and national security agencies are going to be monitoring all kinds of people, but that on the other hand there aren't enough resources to monitor terrorism. I find this completely lacking in any credibility and would prefer that the member actually discuss aspects of this particular bill and not come out with wild statements that imply something that is completely without merit.

The Chair: I understand; however, the member has a right to make a statement. Whether or not it can be corroborated and whether it's accurate or not, of course, can in large part be directed as questions to the witnesses who may come here to give us that information. If his statement is meant as a prelude to soliciting a response from witnesses, his comments are in order. If it is simply meant to make, I suppose, a statement regarding information that he does not present factual information to back up or support, then it would not be in order.

I'm assuming the member would certainly be speaking relative to potential witnesses who might wish to deal with his topic, so I would ask him to continue.

Mr. Randall Garrison: Thank you very much, Mr. Chair.

I would just like to point out that once again the parliamentary secretary is, at my most charitable, skirting the boundaries of privilege by implying that the things I say are untruthful. I must note that during my speech in the debate at second reading, she was called to order by the Speaker when she tried to do the same thing, that is, make the assertion that I was untruthful—

Ms. Roxanne James: Mr. Chair, on a point of order, I actually did not say once "untruthful". I just said that he's implying that there's this widespread lack of resources, and yet on the other hand somehow our national security agencies are going to be focusing on all these people who are doing lawful protests. I don't understand—

The Chair: Thank you very much.

Of course, the chair has heard both discussions, and I would just suggest right now that points have been made that we can either like or dislike, but let's just get back to the issue at hand, please.

You have the floor, Mr. Garrison.

Mr. Randall Garrison: Mr. Chair, I would submit that this is not a question of whether I like or dislike them. It's a question of privilege for members of Parliament, and it is unbecoming for the parliamentary secretary to suggest that material presented is

untruthful. I say that she's skirting the boundaries by not actually using the word, but the vocabulary of "insinuates" and "wild" certainly treads very close to the boundary.

I have not made such allegations about some of the things I've heard from the parliamentary secretary, and I would not do so because I think we must accord each other that respect here in the House of Commons.

As to the substance of what she just said, I think she just made my point inadvertently. What we're actually saying about this bill, and the reason I raise the issue of resources is when you have limited resources—and the government has limited the resources. That's a fact that you can see in the budget. It's not a wild statement I'm making. Since 2002 those resources have been reduced. So when a bill comes before us that suggests we're going to expand the activities of CSIS and that we're going to expand the number of people who are drawn into this net, then it's very clear to me that we do have a contradiction that we need to examine in the committee. How can we expect these agencies to take on larger tasks and broader tasks in the context of fewer resources? As I said earlier, this also goes back to the elimination of the position of inspector general because, as we see in the estimates that were just tabled, SIRC is given an increase of I think \$10,000 in the new estimates. How is a review body like SIRC, which has been given big responsibilities to begin with, going to be able to provide review of these broad new activities of CSIS with a \$10,000 budget increase? That's simply not to be believed.

The material I'm presenting is based in fact. Among the witnesses, and I'm going to go back to this because it's about witnesses before this committee, at the Senate Standing Committee on National Security and Defence—and everyone knows today why I'm not particularly happy about the Senate on a personal basis—was the CSIS director of operations who presented testimony saying they did not have enough resources. I think we need to have the benefit of having a witness like that. If the parliamentary secretary believes that the director of operations of CSIS was incorrect, then let's have CSIS officials here and ask those questions. She is entitled as a member to challenge what was presented as evidence before the Senate, that they lacked enough resources to monitor the 90 people.

• (0940)

The Chair: Mr. Garrison, we're not talking about the Senate debate here. Please just come back to the—

Mr. Randall Garrison: We're talking about evidence that was presented—

The Chair: Let us talk about the information relative to the study before us here, and the request for the meetings. I understand your point, and the chair certainly does not want to take away from your point, but I'm just asking you to please just get closer if you could to the witnesses for this particular study on terrorism.

Mr. Randall Garrison: Mr. Chair, with respect, I'm speaking directly to that point. We need to have adequate time to have witnesses from CSIS here so that the parliamentary secretary can challenge the evidence that was presented in the Senate if she believes it was incorrect.

On the same note, on October 27, before the Senate Standing Committee on National Security and Defence, the Commissioner of the RCMP appeared, and that was after the very unfortunate incident here on October 22. The Commissioner of the RCMP said, in testimony there, that he found it necessary to transfer resources from organized crime and drug enforcement to national security because he did not have enough resources assigned to national security.

Let's have adequate time. That's one of the reasons that my original amendment said two witnesses per session rather than three, so that we would have adequate time when we have those witnesses before us to ask them these important questions. Again, if the parliamentary secretary thinks that the Commissioner of the RCMP was distorting the situation about his budget when he testified before the Senate committee, then that's something very important to get before this committee. At that time, she should challenge the Commissioner of the RCMP about his saying he had to transfer, I believe—and again, I don't have that testimony before me—resources for 200 personnel. It's very serious if we're talking about terrorism threats when we have the Commissioner of the RCMP saying in a public forum that he lacked enough resources to deal with that question.

I think the question, again, that we need to hear testimony on, is whether any of the things in this bill, such as expanding the powers of CSIS and putting a new offence in the Criminal Code of promoting terrorism in general, are necessary. In that context, if they are necessary and we're going to add them, do we have enough resources for law enforcement and national security agencies to make use of the new powers this bill is offering them? I submit that when we hear that testimony, we will have important evidence before us from which to draw conclusions about this bill.

When challenged to give the relevance of that to the question in front of us today, again, one of the things the parliamentary secretary said in her opening remarks was that we need to lower the threshold for preventative arrest and detention, implying that the system does not work. One of the questions we have about the incident that took place in Saint-Jean-sur-Richelieu and the very unfortunate loss of life there has to do with the fact that the police went to court and did not succeed in getting a peace bond. What I would like, which we still do not have, is any report, before Parliament or public, on that incident that would allow us to draw a conclusion. Was the reason they were unable to get a peace bond actually that the bar was too high or that they lacked evidence because they hadn't devoted enough resources to the case to gather that evidence? I have some questions, in general, and again, I think we could hear legal testimony about this, regarding whether a peace bond would have had any impact on the incident that took place in Saint-Jean. I'm

doubtful that it would, because peace bonds don't normally include things like a restriction on the ability to drive. They had not foreseen the use of an automobile as a weapon.

Again, what we're lacking is a report on that incident. What I would hope we would have time for—

● (0945)

Ms. Roxanne James: Mr. Chair, on a point of order, the issue that we're talking about is trying to get this study under way.

I keep hearing from the member opposite that he wants to hear from CSIS, that he wants to hear from witnesses. That's precisely what the subamendment was. We want to bring in almost 50 witnesses, Mr. Chair. If we can just get through this meeting and come to some sort of agreement, those witnesses will start coming in at the very next meeting. Obviously, we're hoping that we can come to some agreement, but again, I keep hearing that he wants to hear from all these witnesses. That's what we're talking about. We need to pass a motion to get this study under way. Fifty witnesses means a significant study. That's going to be hours and hours of listening to testimony, and I just hope that we're not going to obstruct forward movement of Bill C-51 and that we can come to some sort of agreement within the period of time set for this committee. I think Canadians would hope for that as well.

Thank you.

The Chair: Thank you very much.

Mr. Garrison, certainly you may continue just obviously validating your reasons for bringing in particular witnesses. That is of course the purpose of the study.

Mr. Randall Garrison: Thank you very much, Mr. Chair.

I think, again, what we're dealing with here is a certain intolerance for debate on the part of the government on topics like this, so we see the use of time allocation which is more pleasantly described as scheduling when we have debate, and it says that we should have a full debate here.

The government has decided in its subamendment how many are adequate, and we are saying that given the nature of what we're dealing with here, the very fundamental nature.... This is the most important bill, I would submit, that's been before this Parliament—the only Parliament of which, of course, I have been a member. But it deals with the most fundamental threats to our society, and at the same time, in doing so, I believe the government has endangered some of our most fundamental rights.

The question of the number of witnesses and the number per session is quite important. It's not just a trivial matter. It's quite important to have a full study of this. We have to get this right. We can't end up with a bill that's tied up in endless litigation in the courts. As I said yesterday in the House of Commons, this government does have a record of passing bills that have ended up in wrangling in court, and several of which have been declared unconstitutional.

If we limit the number of witnesses and are unable as a result of that to have the constitutional scholars before us who could prevent us from passing a law that would eventually be counterproductive because of the amount of time we'd have to spend before the courts, and which actually might—and I say this with all seriousness—allow some of those who might be involved in very dangerous activities to go free because of the flaws in the law, that's a problem.

We have heard several commentators saying that, in fact, expansion of the powers of CSIS has a hidden problem in it. That problem is that because of the previous bill we passed, Bill C-44, and the confidentiality of both CSIS informants and operatives, if we expand the activities of CSIS, we may in fact make it more difficult to actually prosecute those who are guilty of terrorism offences.

I would like to have the opportunity also to have those witnesses before this committee who could give us testimony on why that's a real threat that's contained within this bill. Again, I think that's something all members of this committee would wish to avoid. No one here wants to pass a law that would inadvertently make it more difficult to prosecute those who are actually involved in violent threats to the security of this country.

So once again, we have a list of more than 60 people who have approached us and the committee who would like to give testimony on this bill. In the debate on the subamendment, or the debate before she introduced the subamendment, the parliamentary secretary implied that this could not be done.

I want to submit once again that members on this side are prepared to sit in this committee in the evenings. We're prepared to sit during the break weeks. We're prepared to sit however many times a day it takes to hear the important witnesses we need to hear on this.

For that reason, I remain opposed to the subamendment. I still believe it's of questionable procedural validity, but I respect the chair, and so of course we will be voting against this subamendment.

• (0950)

The Chair: Thank you very much, Mr. Garrison.

Now to the floor we have Mr. Norlock, please.

Mr. Rick Norlock (Northumberland—Quinte West, CPC): Mr. Chair, I think I should have reversed my notes, but I'll start from the beginning.

I think it's important that Mr. Garrison laid out the number of witnesses and the length of time, and I'll address that near the end of my comments.

The parliamentary secretary has indicated that the government is prepared to have eight meetings, 48 witnesses, 16 hours of debate here or 16 hours of debate/witnesses.

It brings to mind my friend across the way in several other discussions on several other bills saying that he failed to see an air of cooperation and he really looked forward to seeing some cooperation from the government with regard to the number of meetings and witnesses.

I agree with him that this is an important piece of legislation. Having been on this committee, I do not agree that it is more important than the previous anti-terrorism bills to which I was a party in the debates and with the witnesses, etc. I think this bill adds to it.

I don't think it is quite accurate or necessary to say it should have the same number of hours, etc., because it adds to the tools in our tool chest as legislators to be able to provide those tools to our agencies that are there to keep us safe. I think that air of cooperation has been laid out before this committee through the amendments we've seen, and I'll give my friend an opportunity to answer why we couldn't meet somewhere in the middle.

I suspect the air of cooperation still exists, and if he wanted to take the time to sit with the parliamentary secretary, maybe we could even work a little more, but if he's intransigent that it has to be 25 and it has to be this number of hours, then a lot of what was said in the past rings hollow to those who might want to follow this committee.

When I listen to a lot of what has been said, there are a few things our grandparents and folks always mention, that the greatest way for evil to persist is when good people do nothing. We see an evil in our world society called ISIS. Its tentacles have now reached well within the fabric of Canadian society. This bill adds to the other terrorism legislation to begin to cut off those tentacles, or at least to allow the agencies that are designed to keep us safe to do something about it.

It's not blind trust, but I trust the men and women in the RCMP, CSIS, and other agencies to keep us safe. I think some checks and balances are needed and I think this legislation has built within it the checks and balances needed for this particular piece of legislation. Then we have another agency that oversees it, and we know who they are.

My observation when we talk about oversight, and I've seen this a little throughout this entire Parliament, is that every time the government brings forward legislation to allow the men and women who work in our agencies, whether it's the RCMP or CSIS or other agencies...we have the opposition saying they really trust them, but we need to keep an eye on them a little more closely than we already do and then they vote against the legislation because it doesn't do that. I wonder if the average Canadian would agree with it.

● (0955)

I know it's anecdotal, but when it comes to the folks that I meet in the coffee shops and talk to at various meetings and functions that I go to, in all fairness some have concerns, but the vast majority feel that our agencies that are there have the right controls on them and in the end our court system will, if need be, be brought into play to make sure there are the checks and balances that need to be there.

My friend across the way talked about polls, etc., that if they know this, this will happen, but if they didn't know that, that will happen. I somewhat agree that we as politicians need to put less faith in polls. The poll I put my faith in will occur this October 19. I say to my friend, if we're so wrong and you're so right about the need, it won't be me, it will probably be you. Maybe the tables will be turned. We need to just take a big deep breath and stop looking at polls and begin to look at what's needed in our society. I believe we're living up to the mandate provided to us as a government to make sure....

I say this almost in all the meetings I have with my constituents when we talk about either health issues or public safety issues. The first responsibility of the government is the health and safety of the citizens. Because of that threat I referred to at the beginning, with its tentacles within the fabric of Canadian society, the government needs to do something about the health and safety of its citizens by bringing in legislation that allows....

We didn't dream this up. The government doesn't dream these things up. This is as a result of conversations with organizations such as CSIS, the RCMP, and other agencies, with their saying they'd like to do more but they don't have the tools to do it. That's why this legislation is being brought in.

For the folks at home, I'd like to remind them that on most of our legislation, such as the travel abroad and travel protect, and other legislation as I've mentioned, the folks across the way, Her Majesty's official opposition, generally votes against them. Then they say the reason they did is not necessarily because it's bad legislation, but because there are not enough checks and balances. As my teachers, my parents, and especially my grandparents have said, actions speak louder than words. What did you do? What was the result of what you did? It doesn't matter what you said. It's what did you do?

One of the other observations that I made is that the third party, having been in government, tends to, when it sees legislation, maybe not always like it precisely. In the past, on some of the legislation—and we're talking about Bill C-51 here, this piece of legislation—they've indicated that they have issues with it but generally they're prepared to vote for it because, having had the responsibility of government, they understand why the government is doing that. I think that is part and parcel of why they are voting for it: because they do see the value in the legislation and they do see some of the checks and balances they'd like to see. They also know that

sometimes three-quarters of a loaf of bread is better than no bread at all, and in this case understand the need for this anti-terrorism legislation.

My friend mentioned that we have to be careful that we don't have court challenges. Well, I can tell you that if you have enough money, there's a plethora of legal firms and lawyers out there who will take any cause to court. If we were always afraid of legal challenges, we wouldn't pass any legislation other than what currently exists. The government has a responsibility and I as a legislator have a responsibility, and that is to meet the challenges of the day, the issues *du jour* if you want, if necessary with the appropriate legislation, as I previously mentioned, to keep the men and women in our society, my citizens, your citizens, our constituents, safe as best we can.

● (1000)

There are no ulterior motives other than that one simple motive. That's my motive. That's been my motive for now pretty close to 40 full-time years of public service. It is to ensure that I do everything in my power to keep those people for whom I am responsible as safe as I can.

That's why I'm suggesting once again that we take a little break as soon as we've talked ourselves out, hopefully, in a short period of time. The parliamentary secretary and the other two parties should get together and work in the interests of cooperation. So often it has been brought to our attention that we see that occur. If it can't occur, then I hope in the future, should we meet again on a piece of legislation, we don't get that thrown in our face.

I heard one of the comments was regarding disruptive activities and that we have to be careful what kinds of activities we're disrupting. I recall yesterday during question period the leader of Her Majesty's official opposition say throughout, well barn burnings, etc. If we bring that up and a few other things, this piece of legislation does have built within it, when it comes to disruptive activities, that CSIS has to go before a judge.

We're accused of judge bashing and not really paying attention to judges. Well, we've built into this legislation on purpose the requirement to have to go before a justice before some of these, I will admit, serious things such as disruptive activities allow those authorities to exercise their mandate. We just want that significant oversight and permission before they do it and are permitted to go ahead. I think it well covers that.

My friend across the way mentions that we need experts to come and tell us. Yes, that's why we're prepared to talk to 48 witnesses. We need warrants for disruptions, so we do have this judicial oversight in many of the instances where the government felt that there needed to be caution because of the nature of the action. That's why we bring in a third party who will make sure that the activities engaged in are appropriate to meet the circumstances.

As far as monitoring is concerned, I've talked about the judicial oversight. It's important for Canadians to know that—this is just off the top of my head; somebody can raise a point of order if they wish to correct me in the number of years, and please feel free to do so—for about 40 years or so, CSIS has exercised its mandate with very few instances where they have exceeded it.

The additional powers that are going to be given to CSIS and the RCMP... I'd like to deal with CSIS in particular, because their track record—and remember I said actions speak louder than words—has been very good. There's no reason to believe that the men and women of CSIS are going to, on a regular basis, exceed the powers that they have been given in the past and that this proposed legislation gives them. Their track record is such that they deserve to have the tools they need to meet this new increasingly grave threat to Canadian society.

My friend mentioned that the role of judges has been changing over the past while and I agree with him. The role of judges has been expanding significantly over the past 20 to 25 years in order to meet the charter challenges.

●(1005)

I saw a perfect example of that in my previous occupation. It used to be relatively easy to get a search warrant, but in this day and age, because of some of the history, the demands on police are increasingly such that in order to get a search warrant or other warrants—and this does tie directly into Bill C-51, and that's why we have this judicial oversight—you need to go before a justice.

I've seen pictures of information to obtain a search warrant that literally filled legal boxes, piled high. I won't go into the specific cases, but there was the case of the Church of Scientology and some of the search warrants and I can recall huge volumes.

When my friend indicates that the role of judges has been expanded, I agree that it has been. It is neither good nor bad, but it is necessary in most cases.

To say that this will increase their role, I don't think it will increase it any more than any other piece of legislation that we have brought in or that has been brought in in the past by both Liberal and Conservative governments.

When we deal with information sharing, my friend and the parliamentary secretary alluded to recent cases in Edmonton and

some other places. If need be, I'll go into those, particularly to show three areas that this piece of legislation covers that I believe would have prevented these young folks from leaving Canada. The mother actually explained to the media what occurred, and had CSIS been able to provide information to her on exactly what they knew, if my memory serves me correctly—and I'm probably going to be looking at that particular case and informing my constituents and Canadians as to the specificity of it—she said she would have ripped up their passports.

I think this information sharing is necessary, and the opposition is saying that we need to give them a specific case. Well this is just one time when we can do that to show that this legislation is in fact needed in order to prevent young folks in the future.... Hopefully, it will provide their parents with the information necessary to work with authorities to de-radicalize and prevent some terrible things from happening.

When my friend said that he doesn't think it's an exaggeration to say generally...I find after that statement comes the exaggeration, albeit, if you listen closely, you'll hear the words “may”, “could”, “it's possible”. It's possible for anything to happen. All things are possible, but I would suggest, based on what I previously said about the responsible attitude of CSIS and the RCMP and their history surrounding those things, that they will probably not happen.

Again I go back to Canadians and their faith in organizations such as CSIS and the RCMP. I'm going to make this statement, and I don't think it's going to shock any of the people around this table. I think most Canadians trust CSIS, trust the RCMP, and trust the other agencies that are there to keep them safe and to keep all of us safe more than they trust politicians. I think that they trust judges and the judicial system more than they trust politicians. That's why in Bill C-51 we've put in judicial oversight to make sure that those authorities that Canadians trust have the tools and resources they need.

●(1010)

I made another note with regard to resources, and my friend's saying we need to provide more resources to those entities. Well, I would say we actually have done that in numerous budgets since 2011. Again I am recalling those famous words “actions speak louder than words” because in those budgets that have allocated more money towards our agencies, Canada's official opposition has historically voted against all of those budgets designed to do so. They'll say it was because it had too much of this, that, or the other thing, but once again I say that what you said is irrelevant and it comes down to what you actually did.

One of the other things is that I belonged to one of those agencies which, when asked, always said that it's not enough and we need more. We all know that especially when you talk to government or anyone else and you ask if they have enough, they always ask for a little bit more. Whether it's in a labour negotiation or in any kind of negotiation, we always want more, figuring that we're not going to get what we want, so we better ask for more.

When we come to resources, let's get those witnesses in here. Let's talk about those resources and let's talk about what is really needed and maybe, just maybe, as a result of Bill C-51, those additional resources will be provided. But first we have to get Bill C-51 in there.

We heard mention of Saint-Jean-sur-Richelieu and some other very recent tragic events. Most of those events are still under investigation. Even though I would like to make comment, I do not like to make comments about incomplete investigations. Why? Because it's not respectful of the people who are engaged in the investigation. I know the media needs to fill the paper or the television time. They talk about the right of Canadians to know what's going on, but as legislators.... And I don't question it and I'm not making judgments on it; I'm just saying that, as legislators, I think we need to wait until we see the results of the investigation before we begin to say that somebody did too much and they shouldn't have or somebody didn't do enough. Let's wait until that's done.

Let's also make sure that when we do see the results of that investigation, we do give the investigative agencies the tools they need to do their job.

When we talk about the government showing intolerance to debate and they bring in closure—and I'm using the words that were used. Time allocation is the nice touchy-feely term. As my friend across the way said, he likes to use the word “closure” because it has that ring to it.

We are an offspring of our mother Parliament, Westminster. I didn't know this, at least it may have been told to me before, but occasions like this bring to mind that in Great Britain, most legislation is debated in the House for one day, and members have to indicate to the Speaker that they wish to speak to the debate. The more members, the less time they get, and in some cases, my little bit of research indicates that it could be two to three minutes. They have to get their point across and they have to stay in the House during the debate, or they get struck off the list. Now after they speak, I guess, they could sneak out because they've already said their piece. Then it goes before committee in much the same system as we have. I believe, but I haven't gone into the committee structure that much, at committee it doesn't stay there that long.

● (1015)

When Canadians hear that we want to have 25 meetings and talk these things out, I'll bet that the majority of people out there, other than the odd person who might think they'd like to watch especially if we televise this.... With 25 meetings, 50 hours of debate, I'll bet that the average Canadian would say, “You politicians talk things to death”. I hear that all the time. “Get on with it. Do your job, and every four years, in the case of a majority government, we'll decide if

you did your job well enough and we'll kick your butt out of there if we don't think you did a good job”.

I say to the official opposition, take us up on that offer of eight meetings or let's take a little break and see if we can't come to a better decision, because Canadians expect us to do something.

Maybe in the enclaves in which you socialize they think we need 25 or 50 meetings, but I'm going to say that I doubt that very much. Most Canadians think that the hours of debate we've already had in the House and the time we're going to take at committee is more than enough. I risk their ire if I talk too long, because what they expect is action, and I go back to what I said: actions speak louder than words. So let's get on with the job. Let's show an era of cooperation. Let's take a break and let's talk about coming down from 25 meetings and let's talk about seeing if we can't come to providing a better service to the people who are paying the shot to keep the lights on in here and all the people working to make sure these meetings bear some fruit.

I mentioned, of course, the incident in Edmonton. The woman said, “I would have ripped her passport up. There is no way I would have let her leave if I knew she was going to the craziest war zone in the world”. She further said, “If they had shown me the e-mails...”. I repeat to Canadians, CSIS is not permitted to show those e-mails. She said, “If they had shown me the e-mails between my sister and this girl, if they had let me listen to the recordings of them planning on going places”—and I'm leaving out a name here—“it would have given the family more to act on”. Then she said, “They told us she had been interacting with people they thought were dangerous and were influencing her in a negative way, but they didn't give us enough information. It was very vague”.

It had to be vague.

My friend across the way says that well, they did talk to the family. Yes, they did, but they weren't permitted to give them all that information. That's why we need to have information sharing. That's why that is necessary. It gives them more freedom rather than taking it away. It gives the parents the freedom and the ability to do that which parents want to do, which is to protect their children.

That's one perfect example, just one, of why this legislation is necessary, so I implore my friend to remember what he said at previous meetings about previous legislation and do be prepared to meet us halfway and Canadians will be well served.

Thank you very much, Mr. Chair.

The Chair: Thank you very much, Mr. Norlock.

Now we will go to the next person on the list, Mr. Payne.

Mr. LaVar Payne (Medicine Hat, CPC): Mr. Chairman, I just want to reiterate that I believe we're actually discussing the subamendment put forward by our parliamentary secretary, and that on March 10 we will have Minister MacKay and Minister Blaney here as witnesses on this very important bill.

If we look at it, the subamendment says that we should have eight meetings. That will obviously take us through to some time in March. We're going to have 16 hours of expert testimony and two hours with the ministers. We're looking at a total of 48 witnesses. I know that our colleagues across the way have asked for 25 meetings. To me, that shows they're not being responsible in terms of trying to work with us as government. This is extremely important legislation. Quite frankly, I'm flabbergasted and find it quite outrageous that they're not prepared to make any changes, or even to work with us in terms of coming closer to what we're suggesting.

I think that the highest priority for our government, and for any government, is to make sure we protect our citizens and that our country is safe and secure. This is what this bill does.

What we're trying to do is to bring in some good legislation that is going to help us with what we see around the world, with ISIS, ISIL, and the terrorist activities that are happening.

On a regular basis, we see the videos coming from them trying to recruit. Here we have the latest one, Mr. Chairman. The Somalis have asked that they attack the West Edmonton Mall. I have family in Edmonton who regularly go to the West Edmonton Mall. My wife and I go to the West Edmonton Mall on occasion when we go to visit family.

The whole question is, if we don't have this legislation, how is it possible for CSIS, which is tracking this information, to share information with organizations and the police forces to stop these terrorist attacks? I find that extremely difficult.

My colleagues on this side of the House talked about sharing information and about terrorists. We have these people who have left Canada to join ISIS, to become terrorists, and then they want to come back home. What happens if they come back home and they have to be interviewed by, say, a passport officer in whatever country they're trying to come back from? This officer cannot share that information with law enforcement agencies. Even if you have an RCMP officer sitting right next door, he can't share that information. Law enforcement can't interview the individual, so they can't really do a follow-up. All the passport officer could do is to file something so that at some point in time, perhaps the RCMP or somebody in national security might be able to follow up on this individual. At the same time, if this is a Canadian citizen, we cannot stop him from coming back into the country.

That's another important reason that we need to have these tools, that our law enforcement and CSIS have these tools, so that they can actually share information. That sharing of information is to protect Canadians. It's to protect our country.

• (1020)

We've seen two terrorist attacks here in Canada. Two of our military people died as a result of those attacks. We actually have scars here in the House of Commons just down the hall, right here at this door, where we saw terrorist attacks. We know that we need to

make sure that the tools are available to help protect our country, and to protect us politicians. I know we have security here. It's an important aspect to protect our citizens as well as our politicians, who make the laws for this country. I see that as an extremely important aspect of this bill.

I just have such difficulty in terms of knowing that the opposition appears to be stalling. They appear not to want to have any kind of negotiation to move this forward. I'm taking it that they just want to filibuster this whole process.

Our colleagues across the way have talked about protecting Canadian rights and freedoms. In this bill I believe that is already covered. CSIS is strictly prohibited from undertaking threat disruption activities against individuals engaged in lawful protest or dissent. That means if they're not doing anything illegal, it's highly unlikely they would be arrested or charged. If they are doing something illegal, should they not be charged and arrested?

I just wrote an article on this whole issue on Bill C-51; it should probably be in the local paper in the next day or so. That was one of the conclusions I came to, that if you're doing something unlawful, you should be charged. If I do something unlawful, I should be charged and arrested. To me, a peaceful demonstration has nothing to do with that.

I know my colleague across the way; I've been on the same committees as him. I can understand some of his concerns. One of the things he talked about was resources. My colleague Mr. Norlock already talked about increased funding that we have provided, I think by a third, since 2006.

My colleague across the way mentioned that they have to shift resources. We know that crime, in terms of ISIS and this whole terrorist activity, has been evolving. It's changing on a regular basis. Sometimes you need to change some of your priorities while you get additional resources in place. To me, that's not an unreasonable approach.

I would expect that if needed, the RCMP must move people, or if CSIS needs additional people, if they have the funding resources available to them.... You can't just hire them overnight. This does take time. I was the human resources manager for an organization and I recruited people from around the world to work in our business. The same kind of process is needed whether you're hiring for national security or national defence or CSIS. You actually have to go through a process to find people.

I certainly don't expect that they could do this overnight. To my recollection, it usually took us several months to get in place a process where we could decide on exactly what we needed and when we needed it. Then, of course, there was the recruiting process. I see that being no different for CSIS or the RCMP or even our Canadian Forces. My son is in the Canadian Forces, and he tells me about the recruiting there as well. It does take time.

●(1025)

I guess I'm a bit flustered by my colleague's comment that we have to shift resources. This is an evolving process. This is evolving. With ISIS, the threat is evolving not only here in Canada, but it's evolving across the globe.

I'm in contact with my communities and the citizens within those communities. I can tell you they are extremely worried about what's happening. I get e-mails on a regular basis from them saying that we have to do something to make sure that Canadians are safe and that our country is safe and secure. This bill is what we want to do to make sure that happens.

My colleague also talked about critical infrastructure. My recollection is that rail lines would be critical infrastructure. We did see some arrests made as a result of some planning to bomb a train or a tunnel on the way to New York, or in New York. For goodness' sake, that would be critical.

I think about what would happen if we didn't protect nuclear facilities. We could be in a big mess. Oil and gas production, hospitals; there is so much important, critical infrastructure around this country that needs to be protected. If there is somebody who is doing a legal protest around those, I don't see that as a big problem, but it is critical we make sure that those infrastructures are protected on a long-term basis from terrorists and terrorism.

We know that they will disrupt and do whatever they can. We talked about how the larger piece is that they want to be very dramatic to get their point across. Some of the terrorists talked about Mumbai and what's happened there. We've seen it in Europe. We've seen it in Australia. It doesn't seem to end.

It's another important aspect that we continue to fight these terrorists. That means not just here at home. That doesn't mean just with CSIS or the RCMP. We're also working with our allies. That's an important aspect, because if we don't work with our allies to stop these terrorists where they are in Syria and Iraq...it's spreading everywhere. From my point of view, it is extremely important that we work in cooperation.

We've heard from the Minister of National Defence that we are working with our allies. We have had some very good successes in trying to disrupt ISIS, these terrorists. We know they're planning to come to North America. They're here in North America. They're planning on trying to bring down our western values. For us and our allies, the western values and the freedoms we have and appreciate are important.

Freedom comes also with security. We want to make sure we have security here in Canada, as well as in North America, and as well as in our allied countries. It's so important that we stop this terrorist movement where we can, when we can, and with all the resources that are available to us. That's another important aspect of it.

I'd like to reiterate to my colleague, Mr. Garrison, who talked about all the witnesses they want to have, that I know they're going to have witnesses here. Does he want to have 100 or 200? I don't know. This could go on forever. I think a reasonable approach is the recent suggestion in the subamendment of having eight meetings and 48 witnesses. I don't see that as a big issue.

●(1030)

Another point I want to make, and my colleagues have already talked about it, is judicial oversight. In order for CSIS to do some things, they're going to have to go before a judge and get a warrant. Certainly that means they will have to convince the judiciary that in fact what they want to do is legal and that they can go ahead and do it.

My colleague across the way talked about disruption in other countries. You know what? I think it's important that we've seen disruption take place in other countries because if we don't stop it where we can, then we're going to see it come here in greater numbers. I think Canadians, at least the people in my communities, don't want to see terrorists here. It is a huge concern for all Canadians, particularly the citizens that I represent.

I know that I am not going to be running for re-election again, which in some ways is difficult for me not to do, particularly when we have such an important bill before us. I know that the people in my community are supporting this. They want to make sure that Canada is safe and that they continue their way of life and the freedoms that we have. We can go anywhere. We don't have to have permission. We're free to believe in our religion, and some don't have one, and that's okay too. But what we're concerned about is what we've seen from ISIS. I think we need to make sure that we get this bill passed as soon as possible. I would certainly ask for the cooperation of our colleagues on the other side.

Thank you, Mr. Chairman.

●(1035)

The Chair: Thank you very much, Mr. Payne.

Now we will go to Mr. Casey.

Mr. Sean Casey: Mr. Chair, when I heard Mr. Norlock speak about the trust and faith that Canadians and, I think, he have in judges, it made me as the vice-chair of the justice committee wish that he had been on that committee when we were discussing matters of sentencing. Indeed, if that were the prevailing view among him and his colleagues, we'd have a lot more consensus on that committee.

Mr. Chair, this is essentially a negotiation about process. There are two issues: the number of meetings and the number of witnesses per meeting. That's what the motion is about. There is certainly a willingness on this side of the table for extra meetings, extra sittings, and extended hours. I haven't heard that on the other side, but I would expect that we could probably get consensus on that.

We do have a precedent. In the fall of 2001, when the twin towers and the Pentagon were smouldering, Parliament was faced with a very serious situation. Parliament was faced with a piece of legislation to deal with the terrorist threat. The committee studying that piece of legislation in the fall of 2001 held 19 meetings, heard from 80 witnesses, and had its business done within a month. The situation that we face today is no less serious, no less complex, and no less worthy of our time and effort.

The government motion and the amendment do not, in my respectful submission, allow adequate examination. The number of witnesses, 48, quite frankly, Mr. Chair, is a bit of a mirage, because when you put three witnesses on a panel, six witnesses per meeting, it does not allow for the depth of examination and the detailed questioning that this matter warrants. Liberals cannot support the subamendment. We do support the NDP amendment. I am encouraged by what we've heard from Mr. Norlock and also from Mr. Payne, that there appears to be some room for compromise. I would urge both the official opposition and the government to put some water in their wine. Canadians expect us to get on with this and to deal with it in a reasonable manner. We have a precedent, and we would be doing this a great disservice not to be the adult in the room and come to a reasonable conclusion.

Thank you.

• (1040)

The Chair: Thank you very much, Mr. Casey.

Now we will go to Ms. James please.

Ms. Roxanne James: Mr. Chair, I want to go back to comments that were just made by my Liberal colleague across the way and comments made by Mr. Garrison with regard to the number of witnesses per panel.

The standard practice in this committee is to have three witnesses per panel. It is misleading to say that those witnesses speak for up to 10 minutes, because the ability for witnesses or the Chair to reduce the number of minutes for opening remarks has always been there.

For example, when we have three witnesses, they may only speak for seven minutes, or five minutes. Certainly witnesses who may be coming from all sides, whether it be Conservative, NDP, or Liberal, could choose not to have any opening remarks. They could submit their remarks in both official languages for the committee members to review ahead of time or have with them, and just be present to answer questions. We've seen that happen in the past. That particular argument, that we will not have enough time to hear directly from the witnesses, is not valid. We will have plenty of time to hear from witnesses.

The subamendment that I put forward is increasing the number of witnesses to 48. That's in addition to the first meeting, which will have officials and the two ministers, the Minister of Public Safety and Emergency Preparedness and the Minister of Justice. We are actually going to have well over 50 witnesses during the entire study. We have been very cooperative. We are trying to accommodate and negotiate with the opposition on this matter.

It is unreasonable, Mr. Chair, to hold 25 meetings, considering the fact that we have fewer than 25 meetings in the rest of the session. We are in fact extending regular committee hours with the

subamendment I put forward. We are not just meeting at the regular times on Tuesday and Thursday mornings. We are actually going to schedule meetings in the evening. We are willing to schedule those meetings so they work with all timetables and all schedules from all members of the party.

Mr. Randall Garrison: Mr. Chair, on a point of order, I don't recall seeing that in the subamendment. The parliamentary secretary said that we're being unreasonable. We have already said that we would sit during break weeks, that we would sit in the evenings, but I didn't see that in her subamendment.

The Chair: It was not in the subamendment. However, if there is information that the parliamentary secretary wants to bring to the floor, and hopefully it can be digested and form part of our resolution to try to solve this issue, it would be welcome.

Ms. Roxanne James: The subamendment basically stated that the committee would have a further eight meetings on the bill, with witnesses, with up to two panels and three witnesses per panel. Considering that the original motion called for clause-by-clause consideration of the bill to start no later than March 31, 2015 at 8:45 a.m., it would conclude that we have to schedule additional meetings in order to meet that. In conversations, we have said we are willing to sit in the evenings. That's why we've allotted for an additional eight meetings of hearings outside that of the two ministers, the Minister of Public Safety and the Minister of Justice. This is completely reasonable. We have been more than cooperative. It is absolutely essential that we get this legislation to committee.

There have been a couple of comments. I'll just go back to one thing before I wrap up. The reality is that we need to get to see this legislation. It should not be about parliamentarians debating the legislation here in this committee, but that's what we're seeing today. We're actually debating the legislation when in fact we've all said that we want to hear from witnesses. We want to have witnesses come in so that we can ask them the questions and so we can hear their expert testimony. Sitting here debating whether you or I agree or disagree with the bill isn't doing justice to what's at hand and what's at stake with this legislation. The purpose of this committee is to set the timetable for C-51.

I just want to go back to something else that was said. It was with regard to warrants. I sat here and I listened to the opposition, to the critic across the way, talk about warrants and the fact that with warrants today, the requests have to be reasonable, proportional...and measures and so on. I just want to point out that clearly this bill on page 49 specifically states:

The measures shall be reasonable and proportional in the circumstances, having regard to the nature of the threat, the nature of the measures and the reasonable availability of other means to reduce the threat.

It's right there in the legislation. Again, I say it's there; I'm reading it. The opposition says that it's not clearly outlined. That's why we need to get on with this study. We need to bring in the witnesses, have them sit at the end of the table while we ask these questions. Is this in the bill? Are the warrants going to be authorized and is there going to be judicial oversight of this type of request? That's precisely what we should be debating right now. We should get back to the fact that we need to talk about the number of meetings.

Again, I've tried to negotiate on this. Twenty-five meetings are not going to happen. It's unrealistic. Eight meetings with 48 witnesses including the two ministers.... Officials will also be here. Again, it's way above 50 witness testimonies that we will hear from over the course of the next coming weeks. I think this is reasonable. I think that Canadians would expect us to move on with this legislation.

Mr. Chair, I would ask you to put this to a vote as soon as possible. It's very important that we get a decision made on this today. I just ask you to get back to the issue at hand, which is the particular subamendment, so we can bring the ministers in on the next available meeting and get on with this study.

I ask you to call this to a vote.

• (1045)

The Chair: We can't call this to a vote, no.

There are two things.

An hon. member: Point of order.

The Chair: I'll even pre-empt the point of order.

We cannot call for a vote at this point. The chair cannot interrupt the proceedings.

The chair will also make one other point right now.

Of course, with regard to extra meetings, the committee should know that the meetings are to be called at the call of the chair. The chair, of course, will naturally listen to both instruction and availability of the respective parties, but in order to facilitate meetings, the chair will make the decision as to when, how, why, and where the meetings will take place.

Mr. Randall Garrison: Point of order.

The Chair: Yes.

Mr. Randall Garrison: Mr. Chair, I did have a different point of order.

In terms of the ability to meet at the call of the chair, I am presuming that the chair would be able to call meetings during the break week. When the parliamentary secretary says it's unreasonable to get through 25 meetings, if we met four meetings a day through five days, that's 20 meetings. We could do that easily during a break week.

My point of order is actually a request to the chair as to whether the chair is authorized to call meetings during the break week.

The Chair: The chair is authorized to call meetings, but the question is should the chair call meetings unilaterally on the request of one party when we have three parties represented here and we try

to work in a cooperative fashion. So the chair will certainly reserve any decision on that right now.

We will go back to a point of order, Ms. James.

Ms. Roxanne James: Sorry, I thought I still had the floor.

The Chair: Yes, you have.

Ms. Roxanne James: There are a couple of things that I want to talk about with regard to the reason this bill is so essential.

We've heard a number of times, and to me it's misleading.... Again, we need to hear from expert witnesses and that's why it's so important that we move on and get those witnesses in. Very specifically, the bill talks about—and this is in regard to information sharing, for example—any activity that undermines the security of Canada. It goes on to describe it as any activity that “undermines the sovereignty, security or territorial integrity of Canada or the lives or the security of the people of Canada”. It's very important and sometimes that's overlooked when we hear comments from the opposite side. The bill then lists a whole bunch of things with respect to national security. This is why this information sharing is so important.

At the very bottom, and it's right on page 3 if we are all able to read to page 3, it is very clearly stated, and I'm going to quote this right from the legislation, “For greater certainty, it does not include lawful advocacy, protest, dissent and artistic expression.”

It's very clear in this legislation. I've read it. I understand it. Some of my colleagues across the way may want to hear from expert witnesses to clarify that. Certainly, that is what our hope is too, to get those expert witnesses in. I'm sure that with 48 witnesses there will be a number of experts who will come in on this particular measure, this one section, which has to do with information sharing.

I think it's so important, again, that as a committee we vote as soon as possible on the subamendment. It's reasonable. It brings in an adequate number of witnesses.

I heard in debate, Mr. Chair, when we were in the House someone from the opposition, an NDP member, talk about how we should be debating this in the House for up to a year. That's absolutely unreasonable. Twenty-five meetings—

• (1050)

The Chair: On a point of order.

[*Translation*]

Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP): The official opposition never made such remarks. I don't see where the parliamentary secretary got the idea that we wanted to debate Bill C-51 in the House for a year. I would like her to withdraw her remarks.

[*English*]

The Chair: No problem.

Ms. James, you have the floor.

Obviously, the statement was made but you could perhaps go back to your remark.

Ms. Roxanne James: Thank you.

I was actually in the House. It was during debate.

The Chair: Excuse me, the bells are ringing, so we will suspend and leave for a little while.

However, I just bring to the attention of committee that there has been a request by a television network to come in and set up. The process and procedure we follow is this has to be done at the start of a meeting. However, it can occur at a break. Obviously it cannot interrupt the flow of the meeting. So it will be questionable as to whether or not it would, but it would take unanimous consent from this committee to allow that to take place. So I put that before the committee.

Is that agreed?

Some hon. members: Agreed.

The Chair: That is agreed and so ordered.

We will resume 10 to 15 minutes after the vote has finished. Hopefully, in that period of time we can have some discussions behind the scenes.

We will now suspend.

• (1050) _____ (Pause) _____

• (1145)

The Chair: Colleagues, we will resume and before I go to a point of order, I will mention to the committee that the four broadcasting networks had requested to be here right now. There were some challenges with regard to some of the technical abilities. It was agreed to let the House broadcasting share that with them. That is now live, so House broadcasting is now covering us. Instead of setting up different cameras, their cameras are simply substituting for them.

Before I go back to the floor, we have a point of order from Mr. Garrison.

Mr. Randall Garrison: Thank you very much, Mr. Chair.

As it seems obvious we may be going on for some time, could we seek unanimous consent to suspend for question period today?

The Chair: A request has been made to suspend for question period. That would require unanimous consent.

I am looking for the counsel of the committee.

Agreed?

Some hon. members: Agreed.

The Chair: We will suspend for question period as per the request.

Mr. Randall Garrison: Thank you very much.

The Chair: We will now go back to committee proceedings.

First of all, we had the motion and then we had the amendment. We are now dealing with the subamendment from Ms. James.

Ms. James.

Ms. Roxanne James: Mr. Chair, the subamendment calls for eight meetings in addition to the initial one, at which both the Minister of Public Safety and Emergency Preparedness and the Minister of Justice plus officials will be in attendance. It indicates that at these meetings we would have well over 50 expert witnesses, including the officials, to give testimony before this committee that is so crucial to hear with regard to Bill C-51.

Mr. Chair, I find it quite disheartening. We have tried to negotiate and have come quite a distance to cooperate with the NDP to come to some sort of agreement on bringing this legislation before the committee. It's probably one of the most important bills to deal with our national security. We have seen recent events around the world, with a slew of countries that share the same democratic rights and freedoms as we have in this country—openness and tolerance—all being targeted by the international jihadist movement.

We see organizations, terrorist entities such as ISIL, whose goal is to either convert or to kill anyone who disagrees with the way they think, who don't share their beliefs. I think most Canadians understand what we're dealing with. You just have to look to the evening news. Yesterday a story broke. A young woman travelled overseas. Her family came home; she was gone. Many of us in the committee and maybe some of the staff and you, Mr. Chair, are parents, and I cannot imagine for a moment what that family would be thinking, what they would be going through.

Some of the comments I read in the newspaper indicated that there was some angst, a bit of concern about why CSIS did not stop this woman from travelling. The issue at hand, Mr. Chair, is clear. CSIS' mandate is to gather information. Some of the measures in this bill address this very issue to allow CSIS to intervene to stop threats, to stop someone from travelling overseas and so on, right down to the fact that CSIS right now is not able to even discuss with family members and tell them what is going to happen. Maybe they could ask the family member to destroy the passport. As the family member said, if they had known, they would have torn up the passport.

This is extremely troubling. This is a young woman. Some members in the committee are shocked because it's a woman, but I think we recognize that terrorism knows no gender. It is not simply young men who are being recruited; it's women as well. Young girls are being recruited. We're seeing this. There's a story alleging that three people may have left Quebec to also join ISIS—two women and one man, I believe the story was. It just came out yesterday.

The fact of the matter is that this is happening more often, threats against countries like Canada, and specifically here in this country. Obviously, the number one concern of the Canadian government is the safety and security of our national security and our citizens.

The threat is real, and it's evolving fast. This legislation, Bill C-51, is bringing in necessary measures to give our security agencies and our law enforcement agencies the tools they need to better protect Canada and my fellow Canadians.

I find it a little sad, to be honest, that we're sitting here debating a motion, amendment and subamendment on bringing in more than 50 expert witnesses to this committee. I hear from the opposition, the NDP, that they want to hear from their witnesses and they want to hear from CSIS. We want the exact same thing, and yet we have spent more than committee time today on this.

We're continuing on this to pass a motion that will actually start and bring this bill to committee, actually bring before the committee at the next meeting, on Tuesday after the break week, the Minister of Public Safety, the Minister of Justice, and officials to talk about the bill and why the measures are important, and to talk about and answer any technical questions, because the officials will be here to answer those technical questions.

● (1150)

The opposition has indicated concerns about various aspects of the bill. We've been very clear on this side that the legislation is clear. Some of the concerns have been that CSIS is going to be somehow tracking and monitoring protests and so on. It's simply not the case. The legislation is very specific. It excludes "lawful advocacy, protest, dissent and artistic expression". It's right in the bill on page 3.

So we have a disagreement between the government—the Conservatives—and the NDP as to what the legislation means. Obviously the witnesses' expert testimony, when they come in to committee, will clarify that. On this side we are confident that they will clarify the bill and explain it appropriately and in enough detail to the opposition so that they fully understand it.

The problem we have now, Mr. Chair, is that instead of getting our witness lists to the clerks so that they can start calling people to come in at the next meeting, we're sitting here still in this meeting trying to come to terms on an agreement for getting this bill actually to committee.

I find this more than just sad. I'm actually rather shocked, knowing that the concern we have experienced in this country.... My constituents have called; I've met with many of them on this issue. They are frightened. They understand what is at stake. They see the news; they read the paper. They know what's going on and they want and expect the government to bring forward legislation that will protect national security, protect their families, protect our communities.

We've done that. We've brought forward a very common sense bill that has really five parts. On information sharing, when it comes to national security, one might think that is already being done. That is not the case. To set the record straight, it is not the case here in Canada that one body of government can speak to another when it comes to national security. Their hands are tied. We have to be able to allow them to communicate when there is a potential threat that could be stopped and that needs to be investigated. It's simply not the case today.

The measures in this bill are common sense. In fact, I've actually had people say to me, "Are you kidding me? Is this not already happening today?" I'm almost a little embarrassed to say no, it's not.

We need to get this legislation before committee. We have been very accommodating on this side in trying to negotiate and cooperate and come to terms with a reasonable number of witnesses. The subamendment calls for 48 expert witnesses to come in. That is a lot of witnesses. That is hours and hours of witness testimony.

There have been some comments from the opposite side that they're concerned about having three witnesses come in for every hour. That is the standard practice of this committee. For every other bill that has come before this committee, we've had three witnesses per hour.

You want to give the benefit of the doubt. You want to say that this is not obstructing the bill's coming to committee, but it's hard not to believe that such is the case.

Three witnesses can come to a panel of one hour. In the past, Mr. Chair, as you know, sometimes witnesses are given up to 10 minutes to speak, and occasionally there might be someone who cancels or can't make it and so we have two witnesses. But when there are three witnesses, we always limit the time. As the chair, as a committee, we could decide whether that time would be seven minutes, or five minutes.

In fact, if witnesses want to have more time to answer questions and less time for opening remarks, witnesses, at least in this committee, have always been free to submit their opening remarks or statements in both official languages, to come to the committee and sit down and say that the committee has their remarks and they would prefer to answer more questions, rather than just hear themselves talk. That is very possible, and if witnesses did that, it would leave a full hour for three witnesses. That is the normal standard practice in this committee.

The fact that it's now being raised on this bill, the fact that the opposition has publicly said they will not support this bill, the fact that they want 25 meetings.... Mr. Chair, correct me if I'm wrong, but I think we actually have fewer than 25 meetings left in this session.

● (1155)

When we made this subamendment, we extended it to an additional eight meetings, 16 hours of full witness testimony, questions and answers, and also 48 witnesses. That's in addition to the ministers' coming and all of the officials that will be here to answer the technical questions, so we're looking at more than 50 witnesses.

This is extremely reasonable. We're trying to negotiate. We're trying to cooperate. I find it hard to believe that the goal is not to bring this legislation to committee at the next available meeting, but it's hard to believe that is not the case from the NDP at this point in time.

It's absolutely important to get this legislation before us. We want to hear from expert witnesses. We have a slate of expert witnesses, but we want to hear from the best of the best. We want to hear from CSIS. We want to hear from the RCMP. We want to hear from the academic world. We want to hear from people who are experts in law on the charter. We want to hear all of those things, but the problem is that we're sitting here debating whether a list of 50 witnesses is adequate for the NDP.

Anyone who is watching this or maybe listening to this at home, thinking about more than 50 witnesses coming to a committee on one bill and what that would mean, and how that would delay and obstruct this legislation from coming back to the House.... Obviously we have *x* number of days before the House rises.

National security is the fundamental and top priority of this government. To protect our security, to protect our citizens, and to keep our communities safe are things that have brought me to Ottawa, actually, and why I am a Conservative member of government and why I am fulfilling my duties as Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness. This is an issue that I take very seriously, and there is nothing more that I want to see than this legislation come to this committee at the next available meeting, hear from the ministers, hear from officials on the legislation, and then hear from all of those expert witnesses, but unfortunately, here we are, well past the end of regular sitting hours for this committee.

We are prepared on this side to continue to sit here until we can come to some sort of an agreement.

I am actually going to be at a loss for words soon, because I cannot believe that we're at this point in this committee. I absolutely cannot believe it.

I hear from the opposition that there's not enough time, that there's not enough this, and yet we're willing to waste time today, possibly over the weekend, and maybe all the way through next week to come to terms with the fact that 50 witnesses are more than enough. Canadians find that reasonable.

Mr. Chair, I'm hoping that at some point today the opposition will be open to more communication on this. I hope that they're not going to simply say that no, they want 25 meetings and 120 witnesses. Canadians would think that is absolutely unreasonable. It's not necessary. We obviously have a slate of witnesses. We're going to be inviting the best of the best. We need to hear from the experts, the ones who can legitimately add to the conversation on this bill, and that is precisely what our subamendment does.

We're willing to sit in the evenings. Obviously, with the timeframe, having this come back to the House after Easter, we're willing to sit for additional meetings. That was clear; I made it clear earlier. Obviously, if we're on target and we can get an agreement today, we would start with the two ministers on the next Tuesday, that first meeting. We would have three regularly scheduled meetings of two hours a piece and a slate of witnesses, but in order to accommodate the timeframes, we're willing to sit in the evenings. I've made that perfectly clear.

Mr. Chair, I'm going to wrap it up. I'm hoping that the comments from all sides will be focused on not debating the merits of this bill.

Again, that's why we need to bring in the witnesses. We need to bring in the witnesses to testify. Certainly saying that they disagree with a part of the bill or that they don't believe the bill is going to do this, if that's what the opposition wants to raise, it's actually debating the bill further here, which we already debated in the House.

Again, I'm hoping that we can come to some agreement. This is absolutely essential to the national security of this country.

● (1200)

There's a terrorist organization that has put Canada on a list as a target country for jihadist terrorists to carry out attacks. This is extremely serious. I can't think of any other issue since I've come to Ottawa that is more serious than this one. It's why our government joined the coalition to conduct air strikes to degrade that threat. It is why we brought forward legislation to stop people from travelling overseas to commit terrorist activity, and it is why we brought forward Bill C-51 to this House, to this committee, and hopefully, to get passed.

This bill is aimed at terrorism and terrorists and it will stop individuals from travelling overseas to engage in terrorism, to become fully trained, and to return to Canada. We always hear about individuals who are being monitored in this country. We've heard multiple stories in just the last few days, the last 24 hours: a young woman joining ISIL and going overseas; three people alleged to have gone overseas to join ISIL. Aside from the fact that these people may not return, because I think, obviously, the families are concerned they might not return, but imagine for a moment these individuals coming back to Canada fully trained, further radicalized. They are coming back to live in Canada. We're no longer looking at a few people that the RCMP might be monitoring, but now we're looking at hundreds of people.

This legislation has the ability and the measures in it to allow CSIS, our Canadian Security Intelligence Service, to disrupt threats to Canada, number one, and to disrupt the ability to travel overseas to receive this jihadist training to engage in terrorism. Certainly, we don't want to harbour and grow homegrown terrorists in this country—obviously, that's not what we want—but we don't want them coming back to Canada fully trained.

Another measure in this bill, Mr. Chair, that's so critical that we get this bill to committee has to do with expanding an already existing program that stops people from boarding an airplane if they're an imminent threat to the aircraft itself. For those listening, when we talk about that, when we say "imminent threat", you think of a bomb, someone destroying the aircraft in mid-flight, but the legislation that we need to get to committee, that we need to hear testimony on, actually will expand this passenger protect program and will give the ability to actually do the same for those who want to travel overseas to engage in terrorist activities, receive training, and then come back. It will actually issue a no-board order. How important is that when we think about the recent stories that have come to light in the last 24 hours? Certainly, it would be pure speculation, but you can see very clearly from the stories that have emerged how these measures might have made a difference.

Again, we on this side believe the measures in this bill are common sense. We want to hear fulsome testimony and fulsome debate here in committee. Our goal, obviously, is to get this legislation to committee. I cannot believe that we are sitting here debating about 50 witnesses coming to testify on this particular bill. I'm absolutely shocked and disappointed. I'm hoping that at some point the obstruction that we're seeing from the opposition...that they will be able to be more open to negotiating, be more open and willing to actually get this bill to committee.

Again, you would think when it comes to national security and the protection of Canadians that this would be the number one priority of everyone at this committee, to hear more on this bill, to hear more witnesses, and to hear testimony. We have come back and increased the number of witnesses to accommodate some of the requests from the opposition, increased that number to more than 50 witnesses in total, and are willing to sit through evening sessions to get this bill before this committee.

• (1205)

I would ask that at some point we put this subamendment to the amendment to a vote so that we can get on with business, the same business that Canadians expect parliamentarians to do, the improvements and benefits that this legislation will do to the national security and the protection of all Canadians in this country.

The Chair: Thank you very much, Ms. James. I do appreciate that.

The chair will just offer one brief comment before we go to the next member. It is unfortunate that on the sides here, we're actually discussing the issue. We're discussing the bill, when we are simply caught in the process of how to get to discussing the bill. The chair finds that extremely frustrating, but it is a reality we face here.

I've said my piece, so we will now move on.

Madam Doré Lefebvre.

[*Translation*]

Ms. Rosane Doré Lefebvre: Thank you very much, Mr. Chair.

I am pleased to be able to add my voice to the debate on the sub-amendment to determine how many witnesses we will hear from during our study on Bill C-51.

We have raised our concerns, and I have listened attentively to the comments of all of my colleagues around this table, be they Conservatives, Liberals or my colleague Mr. Garrison. I noticed that there was a lot of overlap in what people were saying, no matter what party the person speaking was from.

One of the first things I noticed was that we are all aware that there is a real threat of terrorism and radicalization, that this is a global issue, that we all want to have the best tools possible and that we consider it critical to deal with this problem. As a parliamentarian, I find that this is already a good step forward. Protecting Canadians absolutely must be one of our priorities. Public safety must be a priority for any good government. I am pleased to see that this topic is being discussed around this table and that we at least have that common ground. It's refreshing.

However, I believe that Canadians do not have to make a choice. What they are being offered in Bill C-51 is extremely vague and broad. We are being asked to sacrifice some of our rights and freedoms, and to choose between security and freedom. That's something I'd like to speak out against here.

• (1210)

[*English*]

Ms. Roxanne James: On a point of order, I would like to know where exactly in this bill a law-abiding Canadian citizen is going to have to choose between security and their personal freedoms. There is absolutely nothing in this legislation that says that, and the NDP has been unable to pinpoint what personal freedom that might be.

I just wanted to get that on the record.

Thank you, Mr. Chair.

The Chair: Thank you very much.

We're obviously getting into debate now, and that is not the intention of, I think, either side here. The chair would just respectfully ask the member to carry on, and certainly, if there are either assertions or allegations, just to be mindful.

[*Translation*]

Ms. Rosane Doré Lefebvre: Thank you, Mr. Chair.

I will try not to get into a debate. As you mentioned, we are discussing witness presentations and hours of debate. I think we have made our point on that and that it was relatively clear. I don't want to get into a debate. I think the parliamentary secretary knows very well where I am going with that.

However, this brings me to something the parliamentary secretary mentioned earlier. She said that she was a little concerned that our proposal would mean that we would not have enough time to study the bill before the election. Mr. Chair, I would like to mention that this has never been our intention.

As we mentioned and have said publicly, we absolutely must do a thorough study of this bill. Everyone around the table agrees that Bill C-51 is important. We don't all agree on the reasons why, but this bill is very broad and contains many measures that affect a number of acts. A full study is not too much to ask. I don't think it's unreasonable. It's about doing our job as parliamentarians.

That's the crux of the matter, and we truly want to strike a compromise with the Conservatives on this. Yes, we are asking for a comprehensive study of Bill C-51 because it's the job of the Standing Committee on Public Safety and Emergency Preparedness to properly study of all of its aspects.

Members on the other side mentioned that we haven't been given enough specific details on this bill. I think having experts come who will be able to answer our questions and perhaps provide solutions that hadn't been considered by the opposition or the government is essential when we're studying a bill of this scope and that may have an impact on several aspects of our standard of living as Canadians. In my opinion, it would not only be reasonable, but also necessary to do a full and very thorough study of Bill C-51.

Regarding concerns from members of the government party, with some wondering if we'll have enough time to pass this bill or finish studying it before the next election, I think that's in the hands of the committee to know whether we'll have enough time. I do hope so, and I expect that we'll be able to do our work as parliamentarians within a specific framework.

I've done some research to find out how other committees have conducted studies that require a full or more thorough study of various—

• (1215)

[English]

The Chair: Excuse me.

Ms. James.

Ms. Roxanne James: Sorry, I just wanted to be put back on the list. Thank you.

[Translation]

Ms. Rosane Doré Lefebvre: Other large bills have already been studied. I think it is possible to do so by getting out of our environment. We usually meet here Tuesdays and Thursdays, from 8:45 a.m. to 10:45 a.m. Actually, it's standard for most committees to hold two two-hour meetings a week.

I've noticed that many other committees have managed to find common ground to study bills relatively quickly, while ensuring that as many witnesses as possible were heard and that as many meetings as possible were held.

I've spoken about this a bit, but I think it should be noted. I've looked at details in this bill, details that I didn't have in the beginning. Last summer, the Standing Committee on Justice and Human Rights studied Bill C-36, which followed on a Supreme Court decision on the legislative framework on prostitution in Canada. The Supreme Court had asked the House of Commons to study the legality of prostitution and to examine the issue as quickly as possible.

Thirteen meetings were held on the issue, and they were all held during the summer when the House wasn't sitting. There were a number of witnesses and several hours of meetings on the matter. The parties conducted this study in good faith because it was important to resolve the issue of the legislative framework on prostitution in Canada. Although it is a sensitive topic and the discussion may have been lewd at times, it was important for all the parties to study the bill in depth.

I remember because two of my very good colleagues sat on that committee, the hon. members for Gatineau and La Pointe-de-l'Île. This study was fairly significant. When we spend the summer in our ridings, we try to do our work as parliamentarians. That is when we can do it. We determined that this study was important and that we had to return to Ottawa. I don't have the exact information, but I think the committee sat for four or five days during the week. There were a number of meetings each day. If we think of that example, we can say that it's doable to hold several meetings in a short period of time.

I'll come back to the House calendar later. It could help us organize meetings in the evenings or on weekends, or even when the House isn't sitting. The calendar for the coming months indicates that it's possible. There are several weeks where we are going to return to our ridings. As the Conservatives mentioned as well, it is our duty as parliamentarians to ensure that we protect Canadians. I think we can make this sacrifice, be it in our personal schedules or in our schedules as MPs, when we meet with constituents in our ridings. It's a sacrifice worth making to ensure the bill is studied properly.

I think other colleagues of mine on this committee would be willing to make a compromise in this case. As has already been mentioned, the purpose of the sub-amendment proposed by the parliamentary secretary is to ensure that we hold eight meetings and that the clause-by-clause study be completed no later than March 31. That being said, we will have no choice but to sit in the evenings or on recess weeks to meet that deadline. If we are going in that direction, which is an opening by my Conservative colleagues, why not do our jobs as parliamentarians and conduct a full study?

• (1220)

Another study, which was on Bill C-23, was done in committee. If I'm not mistaken, it was done last year. We held some 20 meetings on the bill, which was put forward by the Conservatives and dealt with democratic reform. Some meetings took place at night, others were longer than normal. Some meetings lasted over four hours and others lasted three. The meetings usually run for two hours, but in this case, we had to deal with the large number of key witnesses. I think all the members of the committee would agree that the bill on democratic reform was large.

Furthermore, I'm wondering why the government chose to do more comprehensive studies of other bills. I don't want to minimize the importance of those ones, even though it was clear that all of us—and there's no point in denying it—had relatively diverse and differing opinions on Bill C-23. Among other things, it had to do with democratic reform and the legislative framework of prostitution in Canada, a rather sensitive debate. I'm wondering why so much interest and so many meetings were dedicated to these bills, while we are clearly not striking the same balance with the study of Bill C-51.

As I've mentioned already, I want to ensure that my colleagues and the people listening at home understand that we are willing to conduct the study in a fairly short period of time. We are truly willing to make concessions to ensure that the key witnesses and experts are indeed heard. Moreover, as we mentioned, we want to hear from representatives from the Canadian Security Intelligence Service and the Royal Canadian Mounted Police, as well as witnesses from academia and individuals interested in the matter because they are affected by the bill.

Our ideas come together very well. In fact, each side of the table will probably be happy to hear testimony from numerous witnesses on a panel and to have them answer our questions.

I think we can find some common ground here, in committee, and I am glad we can sincerely discuss this. I hope to be able to convince my Conservative colleagues of the importance of conducting a comprehensive study on this matter. Many pieces of legislation will be affected by Bill C-51. If it is passed, it will have a number of consequences. I think it is extremely important that experts explain to us what the impact of this bill may be on our way of life.

And we owe it to Canadians. In fact, it has been shown a number of times that most Canadians expect their government to tackle the terrorist threat and radicalization, which I think just makes a lot of sense. It's our job and the job of any good government.

But most Canadians do not know what's in Bill C-51. We've seen a number of reactions in recent weeks, especially in the media. There are many examples, but one of them is a letter signed by former Supreme Court justices and former prime ministers, both Liberal and Conservative. One of the things they expressed concerns about was one portion of Bill C-51.

That's just one example of many. In the last few days, the Assembly of First Nations raised many concerns about the impact of this bill. I think we owe it to those groups to conduct an in-depth study, and to Canadians who don't know exactly what Bill C-51 contains.

I think that this study and the proposal of my colleague Mr. Garrison to hold 25 meetings with the possibility of doing so relatively flexibly, outside normal meeting hours, just makes a lot of sense.

•(1225)

I'm aware of the urgency of acting, and I know it's common practice for the government party to rush to pass bills. I think we can find some common ground so that we can study the bill relatively quickly by putting a little water in our wine. The government wants

the study done quickly. So let's set up some full-day meetings if necessary. It's important, and we were elected to do this.

When I was elected in 2011, the first thing I said to myself was that I needed to represent the people who elected me as best as possible, that I was going to try to make them proud of having elected me, and that I was going to do my best as a parliamentarian. There is no denying it, this work isn't always easy, but it's our duty. I would also say that it's a privilege to be able to put forward the best legislation possible. I think we can all agree on the fact that we are very privileged to be here to study a bill. Why not do it properly?

When I was researching various studies, be they bills or studies in committee, certain things intrigued me. For example, the Standing Committee on Public Safety and National Security recently did a study called *The Economics of Policing*. We did that study last year. We devoted 12 meetings to it. I don't want to minimize the excellent study we were able to do together despite our differences of opinion, but we still spent a lot of time in comparison to what the Conservatives want to give the committee to study Bill C-51.

I have another obvious example that isn't from this committee. I don't always follow the debates of the Standing Committee on Transport, Infrastructure and Communities. I should more often, because I was surprised to learn that they began a study on safety last year, and it's relatively interesting. So far, they have held 31 meetings in this study, and they aren't done yet. They're still studying it. So there's a lot of latitude we could have as parliamentarians and as a committee. I think it's important not to go full steam ahead and not to prevent certain key witnesses from appearing before the Standing Committee on Public Safety and National Security in the context of this study.

Just before I move on to another topic, many witnesses have themselves asked—without being invited because we haven't yet submitted our witness lists to the clerk—to appear and to testify on Bill C-51. These witnesses are from all walks of life and are addressing different aspects of the impacts of the Conservatives' anti-terrorism bill.

I don't think anyone here can say that these witnesses and experts aren't good witnesses. It will be extremely difficult to choose. If I could ask my colleagues opposite a question, I would ask them why they don't want these people to appear before the Standing Committee on Public Safety and National Security. Who do they not want to appear for the study of Bill C-51? As I mentioned, former Supreme Court justices, former prime ministers, First Nations leaders and the Privacy Commissioner of Canada have raised concerns. These people come from all backgrounds. They want to talk about the impact of the use of the Internet and social media.

•(1230)

These people, including former members of the Security Intelligence Review Committee, are concerned about the impact of this bill.

The parliamentary secretary mentioned that it would be worthwhile to hear from people from academia, which I greatly appreciated. Many individuals from several Canadian universities have asked to appear to discuss the impacts that this bill could have. These people are from various backgrounds, including constitutional law—

[English]

Mr. Rick Norlock: Mr. Chair, on a point of order, I can assist my friend across the way by saying we want to hear from them, too. That's the whole point. But we don't need to hear the same thing from 50 people. We need to hear from a broad base of witnesses. If you recall, our motion allows for more than 50 people from across Canada to give testimony.

If the point is that we need to hear from x number of people more to only repeat what others said, I will be addressing the committee with some of the groups that will be here. I'll wait until that happens, because it's not part of my point of order. But the more we talk about needing to hear from witnesses, the less time we're going to have to hear from witnesses because those members just keep talking about needing to hear from witnesses. We will hear from 50.

Mr. Chair, I don't think there are many Canadians out there.... There will be some, and we know what part of the spectrum they're from, that will think 150 is not enough, but quite frankly, for the average reasonable Canadian, 50 people talking about it, as well as all the parliamentarians talking about it, would be sufficient.

The Chair: Thank you very much, Mr. Norlock.

Back to you, Madam Doré Lefebvre.

[Translation]

Ms. Rosane Doré Lefebvre: Thank you very much, Mr. Chair.

I don't necessarily want to come back to the point of order raised by my Conservative colleague Mr. Norlock. I think that's more suited to a debate.

I don't think the witnesses will all say the same thing. It's pushing it a bit to far to say that all the individuals mentioned or those who have concerns about Bill C-51 will say exactly the same thing before the committee.

A number of people who have concerns about this bill have indicated the lack of civilian oversight at CSIS, and it's been raised relatively often. People have also wondered if the powers that would be given to CSIS to tackle terrorism and radicalization are too broad.

Other concerns have been raised by other witnesses. For example, the vague definition of “promoting terrorism”.

As an aside, for the general public, the expression “promoting terrorism” seems to be self-explanatory, but its impact is much broader from a legal standpoint and when it comes to legal texts. That's why it's an in-depth study of Bill C-51 is important.

There's also the prevention of radicalization and the community approach adopted by many of our allies and by community leaders across Canada. These are interesting issues. There are various practices in this respect around the world. I know that some witnesses from the United States, Australia or Great Britain could

come and speak to us about their good practices and how they operate.

All that to say to my colleague that I don't think the witnesses would all have the same expertise and would say exactly the same thing to the committee. That would be underestimating the impact that a panel of experts may have when they come to talk about this bill. I'm not targeting my colleague directly by saying that, but I don't think it's right to criticize the testimony of key witnesses and experts on various topics relating to Bill C-51.

If I may, I would like to come back to the request to hear three witnesses an hour. The way we normally operate, hearing a panel of witnesses takes an hour. There will be two panels of witnesses per meeting.

There's a difference between hearing two witnesses and hearing three. It's already been noted that having three witnesses at a time was standard for the committee. I would say that it's been common practice since the Conservatives have had a majority. I have discussed this with various MPs who have more experience than I do with how committees worked with panels of witnesses before the Conservatives had a majority. I think there's a stark difference here.

Currently, the committee gives each witness 10 minutes for a presentation. Since we would be hearing from three experts, that would use up half an hour right there. According to the blues from a number of our meetings, and based on my experience on this committee, most of the witnesses use the full 10 minutes to make their presentation, which is to their credit.

● (1235)

That's an extremely important point. Witnesses want to express their own opinions. As parliamentarians, we like to consider certain aspects of a bill in order to move it forward. We have specific expertise.

I think it's extremely important for a witness to be able to deliver a 10-minute presentation on their area of expertise. I am here to learn from witnesses and experts who appear before the committee. Often, when they make a 10-minute presentation—and I would like the committee to determine what percentage of witnesses use the 10 minutes they are given for their presentation; I think that could be of interest to my colleagues—it opens a door and leads us to ask new questions, express concerns or recognize that the direction taken is logical. That adds some questions and answers others, depending on the case and the witnesses testifying.

That's very important for me and for most of my colleagues, I think. When we have three witnesses, their presentations take up an entire half an hour. As you know, Mr. Chair, since you're the one who manages the meetings, you often have to interrupt witnesses or parliamentarians when they go over their time limit. What can I say, we really like to talk in committees. These things happen and I don't think it's a problem, especially when we are conducting an important study.

The Standing Committee on Public Safety and National Security is here for a reason. This is where we carry out exhaustive studies or specific analyses on both government and private members' bills.

I don't think we can proceed arbitrarily when it comes to witness presentations and the 10 minutes they need to deliver them. The number of key witnesses and the quality of those who want to appear before the committee to discuss Bill C-51 will help not only open the door to questions, but also give rise to new questions, or so I would hope.

It's clear that, in its current form, Bill C-51 is unacceptable to us. That's not negotiable. We don't want this bill to become law. I am still holding out hope that, by proposing amendments, we will manage to find some common ground. That's our job as parliamentarians and especially as members of the Standing Committee on Public Safety and National Security. I know it's not common practice to open the door to amendments from the official opposition or the third party, but since we are talking about issues as important as terrorism and radicalization, I am still hoping that we will manage to pass the best possible legislation. That's my job as a parliamentarian, but it's also the job of all other parliamentarians

That's why I think it's important to have more time for discussions with witnesses. My Liberal colleague will probably be happy to hear this. Unfortunately, with three witnesses in a one-hour meeting, the Liberals have only one opportunity to speak. I don't really agree with all their views, but I think all parliamentarians should be able to voice their opinions and ask questions during committee discussions on certain bills.

That's why I think the proposal to include two witnesses per group makes sense for the study on Bill C-51. Be that as it may, the number of meetings we will be able to hold is still the central issue.

● (1240)

It's important to reiterate that we can hold that number of meetings within a short period of time. I sincerely hope that my Conservative colleagues are open to having however many meetings we need to carry out a comprehensive study and to hear from various experts on a great variety of topics. Indeed, the provisions of Bill C-51 are very broad.

I also hope to convince my colleagues opposite of the importance of conducting a comprehensive study. I sincerely believe we can find common ground in that regard.

Following today's deliberation on the number of witnesses, the number of hours and the schedule that should be established by the Standing Committee on Public Safety and National Security, I am sure we will be able to begin the specific debate on the repercussions of Bill C-51.

Mr. Chair, I would support you if I could. It's extremely important for us to find common ground in order to conduct this study in a short time span, since we want it done fairly quickly. I really hope that the government members are open to coming to an agreement and increasing the number of hours devoted to the study of this bill, within an appropriate amount of time.

Thank you, Mr. Chair.

The Chair: Thank you very much, Ms. Doré Lefebvre.

[*English*]

Ms. Ablonczy.

Hon. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Chair, we need to be honest here. The NDP do not support this bill. That's not a secret. They've said they don't support the bill. They made up their minds before we heard a single witness, before we had a single committee meeting, that they were not going to support the bill.

Their leader attacks the bill every time he gets a chance. Now we see NDP members of this committee attacking the bill, casting doubt upon the bill, bringing forward far-fetched scenarios that might happen under the bill to try to discredit the bill.

All of this talk about how much they want to have a great study and how we need to hear from more witnesses is smoke and mirrors. I'm sorry to say that, to be so blunt, but it's true: the New Democratic Party does not want this bill to pass. They do not support the bill under any circumstances. They've made that abundantly clear.

The New Democratic Party is ideologically opposed to this bill and it is clear that they don't want the bill to pass. All of this talk is fairly insincere on the part of the New Democratic Party.

I listened carefully to my colleague opposite who said they're aware of the urgency, that they want to find common ground quickly, and yet this is the second extended meeting we've spent going on and on about how we're going to go about studying the bill instead of getting on with it.

You can't square that circle any other way but point out that the NDP is a party that doesn't want this bill to pass. The NDP is a party that basically says that in order to protect our values and freedoms, we must not go too far against those who clearly and explicitly threaten those values and freedoms. If this makes sense to anybody, I'd like to hear from them because it certainly doesn't make sense to me. All of these things that have been said by the New Democratic Party....

I really urge the Canadian public to read the bill. The bill isn't long. It can be found at www.parl.gc.ca. It's Bill C-51. It's also called the anti-terrorism act, 2015. Canadians should read this rather than let overheated rhetoric on the part of the New Democratic Party lead them to form an opinion that's not warranted about a very sensible piece of legislation.

This bill does the most sensible self-evident things. I don't believe that very many objective Canadians would disagree with them. In fact, most of them would be shocked to know they're not already happening.

I don't want to go on as long as some others have done, but I just want to point out a few things that this bill does.

One example would be if a passport official in a routine check calls a reference on a passport application, and the reference says to the passport official, "You know, I'm kind of worried that he or she is going to use their passport to travel to support ISIL fighting in Syria or Iraq because it's just the way they've been talking". Did you know that the passport official cannot inform any national security agency of that communication because of privacy laws? The NDP says we can't interfere with privacy. How many Canadians would feel that, if you have someone close to a passport applicant saying that there is a concern, this can't be investigated?

• (1245)

Here's another example. We have some military equipment and under a routine inspection there are ammunition rounds that aren't accounted for. Public Works, which has control and oversight over this military equipment in that inspection, can't share that information with security officials because of privacy from the manufacturer. What's that about?

At some point we have to use some common sense if we're going to protect the freedoms and values that are important to us, if we're going to protect our kids from being lured into these situations.

Here's another example. If someone wants to board a plane, even if there's evidence that they are supporting ISIL and these terrorist fighters, they have to be found to be an immediate risk before they can be kept off the plane. We want to change that so that if we believe there are individuals who are travelling by air to take part in terror activities, they can be kept off the plane. They don't have to be an immediate risk to the people on the plane. How sensible is that?

Here's another one. Right now if someone was to be kept off a plane, there has to be a no-board order, but those are difficult to get. Now there is another tool that's going to be an ability to send that person for additional screening. We have to start getting realistic about protecting ourselves, our country, and our people.

Here's another one. Right now the police can only arrest somebody if they have grounds to believe that a terrorist activity will be carried out, even though there might be people downloading bomb-making instructions from the Internet or perusing jihadist material. There still has to be some kind of proof that they will create a terrorist activity before you can arrest them. We want to change that to say that if there are reasonable grounds that they may be involved in this, then they can be pursued and prevented from doing that. Again, it's something entirely reasonable.

We want to be able to have a little bit more time for authorities to investigate these individuals. Right now they only have 72 hours. We want to extend that to a few more days in case there's more time needed for an investigation.

By the way, the court has to agree to all of these things. Security forces don't just run amok and decide in a back room somewhere they are going to do that. They have to have a court order.

These are all very transparent, very legal, and very carefully thought-out initiatives.

Again, I don't want to give too many, but we know that ISIL does a lot of recruiting over the Internet. We know that. We have heard that from witnesses here. All of us have heard that; everyone around

the table has heard that. Do you know right now that this material cannot be taken down and it has to stay on the Internet for more and more of our Canadian kids to read because the police have their hands tied? They can't take it down.

We want to change that so that with the prior consent of Canada's Attorney General and an order from a judge they can remove that terrorist propaganda from the Internet. The NDP said, "Oh, that would interfere with privacy". Well, I'm sorry, but if we have to leave material on the Internet that is going to harm our children and lure them into terrorist activity, I don't think there are very many Canadians who would believe that it should not be removed. In fact, most Canadians would be appalled to know that it can't be removed right now.

Again, right now you can only charge somebody if they are inciting someone to commit a specific terrorist act such as to kill the Leader of the Opposition or blow up the West Edmonton Mall.

• (1250)

If someone is just saying, "You should attack Canadians wherever you find them, wherever you can, because they're against our values", you can't arrest that person. You can't stop that person from making those kinds of broad-based threats. It has to be something specific. We want to change that to say that if you are in any way exhorting, encouraging, or urging people to engage in terrorist activities, you can be stopped. Who would disagree with that, Mr. Chair?

Right now, if people are going to travel overseas or look like they're getting ready to travel overseas, CSIS can investigate them but can't do anything to stop them. Others have mentioned that. They can't even talk to the parents about it in specific ways and say, "These are the e-mail messages that we have. These are recordings that we have." They have to be very careful not to infringe on the NDP's favourite character: privacy rights. Now we want to change it so that CSIS can actually engage with a trusted friend or relative and meet with the individual and say, "We know you're planning this. We want to try to dissuade you from doing that."

Mr. Chair, it's just common sense things. Here is another example. Let's say that the police know that a group of would-be jihadists is meeting in an apartment building in Edmonton. They have a court order to put a wiretap in the building, but the owner is concerned about the NDP's favourite character, privacy rights. He doesn't want to be charged with breaching privacy rights by letting CSIS into the building, into the apartment. CSIS' hands are tied. They know this is happening. They have good reason to believe it. They have a court order, so the court has good reason to believe it, but CSIS can't go in and get the evidence.

We want to change that so that the building owner can be given an assistance order from the court—again, the court has to be convinced this is needed—that would legally require the owner to allow them to go in and get this necessary evidence. How could this possibly be anything but a helpful tool to protect Canadians?

I could go on, but I don't want to give an exhaustive list. Canadians should read this bill on parl.gc.ca, or wherever else they can get it—any member of Parliament's office can direct Canadians to this bill—and see for themselves how sensible this is.

The NDP says, “You're saying you're protecting infrastructure, but you're really going to stop protests.” Mr. Chair, that is just not the case. I urge Canadians to look at page 3 of the bill for themselves. Here is what it says about activity that undermines the security of Canada: “For greater certainty, it does not include lawful advocacy, protest, dissent and artistic expression.”

Those values of Canada are protected. Not only are they protected, but the bill increases the powers of the Attorney General of Canada and the judges by having the tools that are going to be provided to security forces approved first by a judge. There are checks and balances, fairly stringent ones actually. Here we have enhancements to any legislation on terrorism that's already in place. It will allow the sharing of important information so different agencies can work together to stop terrorist threats.

● (1255)

It will be able to better prevent terrorists from boarding our planes, even if they're not an “immediate threat”. It will allow intelligence officers to try to work especially with young people, young Canadians, and try to reason with them so they won't fall prey to radicalization, and to have some measures to prevent radicalization.

When people say to me that they just want to make sure this is studied right but they've already made up their minds, I don't believe it. I think that the parliamentary secretary keeps offering more and more time. Already now we're going to hear from over 50 witnesses. I believe that would give us an extremely good, broad view of this bill. I think that there has been enough talk about this. Canadians can look at the bill for themselves. I hope they will. We want to hear from witnesses and we want to get these measures in place, because this threat is not going away. This threat is not going away.

If anybody on the other side thinks that somehow magically by our good intentions and long procedure this threat is going to lessen, I have news for them. It's not going to lessen. It's up to us as the leaders of this country, as people in positions of responsibility around this table, to do our part in making sure that we protect the lives and property of our citizens and that we take prudent,

responsible measures in light of an increasing threat to give our security forces the tools they need to push back and to better protect us.

Mr. Chair, I think that we should not hear a lot more about this, but I think we should start hearing from witnesses.

● (1300)

The Chair: Thank you very much, Ms. Ablonczy.

That unfortunately does not exist, as the chair still has a group of people who wish to speak to the issue yet.

Hon. Diane Ablonczy: They don't want to speak anymore now.

The Chair: We will, regretfully in some way, but of course, welcome the further speakers, and our first one, is, of course, Mr. Garrison.

You have the floor, sir.

Mr. Randall Garrison: Mr. Chair, I'm going to start with something which I think is normally not appropriate, but since the parliamentary secretary opened up the question of negotiations around this.... It's an odd strategy to me, because in my experience negotiations work best when you don't conduct them in public and through the media. But since she has, it has allowed the other side to characterize our position, so I want to be clear from the beginning.

We made a large compromise offer at the beginning of this in recognition of the seriousness of the threat of terrorism and in recognition that this is a majority government. We said that we will agree to start the hearings. We will not delay the hearings from starting when we come back, and we will agree that we will finish by the deadline that the government feels is necessary. That's an enormous concession on behalf of the opposition. But we said that what we need in return for that is an assurance from the government that we will conduct full, open, and broad hearings on this bill and that those Canadians who wish to appear here to have their voices heard will be given that chance.

We believe that this requires a very significantly larger number of meetings than the government has put on the table. They are now saying there will be 50 witnesses. The government likes to cite numbers and call them big. What I would say is that it's actually 48 witnesses by my count, but that's a bit of a quibble. When you divide those between parties, it means that the opposition parties would have something like 16 for the official opposition and something like 8 for the Liberals.

We have had, as we've said from the beginning, more than 60 people contact us who want to have their voices heard on this. It is not, as Mr. Norlock says, the same people and their cousins appearing 60 times; it is 60 people representing a broad spectrum of Canadian society, everyone from former prime ministers to former Supreme Court judges to a former inspector general of CSIS to first nations leaders to civil liberties organizations to concerned Muslims who wish to appear and talk about what they're already doing to help prevent radicalization of youth and talk about the major gap in this bill that's not being addressed.

So 50 sounds big until you divide it up and try to figure out how many Canadians can actually be heard in that time. We have said from the beginning on our side that we will sit as much time and work as hard as we must in this committee in order to make sure that those Canadian voices can be heard.

I heard the suggestion on the other side that no one really cares about this at this point. I would like to say that I just got a message from my office that since this went into public session this morning, we have had 200 calls—we just passed the 200-call mark—asking us to keep up the fight to have full hearings on this bill. So 200 members of the public have already contacted our office saying that they think it's important that everyone who wants to be heard on this bill be heard in this committee.

The honourable Diane Ablonczy says this is a charade. It is not a charade. It is an important part of our legislative duties in this Parliament to make sure that we give full examination especially to the most important pieces of legislation, such as the one in front of us now.

Again, numerous groups have contacted us now that they know what we're talking about in this committee. What they are saying I would like to relay to the committee.

We received communication from eight groups: Amnesty International Canada, English-speaking branch, Amnesty International Canada, francophone branch, the Canadian Civil Liberties Association, the Ligue des droits et libertés, the British Columbia Civil Liberties Association, the Canadian Muslim Lawyers Association, the National Council of Canadian Muslims, the International Civil Liberties Monitoring Group. Here's what they're saying about the attempt to limit the number of hearings.

I'll quote first from Alex Neve, secretary general, Amnesty International Canada, English-speaking branch:

Canadians are being told they should embrace Bill C-51 without question because it will make us safer. Overlooked is that this bill contains deeply worrying challenges to human rights protection, including the unprecedented proposition of empowering Federal Court judges to authorize violations of the Charter of Rights. To cut short the opportunity for these enormously consequential changes to be thoroughly examined is itself a grave human rights concern.

Again, that's Alex Neve, secretary general of Amnesty International's English-speaking branch, pointing to the need to examine this bill very carefully.

• (1305)

I'll also quote Carmen Cheung, senior counsel, British Columbia Civil Liberties Association. She said:

The Committee needs not only to examine what is in the Bill, but what is not in the Bill. It has become clear that a majority of Canadians, including four former

Prime Ministers, are deeply concerned that there is no proposal in Bill C-51 to strengthen oversight and review of national security agencies. That critical issue cannot be considered in any meaningful way under this truncated schedule.

Next, I'd like to quote from the general counsel and executive director of the Canadian Civil Liberties Association. Again, these are people communicating with us exactly on what we're discussing in this committee today. These are not general comments for or against the bill; these are comments about the process which we're about to embark on. Sukanya Pillay said:

This is the most significant overhaul of Canadian laws dealing with national security since 2001. At that time there were 19 sessions in Committee allowing 80 expert witnesses to be heard. It has come forward without any accompanying review of existing laws, policies, and resources and an analysis of where they fall short. To allow such little time for scrutiny of its provisions runs counter to the expectation Canadians have that their elected representatives will consider legislation carefully before it is adopted.

Ziyaad Mia from the Canadian Muslim Lawyers Association said:

Already, lawyers across Canada have raised serious concerns about Bill C-51's compatibility with the Canadian Charter of Rights and Freedoms and with the rule of law. Cutting back on the time for the Committee to study those concerns and hopefully rectify those deeply problematic aspects of the Bill leaves open instead the prospect of years of time-consuming and expensive court challenges after the fact.

Roch Tassé, national coordinator of the International Civil Liberties Monitoring Group, said:

Our coalition is made up of 41 organizations across the country. They come from many different sectors and have, over the course of many years, developed varied expertise in a range of issues with respect to national security and civil liberties. They are ready to share that input with MPs and have a legitimate expectation that they should be able to do so. Many will have no opportunity to do so with so little time on offer.

Nicole Filion, coordinator of the Ligue des droits et libertés, said:

Bill C-51 is complex and very technical legislation that proposes two entirely new statutes and extensive amendments to three others. Each of those should receive thorough consideration. Four two-hour sessions of Committee...will not even begin to offer MPs an opportunity to grapple with and understand its implications.

Ihsaan Gardee, executive director of the National Council of Canadian Muslims, said:

Bill C-51 should be of concern to all Canadians as it has the potential to impact on all of our rights given its stunningly far-reaching definitions of what constitutes a threat to Canada's security. As we have learned from past and recent experiences, without robust oversight, review and redress mechanisms security agencies have abused the powers ceded to them. Given the disproportionate impact of anti-terrorism legislation in recent years on Canadian Muslims, these new proposals are of particular interest in our community. Such limited time for study by the Committee offers scant opportunity for those views to be meaningfully shared with Parliamentarians.

This is just a sample of eight groups that represent literally hundreds of thousands of Canadians who are expressing their concern not just about the bill, but about what we're actually talking about here today: that this committee faces the prospect of not allowing Canadians who want to be heard to be heard by their Parliament.

One last person whom I wish to cite and for whom I have enormous respect is Grand Chief Stewart Phillip from the Union of B.C. Indian Chiefs. He issued a press release and I think it's important to the debate we're having today. He talked about the introduction of the bill and how it "will radically and dangerously expand the powers of Canada's national security agencies and greatly infringe upon the rights of all citizens without making us any safer or secure."

I will quote what he said further:

It is absolutely appalling that as Indigenous Peoples protecting our territories we may be faced with the many insidious, provocative and heavy-handed powers that are granted by this omnibus Bill C-51. The Harper Government has dramatically changed internal government practices, policymaking structures and decision-making processes to serve an explicit natural resources development agenda. We have witnessed the gutting of environmental legislation, clamp-down of scientific analysis and comprehensive surveillance programs of Indigenous and environmental opposition.

●(1310)

He concluded:

As an act of civil disobedience, I was arrested at Burnaby Mountain because I believe mega-projects, like Kinder Morgan and Enbridge pipelines, do not respect the Indigenous laws and inherent authority of Indigenous Peoples to protect their territories, land and waters from the very real potential and increased risk of oil spills and increased coast tanker traffic along our coast. I believe under the draconian measures of Bill C-51, I would be identified as a terrorist. Regardless, I will continue to do what is necessary to defend the collective birthright of our grandchildren.

Whether or not you agree with Grand Chief Stewart Phillip's analysis of the impact on indigenous people and indigenous rights, certainly, it is the obligation of this committee to make sure that voices like his are heard before the committee takes action on any such bill.

Quite often we hear things from the other side that imply we're naive about terrorism on this side of the table. Again and again we have assured people that we do believe this is a serious and urgent problem, and as I said, we have agreed that the hearings should commence when we come back from our break. We have agreed that the government's original deadline can be met, but we believe it requires much more time in this committee than the Conservatives seem willing to put in. I'm sorry but I can't find the explanation for why. What is the obstacle? What is the reason for refusing to hear people who so clearly want to make their voices heard in this Parliament?

I often reflect on my own experience working in conflict zones where terrorism was a problem. I was in East Timor in 1999 as the co-chair of the international human rights observer mission for the independence referendum, where militias that had been armed by the Indonesian government carried out terror attacks on an almost daily basis. In the end, after the Timorese population refused to be intimidated, they did in fact vote at a rate of 80% for independence, but the result was terror attacks which destroyed the entire infrastructure of the country, and killed more than 1,500 people. I

was present and saw that take place. I can tell you that what I learned from that, first of all, is that terrorism doesn't have to win, and second, that what was most effective in combatting terrorism was practical hard work by front-line policing agencies.

I also served as chair of a peace-building project between Christians and Muslims in Ambon in Indonesia. When we arrived in that community, both sides were using terror against the other side. We had a series of over 100 bombing attacks. Eventually—I say that somewhat jokingly, although it's a serious topic; our peacekeeping project was a bit premature—on a particular day, the main market in town where my partner had just gone, was bombed. Fortunately, he was late, and therefore he wasn't present. But that was the day we were withdrawn from Ambon. I've seen the effects of this kind of terror up close and personally.

I served for more than four months in Afghanistan working for Amnesty International as a human rights observer in a period when the Taliban was carrying out very odious attacks on the civilian population, including on women and teachers.

My final experience with this, my most recent experience other than the one we all faced here on Parliament Hill, was in the Philippines in 2010. I served as an election observer in Muslim Mindanao which has been an area of the Philippines riven by terror attacks and separatist movements using terror against the population. On that day, a young woman was shot and killed at the polling place where I was.

So I will not have the other side saying that I don't know anything about terrorism, that I don't take terrorism seriously. I have extensive personal experience of the damage that terror does, and I take this very seriously.

What I'm most concerned about in this bill—and I am somewhat different from some of my colleagues—is that we do what's most effective in meeting terrorism, and that we not do things which will be ineffective and, in fact, interfere with our ability to meet the terrorist threats that we face.

I've used the analogy again and again that police will tell you that finding a terrorist is like finding a needle in a haystack. I always say, let's not do things that will add extra hay to that stack. Let's not cast the net so broadly that we don't have the resources to ferret out the real terrorist threats from all those people who are inadvertently caught up in those nets.

●(1315)

I think it's extremely important that we hear from Canadians about the aspects of this bill that concern them. That's our obligation as members of Parliament. That's why we have a hearing process.

Again, I don't understand, if we're going to talk about each other's negotiating positions, what the obstacle is to the government in accepting the number of hearings we're asking for, so that people who have already contacted us and said they wanted to appear have the opportunity to present their views on this bill.

Earlier Mr. Norlock said, I guess as somewhat complimentary, that we have in the past worked cooperatively in this committee and that he's disappointed that we're not doing that now. I would assert that I'm making every effort to do so. When the government tells me that its primary interests are in starting these hearings when we come back from the break, I say yes to that. When they say that this is urgent enough that we must complete this process by the end of March, I say yes to that—these are major concessions from an opposition party—but again, only on the condition that we do the hearings we need to do.

What are the results of not doing an adequate set of hearings? If we think about what we might hear from a former Supreme Court justice, we might have the expertise to point out potential problems in the law. This could allow us to make amendments that would avoid endless future litigation and that just might—and these are not outlandish suggestions—point to things in the bill, which I think exist, that actually make it more difficult to prosecute the real terrorists.

We know that many have raised the issue, which I continue to raise, that expanding the role of CSIS, with its regime of keeping confidential both its staff and its informants, means that quite often the information they discover would not be available for criminal prosecutions. I firmly believe that we may be making a big mistake in assigning a larger role to CSIS of the kind that is contemplated in this bill.

Mr. Norlock also talked about his goal being to keep the country as safe as he can and to do everything he can to do that. That's obvious; no one around this table has any other agenda.

We come to limits on disruptive activities. Again, this is the power that's being handed to CSIS, which we learned was very dangerous from the McDonald commission which resulted in the establishment of CSIS. It's the broad definition.

The government likes to say that the ordinary Canadian will understand if we have to disrupt a terrorist act that's about to take place that it is necessary. Of course it is, and it's allowed. But this bill, as I read it, says that CSIS can undertake disruptive activities for threats to the economic or financial security of the country or threats to critical infrastructure.

This raises the issue that Chief Stewart Phillip raised in his press release. How far does the disruptive power of CSIS go?

The government likes to say that there's a clause in the bill that disrupts “lawful” protest. Well, that's a change. The initial terrorism legislation doesn't have the word “lawful” in it. There is an exemption in the original terrorist legislation for dissent; it doesn't say “lawful” dissent.

That raises the question, as Chief Stewart Phillip did, what about people who are technically in violation of a court injunction when they're protesting against a pipeline, which is a piece of

infrastructure? They weren't acting strictly legally, because they were technically in violation of that injunction, although the court chose to take no action in the end. Does that make them subject to disruptive activities? Does it make them subject to the information-sharing parts of this bill?

I would like to have those who feel that they're being affected by this bill come here and talk to us about those concerns, and I would like to hear the legal experts who can give us the technical advice we need to know whether these things are actually possible.

Mr. Norlock raised the two unfortunate incidents, in Saint-Jean-sur-Richelieu and here in Ottawa, in October. He says he doesn't want to comment on them because the investigations are incomplete. That is something I agree with him on completely.

● (1320)

It is very difficult for us to know how this bill might have affected or prevented those incidents when we do not yet have complete reports on those incidents. We have lots of speculation about what motivated the perpetrators in both cases, and I always try to keep from mentioning the names of perpetrators just in case their motivation was fame. I think it's important that if we are proceeding with a bill like this, we have some idea whether it would actually help meet the real threats we face.

Mr. Payne pointed out quite rightfully that the threat is evolving, so I would like to have sufficient time to have those experts on threats here to talk to us about how things are evolving and whether this bill meets the needs of dealing with those threats. Also, as Mr. Payne raised the example of the arrests around the threats to trains heading to New York, I would like to hear whether we actually have gaps there. We were able to arrest the people who were planning an attack on the train. Again, Mr. Payne concluded by saying that we want to stop terrorism where we can, using all the resources we need. I wouldn't disagree with that, but what we need to do is make sure that we get this right.

I have some concerns remaining about this bill, and I think they're serious concerns. As I said, most of mine are on effectiveness grounds. If you look at the bill, on page 51 for those who are following along at home, clause 44, proposed subsection 21.1(3) indicates what can be done in terms of disruption. Here is what the bill actually says. It says that CSIS is authorized:

- (a) to enter any place or open or obtain access to any thing;
- (b) to search for, remove or return, or examine, take extracts from or make copies of or record in any other manner the information, record, document or thing;
- (c) to install, maintain or remove any thing; or
- (d) to do any other thing that is reasonably necessary to take those measures.

This requires a warrant. This is where a warrant is clearly required, but the difference, as I've said before here, is that this is a warrant for secret activities by CSIS, which have no active oversight, and this matter does not come back to the court for oversight of what was done with the warrant. That's the difference from a warrant in a criminal case, which will eventually be examined, if not by the judge who issued it then by another judge competent in the criminal law, to see whether the use of that warrant met the standards of the charter and the requirements that were specified in that warrant.

I find that section a concern because it doesn't have that active oversight.

Just before that, on page 49, the bill talks about "prohibited conduct". I'm glad it has these prohibitions in clause 42, proposed section 12.2, and I want to read those out because, again, I find them kind of disturbing, because if these are the only things prohibited—

• (1325)

The Chair: Mr. Garrison, I'm just going to interrupt for a second. What you are quoting from, of course, is directly in the content of the bill, and I would just remind both sides that we are not here at this point discussing the actual bill itself. We will be bringing in witnesses, and we will have the opportunity on both sides to offer our opinions and our thoughts, but in terms of discussing the bill directly from a point of argument at this particular point, right or wrong, I would just remind the member that, if at all possible, he should swing his discussion around closer to the issue we're talking about, which is the actual scheduling of the process for a study on Bill C-51.

You still have the floor, sir.

Mr. Randall Garrison: Thank you very much, Mr. Chair, and I appreciate the reminder.

I'd just like to finish quoting this section of the bill, and then I will draw it directly to the motion in front of us.

What the bill says in proposed subsection 12.2(1) is:

In taking measures to reduce a threat to the security of Canada, the Service shall not

(a) cause, intentionally or by criminal negligence, death or bodily harm to an individual—

Ms. Roxanne James: Mr. Chair, on a point of order, you were very clear with your reminder to the committee that we are not here to actually talk about the contents of the bill. I'm guessing that the member is going to say that we need to bring in someone from CSIS to answer questions. That's precisely what we are trying to do here. We are hopeful that we are going to come to some sort of a reasonable agreement with the other side. More than 50 witnesses are coming in to testify. Of course, at the first meeting we will have officials here to answer those types of questions.

Again, I would like to ask the chair to make sure we keep on point to the number of witnesses without being repetitive in our arguments.

The Chair: Of course, the chair has suggested something along that line on both sides. I would once again draw the attention....

You did go on about the bill, and that's fine, Mr. Garrison, and I allowed you some time to complete that; however, let us not go down the road too far here.

I remind all colleagues that should we repeatedly run into a situation in which we are not discussing the issue at hand, the chair has the liberty to move on to the next speaker, but I would do that in a most reluctant fashion.

You have the floor, Mr. Garrison.

Mr. Randall Garrison: Thank you, Mr. Chair, for your ruling. I have to say that I'm surprised the parliamentary secretary is able to anticipate what I'm going to say about this; it means she understands my argument.

I would like to finish reading from this proposed subsection, and only this subsection, Mr. Chair, on what is prohibited, just to remind people what I'm reading:

(b) wilfully attempt in any manner to obstruct, pervert or defeat the course of justice; or

(c) violate the sexual integrity of an individual.

The only things, it seems to me, that are listed here are very extreme. I would like to hear testimony, then, on what is actually permitted to CSIS to do. If these are the only things prohibited, I need to hear testimony about what is actually allowed under this bill. This is why I'm raising it in terms of both the number of people we have and the number of witnesses per panel.

The Chair: You have finished it and brought it back to being relevant to the topic, and I appreciate that, but I would ask us all just to stay a little closer to relevance on the way through to the promised land.

Mr. Randall Garrison: I absolutely promise that I will be doing that in each case, but it sometimes will take me just a few moments to get there.

I'm going to refer to the bill again, on page 27, at the risk of the chair's wrath, just because the other side has said that we're raising outlandish things that aren't in the bill. I'm trying to demonstrate that we're raising concerns here that we need to hear testimony about, which are about things actually in the bill.

On page 27, proposed section 83.223—I won't read this section to you—is about removing terrorist propaganda from the Internet. It was somehow implied that we had opposed this. We have not. The concern we have been raising about this is the definition of "terrorist propaganda".

When you say "terrorist propaganda", if you mean what is already illegal in Canada—promoting specific terrorist acts—you have absolute agreement from people on this side that this material needs to be removed, and needs to be removed expeditiously, but I would like to hear testimony from legal experts to hear if there is any legal precedent for this term "terrorist propaganda". The definition given here appears very broad and very far-reaching, so I would like to hear testimony on that.

It's difficult to have testimony on these very detailed legal points if you have more than three witnesses in one panel. Given the way we share questioning here, by the time things go around, if you've heard some of the answers, you really don't have a chance to go back to them again with follow-ups.

Also, a further question which I think we really do need to hear testimony on is regarding disruptive activity. Does this bill allow CSIS to go onto someone's Facebook account and make a false posting? Is that strictly illegal? Does that require a warrant? I don't know the answer to that question. I don't believe it is. Would this bill allow CSIS to hack into someone's Twitter account and post false tweets? It appears, in my reading as a non-specialist, that this may allow CSIS to do these kinds of things because they're not clearly illegal.

I would like to hear from people who can tell us whether this is in fact possible under the disruptive powers of CSIS. Can they alter my Facebook account? Can they alter your Facebook account? Can they post a false tweet on my account? Can they post one on your account? I don't know the answer to that, but at first reading of this bill, it looks very likely that they might be able to do that.

There's one last section, which, fortunately, Mr. Chair, I don't have the page number for, so I won't be able to quote from it extensively. These are the consequential or coordinating amendments to the Youth Criminal Justice Act at the end of the bill.

I'm going to say some things here that may be more controversial for members on the other side, but what I'd like to hear is testimony in order to see what this actually means. The bill appears to say that we will be able to detain, without charge, kids: kids who might be sitting in their basement doing very stupid things, kids who haven't learned the boundaries, kids who may inadvertently or recklessly post things they don't really mean. They don't really mean to do any harm.

Are we going to waste precious resources in the fight against terrorism on going after 13-year-olds in the basement? I hope we're not going to do that. I hope instead that we're going to do better work in education to prevent radicalization, better work in the schools, and better work with community organizations.

But the bill, as written, appears to head us in that direction. I know that when the Prime Minister was asked at his campaign-style rally where he introduced this bill whether he intended to go after those kids in the basement, he answered yes. I have a grave concern about that, so I want to know from witnesses who understand both youth criminal justice and this bill whether this is indeed possible, and I want to know from those who are doing the enforcement work whether they think this would be any kind of good use of our limited resources.

• (1330)

Ms. Roxanne James: Mr. Chair, on a point of order, my colleague across the way knows full well that in order for someone to be detained, they actually have to.... There's judicial oversight. There's judicial review here. Someone can't just pick someone up and throw them in the slammer for weeks on end. The member knows that. It's a little bit misleading for those who might be listening right now.

That's absolutely ridiculous. I think you know that. A kid in the basement.... A judge is not going to allow someone to be detained without relevant evidence in order to prove a particular case on an issue. That's a given.

If the member opposite is now calling into question our judges, with the ability to make decisions in these matters, I think that's a whole different issue.

Ms. Jinny Jogindera Sims (Newton—North Delta, NDP): On a point of order, Chair, I've been sitting here trying to be really patient. I know there are many people who want to speak, but I really find it hard to understand how that could possibly be a point of order. I know the parliamentary secretary may have a lot to say, but then I think it behooves her to get on the list and to say it when it's her turn to speak—

• (1335)

The Chair: Okay, whoa, whoa, whoa.

Everybody, regardless of who they are, has a right to make a point of order, and after hearing the point of order, we see whether it was relevant to the conversation or not.

In this particular case, a point of order was made. It was made very, very briefly and pointedly, and regardless of whether it was deemed to be a solid point of order or not, that's up for debate in the long term, and if we were going to end up in a lengthy discussion on it, I can certainly assure you the chair would not have allowed that to go too far.

However, let's just get back now.

You have the floor, Mr. Garrison.

We'll try to keep ourselves to the point as much as possible. The chair, I think, has been fairly lenient through the whole process, on both sides. The only recommendation that I would make is the later and later we go, the longer and longer we go, the shorter the fuse the chair will have for areas in which there are going to be challenges to the proper procedure. We're being very flexible on both sides right now simply because that kind of respect and accommodation is necessary at this point, but let us be reminded that we do have an official process and at some point the chair will certainly tighten up the discussion on all sides.

In the meantime, you still have the floor, Mr. Garrison.

Mr. Randall Garrison: Thank you very much, Mr. Chair.

I have to say there are two points there: whether we're going to waste resources on looking for those misguided youth in the basement, and whether the result of that might end up in a detention.

What the parliamentary secretary has done inadvertently is made my point that we actually need to hear expert testimony on this to find out what actually is intended in the bill and what the real impacts of this bill will be.

Mr. Chair, I'm going back to some remarks by the honourable Diane Ablonczy, because she, in the same way, has illustrated the need for full debate on this bill. As I've said, there is nothing that we're talking about here that would delay consideration of the bill.

She talked about the ability to stop someone from travelling abroad to join in terrorist activity. It is my belief that this is already illegal and the RCMP has successfully used powers to prevent someone from travelling abroad.

Hon. Diane Ablonczy: [*Inaudible—Editor*]

Mr. Randall Garrison: What Ms. Ablonczy is talking about is the no-fly list. There is a separate provision in the Criminal Code that makes it illegal to go abroad for a terrorist act, which means the RCMP can detain that person and prevent him or her from getting on a plane if they have information that he or she is going to join a terrorist group.

There are two different things there, and I would like to hear evidence on the no-fly list because we certainly have a no-fly list that actually doesn't prevent people who may be threats from flying currently and actually ends up preventing some people who are no threat from flying.

Mr. Rick Norlock: [*Inaudible—Editor*]...voted against it.

The Chair: Mr. Garrison has the floor.

Mr. Randall Garrison: The bill we're dealing with substitutes the U.S. regime for a no-fly list, and I would like to hear testimony from people on whether this will actually prevent people who are real threats from flying and whether it will solve the problem we have now. I have talked to someone who, very absurdly, was allowed to board a plane in Toronto, had a connecting flight, and when they reached the connecting point, they weren't allowed to board the next plane. Then they were told they couldn't board the plane to go back to where they started from. In the end it appears this person's name was simply being confused with another similar-sounding name. The person went through business losses, not just inconvenience, as a result of the non-functioning. So I'm happy to see the government acknowledging there are problems with our no-fly list, but I'd like to hear some testimony about whether the no-fly list we're going to have will be an improvement over the situation we actually have now.

I was going to say something, but I believe it's perhaps too inflammatory within the spirit of the debate today. I do believe the chair has been quite fair. I would just have to say I think we should all be careful about making reckless remarks and about possible attacks or actions against other members of Parliament. I'm going to phrase it that way.

What happened here in October affected all of us very directly, but not nearly as much as it affected the families of two members of our armed forces, who lost loved ones. I think we have to be careful in all of our discussions. I try to do so on my side and I know there's goodwill to do so on the other side.

Let me conclude my remarks, Mr. Chair, by reiterating what I've been saying, since the parliamentary secretary's chosen to do most of our negotiations in public. We have agreed to let this proceed in an expeditious manner, but under the condition that this committee take the time it needs to hold full hearings on this bill. I'm hopeful we will see some movement in that direction. Offering the official opposition 16 witnesses when we have more than 60 people wanting to appear is clearly not meeting the test of allowing Canadians who want to have their voices heard to have them heard before this committee.

Thank you very much, Mr. Chair.

• (1340)

The Chair: Thank you very much, Mr. Garrison.

Before we go to Mr. Falk, I will just mention, as per the unanimous motion, that we will suspend for question period. For members here who may have a statement before question period, we will suspend at five minutes to two. I bring that to your attention right now. Unless you feel you need more time.

Mr. Randall Garrison: I suggest 10 minutes.

The Chair: You say 10 minutes?

Mr. Randall Garrison: If any member has a statement, I'm happy to accommodate.

The Chair: Would that fine? Are we comfortable?

Mr. Randall Garrison: Yes, I'm happy to accommodate members with a statement at 10 minutes to.

The Chair: So it will be at 10 minutes to.

Some hon. members: Agreed.

The Chair: We seem to be comfortable with that. Thank you very much.

We will now resume.

Mr. Falk, you have the floor. I will interrupt you briefly at 10 minutes to, and after QP you will have the floor once again, sir.

Mr. Ted Falk (Provencher, CPC): Thank you, Mr. Chairman.

Thank you for your comments about the relevancy of the debate we're having here today.

I have taken note that we've had just over eight hours of debate and discussion on the issue of how many meetings to have to discuss the bill. I detected from some of the earlier comments that perhaps there was a desire to put the subamendment to test with a vote. I would be completely prepared to forfeit my opportunity to speak if the opposition was willing to vote on the subamendment at this time.

The Chair: There is not a willingness to vote on the subamendment at this time.

Mr. Ted Falk: Okay. I would have thought that eight hours would be sufficient time to decide how many meetings you need to discuss an issue. It perplexes me quite a bit that it isn't, but it obviously doesn't satisfy them, so I'll continue.

Initially, in the motion we were discussing, we offered up three meetings, which we thought made a lot of sense based on the fact that this is a common sense solution to a very common problem. It's a common sense solution that needs to be addressed quickly, and it needs to be addressed with a lot of sobriety and seriousness and relevancy. I think it's important that we hear from expert witnesses who will contribute to good decision-making at this committee.

In essence, the bill provides our law enforcement agencies with much-needed tools to address the issues they face today with regard to the aspects of public safety, national security and terrorism. I believe it was the Liberals about a dozen years ago who passed the original anti-terrorist legislation that we have. This bill is merely an amendment to that earlier provision, which addressed the issues of that day and the threats that were perceived at that time.

We know that terrorism activity has evolved over that time. The threats are new; the locations are new. We know from listening and watching some of the videos that have been posted online that there have been direct threats against Canada and our infrastructure here. In particular the West Edmonton Mall has been cited as a potential target. So it is important that we discuss this. It is important that we come up with legislation that will give our law agencies the tools they need to properly do their job in protecting us as Canadians.

I'm disappointed that early on, at the outset, before any study of the actual bill, the NDP came out very adamantly and said they would not support the bill, even though we heard today from their members that they believe this legislation is very important. I find it interesting that it's very important, but they don't support it. To me, that's troubling, and I don't quite understand it.

One of the other things I heard from the opposition member here this morning is just in reference to the Supreme Court decision striking down some of our long-standing prostitution laws that were on the books. The direction given to the Houses of Parliament to discuss the legality of prostitution is a big issue. We're not discussing the legality of terrorism. We're discussing amendments to an existing anti-terrorist act that will allow our law enforcement agencies to have the tools they need to address the threat that is perceived and real today.

The committee time allocated to the discussion of the legality of prostitution was 13 weeks. That was a completely new discussion. We're not discussing the legality of something. We're making amendments to provide better tools, current tools, modern tools, for our law enforcement agencies. If we could do the prostitution committee work in 13 weeks, I think what has been offered up as a subamendment by our government—eight meetings, plus an additional meeting with our ministers and officials—is more than adequate to get enough expert testimony around this committee table to provide us with the details we need to make proper and good decisions.

I would also like to highlight a few of the things the bill will talk about, even though I don't think this is the time to talk about the bill. It's the time to talk about how many meetings we need to have, so talking about the bill at any great length actually defeats what we're trying to do here: to establish the amount of time required to discuss the real issue.

● (1345)

Mr. Chairman, I think I will wrap up my comments with that. I think the time allocated in the subamendment, eight meetings, with an additional meeting with our ministers and officials, will provide this committee with over 50 expert witnesses and is far more than what this committee will need to make a good decision on any amendments that we may need to consider here in moving this bill along.

I think the threat we have is real. We read earlier today in information provided by CBC on their website that up to six individuals from Quebec have now joined the jihadist people with ISIS and ISIL. The threat is very real.

We also heard this morning and from earlier news articles that the mother in Alberta whose daughter had been radicalized and who joined ISIL forces wishes very much that our law enforcement agencies would have been able to communicate to her the actual threat that they experienced as a family and that radicalized their daughter.

This bill is important because it will give our law enforcement agencies.... It makes consequential amendments to other acts, but it does this so that it enables us to share information. When my constituents have talked to me about the bill, they have expressed concern. They can't believe that our government agencies are not allowed to talk to each other. Someone goes to the passport office and fills out an application for a passport, and the passport agent who feels uncomfortable with some of the answers that have been provided and who suspects that maybe they're being motivated by terrorist-type activities isn't allowed to communicate that to the proper authorities to alert anyone of the potential threat. Either the individual might be about to encounter a threat, or the individual might themselves be a threat to national security.

● (1350)

The Chair: Thank you very much, Mr. Falk.

At this point, you'll have the floor when we return. We will now suspend for question period and for members' statements.

● (1350)

_____ (Pause) _____

● (1520)

The Chair: Colleagues, after an exciting question period, we will now resume.

At the suspension we had Mr. Falk, who has been replaced by Mr. Wilks.

Sir, you have the floor.

Mr. Harris.

Mr. Jack Harris (St. John's East, NDP): Can I get on the speakers list, sir?

The Chair: Absolutely, sir.

Mr. David Wilks (Kootenay—Columbia, CPC): How much time do I have?

The Chair: You have whatever you would like. It's unlimited.

Mr. David Wilks: Excellent.

Since our Conservative government is in full support of this bill, I would say that I have not much to say to this. I will go to the next speaker. If she isn't ready, Mr. Chair, you can go to the next one after that.

The Chair: Ms. Sims, the member has deferred to you. He had very little to say.

You now have the floor.

Ms. Jinny Jogindera Sims: Thank you very much. I have quite a bit to say on this, as you can imagine.

Mr. Chair, I want to say that I wish I wasn't here this afternoon taking part in this debate. I wish that by now we'd have a negotiated agreement to proceed. But I need to make a couple of statements before I get to the substance of what I have to say.

First of all, let's make it very clear that nobody on either side of the table, or on any side of the table, I should say, supports any acts of violence or acts of terrorism. We are all equally concerned about Canadian security and safety. As a mother, grandmother, and lifelong teacher, I have spent most of my lifetime fighting for peaceful communities, and I know a couple of times, when I've sat in here, there has been almost an inference that somehow we are encouraging and supporting terrorism. That is absolutely not so.

It's very clear that we have concerns with this piece of legislation. We've not kept that a secret. It's also very clear that we were very, very upset when the government used its majority, basically using the baseball bat of majority, to hit the opposition on the head by shutting down debate in the House. After the bill was introduced, two hours after debate began, there was a closure motion.

Members of Parliament like me and others around this table were elected by their constituents to come here to be their voice, to come here and represent them. I take my role as a parliamentarian very, very seriously. I'm not here just for the constituents in my riding; I also have to keep in mind what's good for all Canadians from coast to coast. I was very, very perturbed when I did not have the opportunity to take part in the debate in the House. I've heard that from innumerable—innumerable—members of Parliament who were very worried and concerned.

So today when I heard the minister in the House—no secret—say that we were just trying to block this legislation and block debate, I thought that was rather rich coming from a government that had shut down debate in the House themselves, and used their majority in order to do that. I know that when you have a majority you have the votes, but really what we're here to debate today is not the merits of the bill. We will get lots of time to do that, I hope, later on. What we're here to debate today is the merits of having a thorough committee stage for this piece of legislation.

We live in a parliamentary democracy which is modelled after Westminster. Because we live in a democracy and not an autocracy, we have all kinds of checks and balances built in, checks and balances that I have spent years teaching my students. But here we are, finding that those checks and balances are being truncated because one political party has a majority and they for some reason seem to be very scared of a public debate on a bill that they have introduced.

For me it's really, really critical that we go through the processes that are meant to provide for rigorous debate. The government failed in that during second reading when the bill was in the House. As I said, they used the hammer of their majority, or the baseball bat of their majority, to get their way and to shut down debate. When I was

in the House, towards the end of the debate I heard ministers and parliamentary secretaries get up and say, "You know what? This is going to go through rigorous debate at committee."

I had hoped for that. But yesterday when I appeared at this committee, we saw a proposal for three meetings, and a meeting with the ministers and all the staff. It didn't seem very thorough to me.

● (1525)

I've also heard that we don't want this bill to pass and we're just speaking for the sake of speaking. I would argue, Mr. Chair, that the proposal we have put forward is not to have open-ended meetings, and not to hear from each and every person who wants to come and present before the committee. What we put forward was a very reasoned argument for 25 meetings so that witnesses could be called by all parties.

Twenty-five is not an endless number. There's no infinity attached to the number 25. It is exactly that: 25.

I heard the critic, whom I have a great deal of respect for, my colleague Randall Garrison, say over and over again that we know the government has a timeline and wants to see this legislation passed in this session, and that we're willing to sit, to take part in evening meetings or additional sittings, to sit during the riding weeks to make sure this legislation goes through. So I think it's a rather spurious argument by some of my colleagues to say that we're just trying to draw out the timelines because we don't want this legislation. We would actually like to get to the point where we could hear from witnesses, but in my books, eight meetings with witnesses is thoroughly inappropriate for a piece of legislation that is going to fundamentally change the laws around Canadian civil liberties and at the same time do very, very little to address terrorism.

I want to say at this stage, Mr. Chair, that I believe there are things we could be doing. I would like to have seen this more as a three-party—

Ms. Roxanne James: Mr. Chair, on a point of order, we're here to speak about the subamendment to the amendment, which calls for eight meetings and 48 expert witnesses. That's in addition to the Minister of Public Safety and the Minister of Justice. The conversation I'm hearing is dealing with what Ms. Sims wishes the bill might have been and all sorts of other things she's talking about.

I would like her to bring it back to the actual legislation that we're trying to bring to this committee and not to all of the things she would have preferred to have in the bill, because those are not part of what this conversation is supposed to be about right now.

● (1530)

The Chair: I would just mention to both sides of the committee, as the chair has suggested at earlier moments, to do their very best not to be repetitious and of course to be relevant to the topic at hand. I would ask everyone to stick closer to that line.

Thank you.

Ms. Jinny Jogindera Sims: Thank you, Mr. Chair. Having sat through this morning's testimony, I was taking my cue from and responding to some of the issues that were raised. I wasn't creating any new issues at this stage. I really appreciate your intervention, and I will carry on.

First of all, in order for a piece of legislation like this to have received the thorough oversight and the kind of in-depth study it deserves, the second reading stage needed to have gone on a little longer so that we all could have participated. Having failed at that, here we are before this committee, and once again the government wants to limit the amount of time we're going to be spending on hearing from experts.

This may come as a surprise to many, but I'm not an expert in everything, nor do I have the kind of detailed knowledge that the RCMP, CSIS, SIRC, law professors, judges, or past prime ministers are going to bring before this committee. I'm actually looking forward to hearing that testimony, because I really believe in informed decision-making. If you believe in informed decision-making, then you want to hear from the experts, and they will have a perspective. But I also want to hear from people who have been impacted by our current legislation, because they will also point a pathway to us as to where some of the dangers lie. If we don't do that, I feel that we would be negligent in our duties. I believe it is very much our duty to push for extra time to hear from a variety of witnesses.

I just heard the parliamentary secretary say that there is an additional two-hour meeting to hear from two ministers and all their departmental staff. With most of the committees I've been sitting at, when a minister comes, they have four, five, or sometimes six staff with them. You put about 12 people together and you give them two hours? I really don't know what you could call that kind of testimony or investigation except "flyby". This is not the kind of legislation where you want to have flyby testimony, a flyby discussion, and a flyby debate.

For me, there are many problems, but right now I know that we're dealing with a subamendment to the amendment. As a teacher, I always appreciated good behaviour, and I do appreciate the fact that the government has taken a baby step. They have taken a baby step. They've gone up from three to eight. They just have to take another baby step to go up to 25 and we'll have an agreement, and we can get on with studying the bill. It behooves me to acknowledge that, but I also have to say that it does not go far enough.

When it comes to terrorism, every one of us wants to fight terrorism. It doesn't mean that this bill is the only way or that this bill contains the magic pills that everybody is looking for. I want to mention for a second my community out in Newton, Surrey, where we are very concerned about terrorism. I live in a community that was very personally impacted by the act of terrorism that took place with the Air India flight, so much so that some people lost their sisters and others lost their brothers, aunts, and uncles. We gather annually at the memorial and we remember all those who passed away. Books and poems have been written, but people are still waiting for justice. Every year we remember where we were on that particular day when that happened and how families have been impacted.

I also live in a community where there is a very large Muslim community. They are very worried by the kind of targeting and the kind of finger pointing that is being done towards the community and about the community being told that they are not doing enough.

• (1535)

Let me assure you, Mr. Chair, that in my community, the BC Muslim Association has been doing a stellar job at taking on the topic of radicalization of youth.

Ms. Roxanne James: On a point of order, Mr. Chair, the member is speaking about a particular group in her area that may be participating in some sort of process. It has nothing to do with the number of meetings we're discussing right now, and I wish you would bring that member back to the actual subamendment to the amendment that is on the table right now, which we're talking about.

Thank you.

The Chair: The chair refers to a discussion we had earlier when the member wasn't here. I believe Mr. Garrison was here. We were starting to go through a number of examples relative to different ridings, how and why. At that time the chair encouraged Mr. Garrison to deal with the issue and the topic rather than the separate examples of such.

Ms. Jinny Jogindera Sims: Chair, once again, thank you for your intervention.

Rather than talk about my specific riding, I will talk about the respect I have for the members of the Muslim community right across this country, from coast to coast to coast, who have been working very hard taking on this topic of radicalization.

There is nothing more disturbing for a parent than the thought that they could lose a son or a daughter who could take off to participate in a fight overseas, or take part in illegal activities in this country. I have been at forums where fathers and mothers have cried as they have talked about what steps they could take. I have met with community members, not just in my community, who have also said that they have turned to this government and asked for resources to do some proactive work on recognizing signs of radicalization, and also working with youth.

Ms. Roxanne James: Again, on a point of order, Mr. Chair, I don't know how many times I have to repeat myself, but we're talking about the number of meetings and the witnesses coming here. We're not talking about community organizations in her area or across Canada at this point in time. I'd like you to ask the member to come back to the actual subamendment to the amendment that we're discussing right now.

Thank you.

The Chair: Your point is taken.

Please try to tighten up.

Ms. Jinny Jogindera Sims: Thank you very much, Chair.

You know, I wish the parliamentary secretary would raise those same points when people from her side are speaking.

At any rate, I will go on to say that I do know members of the Muslim community who are working very hard. They are looking to the government for support and they are very, very concerned that there is very little in this piece of legislation that would actually address the serious issues of raising children and the kind of challenges they face, especially if they are being attracted into something that is violent and not good.

But let's get back to the number of days. What we're looking at here with the subamendment is eight sessions of two hours. That's 16 hours. During those 16 hours, we're going to hear from 48 witnesses. I just want us to take a moment to reflect on that and how little time that will give the opposition and people on the other side to actually ask informed questions but also to hear the testimony that we need to hear.

This bill is creating a lot of concern right across this country. It's not just the NDP. I know sometimes people across the way seem to think we are the only ones who are objecting to the timelines here, but we are hearing from people from coast to coast to coast that they want to see more debate. So I'm left with some questions here. Why is it that the government wants to rush this legislation through at breakneck speed? What is it they want to hide? What is it they don't want people or the opposition and expert witnesses to shine the light on?

Surely, like us on this side, they must want to have good legislation that goes through the next stage to ensure that we don't end up in litigation that could end up costing hundreds and thousands of tax dollars. I mean, come on; this government has a history of passing legislation that ends up in the courts. Then the poor taxpayers end up having to defend that. If only we could take the time to come up with good legislation, that is, go through the rigorous process, listen to the input, take a look at what is being said, and maybe even adopt a few of the amendments that might improve the legislation, that might not be a bad thing.

We realize that the Conservatives have a majority. They will get their own way on this bill. Whether they accept one of our amendments, or amendments from the other party, that is totally in their realm. What really puzzles me is not only are they going to get their way but they don't actually want us to have our say. That just doesn't seem right. Surely—surely—they have nothing to lose.

I would say that they have a huge signal they could send to the Canadian public: "We can work together. Yes, we're worried about this bill and its contents, and we want to reassure you that it's what we say it is, so let's hear from all the experts." They have all the tools in their hands to get their own way at the end. Why, then, would you use a baseball bat to shut down the debate over and over again unless you really do have something to hide?

If I could see an imperative to pass a piece of legislation, i.e., we have to get it through tomorrow because we don't have anything right now, then I would say, yes, let's take a look at expediting it. But even in Halifax, when the police heard about a threat, they could do an intervention. They could intervene even now if they heard that somebody was thinking of doing something. They have those powers right now.

These additional powers, because they are so overreaching and because they do impact our civil liberties, really do deserve a thoughtful process, one that isn't being expedited or truncated and one where debate is not being shut down.

• (1540)

I look at the number of organizations—and these organizations, by the way, don't represent small numbers in membership. They are huge: Amnesty International, BC Civil Liberties—

Ms. Roxanne James: Mr. Chair, on a point of order, we heard all of this earlier on today. It's again becoming very repetitive.

I would ask that the chair ask the member to talk about the subamendment to the amendment at hand, articulating very carefully that she not be repetitive in nature to everything we've already heard today in this meeting.

The Chair: Thank you very much.

However, every member is entitled to make their own comment, and even if it is repetitious with regard to the comments of another colleague, it is still permissible. It is just not permissible if it repetition by the same individual.

So, carry on.

Ms. Jinny Jogindera Sims: Thank you, Chair, and I want to say that I would never even attempt the eloquence of my esteemed colleague Randall Garrison, so I would not want to copy what he said at all. What I have to say actually comes from my own two brain cells.

Amnesty International, BC Civil Liberties Association, National Council of Canadian Muslims, International Civil Liberties Monitoring Group, Canadian Muslim Lawyers Association, the LDL, Ligue des droits et libertés—and my French is not that great, so I apologize—and the Canadian Civil Liberties Association as well: these are not small groups with very tiny memberships that are raising concerns. I'm not planning to read what they said, because I do know that it was read into the record this morning. I could, but I'm not going to.

When you have organizations as esteemed and well thought of as these out there raising concerns, surely then the government could take one deep breath and say the sky is not going to fall; they're still going to get to achieve our agenda before Parliament rises, and they're going to give the opposition the very limited number of extra witnesses and committee time they have asked for.

We could easily have left it open-ended and asked that we would carry on until we had heard anybody who wanted to be a witness, but that would be irresponsible. I actually, when I was discussing it with Mr. Garrison, said to put in for 50 meetings. That seemed very reasonable to me considering the bill.

Does anybody have the piece of legislation in front of them? I looked at that legislation. I wasn't here last week when it was debated, but I was here this week. Looking at the bill itself and at the title of the bill, I think even looking at amendments to one part of this bill could take 10 or 20 public hearings.

Listen to what is actually in the title of the bill: an act to enact the security of Canada information sharing act and the secure air travel act, to amend the Criminal Code, the Canadian Security Intelligence Service Act and the Immigration and Refugee Protection Act and to make related and consequential amendments to other acts.

How can we be taking a look at a piece of legislation that is going to dig deep and wide into such different pieces of legislation and then think we can skate through it in eight sessions? That is so irresponsible. I think if the opposition did not speak up at this time we would be abdicating the job we were elected to do. We're not going to abdicate that job, because we're going to fight for Canadians to hear the debate on this, to hear the experts' testimony, so that they can eventually make a judgement about this bill as well.

Therefore the eight hours, even though it seems like a baby step in the right direction, and it is, just doesn't go far enough when we're looking at what is in the bill. I'm still hopeful. You never could stay in teaching if you weren't optimistic and hopeful, so I am still hopeful that we will be able to proceed and get an agreement to have the 25 meetings we have requested. Then we will be able to get on with the job and end up examining the legislation.

At the end of hearings, we may not be happy with the end result, because the government has a majority. We may not be happy with the end result, but do you know something? You would have gained something big. We would have gained something too. At least we would have the feeling that our perspective was heard and that we heard from the expert witnesses.

That's not a bad thing to do in politics. Sometimes things are rushed through just so you can get things your own way, but when you can get things your own way even by going a bit slower, it makes no sense to make people including me and others out in Canadian society feel that their voices are being shut out just because the government has decided that not only are they going to have their own way but they're going to make sure that others don't get to shine a light on the problems in the bill and perhaps also the strengths in the bill.

• (1545)

Believe it or not, I have sat in the House sometimes, and even at committee, and changed my mind based on expert testimony. I would think it's in the government's favour to have that debate, hoping they can persuade some of us that the amendments we produce—and that they're going to accept—are going to lead to improved legislation and could actually end with a better product.

As I said in a previous lifetime, one of the pleasures I had in teaching was to teach the government unit on how a piece of legislation goes through Parliament to become law. What I taught as to how things are supposed to work in Parliament has turned out to be a little delusional on my part because that has not been my experience.

• (1550)

Mr. David Wilks: Mr. Chair, I have a point of order on relevance and getting back to the subamendment to the amendment, please.

The Chair: Thank you very much.

The chair would suggest that as we move forward a little later, the chair will start to tighten up about the relevancy and the repetitive nature, as I mentioned earlier.

At this time, please carry on, Ms. Sims.

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair. I will relate it back to the topic at hand at the moment.

What we have written into our textbooks and what is told to our kids, and what goes on in the the relationship here, is very, very significant, and it's very much tied to the subamendment to the amendment. One of the things we teach our students, or that I did, is the rigorous stages that any piece of legislation goes through, first through debate in the House and then at committee. I was actually under the delusion before I came here that most committees worked on a consensus basis. Apparently it used to happen like that, but it doesn't anymore.

Even if it doesn't, there is still this feeling that it's at committee stage where the in-depth, detailed study occurs. I want to remind my colleagues that it was only yesterday or the day before that one of the parliamentary secretaries said in the House that this is the stage where the in-depth, detailed study needs to take place. In order to do that in-depth, detailed study, we need to have that extra time. That's how it relates to the subamendment.

Mr. Chair, I'm also seeking a bit of guidance from you.

It was my understanding that in the morning the chair did open up the scope of the discussion to matters related to existing and future terrorist threats. I certainly heard many government members speaking to the issue of terrorism. I just want to make sure that my understanding is correct.

The Chair: Your understanding is correct.

However, it must pertain as well to legislation that is obviously calling for dates and names for action. Talking generally about it would really not be acceptable; however, trying to bring forward the topic with an understanding that there would be a need to deal with the legislation in one way or the other...the chair would appreciate your focusing in that direction.

Ms. Jinny Jogindera Sims: Thank you very much, Mr. Chair.

To that point, I think there is no doubt that in communities right across Canada, people do want the government to focus on addressing issues of terrorism. I think where we have disagreement is on how that should be done.

I will say one thing. I am finding it very difficult to imagine why a few extra meetings would interfere with the government's desire to pass this bill. We have already—

Hon. Diane Ablonczy: Mr. Chair, on a point of order, I've listened carefully to my colleague, and I appreciate her eloquence, but she has made this point at least three times before. I think repetition is starting to creep in. We have been here a long time talking about this issue, so I would ask her to bring something new to the table.

The Chair: Thank you very much, Ms. Ablonczy.

A little bit more latitude only in that there was potential testimony from other days of hearings that were held here that cannot be held accountable to the subject of today.... However, we cannot make that same mistake here, in that this is a new day, and if we are going to be repetitive on the same topic, the chair will make a decision on that.

• (1555)

Ms. Jinny Jogindera Sims: I appreciate that, and I'm trying to differentiate in my head what was said at meetings previous to today's and make sure that I don't repeat myself.

One of the arguments I've heard for why this bill needs to go through is that there is a feeling from my colleagues across the way that they have more than accommodated the concerns raised by the opposition. We disagree fundamentally, because we believe that they have not addressed the concerns we've raised, nor have they given us the latitude we need in order to bring forward the different witnesses who want to come and present before this committee.

When we are talking about the existing and future impact of terrorism, history informs us a lot about how we deal with things today, but history also informs us of where the gaps are. To that effect, I do hope you will indulge me as I say that in regard to the Air India bombing terrorist attack, there are many who still feel that, even with the laws that existed, a lot more could have been done. They are still waiting for their day, for justice.

At the same time, when I'm looking at this piece of legislation that has opened up the scope and is giving far more powers without any additional oversight, and when I keep hearing that every time we're looking for more time to study the bill that somehow we're being obstructionist, I find that a little bit unfortunate. More than a little bit unfortunate, I just think it's disrespectful.

There is a phrase I've used many a time in my career: let us agree to disagree without becoming disagreeable. It is okay for us to have different perspectives and different points of view, but agreeing to disagree also means giving the people you disagree with the opportunity to express their point of view and to hear from the witnesses, because not to hear that opposite point of view is disagreeable in itself.

I certainly hope that as parliamentarians, as we have these very adult conversations where we're making decisions that are going to impact Canadians from coast to coast to coast, we will do the due diligence and the thorough oversight that is required, and we won't use the fact that a certain party has a majority to shut down debate and to shut down expert testimony.

With that, Mr. Chair, I'm going to end for now. I have a lot more to say, but I'm sure it's going to be a long evening, so I'm going to go away to committee and then come back. Thank you.

The Chair: Thank you very much, Ms. Sims.

We will go to the next speaker on the list, which is Ms. James.

Ms. Roxanne James: Mr. Chair, speaking to the subamendment, we're talking about over 50 witnesses. On the 48, we've been very cooperative with the opposition on this measure. We've tried to accommodate the requirements for more witnesses. We have boosted that number in a large way. We are offering.... The subamendment to

their amendment speaks of eight additional meetings. That's 16 hours of witness testimony.

We talked earlier. There was some concern from the opposition that there wouldn't be enough time—and it was brought up again just now—to hear from witnesses because of the three per panel. Obviously, I addressed that earlier. I don't want to sound like I'm being repetitive. Stop me if I am, Mr. Chair, but this committee has always had three witnesses per panel.

We have the ability to limit the opening remarks. It doesn't have to be 10 minutes. It doesn't have to be seven. It doesn't even have to be five. Witnesses are free to provide their opening remarks in both official languages and then spend the time in committee answering questions.

What we're seeing right now is the opposition members, the NDP, who are fundamentally opposed to this bill, come out before they've heard from a single witness and indicate that they are going to vote against it, which we saw in the House—

• (1600)

The Chair: On a point of order, Madam Doré Lefebvre.

[*Translation*]

Ms. Rosane Doré Lefebvre: Everything the parliamentary secretary said was a repetition of what she already mentioned in her previous intervention. I am wondering whether she has anything new to add to the debate, as she is now just repeating herself.

[*English*]

The Chair: Thank you very much, Madam Doré Lefebvre.

As the chair indicated earlier, it would be advantageous if members from both sides could try to shed some new light on and/or be relevant to the actual motion, amendment, and subamendment that are before us. Perhaps the information is accurate that you have suggested, but perhaps it could relate more to the motions that are before us.

Thank you.

Ms. Roxanne James: Thank you for that intervention, Mr. Chair. I'm finding it more and more difficult, as we continue talking about the subamendment, to bring anything new to the table. We're hearing the same arguments from both sides. However, there is one thing I would like to address.

Earlier we heard some comments that there is already legislation in place. That is one of the reasons, I guess, that the NDP opposes this. They have said that we can stop someone from travelling overseas.

That was actually through the Combating Terrorism Act. Conservatives did bring that forward. The NDP voted against it. Then they're sitting here today using that as something in their pocket as the reason we shouldn't proceed with this new legislation. They don't want to hear it at committee. They're trying to delay by opposing...I mean, 50, more than 50 individuals will come before this committee to provide testimony.

What is also interesting is that I think once this legislation does pass, in a couple of years from now there will be some of us still sitting at this table and we'll hear the same arguments. They will be talking about how the anti-terrorism act has been able to help in the threat against terrorism, about how we have these powers in place. I think they may regret trying to delay this and obstruct this bill coming to this committee.

Canadians expect the government to bring forward measures to protect their national security and their interests, to keep their community safe and their families safe. This legislation is clearly aimed at terrorism. They expect the government to bring it to committee, to pass the legislation, to hear from witnesses, to review amendments carefully. That is precisely what we are trying to do. We are very cooperative.

Mr. Chair, I just hope—I hope—that before the end of the day, whenever that may be, whether it be tonight at 11:59, there is some sort of agreement and cooperation from the opposite side to get on with this bill, bring it to committee, and hear the expert testimony. We keep hearing that we want to hear expert testimony. Unfortunately, we're not going to hear that until we can get an agreement on the table as to when this bill should come to committee.

I'll leave it at that. Thank you.

The Chair: Thank you very much.

Next on the list is Mr. Norlock.

Mr. Rick Norlock: Mr. Chair, I believe the majority of Canadians know a filibuster when they see one. Only in Ottawa, playing with the rules of debate in Parliament, do we talking heads think that filibusters are smart, that we played this rule against that rule. Canadians out there don't want to see that kind of nonsense. This place costs a lot of money to run. I think we need to stop this nonsense and get on with it.

In terms of what we have offered the opposition, we started out, quite frankly...as the motions and subamendments and all these amendments to subamendments to subamendments.... We've shown goodwill. We started out with three meetings. They said 25 meetings. We said eight. They said 25. If we took a break, we might even come to another number, but I suspect very strongly they'll say 25.

Canadians deserve better than a bunch of talking-head politicians gabbing away, thinking they are scoring some points with the media, thinking, "Well, maybe some smart thing I say will get on three minutes of the news". I just hope and pray that....

The majority of Canadians won't even hear what we're saying, won't even see what we're saying. A few people will be watching CPAC and some other program that might carry a few little excerpts. People will think they got the full message, but they didn't. There's

some stuff we can't talk about because it was in camera, but we heard it all; it's been all blurted out probably throughout today.

I won't take up a lot of the time of the committee. I sometimes jokingly say to my fellow constituents that some days Ottawa appears to be 20 square miles surrounded by reality. I think that today is proving that point.

Mr. Chair, I'll give up my time here, but I have to tell you that I'm getting near the end of my tether. If I start to see repetition upon repetition.... I know what the rules are, and you're bound to follow those rules, but Canadians deserve better than what's happening here.

Thank you.

• (1605)

The Chair: Thank you, Mr. Norlock.

Next on the list is Mr. Payne.

Mr. LaVar Payne: Mr. Chairman, I'll try to be brief as it pertains to the legislation and certainly the subamendment.

We saw the media report on these individuals from Quebec who left. The report said—and I have to take it at its face value at this point because I don't have anything else to suggest otherwise—that one of the individuals said that his passport had been stolen. Actually, according to the report, his father said he had taken that passport so the individual asked for a new one. Now, if CSIS knew that, they actually wouldn't be able to go to the passport folks and say that they couldn't reissue. That is just one point I wanted to make.

We're often asked to limit our statements, as previously said by others and particularly the parliamentary secretary. I've been in a number of committees where we've actually limited the speaking time of the witnesses to five minutes, or to seven minutes, and potentially other times.

What was also interesting was listening to our colleague Mr. Garrison. He was talking about Grand Chief Phillip and saying that he was arrested. He was suggesting that this legislation had something to do with it, but my recollection is that this legislation isn't law yet, so I'm not sure how it would have impacted that. It's just a point I wanted to make.

Also, I believe it was Mr. Garrison who also stated that CSIS can't be trusted. I mean, as witnesses here, I just wonder about that comment.... I know that he also talked about dozens and dozens of phone calls coming into their offices. I also had a bunch of phone calls coming in from a group well known to be very friendly to the NDP asking us to stop this legislation. My staff asked them if they actually read the legislation. The vast majority said that no, they hadn't. So they didn't even know anything about it, and on their concerns regarding that, I find it a bit frustrating and a bit phony. If I might suggest, Mr. Chairman.

I think the final point I want to make is that we still need to make sure that officers, when they go before the courts...they need to get a warrant, so they have a judicial presence in getting those warrants to do whatever it is they might need to do in terms of stopping terrorism. That's what this bill is all about, Mr. Chairman.

Thank you.

The Chair: Thank you very much.

Now we have Mr. Harris.

Mr. Jack Harris: Thank you, Chair.

I'm pleased to have a chance to join in this discussion about how we, as parliamentarians, ought to deal with this legislation before us. I have to say, first of all, that it's important legislation. It's important because it's designed, or at least it purports to be, to help deal with the problem of terrorism, but—and there's a big but here—the question really is to what extent this legislation actually deals with that issue and what the quality is of that legislation. What we're debating here right now, with the amendment and the subamendment and the motion, is how much scrutiny this actually deserves.

There's talk opposite about a filibuster, but the last three speakers came from over there, so it seems to me we are really engaged in the discussion of how much scrutiny this bill actually needs. Mr. Payne gave his comments on certain other bits of evidence and incidents that were happening, and that's fair enough. He said some people who called his office hadn't read the bill but they seemed to be opposed to it. The reality is that we've seen some public opinion polls in the last number of days—some of them are a week old—saying that a great number of people seem to be supporting the legislation, but none of them have read it. That's quite all right with the other side, which is saying that the public is in favour of this legislation, so let's pass it. The reality is that the people in this room and the people in the room next door to the House of Commons are the ones whose duty it is to read the legislation, to study it, to go about the business of Parliament, to listen to the experts who know more about this than we do, and to determine whether the legislation is adequate, whether it oversteps its stated objectives, whether it's dangerous for civil liberties in this country, or whether the provisions in it are even necessary given the circumstances we're facing.

You know, I'm going to say something that doesn't come from me but comes from, in fact, one of the oldest and longest standing national newspapers in the country, by way of an editorial. I have to think that the editorial writers actually did read the bill, because the editorial talks about Bill C-51 and it says the following—and this is called the anti-terrorism bill, the short title:

On close inspection, Bill C-51 is not an anti-terrorism bill. Fighting terrorism is its pretext; its language reveals a broader goal of allowing government departments, as well as CSIS, to act whenever they believe limply defined security threats "may"—not "will"—occur.

Then it goes on to say:

Why does this bill exist? What is it fighting? And why is it giving intelligence officers powers that are currently reserved for the RCMP and other police forces?

These are fairly fundamental questions, not coming from somewhere out in—I'm not sure what Mr. Norlock called it—20 square miles of unreality but coming from the longest standing national newspaper in the country, with a fairly good reputation for being part

of the establishment. They're not some fringe newspaper that managed to come alive one week and disappear the next. This is the establishment in Canada saying there's something wrong, fundamentally, with this legislation.

Then it talks about CSIS:

CSIS is an intelligence agency. It is secretive, and it is supposed to be. Why does it suddenly need police powers to do its job? Until now, police powers were reserved for the police—an organization that is public, and which in a democracy must be.

Have you ever met a CSIS agent? Was he in uniform, walking the beat? No. CSIS works in secret. It is furthermore immune from Parliamentary oversight.

● (1610)

Now if Bill C-51 passes, CSIS will be able to disrupt anything its political masters believe might be a threat. As the bill is currently written, that includes a lot more than terrorism.

That's why we're having this discussion today, Mr. Chairman, because fundamentally, the bill is being challenged for being something that it says it's not. We have ministers of the crown, like the Minister of National Defence, who was out last weekend saying, "Oh, no, this bill doesn't give any more powers to CSIS; this gives powers to the judiciary. If they ever want to disrupt anything, they have to go to a judge and get a warrant."

That matter was just repeated by Mr. Payne, that it's only judges who give warrants that allow them to do that. However, that's not true. That's not the case. Anybody who says that either hasn't read the legislation or is misleading the public about what this bill says and does.

We talk about disrupting matters. The legislation doesn't actually do that. It doesn't talk about disrupting; it talks about taking action to reduce threats. I'll read the section, and the context is important. I'm not arguing—

● (1615)

The Chair: I'll interrupt you just for a second.

Mr. Jack Harris: I'm not arguing the—

The Chair: Fine. I'll just interrupt you for one second, Mr. Harris, and I will certainly let you continue, sir.

Obviously we don't want to get into a debate on the merits of the bill. That is the point. While there have been leanings that way from both sides and the chair has given a fair bit of latitude to move forward, we don't want to get into a debate on the merits of the bill and predetermine what the testimony may or may not be from various experts in the field.

If you could just swing your conversation back a bit more towards the issue, I would thank you.

Mr. Jack Harris: Thank you, Chair.

I do appreciate what you're saying, and I don't intend to get into arguments about the merits of the bill per se.

The point is that this matter I'm raising shows why this committee has to do an extremely thorough job in making sure that the public in Canada, and that members of Parliament, who ultimately will have to vote on this, actually understand what's going on. If we rely solely on what's been in the media, even what ministers are saying, what public opinion polls say, if that's part of a rush to judgment here, then we won't be doing our jobs.

I say this while sitting in a room where on one side we have a picture of the Fathers of Confederation, the founders of our democracy, and on the other side there is a picture of the Vimy memorial, another symbol of our nationhood. Our role as members of Parliament is to guarantee that democracy continues, and continues with the kind of liberties that are part of our Canadian values.

I will make a point, though, Mr. Chairman, if I have your indulgence for a moment, because clause 42 of the act puts in an amendment which allows CSIS to take measures within or outside of Canada to reduce the threat, and that's what the disruption is. It states:

If there are reasonable grounds to believe that a particular activity constitutes a threat to the security of Canada, the Service may take measures...to reduce the threat.

Now, that is the power that CSIS has: no warrant, no judge, nothing. But now there's an exception. Where it says "Warrant", it states:

The Service shall not take measures to reduce a threat to the security of Canada if those measures will contravene a right or freedom guaranteed by the Canadian Charter of Rights and Freedoms—

Mr. Rick Norlock: Mr. Chair, on a point of order, I've been preached to by the other side telling me how I need to do my job as a parliamentarian, especially how I need to do my job as a member of this committee. I've been on this committee for nine years. My intervention was very short. It wasn't part of a filibuster. It was designed to let my constituents and Canadians know that what Mr. Harris is doing with the other side is a filibuster. They're hoping to score political points by playing the rules of this austere establishment to get their point across. As I said, we have been more than cooperative on this side with regard to the numbers of witnesses. No Canadian believes that hearing from 40 to 50 witnesses is too short. They have made their point. Every speaker on the other side has made their point that they need to have 25 meetings and close to 75 or 100 witnesses. Mr. Chair, this is getting out of hand. Canadians should be sick and tired. I can get 50 or 200 people to call his office and tell him how wrong he is. That's the joke about saying "all kinds of Canadians"; well, they fired up their interest groups.

Mr. Chair, with all due respect, we need to be talking and hearing some new points as to why we need to hear from witnesses. If they don't have any new points, then Mr. Chair, I would respectfully suggest that the chair bring this whole debate to a head. This is getting ridiculous and anybody who has followed it so far can see through all the horse pucky that's coming out.

• (1620)

The Chair: Thank you, Mr. Norlock.

As we all know, Mr. Norlock has a point that the chair has been extremely lenient all the way through on both sides. There is no doubt the chair also intimated earlier in the day a couple of times that

I don't want to have changing parameters on the way through. That's not fair to all the members. But I was very obvious when I stated as we move along here and we hear testimony that is very similar, if not identical, to testimony that has and keeps on occurring, albeit with a different flavour to it, that the chair will be a bit more active in trying to bring us closer to the actual subamendment we are debating.

We are not debating the motion. We are not debating the amendment. We are debating the subamendment that was very clear on the number of meetings and number of panels and number of witnesses. I just bring that to the attention of the committee and as we move forward I'll ask you to keep your comments as close as possible to the issue of the subamendment before us.

You have the floor, Mr. Harris.

Mr. Jack Harris: Thank you, Chair.

I'm only trying to make one point and I don't think I've been hogging the floor. I've only been here for an hour. I've been speaking, maybe, for 10 minutes. I've been interrupted because somebody doesn't want to hear what I'm saying. But my point is this, that when the minister of the crown is talking to the public, and I heard him on radio on Saturday and Sunday on national news broadcasts, saying that no powers are going to CSIS, they're going to the courts....

The Chair: Do you have a point of order, Ms. James?

Mr. Jack Harris: And I can't even finish the sentence without a point of order.

The Chair: We'll get back to your sentence shortly, perhaps.

Ms. Roxanne James: Mr. Chair, I'm just asking about repetitiveness again, because I've heard that member mention this particular...whether it's media or whatever with the ministers over the weekend. I've heard it now three times.

The Chair: That's fine, but we're not over the weekend. We are here at the meeting today but I....

Ms. Roxanne James: Sorry, Mr. Chair, I'm referencing the minister from the point where he said something, but this is the third time I've heard it....

The Chair: Okay, the chair hears that and suggests the closer we get, the tighter the chair will be so please, Mr. Harris, continue.

Mr. Jack Harris: Maybe Ms. James doesn't want people to even hear a full sentence about what the minister said.

The Chair: You certainly have the floor.

Mr. Jack Harris: Thank you, sir.

In terms of the issue of what the judicial powers are based on CSIS, the service shall not take measures to reduce a threat, i.e., disrupt, if those measures will contravene the right or freedom guaranteed by the Charter of Rights and Freedoms or will be contrary to another Canadian law unless the service is authorized to take them by a warrant issued under proposed section 21.1.

In other words, what the legislation actually says is you can go ahead and do this disruption. CSIS can go ahead and do all of that, but if they decide it will breach the Charter of Rights and Freedoms, then they have to go see a judge. That's very different from what was put out there by the minister over the weekend, Minister Kenny, and if we're going to have proper oversight, if the public of Canada are going to understand this, if the parliamentarians are going to understand this, there has to be an opportunity for this to happen. I'll go back again to what people might think is my favourite newspaper, the establishment newspaper, *The Globe and Mail*, which talked about playing politics with the new anti-terrorism legislation when they said on the 23rd of February:

Two things are clear: First, the Conservatives think this bill will help them win an election, and second, they don't want people to understand it. That's a bad combination for a bill that will change things in secret, in ways we won't know for years.

• (1625)

The Chair: Mr. Harris, clearly that's out of line. You, sir—

Mr. Jack Harris: That's what the newspaper said.

The Chair: Sir, we are not talking about newspapers. We are not talking about testimony here from any particular source. What we are talking about is trying to schedule a date for hearings so that we can hear testimony. At that time, statements like that and/or witnesses who would wish to comment on that would certainly be in order, absolutely, but the chair would like to get us back closer to the fact that we have to deal with a timeframe here. The timeframe is when are we going to have meetings? How many meetings are we going to have? How many witnesses are we going to have? How many sessions are we going to have?

That clearly is the subamendment that we are dealing with and so, as I mentioned, I will take us closer and closer to where we need to go on this, but you have the floor, sir.

Mr. Jack Harris: Thank you, sir.

I take your admonition with good grace, but what I had wanted to say was that this is the context in which I want to talk about how many meetings we should be having. It's because of those kinds of statements, because of the seriousness of this legislation, because of the fundamental need for good understanding, not only by members of Parliament but also by the public, that we need to have a sufficient number of hearings.

For example, this committee itself, I'm told—I wasn't here, so I'm sure Mr. Norlock could disagree with me if I'm wrong—devoted 12 meetings to the economics of policing. Now, the economics of policing I'm sure was obviously of great interest to this committee. They devoted 12 meetings to it. But I don't think the economics of policing is as important as the fundamental rights and freedoms that people have in this country. When legislation such as this has been....

As has been said, each and every day it seems new aspects of this legislation are being challenged by people who are experts, by people who have or have had significant leadership roles in this country, by academics and lawyers, on both sides. I looked at a transcript today of an interview done in St. John's with a person who was a long-time prosecutor and now is a defence counsel talking about the fundamental problems with that. We do need to have a significant amount of study to devote to that. I have another note

here suggesting that for the transport committee's study on safety, they had 31 meetings, and they're still ongoing.

Really, the question is how many witnesses will we be able to hear from, and will there be sufficient time? This legislation was contemplated last fall. The Minister of Public Safety, before October 22, before the events that took place here in this Parliament that we all know about, talked about legislation being brought forward to give new powers to the security services. Well, that was last October. We didn't see the legislation until two weeks ago. It was rushed through Parliament with a closure motion. And despite Mr. Norlock's suggestion of good faith on the other side, they come in here and suggest that we should deal with this in three meetings; get rid of it, because it has to be brought into place.

That's not good faith, in my view, Mr. Chairman. It's not surprising that it was objected to by the official opposition and by the Liberal Party as well.

It has been pointed out, of course, that when Parliament dealt with anti-terrorism legislation after the horrific events of September 11, 2001, there were 19 days of hearings. And September 11 was a shock to the world: over 3,000 people were killed in one day—many Canadians were part of that—by a planned, elaborate, and shocking terrorist attack on the World Trade towers in New York. There was a need for a response and reaction to that. When that came, it didn't get rushed through in 24 hours or 48 hours or three days. It was studied and looked at; it was made sure that it passed whatever muster that was able to be given to it. Amendments were made to it. Sunset clauses were put in on some of the powers that were given.

That sort of thing happened then. What we're dealing with today is something a fair bit different from that. It's a little more complex, and maybe a little bit more...situations are required. We're dealing with people leaving this country to go to foreign lands. We have people being inspired by activity in other countries to do so-called lone wolf acts here.

• (1630)

We have all sorts of issues with respect to whether these individuals are acting in concert with anybody else, whether they're "murderous misfits", as the Minister of Justice called certain people who planned some criminal acts in Nova Scotia, or whether they're engaged in organized terrorist threats. And what is the proper response?

All of those things need to be debated and we have a whole series of people proposed by Mr. Randall Garrison and Madam Doré Lefebvre who have something important to bring to this debate and discussion, and they should be heard. That's not to delay or obstruct or prevent this bill from being passed. I don't think anyone on this side has suggested that this is being done to delay the passage of the bill. In fact, what I've heard is exactly the opposite: the commitment by people on this side is to have this legislation through committee by the end of March, which is the date that has been proposed.

There is a willingness to sit and take the time required to do that, and that time would be fitted into the calendar of the House. We could use the time that's available, for example next week, when the House is not sitting and this committee could have extended hours. We're having extended hours now. We've been debating this subamendment in order to try to get the time to do the work that's required.

One of the other issues—and this has been debated and I'm not going to repeat all the debating points—is the question of oversight. That's come up time and again. The government has taken the position that oversight exists and is adequate. Is that true or is it not true?

One of the organizations we're talking about, the so-called oversight body, says that it doesn't do oversight. Who do we have to hear from to hear about that?

Who are the people we want to hear from? Some of the witnesses include the former inspector general of CSIS, who as inspector general was engaged in a form of oversight before the position was cut. She understands how this all works, and we want to hear from her.

Dennis O'Connor, the justice who lead the Maher Arar inquiry, knows how the security intelligence services work together. We want to hear from him and hear what he has to say about what oversight is required and why.

Frank Iacobucci, a former justice of the Supreme Court of Canada, was also engaged in an important inquiry into the actions Canadian officials took with people who were detained and tortured in Syria and Egypt.

Former Justice John Major of the Supreme Court of Canada, has spoken out recently. We want to hear from him. Why would we not want to hear from him? He presided over the Air India inquiry, as was mentioned earlier.

Hon. Diane Ablonczy: Mr. Chairman, on a point of order, we could be here for a long time mentioning every last possible witness who could be heard. I would ask you to bring speakers back to the point of the subamendment, which is on the number of meetings and the number of witnesses, not going through the entire planet listing every name and every organization that might possibly have something to say. That's just a drain on the time of the committee and it doesn't address the issue.

•(1635)

The Chair: Thank you very much, Ms. Ablonczy.

That is actually a good point of order, Mr. Harris, that has been brought up a couple of times before in this committee, certainly not by you, sir. You were not aware of that. It happened before, and the chair ruled at that point that we could talk endlessly about the people who could participate in this and we could pull a directory out and this whole meeting would be on who is coming.

The question is not who. It will be up to respective parties to designate who they would like to come here, and you've certainly mentioned people who have relevance to the meeting, but we are looking at numbers and time and we are looking at the panel size.

The point was made and the chair had ruled earlier on that, but I was allowing a little latitude as you were not aware of that, sir, and I appreciate that.

I would just ask you to move to a topical situation rather than one of individuals one by one.

Mr. Jack Harris: Well, sir, I appreciate the point, but I also heard Mr. Norlock say that a member of this party.... He accused him of saying that CSIS can't be trusted.

I think you said that, sir. You said that Mr. Garrison said that CSIS couldn't be trusted.

Mr. Rick Norlock: Mr. Chair, on a point of order, no, I didn't say that. It may have been said, but I did not say it. Please, Mr. Harris, you can check the blues—

Mr. Jack Harris: We'll check the blues on that.

Mr. Rick Norlock: —but anyway, Mr. Chair, I know your ruling was that each individual member could say the same thing that another member said, as long as that member didn't repeat again what he had said.

I'll go back to the waste of time this exercise is. It is nothing short of a filibuster. I have kept my comments as short as possible, hoping and praying that the other side would come up with something new. Instead, they play—again I say it—those rules we have that are designed to make us look smart in our own realm, but I don't think Canadians find them smart.

I want to respect the other side. Let's hear from witnesses. Therefore, Mr. Chair, my point of order is that, as we have repeatedly been forced to point out, the NDP is blocking this committee from actually hearing from witnesses who they claim they want to hear from by repeating the same points and the same issues over and over again. I am asking you to decide to put the question on the subamendment, the amendment, and the main motion now, so that this committee can get back to work on the bill. I'm asking for a decision from the chair.

Mr. Jack Harris: On a point of order, Mr. Chair, I don't think that motion is in order.

I don't think he can call the question.

The Chair: On the point of repetition, certainly, all sides have abused that to a point where the chair could possibly rule in that favour; however, the chair cannot support this motion at this point, due to the fact as well that we have other speakers on the list yet, and our practice has been to continue the debate until the speakers are exhausted. At that time, the motion would be brought forward.

Mr. Rick Norlock: Mr. Chair, I think you know me well enough to know that I do the following point of order with great respect to you, but I respectfully wish to challenge your decision to not put the question on the subamendment, the amendment, and the main motion.

The Chair: The question, then, for the chair, is whether or not the decision by the chair shall be sustained. There is no debate, and there will be an immediate vote on the matter.

An hon. member: A recorded vote, please.

The Chair: It will be a recorded vote.

•(1640)

Mr. Jack Harris: [*Inaudible—Editor*]...about playing the rules.

The Clerk of the Committee (Mr. Leif-Erik Aune): Shall the decision of the chair be sustained?

[*Translation*]

Ms. Rosane Doré Lefebvre: Can you repeat the question in French, please?

The Clerk: The question is whether the decision by the chair shall be upheld.

Ms. Rosane Doré Lefebvre: Whether the chair's decision shall be upheld?

[*English*]

Mr. Jack Harris: Just for clarification, the decision of the chair was...

The Chair: The decision of the chair was to suggest that it would not be in order at this point due to the fact that there are other people on the list.

Mr. Jack Harris: The motion is not in order.

The Chair: That's correct.

(Ruling of the chair overturned [See *Minutes of Proceedings*])

The Chair: The chair has been overruled, so at this point the question now will be put, in order—

Mr. Jack Harris: Mr. Chair, on a point of order, I don't think the overruling of the chair makes the motion in order.

Mr. Rick Norlock: This is debate.

Mr. Jack Harris: It's a point of order, Mr. Norlock.

One can say that someone moves a motion that is not in order—

The Chair: Mr. Harris, the challenge with this...and I understand your point of order, but according to the rules it is not debatable.

Mr. Jack Harris: Having done what they did in an act of desperation, overruling you, that doesn't make the motion he now wishes to make in order.

The Chair: Yes, it does.

Mr. Jack Harris: Really?

The Chair: Yes, it does, the reason being the chair ruled it out of order, and that decision was challenged. Therefore, had the chair ruled differently, your point would be absolutely valid, but it was not.

We will now go to Madam Doré Lefebvre.

[*Translation*]

Ms. Rosane Doré Lefebvre: Mr. Chair, I would like some clarification, so that I can understand the motion before us. Is this a vote on the subamendment put forward by the parliamentary secretary or a vote on the subamendment, the amendment and the main motion?

[*English*]

The Chair: What was put before the floor was to vote, first of all on the subamendment, then on the amended amendment, and then on the motion. The chair obviously did not support it, but it was

challenged, so that is where we are. Of course it is not debatable, so we will now go to the vote.

[*Translation*]

Ms. Rosane Doré Lefebvre: I would like something else explained to me. We can no longer debate the amendment as amended or the main motion between votes.

Is that right?

[*English*]

The Chair: That's correct.

[*Translation*]

Ms. Rosane Doré Lefebvre: Wow!

[*English*]

The Chair: Okay, we'll have a vote on the subamendment.

Mr. Jack Harris: They don't want to hear from me, do they?

The Chair: We'll now have the vote on the subamendment.

Ms. Rosane Doré Lefebvre: I request a recorded vote, please.

The Chair: We'll have a recorded vote.

(Subamendment agreed to: yeas 5; nays 4) [*See Minutes of Proceedings*]

The Chair: We will now have the vote on the amended amendment of Mr. Garrison.

Ms. Rosane Doré Lefebvre: I request a recorded vote, please.

The Chair: We'll now have a recorded vote.

Mr. Ted Hsu (Kingston and the Islands, Lib.): Excuse me. Mr. Chair, since I just came in as a substitute, can I just make sure I understand what exactly we're voting on?

The Chair: Yes. Thank you very much, Mr. Hsu.

First of all we had a vote on the amendment to the amendment, a subamendment.

Now we are voting on the amendment, and then after that we would be voting on the motion.

We are voting now on Mr. Garrison's amendment.

•(1645)

Mr. Ted Hsu: Yes, Mr. Garrison's amendment.

The Chair: This would be Mr. Garrison's amendment, as amended by Ms. James' subamendment.

So now we'll have a recorded vote.

(Amendment as amended agreed to: yeas 5; nays 4 [*See Minutes of Proceedings*])

The Chair: We will now call for the vote on the motion.

[*Translation*]

Ms. Rosane Doré Lefebvre: Thank you very much, Mr. Chair.

Could you reread the motion as amended, so that we know what we are voting on right now?

[*English*]

The Chair: Yes, absolutely. The motion as amended reads:

That the Standing Committee on Public Safety and National Security begin its study of Bill C-51 at 8:45 a.m. on Tuesday, March 10, 2015, and that the Minister of Public Safety and Emergency Preparedness, the Minister of Justice and Attorney General of Canada, and appropriate departmental officials from each be invited to appear for a full two (2) hours;

That the Committee have a further eight (8) meetings with witnesses on the Bill, with up to two (2) panels and three (3) witnesses per panel;

That the Committee shall proceed to clause-by-clause consideration of the Bill no later than March 31, 2015 at 8:45a.m.; that proposed witness lists be submitted to the Clerk of the Committee by Thursday, February 26, 2015, at 6:00 p.m.; and

That all amendments to the Bill be submitted to the Clerk of the Committee before 9:00 a.m. on Friday, March 27, 2015, and be distributed to members in both official languages.

That is the semblance of the motion as amended. First of all, the subamendment to the amendment and now the amendment to the motion.

We are now voting on the motion as amended.

Ms. Rosane Doré Lefebvre: A recorded vote please.

(Motion as amended agreed to: yeas 5; nays 4)

The Chair: I see no further business before the committee.

[*Translation*]

Ms. Rosane Doré Lefebvre: I would like to say something before we adjourn.

I am extremely disappointed that our parliamentary right to speak has been stifled. I expected better than that from the Conservative government.

[*English*]

Mr. Rick Norlock: I would like to say that I believe there was a filibuster and Canadians should be happy that they heard everything that the NDP had to say and they heard what we had to say and therefore I move for adjournment.

The Chair: This meeting is now adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>