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Monday, December 10, 2018

—

Speaker: The Honourable Geoff Regan

CONTENTS

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

HOUSE OF COMMONS

Monday, December 10, 2018

The House met at 11 a.m.

Prayer

PRIVATE MEMBERS' BUSINESS

• (1105)

[*English*]

CRIMINAL CODE

The House resumed from November 20 consideration of the motion that Bill S-240, An Act to amend the Criminal Code and the Immigration and Refugee Protection Act (trafficking in human organs), be read the second time and referred to a committee.

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Mr. Speaker, before I get into the debate on the bill, I would like to acknowledge that this is our last week in this place not only for the year, but it is the last time we will be sitting here in Centre Block for the next decade. I would like to thank everyone who works behind the scenes to make this place run smoothly for those of us who are honoured to be elected and serve Canadians here in this beautiful building, which is going to be restored over the next 10 years. Hopefully, it will take only 10 years. On our behalf, I thank all the staff, from Parliamentary Protective Service, to administration, to custodians and everyone in between.

I appreciate this opportunity to speak to Bill S-240. As vice-chair of the Subcommittee on International Human Rights, I can say that the subject of black market organ harvesting is not a new one. Indeed, Bill S-240 is the fourth iteration of a bill that has been through many parliaments. These bills were written largely in response to credible and appalling reports concerning organ harvesting in China.

Organ trafficking is considered an organized crime, with a host of offenders including the recruiters who identify the vulnerable persons, the transporters, the staff of the hospital or clinic and other medical centres, the medical professionals themselves who perform the surgery, the contractors, the buyers and those at the banks that store the organs. The Subcommittee on International Human Rights has studied the issue of organ harvesting in China numerous times and has issued at least two lengthy reports and a number of statements. The reports discuss in gruesome detail the establishment within China of an actual organ-harvesting industry.

The first source of organs for transplants apparently was prisoners who were sentenced to death and executed. A second source of organs was prisoners of conscience. The earliest of these were the Uighurs, Chinese Muslims from the eastern part of the country. The chamber will recall the more recent reports of up to one million Uighurs being rounded up by the government of the People's Republic of China and forcibly placed into re-education camps.

In our subcommittee, we heard that while China's official central government's statistics indicate that approximately 10,000 organ transplantations take place per year, the numbers may actually be as high as between 60,000 and 100,000 organ transplants per year. The one population that ultimately became the principal victims of China's organ-harvesting industry was the country's Falun Gong followers. Falun Gong is the adherence to the Falun Dafa spiritual practice that originated in China. According to testimony that our subcommittee heard on November 3, 2016, China's organ-harvesting industry developed in tandem with its systematic repression of Falun Gong.

I will admit to being a bit skeptical initially about reports on organ harvesting in China. The idea of taking another person's organ to sell on the open market suggests a level of depravity that ordinary decent human beings find difficult to fathom. However, the more I learn about human rights abuses committed by the Chinese government against its own people and more and more credible accounts, my skepticism dissipates into reluctant belief. In fact, in recent hearings in the Subcommittee on International Human Rights looking into the human rights situation of the Uighurs in China, we heard that the Chinese government has been forcibly taking DNA and blood samples from Uighurs. Chillingly, those of us who follow these issues immediately began fearing the Chinese government might be looking for yet more organs to harvest from this population.

Private Members' Business

It is time, therefore, that the international community come together on this issue and establish the conditions that will render the organ-trafficking industry unprofitable. While the majority of organ trafficking occurs abroad, measures must be taken to ensure Canadians waiting on long organ donation lists are not perpetuating this brutality by purchasing trafficked organs. Trafficking in human organs is an abhorrent activity that should be included in Canada's Criminal Code. Further, Bill S-240 proposes amending the Immigration and Refugee Protection Act to ensure that receiving organs or benefiting economically from this illicit trade would also make a permanent resident or foreign national inadmissible to Canada.

The NDP supports Bill S-240 as we oppose all forms of trafficking in organs. We believe it is important to ensure that Canadians who have their names on the long organ donation lists are not inadvertently contributing to the demand for this horrendous crime.

As this is the fourth bill on organ trafficking in 10 years, the NDP calls for cross-party co-operation to ensure the swift passage of Bill S-240 and for this issue to be finally taken seriously. In addition to supporting this initiative, more should be done to encourage ethical, safe organ donation domestically. Canadians contribute to organ trafficking primarily through a phenomenon called transplant tourism. It is the most common way to trade organs across national borders. Recipients travel abroad to undergo organ transplants and there is currently no law in Canada against this practice.

Unlike the United States, Canada does not have a centralized list of people waiting for an organ. The Liberal government actually voted against a bill in 2016 that would have supported the creation of a national registry to help identify those wishing to donate organs and those who need them. Canada is the only developed country without national organ donation legislation, such as the 1984 United States National Organ Transplant Act. The Government of Canada should seriously consider the feasibility of a presumed consent system for organ donation where individuals opt out instead of opting in to organ donation.

In addition to the development and coordination of an advanced interprovincial organ-sharing system, the federal government must also facilitate the implementation of best practices and promote professional education and training opportunities. Canada is way behind on the issue of organ trafficking. In fact, the Council of Europe has had a convention against trafficking in human organs since 2008, and as of 2017, it has been ratified by 47 member states. Several countries, including Taiwan, Spain, and Norway, have already passed similar legislation. It is time for our country to catch up with the rest of the world and we can begin doing so today by supporting this bill.

It is not lost on many human rights defenders listening to this debate today that it is a profound anniversary marking the UN Convention on the Prevention and Punishment of the Crime of Genocide and the UN Universal Declaration of Human Rights 70 years ago. Those sentiments are inextricably linked after the horrors witnessed in World War II and the conviction of never again. I submit that those sentiments are profoundly linked here as well to Bill S-240. After World War II, the world sought to ensure such madness ensued against humanity never happened again. Organ

harvesting and trafficking are a nauseating reality and we must put a stop to them. Canada must act and must start by passing Bill S-240.

•(1110)

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Madam Speaker, I am pleased to join the debate on Bill S-240 and to take this opportunity to respond specifically to comments that have been made by many colleagues so far in this debate.

This bill, as members may know, would make it a criminal offence to receive an organ taken without the consent of the patient. This issue is morally clear-cut, and I think all speakers have agreed to that basic idea.

We are coming up towards the second reading vote, where we will vote on the legislation's principle. Members who have questions about some of the particulars but agree with the general principle should give this bill speedy passage at this stage so that we can make any necessary amendments at committee stage and still ensure that the bill becomes law before the next election. If further delays by Liberal members hold back progress in this Parliament, then we will have to start at square one in the next Parliament.

During previous speeches, members made observations about the extraterritorial application of Canadian law proposed in this case, that under this bill someone would be charged for getting an organ overseas for which there had not been consent. Members have generally agreed that we should be concerned about the basic human rights of non-citizens, and that we should seek to prevent Canadians citizens from violating the human rights of others while abroad.

The Parliamentary Secretary to the Minister of Justice discussed some of the challenges associated with prosecutions involving extraterritoriality. He noted that these cases can be difficult and expensive to prosecute, since they might require Canadian law enforcement to gather evidence overseas. This can be the case with extraterritorial prosecutions, but I would make two observations to counter concerns about the challenges associated with extraterritorial prosecutions in this particular case.

First of all, we should not fail to criminalize bad behaviour just because prosecution is difficult. Even if we are only able to prosecute a small number of cases, the deterrent effect of the law will go a long way. We criminalize child sex tourism already, presumably recognizing the challenges involved in prosecution but also hoping that the law and the possibility of prosecution deter and reduce these crimes.

Second, though, organ trafficking and harvesting is a special case insofar as prosecution should be relatively easier than prosecutions for other crimes where extraterritoriality is involved. Recipients of trafficked organs are a special case because they will necessarily have prior and follow-up medical needs, and the transplanted organ will have a clear physical indication of a transplant. Circumstances related to the transplant will give doctors, and therefore law enforcement, clear indication of whether a person showed gross negligence around verifying that the donor consented.

Private Members' Business

Let us consider a concrete example and imagine that a patient is on a waiting list for a heart. He says to his doctor, "Doc, great news, I'm going to get a new heart. My cousin set me up. I'm going to Beijing six weeks from today, and I'll come back with a new heart."

The doctor is perplexed. She replies, "That's not really possible. If there's a heart available for you, they're not going to keep it in the freezer for six weeks. The only way to plan that far in advance would be if doctors over there knew with certainty that someone who is a perfect match will die right before you arrive."

This is a case where lack of consent is relatively clear, even if the patient may not fully understand at first. If someone is receiving a vital organ from a recently healthy patient in a country where organ harvesting is common, and is being told well in advance when an organ will be available, it becomes absolutely clear that someone else is being executed in order to remove the organ, on a schedule based on the availability of the patient.

In this hypothetical case, there is some very strong evidence already that can help lead to a conviction. That evidence exists based on the medical needs of the patient to consult with a physician here in Canada before and after.

In the scenario I have laid out, ideally, the doctor would advise the patient of what is likely going on. If the patient proceeded to receive the trafficked organ, the doctor would currently have no recourse, legal or otherwise. However, if Bill S-240 passes, a doctor in that situation might stand a better chance of persuading the patient to try a different path.

She might say to him, "You might not know this, but you taking an organ under those circumstances almost certainly means that it is being taken from an unwilling patient, who is being executed in order to get you an organ. Receiving an organ taken from an unwilling source is a serious criminal offence in Canada, even if done abroad. If you proceed with this, any physician who sees you in Canada will be legally obligated to report that you have received a transplanted organ and the circumstances of that transplant will become clear."

It is hard to imagine a patient proceeding with his original plan after being presented with these new criminal law provisions and a reasonable probability of detection. While this is a case of extraterritorial application of criminal law, the medical realities mean fewer practical challenges.

The parliamentary secretary also mused about whether the reporting provisions in this legislation are overbroad. In an effort to ensure that any case of organ harvesting and trafficking is detected, a doctor is required to report the presence of a transplanted organ in every case. Might a narrower reporting mechanism achieve the same purpose?

• (1115)

The proper scope of the reporting mechanism is a good issue for the committee to study and should not be an impediment to those considering whether or not to support the bill at second reading, but still, I have a couple of observations at this point.

First of all, the parliamentary secretary argued about both the challenges of extraterritorial prosecution and a potential over-

broadness of the reporting provision. The broadness of the reporting provision is precisely aimed at responding to what would otherwise be the challenge of prosecution; the one is a partial solution to the other. Further, it should not be particularly complex or onerous for the government to keep track on a list of those who have received an organ transplant, such that it can be verified if an organ was received properly. Requiring that reporting happens in every case ensures that those who participate in organ trafficking would be held accountable.

There are a few other points to make in response to what has been said. The member for Edmonton Centre mused about whether this legislation should include cases in which organs are purchased. He notes, quite correctly, that the bill presumes that a person who sells his or her organs is doing so from a position of vulnerability and therefore the bill proposes not to allow the selling of organs under any circumstances.

I appreciate that the member for Edmonton Centre acknowledges both sides of this question, saying as well, "...I also recognize...the need to ensure that individuals, often from developing countries, who may be vulnerable to abuse given their own economic situation, are protected from potentially exploitative practices."

Let me make three points in response to this question about whether or not the bill should include a prohibition on purchasing organs abroad. First of all, this is also a subject where the application could be altered at committee. I would be sorry to see these provisions removed from the bill, but their presence should not be an impediment to supporting it at second reading given the possibility of amendment.

Second, the case the member for Edmonton Centre used, wherein a person goes overseas to buy an organ, in an environment with well-defined laws protecting the rights and the safety of the donor, is largely a fiction. There is a very small number of countries in the world where the buying and selling of human organs is legal and they are almost all very poor countries where the levels of health care are not anything resembling a respectable or desirable level. The decision by a healthy and aware person to sell their organ in a safe environment might be an interesting hypothetical for a philosophy seminar, but we should bracket that question and support measures that deal with the overwhelming reality of organ trafficking cases that involve exploitation.

Third, Canada does not allow the buying and selling of human organs domestically, so it is consistent with our Criminal Code to recognize the risks inherent in the commodification of human organs and the inherently exploitive nature of relationships in which people are selling body parts.

Private Members' Business

A number of members have said that there are no known cases of this practice happening in Canada, but whether or not the taking of human organs without consent has ever happened in Canada, the fact is that here in Canada it is already illegal and the bill deals with international organ trafficking, something we know is big and growing. It would be foolish to assume no involvement by Canadians in organ harvesting and trafficking. We have indeed heard anecdotally from hospitals of people going overseas to receive organs in China, although the particulars of the involvement of Canadians are obviously difficult to quantify. In the absence of a law prohibiting this practice, information about those going overseas to receive illicit organs should be released.

Let us move forward with the bill as quickly as possible and stop the excuses and delays. Let us make sure that we get this done before the next election.

• (1120)

Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.): Madam Speaker, I want to talk about sections 36 and 37 of the Immigration and Refugee Protection Act in my speech, which already address inadmissibility grounds with respect to criminality, serious criminality and organized criminality. That will be the majority of what I will be speaking about in my speech.

I am pleased to be able to take the floor to discuss Bill S-240, an act to amend the Criminal Code and the Immigration and Refugee Protection Act, which proposes new criminal law responses to tackle the issue of organ trafficking.

I would like to spend my time discussing the bill's proposed changes to the Immigration and Refugee Protection Act.

Members will likely be aware that the Immigration and Refugee Protection Act sets out a number of rules governing who is and who is not admissible to Canada. In particular, division 4, part 1 of the act specifies a number of situations where a foreign national or permanent resident will be inadmissible to Canada for reasons of security, for reasons of criminality of various types, or for having engaged in human or international rights violations.

Section 35 specifically articulates the grounds upon which a permanent resident or foreign national would be inadmissible for reasons of violating human or international rights, such as where the person has engaged in genocide or war crimes. Bill S-240 proposes to amend this section to provide that a permanent resident or foreign national would be inadmissible to Canada for having engaged in conduct that would constitute an offence captured by any of the four new offences proposed in this bill. This amendment raises interesting issues that I look forward to hearing more about during our debates here in the House.

In determining whether someone is inadmissible, Bill S-240 would require the minister to be satisfied that the individual engaged in conduct that is captured by the bill's proposed new offences. In the summary of the bill, it notes that the minister who would be responsible for making such determinations would be the Minister of Citizenship and Immigration. However, it is my understanding that the minister who is responsible for the inadmissibility sections of the Immigration and Refugee Protection Act is the Minister of Public Safety. It is unclear to me whether the sponsor of the bill is proposing that the ministerial responsibility for this new ground of

inadmissibility be different than what is currently the case. It is important to ensure that the bill would not result in a situation where ministerial responsibility is either misunderstood or inconsistently applied in this act.

I would also be interested to hear more from the bill's sponsor in the House of Commons as to whether amending section 35 of the Immigration and Refugee Protection Act is appropriate, given the focus of the section is on international rights violations. It is not clear to me why the amendments are proposed here, rather than in sections 36 and 37 of the act, which deal with inadmissibility on the grounds of criminality, serious criminality and organized criminality.

I would also like to note that another private member's bill, Bill C-350, introduced by the sponsor of Bill S-240 in the House, dealing with the same issue, would amend section 37 instead of section 35. There appears to be some uncertainty as to where this kind of change should be made, and I am interested in hearing more about this in the House.

More fundamentally, I wonder whether this type of amendment is even needed. The Immigration and Refugee Protection Act already contains a number of different grounds upon which a person may be found inadmissible to Canada. Specifically, sections 36 and 37 of the act already address inadmissibility on grounds of criminality, serious criminality and organized criminality. These provisions, in my view, are broad enough to capture the conduct targeted by the proposed amendment. For example, permanent residents or foreign nationals are inadmissible to Canada for engaging in serious criminality. While "serious criminality" is not defined, the provision makes clear that it includes engaging in conduct abroad that was an offence in the place where it occurred and that if it had been committed in Canada it would constitute an offence punishable by a maximum penalty of at least 10 years' imprisonment.

• (1125)

Under this rule, a foreign national or permanent resident who engages in conduct that would be criminalized by the offences proposed in Bill S-240 would be inadmissible. I wonder then what the rationale is for specifically enumerating a new ground of admissibility.

The same holds true for subsection 36(2), which states that a foreign national is admissible to Canada for having been convicted of an offence outside of Canada that, if it were committed in Canada, would have constituted an indictable offence.

Beyond the question I have already raised concerning the need for specific amendments of the Immigration and Refugee Protection Act, I would like to spend a few moments talking about what may be unintended consequences of Bill S-240.

As has already been discussed in previous speeches, one of the proposed new offences will criminalize any person who obtains or facilitates obtaining an organ from the body of another person where he or she knows or was reckless as to whether the organ was obtained for consideration. Others have spoken about how this would capture individuals who travel abroad to obtain an organ that was purchased in a country where it would be legal to do so. However, it is not only limited to this conduct.

Private Members' Business

For example, proposed subsection 240.1(3) will also criminalize medical practitioners who participate in the organ transplant surgery in the country where it is legal to do so. Under Bill S-240, that person will also be inadmissible to Canada. I wonder if this is an appropriate outcome.

I raise these questions because I strongly believe we need to fully appreciate the implications of any legislation that is brought before us. I do not believe that to this point, Bill S-240's proposed changes to the Immigration and Refugee Protection Act have benefited from the kind of detailed debate that is required. In fact, based on my review of the parliamentary record, I could not find a single question raised in the other place about the implications associated with Bill S-240's immigration-related proposals.

There can be no doubt that the issue of illicit organ trafficking is a serious one. There equally can be no doubt that we, as parliamentarians, are united in our concern and commitment to identifying appropriate solutions to address the behaviour of those who would seek to exploit the vulnerable, with no regard for their health or well-being.

Nevertheless, we should not let the seriousness of the issue detract from our responsibility to closely examine and, where possible, improve upon legislation that is brought before us. A number of issues have been identified with Bill S-240 that require more detailed examination, and I look forward to our continued consideration of them.

• (1130)

Mr. Len Webber (Calgary Confederation, CPC): Madam Speaker, it is my pleasure to rise today to speak to Bill S-240, a Senate bill that was brought forward to the House by the Conservative member for Sherwood Park—Fort Saskatchewan. I know the member is passionate about this issue and has worked hard to bring this legislation to this point, so I thank him.

The RCMP has stated the obvious. It says that there are far more people in the world in need of a new organ than there are organs available. As in any market where a dollar can be made because demand far outweighs supply, people can turn to the black market to find what they need. When a person's life is on the line, the will to survive may override morals.

As members in the House may know, I have been a passionate advocate for finding improvements to Canada's organ and tissue donation systems. While 90% of Canadians support organ donation, just 20% are registered as organ donors. There are 4,500 Canadians desperate for a life-saving transplant, and 250 die each year before that life-saving transplant becomes available.

If we can increase the supply of organs, we can reduce or eliminate the desperation that leads people to take such drastic measures to save their own lives.

The problem of organ trafficking is not just a Canadian problem. The World Health Organization says that 10% of all organ transplants involved a trafficked organ. This is about 10,000 a year, every year.

The country of Iran stands alone in the world as the only nation with a legal organ trade. However, the trade is closely monitored and

it has eliminated the wait-list for kidneys. However, I do not believe the end justifies the means either.

On a positive note, it has spurred the rate of donations from deceased donors in Iran. It is important to note that deceased donors are not paid.

Organ trafficking is a horrible phenomenon that can be crudely reduced to this: Rich nations take advantage of poverty in poor nations to satisfy their need for organs. A Harvard study showed that the main purchasing nations were the United States, Australia, the United Kingdom, Israel, Japan and, yes, Canada. We target nations in South America, Asia and Africa. In India alone, it is estimated that 2,000 kidneys are sold each year.

This trade is big business. Profits are estimated to be between \$600 million U.S. and \$1.2 billion U.S. per year.

Organ trafficking is done through what is generally known as "transplant tourism". Those in need of a transplant travel to one of these poorer nations to undergo their transplant under the auspices of a vacation. There are even websites that offer all-inclusive transplant packages for these so-called tourists. A kidney transplant, for example, will mean a transplant vacation costing anywhere from \$70,000 U.S. to \$160,000 U.S. Canada does not have a law that prevents this.

While kidneys are the most commonly traded organ, it does not stop there. Other common transplants involve hearts, livers, lungs, pancreases and corneas. Human tissue is also illegally traded.

The trade involves three basic groups, according to the United Nations' global initiative to fight human trafficking: traffickers, who force or deceive victims into giving up an organ; victims who have their financial desperation used against them to give up their organs; and victims who are deceived into a medical procedure during which they have an organ removed without their prior knowledge.

Like any other illegal trade supported by organized crime, there are many layers of offenders. There are the recruiters, both for donors and recipients; the vulnerable people, who are the victims; the immoral medical people and facilities; the buyers; the facilitators; and more.

What do we do to address this problem? Of course, if we had enough donors in Canada, people would not be desperately mortgaging their homes or spending their retirement savings to get that life-saving transplant.

• (1135)

I do not blame people who are facing death for taking whatever steps they can to save themselves. They are just as much a guilty party in this trade as they are a victim of the trade. However, we need to take a stand on this issue if we are to stop it.

Before I go any further, it is important to clarify this would not prevent a truly informed and consenting person from donating an organ to someone in need. We are talking about unethically obtained organs.

Private Members' Business

Bill S-240 seeks to amend the Criminal Code to create new offences in relation to trafficking in human organs. It would also amend the Immigration and Refugee Protection Act to provide that a permanent resident or foreign national would be inadmissible to Canada if the Minister of Immigration, Refugees and Citizenship were of the opinion that he or she had engaged in any activities relating to trafficking in human organs.

We face an interesting problem in the world of illegally obtained organs. Unlike other contraband items, customs officers cannot just seize an organ at the border. How can we tell if that tourist coming back to Canada has the same heart he or she left with weeks earlier? It would be a very difficult crime to detect. In many ways, the only way to detect this activity would be when those Canadians would go to their doctor, who suddenly would notice they had surgical scars and signs of a new organ.

Section 240 of the bill would require health professionals to notify a designated authority of such activity for investigation. Anyone found guilty of contravening these new prohibitions would be subject to up to 14 years in prison. I have concerns about the kind of relationship this would set-up between doctors and patients, but there really is no other way to do this.

Where does that leave us today? There is a saying that I think is very appropriate here, "When all is said and done, there is often a lot said and little done." There have been four bills before Parliament in the past 10 years on organ trafficking, but yet we stand here today and continue to talk. It is time we get something done instead. Until we take aggressive steps to stop organ trafficking, the practice will continue to victimize thousands more every year.

Let us get the legislation enacted before the next election. If we do not, the whole process would have to start all over again. What a waste of time and money that would be. Thousands more could be victimized in the process.

At the same time, let us pass legislation like Bill C-316, my bill, which would help eliminate the demand for organ trafficking. Let us also focus more effort on acting on the recommendations of the health committee to improve our domestic supply of organs and tissues. Let us better promote the registration of organ and tissue donors, so our supply will exceed our demand. Honestly, imagine a day when people come to Canada to get a life-saving transplant because we have too many available organs. Would that not be an amazing goal?

Again, I applaud the Conservative member for Sherwood Park—Fort Saskatchewan for putting the legislative proposal forward in the House. I look forward to voting in support of it.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Madam Speaker, I am going to start by tying up a loose end. Some members have spoken and raised the question of whether, effectively, this is already captured by other provisions of the Criminal Code.

The parliamentary secretary to the minister of science made comments that might be construed to this effect. She spoke about provisions around human trafficking, including human trafficking for the purpose of the organ, which can be applied extraterritoriality. She also spoke about how the harvesting of human organs would

likely involve the commission of other crimes, such as assault if it were to take place here in Canada.

However, I want to be clear that human trafficking for the purpose of extracting an organ and the trafficking of organs are two different things. For example, someone who receives a harvested kidney is not, strictly speaking, engaging in human trafficking, but organ trafficking; hence, the need for new offences with clear extraterritorial application.

While organ harvesting would necessarily involve other offences, those offences, like assault, do not have extraterritorial application. There are no current laws that involve the extraterritorial application of prohibitions against the trafficking of human organs. My friend from Kitchener South—Hespeler spoke about whether existing provisions around inadmissibility could be applied in this case. He spoke about serious criminality and organized criminality.

Let us be clear, first of all, that we have not seen prosecutions related to this in the past, and colleagues who think that the existing provisions of the Immigration and Refugee Act or the Criminal Code are sufficient should hopefully be able to point to cases where this crime has actually been prosecuted. Given that none have been raised in the House, it suggests to me that we actually do need to clarify and strengthen the offences such as they exist.

In terms of this issue of serious criminality and organized criminality, we are talking about offences that offend any basic sense of morality but are not necessarily illegal in the country where they take place. We have spoken about the case of one country that seems to have systemized and organized process of organ harvesting from political prisoners. Therefore, provisions that deal with inadmissibility to Canada based on the commission of an offence in the country where it is committed would not apply in this case, because someone might be doing something involving organ harvesting and trafficking from political prisoners. That is legal and, in fact, state policy in one country, but we would seek to apply the extraterritoriality provisions here in Canada.

There is a need for laws to address an issue that is perhaps hinted at around the edges of the existing provisions of the Immigration and Refugee Act and the Criminal Code, but is very clearly not explicitly illegal. Again, if members opposite think that those provisions are sufficient or do exist, then they should be able to point to cases where prosecutions have happened. As my colleagues have quite effectively pointed out, we know that this happens and that Canadians are involved, and yet we are not seeing prosecution of it.

Regardless of whatever arguments one might make about the text of the law, the fact that this is going on without its being prosecuted should be clear enough evidence that we need to strengthen the legislative work. If nothing else, the reporting mechanism in this legislation would create a mechanism whereby these extraterritorial offences could be effectively prosecuted.

The other points that have been raised have been responded to effectively by my colleagues. I just mention as well quickly that the member for Kitchener South—Hespeler spoke about the possibility that medical practitioners could be deemed inadmissible to Canada in cases where they might be involved in something related to this.

•(1140)

Those who are involved in illicit organ harvesting and trafficking could be deemed inadmissible to Canada, but there is ample space in the legislation proposed for the discretion of the minister. Inadmissibility to Canada is based on assessments made by the Government of Canada, which can weigh various criteria in each case. If there were a concern about people being caught up in the net of this who should not be, again that would be dealt with by the provisions that allow discretion. In fact, the legislation says that prosecutions under Bill S-240 cannot proceed without the explicit consent of the attorney general. These are ample provisions to ensure that there is not some indirect application to people whom it should not be applied to.

We have to take action to help the vulnerable here. There are many details in this bill that should be discussed in greater detail at committee. If people have constructive ideas for amendments, doing so at committee is the right place for that.

However, let us make a clear statement on the principle of the bill. That is what we do at second reading. We go on the principle of the legislation. This is the fourth bill in 10 years on this. I think we should all agree with the principle that Canada cannot, in good conscience, consent to the trafficking and harvesting of human organs from nonconsenting people, that we can take a clear and moral stance on this fundamental human rights issue, the details of which can be worked out at committee to the extent they need to be.

Let us now, at second reading, take a clear stand and move this forward by sending it to committee.

•(1145)

The Assistant Deputy Speaker (Mrs. Carol Hughes): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Assistant Deputy Speaker (Mrs. Carol Hughes): I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Foreign Affairs and International Development.

(Motion agreed to, bill read the second time and referred to a committee.)

The Assistant Deputy Speaker (Mrs. Carol Hughes): The House is suspended until 12 o'clock.

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POINTS OF ORDER

SCHEDULING OF ADJOURNMENT PROCEEDINGS

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Madam Speaker, I rise on a point of order. I might as well use this time to raise a matter of order. I know that the Speaker may need to come back to the House on it, but it is something that requires some clarification.

Standing order 53.1(2) indicates that a take-note debate ordered by the House pursuant to section 1 of the Standing Orders shall begin at the ordinary hour of daily adjournment and any proceedings subject

Government Orders

to standing order 38, what we conventionally call “late shows”, shall be suspended on that day. My reading of that provision is that those late shows are suspended, which means that a member whose late show is scheduled to expire that day could schedule that late show for the following day.

Standing order 38 refers to the fact that late shows have to be scheduled within a set period of time, but that set period of time applies to sitting days.

My reading of standing order 53.1(2) is that a member's late show suspended on the current day can be rescheduled for the next day even if the current day is the expiry date. That is my reading of it.

I would like to have some clarification from the Chair about whether or not I can schedule a late show tomorrow for one that was supposed to take place today.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, I rise on that point of order. You can reflect on the comments mentioned by the member if you like, but I believe that the House was actually suspended, so if anything, that point of order should be stricken from the record.

The Assistant Deputy Speaker (Mrs. Carol Hughes): Thank you to both members. Both points were done in conjunction. I will come back to the House if need be on this.

SUSPENSION OF SITTING

The Assistant Deputy Speaker (Mrs. Carol Hughes): At this point, the House is suspended until 12 o'clock.

(The sitting of the House was suspended at 11:48 a.m.)

SITTING RESUMED

(The House resumed at 12 o'clock)

GOVERNMENT ORDERS

•(1200)

[English]

CRIMINAL CODE

BILL C-51—TIME ALLOCATION MOTION

Hon. Bardish Chagger (for the Minister of Justice and Attorney General of Canada) moved:

That in relation to the Senate amendments for Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act, not more than one further sitting day shall be allotted to the consideration of Senate amendments to the bill; and

That fifteen minutes before the expiry to the time provided for Government Orders on the day allotted to the consideration of the Senate amendments of said bill, any proceedings before the House shall be interrupted, if required, for the purpose of this Order, and in turn every question necessary for the disposal of the state of the bill then under consideration shall be put forthwith and successively without further debate or amendment.

Government Orders

[Translation]

The Assistant Deputy Speaker (Mrs. Carol Hughes): Pursuant to Standing Order 67.1, there will now be a 30-minute question period. I invite hon. members who wish to ask questions to rise in their places so the Chair has some idea of the number of members who wish to participate in this question period.

The hon. member for Durham.

[English]

Hon. Erin O'Toole (Durham, CPC): Madam Speaker, I guess it is fitting for this government that we, in the final days of sitting in this chamber, are again talking about its favourite parliamentary procedure, time allocation, something that the Liberals said that they would never use when they were in opposition. Today we have time allocation on Bill C-51, particularly on the amendments by the Senate, the same Senate the Prime Minister said he was liberating by appointing independent senators to, because he wanted their feedback. He wanted additional debate. Today, they are once again shutting down that additional debate in the House.

This once again is an example of the Liberal government ramming things through. I am going to remind my friend from Winnipeg North that in 2011, the first time he spoke about time allocation, the first of many times he complained about it, he said that its use would mean he was “abandoning every principle I have on parliamentary tradition”. Abandoning principles seems to be all they have done in government.

My question is for either the minister or the member for Winnipeg North regarding the desire to have independent input from the Senate, with the changes made to the other place by the Prime Minister. Bill C-51 is an example of that additional insight from the Senate. I spoke last week on it. Why is the government curtailing debate on Bill C-51 through the use of time allocation? Once again, the Liberals are not adhering to their promises on omnibus bills or time allocation, nor are they keeping with the Prime Minister's promise to have an independent Senate that could provide input on bills. Why are they using time allocation and discounting the input from Senator Pate and others?

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, I acknowledge the comments by my friend and colleague across the way. My favourite parliamentary procedure, one of the favourite duties I have in this place, is passing good laws that are informed by robust consultation.

I believe the member for Winnipeg North would agree with me that we have had substantial debate on Bill C-51. The bill benefited from the very direct engagement of the hon. members in the other place. We have taken serious account of their message back and have recognized that their proposed amendment is well intentioned. We are committed to continuing to work with the hon. senators and Canadians generally, as we seek to move forward and look at the law of consent and the incapacity to consent. This is something on which there will be ongoing discussion, dialogue and commitment by our government.

•(1205)

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Madam Speaker, I have found myself, as a New Democrat, in the awkward position of agreeing with the work the Senate has

done. I was one of those who voted in favour of Bill C-51, because I agree with the focus of the bill and the provisions in it. Ultimately, what the Senate has attempted to do reflects very much what I attempted to do at the Standing Committee on Justice and Human Rights.

My issue with the government's approach and its parliamentary tactics comes from the fact that for the various justice bills, Bill C-32, Bill C-39, Bill C-51 and Bill C-75, the Minister of Justice could very well have packaged many of the inoperative provisions of the Criminal Code in Bill C-39 and Bill C-51 in one bill that would have passed through Parliament relatively quickly. Instead, she packaged in some other provisions that have been more contentious, and therefore, has forced the government to use extraordinary measures like time allocation.

With all the evidence from legal experts over the years who have talked about the inoperative provisions of the Criminal Code, why could the Minister of Justice not have packaged the provisions in Bill C-39 and Bill C-51, which would not have had any argument, in one bill? Instead, three years into the government's mandate, we find ourselves still deliberating on these provisions, and nothing has changed.

Hon. Jody Wilson-Raybould: Madam Speaker, my colleague across the way sat on the justice and human rights committee, which has debated many justice bills.

As for the member's characterization of parliamentary tactics, the only parliamentary tactic I employ and that our government employs is to work as co-operatively as we can with all members in the House to have informed debate about particular bills the government puts forward, seeking feedback from hon. members in this place and the other place and valuing the work done at committee.

With respect to all the justice bills that have been advanced, we have been working expeditiously to move forward with Bill C-39, Bill C-51 and Bill C-75 so that we clean up the so-called zombie provisions and the unconstitutional provisions. I would look to all hon. colleagues in this place to work with us to make sure that these pieces of legislation move forward as expeditiously as possible.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Madam Speaker, it is encouraging that in Bill C-51 there are provisions that would remove sections of the Criminal Code that have been found to be unconstitutional by appellate courts. However, following up on the question put by my friend for Cowichan—Malahat—Langford, it is disappointing that the government still has not removed unconstitutional sections, sections the Supreme Court of Canada has found to be of no force or effect.

Government Orders

It has now been over two years since Travis Vader had his conviction on two counts of second degree murder overturned as a result of the application of an inoperative section. Two years later, Bill C-39 remains stuck at first reading. The only thing preventing inoperative sections of the Criminal Code from being removed is the government. Can the minister explain to the McCann family why, after two years, they are still waiting for section 230 and other inoperative sections of the Criminal Code to be removed?

Hon. Jody Wilson-Raybould: Madam Speaker, I am happy to speak to the comments and questions from my colleague across the way with respect to the then Bill C-39, which is now incorporated in the broad criminal justice reforms contained within Bill C-75.

I am very pleased that Bill C-75 has passed third reading in this place and is in the other place for debate and discussion. We look forward to its deliberations with respect to these very important and bold reforms presented in Bill C-75. I would look to all members in the House to assist in encouraging the members in the other place to proceed in an expeditious fashion so that the provisions the member opposite references will be passed as part of Bill C-75 and we can remove those provisions from the Criminal Code.

• (1210)

Mr. Charlie Angus (Timmins—James Bay, NDP): Madam Speaker, I find it very interesting that we are debating this minister's attempt to shut down discussion on serious provisions in the justice bills being brought forward in the same week the minister has her lawyers at the B.C. Supreme Court arguing that residential school survivors from St. Anne's do not have the right to procedural fairness.

Now, the minister is a lawyer. She would know that procedural fairness is a fundamental principle of law. For example, in the case of H-15019, a survivor of horrific child rape, the minister's staff sat on evidence of a perpetrator and then fought this survivor every step of the way, all the way to the Supreme Court. It is now arguing that survivors do not have the right to procedural fairness for the injustices committed by her officials. The minister has spent—what is the number?—\$2.3 million fighting these survivors, and she is at the Supreme Court this week.

In light of all the documents they have attempted to seal under sealing orders, including the Phil Fontaine affidavit, which accuses the government of breaking its word, how is it possible that we have such belief in this minister to do the right thing and that she would treat survivors of residential school abuse in such a manner? How is it possible?

Hon. Jody Wilson-Raybould: Madam Speaker, I would like to unequivocally state that I do not agree with the member opposite's characterization of the work we are doing.

I will say, with respect to his comments about shutting down debate and discussion, that with respect to the issue at hand, Bill C-51, this House has debated Bill C-51 for a total of 10 and a half hours, including three hours of debate on the message from the other place. The Senate debated Bill C-51 for four hours. It benefited from a total of 19.5 hours of study at committee, between the House and the Senate, which heard from 63 witnesses.

We are talking about Bill C-51. I look forward to having this become law so we can ensure that we codify the Supreme Court of

Canada decision in *R. v. J.A.*, that we further support sexual assault victims and that we ensure that we can move forward with charter statements that will be introduced with all government legislation once this bill becomes law.

Mr. John Nater (Perth—Wellington, CPC): Madam Speaker, Bill C-51, Bill C-57, Bill C-87, Bill C-88, and Bill C-21, all of these bills have had notice given of time allocation in the last week we are sitting before the Christmas break. Is this not just another indictment of the failure of the Liberal government when it comes to managing the business of the House?

The Liberal government said it was going to do things differently. All of a sudden, like the kid who spent the entire semester at school partying, when that final assignment comes due, it is a rush to try to get it in, in the nick of time, before the deadline. Is this not just another example of the Liberals' failure to manage the business of this place?

Hon. Jody Wilson-Raybould: Madam Speaker, of course, I reject the characterization of the significant work our government is doing to move forward with many pieces of significant legislation and to look to this House and to Canadians for input, debate and discussion on how we can move forward with what our government has committed to in terms of law reform.

To characterize this as last-minute, reflects the lack of importance the member opposite places on engaging with Canadians, having robust discussion, and listening to committees and hearing their recommendations and incorporating them to improve government bills.

This is a commitment our government will continue to follow to ensure that our laws benefit from the vast experience, in this case, of criminal justice stakeholders and victims groups. We will not disregard that. We have been working in a consistent manner, from day one, to ensure that our legislation, the bills we introduce in this place, reflects the desires of Canadians. It is our responsibility to ensure that these bills move forward in the most expeditious manner possible.

• (1215)

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Madam Speaker, I am not satisfied with the minister's previous response to my question. We can look at the legislative track record of the Minister of Justice, starting with Bill C-28, the victim surcharge bill, which was rolled into Bill C-75. We had Bill C-32, which was rolled into Bill C-39, which was then rolled into Bill C-75, and now we have Bill C-51.

I talked about tactics. Time allocation is a tactic. It would have been an unnecessary one if we could have dealt with the substantive provisions in all those bills, but instead, the government's strategy was to basically string us along with the introduction of these justice bills that would clean up the inoperative provisions of the Criminal Code and then leave them in some kind of purgatory stuck at first reading.

When the Minister of Justice took office, everyone knew that there were zombie provisions in the Criminal Code that had to be cleaned up. This has been a topic of discussion for decades, and every year, the Criminal Code is faithfully reproduced with all of these mistakes.

Government Orders

Again, why did the Minister of Justice, in 2016, the first year of her mandate, not take the provisions in Bill C-32 and Bill C-39 and elements of Bill C-51 and package them in one bill? We could have had that passed, done and dusted by now, but instead, they were rolled up with contentious provisions, and they are still being debated. Bill C-75 has only just been sent to the Senate. Who knows how long it is going to take there?

Hon. Jody Wilson-Raybould: Madam Speaker, in terms of reintroducing the Criminal Code, I am incredibly proud to be part of a government that has taken action, which has not been taken for decades, as the member mentioned, to ensure that we have a modernized Criminal Code, that we remove the unconstitutional provisions, the zombie provisions, that we update the laws around sexual assault and intimate partner violence and that we look at the victim fine surcharge as well as section 159. All of these are issues raised in government bills the member opposite has spoken to.

We are moving forward with comprehensive reform of the criminal justice system, and that starts with looking, in a substantial manner, at the Criminal Code. This is what we have sought to do and what is contained in Bill C-51 and also in Bill C-75.

I look forward these two pieces of proposed legislation becoming law so that we can do what has not been done for far too long, which is modernize the Criminal Code.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, one of the things we need to emphasize is that in preparation for bringing forward Bill C-51 and previous legislation, there has been a great deal of background work with many stakeholders in different jurisdictions. I wonder if the minister could provide her thoughts on the importance of having done a lot of the preliminary work and give us a sense of some of the background work leading to the introduction of the legislation itself. Not only has there been a thorough debate, with questions and answers, in committee and in debates inside the chamber, there was also a great deal of consultation prior to the legislation even being introduced.

Hon. Jody Wilson-Raybould: Madam Speaker, when we formed government, we could have, as has been suggested here by members opposite, introduced legislation to do what potentially we knew needed to be done. However, we sought to engage broadly to get feedback to ensure that the commitments the Prime Minister asked me to address in terms of a robust review of the criminal justice system, including sentencing reform, were done in a manner that was reflective of what Canadians were saying and what the actors in the criminal justice system were saying.

We engaged right across the country in a series of many round tables in each jurisdiction to get feedback from not only defence counsel, prosecutors and the judiciary but from victims groups. I also engaged in three separate federal, provincial and territorial meetings with my counterparts to come up with the bold and necessary reforms we make to address delays, efficiencies, and effectiveness in the criminal justice system.

As well, we had forums where we talked about sexual assault and what we could do in terms of improving the laws around sexual assault and making them compliant with the Supreme Court of Canada decisions. We did this in consultation with actors in the

criminal justice system, victims and representative groups not only here in Ottawa but across the country. We provided a report on our consultations entitled "What we heard".

● (1220)

Mr. Jim Eglinski (Yellowhead, CPC): Madam Speaker, I was appalled when I heard that the Liberal government was trying to remove section 176 of the Criminal Code. This is the only section of the Criminal Code that can directly protect the rights of individuals to freely practise their religion, whatever that religion might be. It was recently used in a case on June 9, 2017 here in Ottawa.

Why did the Liberals back down on removing section 176? Was it due to public backlash and they did not properly investigate this? Why are they not trying to hybridize this under Bill C-75?

Hon. Jody Wilson-Raybould: Madam Speaker, I believe I understand the member's question. With respect to section 176, he characterized it as backing down, but what we did is we listened to what the committee members sought to say around religious officiants and we recognized the recommendation in terms of the amendments that the House of Commons Standing Committee on Justice and Human Rights made and acknowledged that and accepted that. We did make some amendments to ensure that this reflected all religious officiants as opposed to the confined way it was drafted in terms of the amendments that were proposed at the House committee. Basically the answer is that we listened to what the House of Commons committee said. That is the importance of committees in this place that we take incredibly seriously.

In terms of hybridization of offences, we are proposing in Bill C-75, which is not the bill at issue here today, a number of offences to be hybridized, to contribute to the broad and bold criminal justice reforms that will address delays, efficiencies and effectiveness in the criminal justice system. By hybridizing certain offences, it gives prosecutors the ability to exercise their discretion and proceed in terms of criminal charges in the most expeditious manner as appropriate to the circumstances of a particular case.

Hon. Erin O'Toole (Durham, CPC): Madam Speaker, one of the good things about time allocation is it does give us more time with the minister here on the floor of the House of Commons, particularly to speak on justice issues. I spoke in debate on the bill last week with respect to the charter statement document that her department is developing for each piece of legislation. My concern about this so-called charter statement is that it could send a chill suggesting the government feels that there would be no charter claims available, when it is not Parliament but a court that determines whether there is a charter violation.

Government Orders

I refer the minister specifically this morning to the editorial by Chief Fox on Bill C-69 in *The Globe and Mail* demonstrating that the charter statement in that piece of legislation obviously did not respect the views of many indigenous leaders. We are talking about justice, about the charter statements. I would like the minister to comment on how her department consults with respect to charter statements for government legislation if there are indigenous rights underlying the substance of the bill. Chief Fox's commentary was on Bill C-69 and its anti-pipeline focus, but I would like the minister to comment broadly on the use of charter statements and how she obtains input from indigenous leaders in the preparation of those statements.

Hon. Jody Wilson-Raybould: Madam Speaker, I appreciate the member for Durham raising charter statements because one of the significant pieces of Bill C-51, when hopefully it becomes law, is it will be a direct responsibility of the government to introduce a charter statement with each piece of government legislation.

I would be happy to speak with the member for Durham at any time, not necessarily in the House, about the robust legislation and activities of the Department of Justice. I would extend that invitation to him.

In terms of charter statements, they are the responsibility of the Minister of Justice to look at government legislation. Charter statements are not legal opinions, but they detail where the charter is potentially engaged by a piece of legislation that the government is putting forward. It provides a window into how government decisions are made or the thought processes that government went through in terms of putting forward a piece of legislation. This is something that has not been done before. This is something that is contained within Bill C-51. With the coming into force of that bill, the charter statements will be applicable to all pieces of government legislation.

● (1225)

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Madam Speaker, the hon. minister alluded to the repeal of section 159 of the Criminal Code. Section 159 is another unconstitutional section relating to anal intercourse. More than two years ago, with a whole lot of fanfare, the government introduced Bill C-32 to repeal section 159. Bill C-32 was such a priority of the government that the bill remains stuck at first reading.

The Liberals then, as the member for Cowichan—Malahat—Langford pointed out, rolled Bill C-32 into Bill C-39, which would remove, in addition to section 159, other unconstitutional sections. Bill C-39 is such a priority of the government that after being introduced on March 8, 2017, it remains stuck at first reading and two years later, section 159, an unconstitutional section, remains there in black and white in the Criminal Code. Can the minister explain this?

Hon. Jody Wilson-Raybould: Madam Speaker, again to the question and comments of my colleague across the way with respect to section 159 and the legislation that has now been put into Bill C-75, removing this provision in the Criminal Code is a priority of our government, as are all of the provisions contained within Bill C-75. I am very pleased that Bill C-75 has passed third reading in this House and will be debated and discussed in the other place. I look forward to the results of the deliberations from the other place.

I would say that we are committed to ensuring that Bill C-75 moves through the parliamentary process, benefits from the parliamentary process and becomes law as soon as possible. From what I can account for from the member's comments is that there are major pieces within Bill C-75, if not the entirety of Bill C-75, that are in the interest of moving forward and amending the Criminal Code and addressing the issues that have been raised by members in this place.

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Madam Speaker, I appreciate the Minister of Justice being here today.

The member for Durham raised the question on the process of charter statements. Recently, we had some debate in this place regarding the back to work legislation for Canada Post. A former justice and current senator described the charter statement put out by the Minister of Justice in very negative terms, which I will not use here today. I also read the statement. It was a page and a half fig leaf giving the government some sort of charter coverage, so to speak, in regard to it.

The minister has said that this process will be continuing on for each piece of legislation. How much direction does the minister give to her staff in the Ministry of Justice, and how much political imperative does she give, or is there an objective process? I would hope she would be willing to explain that, because parliamentarians would like to know the answer.

● (1230)

Hon. Jody Wilson-Raybould: Madam Speaker, again I am pleased to stand up and speak to the charter statement, which is a very substantial part of Bill C-51. I have, as the Minister of Justice, introduced charter statements with each piece of government legislation that I have introduced in this place. I will say that charter statements are meant to be informative. Charter statements are meant to make the thoughts and the thinking behind government legislation accessible to Canadians, not to provide legal advice to Canadians or legal advice to this place. As the Minister of Justice and the Attorney General and the chief law officer of the government, I provide legal advice to the government.

What I believe is incredibly useful, and I have had feedback in this regard, is to have a discussion about where the charter is engaged with respect to specific pieces of legislation and to reference case law that has considered the issues in terms of specific charter sections to give an idea or window into government legislation and where the charter may or may not be implicated. This is the idea behind this. Again, it is not legal advice.

I will not comment on comments that were made by the hon. members of the other place, but I take great pride in ensuring that our charter statements provide the information and the accessibility not only to members in Parliament but to Canadians generally. This is a practice that will continue. This is a practice that has assisted in terms of getting a window into the eyes of where the charter is implicated in terms of government legislation.

[*Translation*]

The Assistant Deputy Speaker (Mrs. Carol Hughes): It is my duty to interrupt the proceedings and put the question necessary to dispose of the motion now before the House.

Government Orders

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

Some hon. members: Agreed.

Some hon. members: No.

The Assistant Deputy Speaker (Mrs. Carol Hughes): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Assistant Deputy Speaker (Mrs. Carol Hughes): All those opposed will please say nay.

Some hon. members: Nay.

The Assistant Deputy Speaker (Mrs. Carol Hughes): In my opinion the nays have it.

And five or more members having risen:

The Assistant Deputy Speaker (Mrs. Carol Hughes): Call in the members.

• (1310)

[*English*]

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

(*Division No. 976*)

YEAS

Members

Aldag	Alghabra
Amos	Anandasangaree
Arseneault	Arya
Ayoub	Badawey
Bagnell	Baylis
Bennett	Bibeau
Bittle	Blair
Boissonnault	Bossio
Bratina	Breton
Brison	Caesar-Chavannes
Carr	Casey (Cumberland—Colchester)
Chagger	Champagne
Cuzner	Dabrusin
Damoff	DeCoursey
Dhaliwal	Dhillon
Drouin	Dubourg
Duclos	Duguid
Duncan (Etobicoke North)	Dzerowicz
Easter	Ehsassi
El-Khoury	Ellis
Erskine-Smith	Eyking
Eyolfson	Fergus
Finnigan	Fisher
Fonseca	Fortier
Fraser (West Nova)	Fraser (Central Nova)
Fuhr	Gameau
Gerretsen	Goldsmith-Jones
Goodale	Gould
Graham	Hajdu
Hardie	Harvey
Hébert	Hehr
Hogg	Holland
Housefather	Hutchings
Iacono	Joly
Jordan	Jowhari
Lambropoulos	Lametti
Lamoureux	Lapointe
LeBlanc	Lebouthillier
Lefebvre	Leslie
Levitt	Lightbound
Lockhart	Long

Longfield	Ludwig
MacAulay (Cardigan)	MacKinnon (Gatineau)
Massé (Avignon—La Mitis—Matane—Matapédia)	
May (Cambridge)	
McCrimmon	McDonald
McGuinity	McKay
McKinnon (Coquitlam—Port Coquitlam)	McLeod (Northwest Territories)
Mendès	Medicino
Mihychuk	Miller (Ville-Marie—Le Sud-Ouest—Île-des-Socurs)
Murray	
Ng	Nassif
Oliphant	O'Connell
O'Regan	Oliver
Paradis	Ouellette
Peterson	Peschisoldo
Philpott	Petitpas Taylor
Poissant	Picard
Ratansi	Qualtrough
Robillard	Rioux
Romanado	Rogers
Ruimy	Rota
Sahota	Rusnak
Sajjan	Saini
Sarai	Samson
Schiefke	Scarpaleggia
Serré	Schulte
Shanahan	Sgro
Sidhu (Mission—Matsqui—Fraser Canyon)	Sheehan
Sohi	Sikand
Spengemann	Sorbara
Tan	Tabbara
Tootoo	Tassi
Vandal	Trudeau
Vaughan	Vandenbeld
Wilkinson	Whalen
Yip	Wilson-Raybould
	Zahid — 152

NAYS

Members

Aboultaif	Albas
Albrecht	Alleslev
Allison	Anderson
Angus	Arnold
Barlow	Barsalou-Duval
Beaulieu	Benson
Benzen	Bergen
Berthold	Block
Boucher	Boudrias
Boutin-Sweet	Cannings
Caron	Carrie
Choquette	Cooper
Deltell	Diotte
Doherty	Dreshen
Duncan (Edmonton Strathcona)	Eglinski
Falk (Battlefords—Lloydminster)	Falk (Provencher)
Finley	Fortin
Gallant	Garrison
Gill	Gladu
Gourde	Hardcastle
Hughes	Jeneroux
Johns	Kelly
Kent	Kitchen
Kmiec	Kusie
Kwan	Laverdière
Liepert	Lloyd
Lukiwski	MacGregor
MacKenzie	Maguire
Marcil	Martel
Mathysen	McCauley (Edmonton West)
McColeman	McLeod (Kamloops—Thompson—Cariboo)
Motz	Nater
O'Toole	Paul-Hus
Poilievre	Quach
Rankin	Rayes
Rempel	Richards
Sansoucy	Schmale
Shields	Shipley
Sopuck	Stanton
Stetski	Strahl
Stubbs	Sweet
Thériault	Trost

Trudel
Vecchio
Warawa
Waugh
Weir

Van Kesteren
Wagantall
Warkentin
Webber
Yurdiga — 94

PAIRED

Nil

The Speaker: I declare the motion carried.

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

CONSIDERATION OF SENATE AMENDMENTS

The House resumed from December 6 consideration of the motion in relation to the amendments made by the Senate to Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act.

Mr. Anthony Housefather (Mount Royal, Lib.): Mr. Speaker, Bill C-51 is a broad and complex bill. If I have the time, I will entertain further discussion of the merits of the bill, which I feel is a good bill.

Bill C-51 proposes many different things in clarifying provisions relating to sexual assault, repealing unconstitutional provisions of the Criminal Code, clarifying and strengthening our charter by ensuring the government prevents charter statements for every piece of government legislation and seeking to avoid unnecessary litigation by enhancing our understanding of the criminal law.

This debate is essentially about the Senate amendments to the bill with respect to the issue of sexual assault.

As these issues were covered by the House of Commons Standing Committee on Justice and Human Rights when it debated the bill, this is an interesting analogy to bring to the attention of the House. We did not support the amendments that were brought forward by Senator Pate, amendments that were adopted by the Senate.

When we were debating the sexual assault provisions in the bill, there was enormous discussion.

The bill's intent is to codify the decisions of the Supreme Court of Canada in J.A. and Ewanchuk.

In the decision in J.A., the intent was to set out and make it clear that someone would not be capable of providing consent when unconscious, but also that there were other instances in which the individual might be unable to provide consent.

In the case of Ewanchuk, the issue related to a misunderstanding of the law, clarifying that a mistake of law was not a defence to sexual assault.

When the legislation came to the Standing Committee on Justice and Human Rights, we introduced amendments to clarify what people were concerned about when they came to testify about the bill. We heard from a wide range of witnesses, representing groups on all sides of the spectrum, from defence counsels and prosecutors to women's groups, victims' groups, etc.

We wanted to ensure that it was very clear that unconsciousness was not a bright light, meaning that anything short of unconscious-

Government Orders

ness would be seen as potentially not allowing one to say that consent was not extended.

As such, the Standing Committee on Justice and Human Rights made an amendment to make clear that consent had to be contemporaneous at the time of the sexual activity, that it must be ongoing, that it would not be valid if made in advance and that the person engaging in sexual activity was allowed to withdraw consent at any time. That amendment was supported by all members of the committee.

We also had an amendment to clarify Ewanchuk with respect to the mistake of law defence. We were concerned that the bill as originally drafted would possibly allow people to conclude that a mistake as to fact would no longer be a defence. We clarified that portion of the bill to make it clear that it was only a mistake in belief as to what the law was that would no longer provide a defence allowing a mistaken belief as to fact to continue to constitute a limited defence.

For clarity, that means if someone who erroneously believes that when married, a spouse has to consent and that there cannot be sexual assault in marriage, that is a mistake as to law and it is not permitted anymore as a defence. That clarifies the Supreme Court decision in Ewanchuk within the Criminal Code.

That was what our committee had done, but the Senate went far beyond that and made amendments that sought to set out an additional framework of what type of capacity was required for consent.

• (1315)

The Senate added that lines 17 to 20 be replaced to say:

(b) the complainant is incapable of consenting to the activity in question for any reason, including, but not limited to, the fact that they are

(i) unable to understand the nature, circumstances, risks and consequences of the sexual activity in question,

(ii) unable to understand that they have the choice to engage in the sexual activity in question or not, or

(iii) unable to affirmatively express agreement to the sexual activity in question by words or by active conduct; and...

(3.1) For greater certainty, capacity to consent at the time of the sexual activity that forms the subject-matter of the charge cannot be inferred from evidence on capacity to consent at the time of another sexual activity

These are all very well-meaning amendments. They are amendments that seek to clarify capacity, but I am afraid that these amendments may have unintended consequences, could prolong cases a great deal by leading to enhanced questioning in all of these areas and, in fact, go way beyond what the Supreme Court said in J. A. and go beyond the intention given to the legislation, which was to codify the decision in J.A.

Government Orders

The Minister of Justice has advised us that she will be undertaking further consultations with relevant groups across the country and may come back to us with further clarifications to the legislation on capacity. However, I believe that putting forward these very detailed amendments that were not considered by the witnesses who appeared at the House committee or Senate committee because these were not on the table in the legislation, so we did not hear from the wide spectrum of witnesses on their thoughts about the draft language, leads to us using very specific draft language that the legal community across Canada was not consulted on.

I would also draw the attention of the House to the fact that the committee considered amendments very similar to this that were brought forward by my colleague from Cowichan—Malahat—Langford in the New Democratic Party who sat on the committee at the time. When those amendments were brought forward, I found them to be confusing. I asked a question of the officials from the Department of Justice that I would like to put on the House record. This is from the record of the justice committee. I asked the following:

Can I ask a question, either to [the member for Cowichan—Malahat—Langford] or the officials, or maybe to both? I have two questions, actually.

One, with the fact that we have “unconscious” and then a general provision saying for anything else, is there any potential that by adding two specific examples into the second paragraph, the courts may then narrow the scope of what it's intended to mean?

Two, would somebody not being aware that they are not obliged to consent to the activity not be a mistake of law, a misunderstanding of the law, as opposed to incapacity?

The official from the Department of Justice who answered the question, Nathalie Levman, counsel for the criminal law policy section, stated the following:

Regarding your second point, I agree with you. I'm concerned that this doesn't necessarily speak to the capacity issue that proposed paragraph 153.1(3)(b) speaks to.

That raises a number of different points about your first question, which is that the law on when a person is so incapacitated that no consent is obtained in law is complex. The case law is difficult and there may be a number of different factors that are relevant. Singling out two factors, one of which may not relate to capacity, may have some unintended effects. As to what those effects could be, I cannot speculate, but I just point out that it is a complex issue of law, this particular paragraph, proposed paragraph 273.1(2)(b).

That brings me back to my argument. The fact that the Department of Justice was unable to say clearly what the intended amendment would even mean and talk to us about the ambiguity that the amendment potentially offered leads me to conclude, as I believe my Conservative and Liberal colleagues all concluded at committee, that adding these words into the law, while well intentioned, may have factors that we had not considered. I think this would certainly render a provision to the law that the courts have now interpreted for a considerable amount of time even more complex than it needs to be, leading to multiple questions that I could see being asked now to deal with the all of the different situations put forward by the Senate amendment.

I applaud Senator Pate for her decision to be an advocate on this issue, but I regret that I cannot agree with the position that she took in terms of proposing the amendment to go forward at this time.

• (1320)

I would prefer seeing the Minister of Justice do wide consultation, which would then allow, when a bill comes forward, the Standing

Committee on Justice and Human Rights to have the benefit of the draft language to share with all of the different witnesses coming before committee, so that all of them could expound on whether or not they find that language to be helpful or problematic, etc.

That being said, I would also like to speak to another amendment that the House of Commons Standing Committee on Justice and Human Rights made to the bill. There has been a lot of discussion about the provisions that the bill removed from the Criminal Code that had been ruled either unconstitutional or inoperative; inoperative ones, such as challenging someone to a duel. We would all agree that is no longer an issue for many Canadians, and that that was properly removed from the legislation.

Another one that would be removed as inoperative is possessing, printing, distributing or publishing crime comics. Again, I think most of us would agree that there is no need for a specific provision as to that. Fraudulently pretending to practise witchcraft is another one. While it is comforting to know that if someone actually does practise witchcraft and is not being fraudulent about it, they are allowed to do so in Canada. I do believe that removing the potential of fraudulently practising witchcraft is definitely a good step.

Another is issuing trading stamps, who knew it was illegal to issue trading stamps? However, I am pleased that we removed that from the Criminal Code. I am also very pleased that we worked with—

Some hon. members: Oh, oh!

The Assistant Deputy Speaker (Mrs. Carol Hughes): I just want to remind members that the discussion is between the Speaker and the orator at this point. If anybody else has anything to add, they will be able to do that during questions and comments.

Mr. Anthony Housefather: Madam Speaker, I am also very pleased that my colleagues on the committee from all parties worked together to be sensitive to religious communities across Canada to retain the provisions that obstructing a clergyperson in conducting a service was retained in the Criminal Code.

While there were many good arguments made that there are general provisions in the Criminal Code that could have dealt with those matters, the fact is that this was a specific provisions that made a difference to people of faith in this country. Whether it was absolutely necessary, because there could have been other provisions, or not, the fact is that people of faith are concerned today. We live in a world where hate crimes are increasing.

We live in a world where people of faith are exposed to graffiti on their temples, churches, synagogues and mosques, where we are seeing people attacked on the street for wearing faith-based gear, where we see, more and more, reports of those who are of anti-Semitic, anti-Christian and anti-Islamic in our society. People who came to testify told us very strongly that they felt recognized, seeing this provision in the Criminal Code. As such, I think all of us on committee unanimously agreed to leave that provision in the Criminal Code and, in fact, to make it gender neutral in order to make sure that all religions could feel part of that provision.

I applaud, first of all, my friend from Niagara Falls who raised the issue initially, and all of the members of the committee who worked together, very consensually, to make the modifications to the bill, including retaining that provision.

Government Orders

I would be very pleased to entertain any questions my colleagues have on the bill.

● (1325)

Hon. Erin O'Toole (Durham, CPC): Madam Speaker, I would like to thank my Liberal friend for his speech and for entertaining our brief heckles at one point in the speech.

I am going to ask the member the same question I asked the Minister of Justice this morning about charter statements that are explored within Bill C-51, an approach of the government, in terms of giving a statement that the charter has been considered and the government feels there is no violation or question of a constitutional nature.

I would ask the member to contrast that with the editorial in The Globe and Mail today by Chief Fox, an indigenous leader from Alberta who said that they were not properly consulted with respect to Bill C-69. We have an anti-resource to market bill by the government, where clearly indigenous leaders say that the duty to consult was not met.

In a charter statement environment, how is the government consulting indigenous Canadians? It is clear that there is legislation before Parliament right now that first nations leaders say they have not been consulted on. My concern with the charter statement is it is a way of the government putting out “chill”, saying that it has considered all arguments about charter or constitutional provisions, and therefore this legislation is okay.

Is the member aware of how the government is consulting indigenous peoples as a part of the charter statement preparation?

Mr. Anthony Housefather: Madam Speaker, I would like to come back to this because I heard my colleague for Durham on this subject last week and I have been reflecting about his questions on charter statements. Personally, as a member of the Standing Committee for Justice and Human Rights, I appreciate seeing the charter statements that my colleague the Minister of Justice has tabled on her bills. Let me explain why.

When I read those charter statements it enables me to understand where the government is saying that the charter is being followed and complied with, where there are potential flaws in that argument, where are the risks, where are the things that our committee should be looking at in the bill because they have voiced either tentative support or concerns and then said that they are addressed in this way or that. I have benefited from the charter statements as an MP and as a member of the committee by better understanding what I should be looking at in my duties when I am reviewing the bill.

The question of how the consultations are happening with indigenous Canadians is better posed to cabinet, but I can explain to my colleagues why I think it is valuable for all of us in Parliament to have charter statements.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Madam Speaker, I enjoyed working with my friend the member for Mount Royal in my capacity as vice-chair of the justice committee. I agree with the hon. member's comments with respect to the Senate amendments. He is right that the justice committee looked at amendments introduced by the member for Cowichan—Malahat—Langford. There were witnesses who appeared before the committee

and made submissions that the codification of J.A. in section 273 and the expressed inclusion of the word “unconscious” would create uncertainty in the law in those cases that are just short of consciousness or where someone perhaps is significantly intoxicated.

I wonder if the hon. member could comment on those submissions and his position with respect to the inclusion of the word “unconscious”, which does codify J.A. in my opinion.

● (1330)

Mr. Anthony Housefather: Madam Speaker, in reciprocal language, I want to tell my hon. colleague how much I appreciated working with him as well on the justice committee. He always has an excellent understanding of all of the issues before us and expresses himself very well.

I also was concerned about the same issue. I feel the amendment that the committee made clarified the point that consent needs to be ongoing and expressed. As a result, I think that attenuates the concern that we heard. I want it to be very clear that the law is not that there is some bright line before unconsciousness and that being unconscious is the only threshold for not being able to give consent. There are lines before unconsciousness where people would be unable to consent.

The hon. member is right to raise that as an issue. That was not what this legislation was ever supposed to mean. Hopefully, our amendment at the Standing Committee on Justice and Human Rights helps to clarify that.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Madam Speaker, I did value my time with my hon. colleague at the justice committee last year. I was going through the Supreme Court's decision in J.A. It does acknowledge in that decision that the appropriate body to alter the law on consent in relation to sexual assault is Parliament. Thus, the court has acknowledged the role Parliament has.

I think it would be wrong for us to rule out the ability of this body to do what it wants with the Criminal Code. Criminal Code interpretation and its formation is a give-and-take between Parliament and the courts. The courts do respect our role in this.

I just want to read a few quotes from the Senate debate because I found it quite interesting. The senators acknowledged that:

Without Senator Pate's amendment to Bill C-51, we will have failed to capture the scope of consent laid out for us by the Supreme Court, supported by experts in the law of sexual assault in Canada.

Feminist experts in sexual assault law have advised that inclusion of the word “unconscious” risks creating a false threshold for the capacity to consent.

I would like to hear my hon. colleague's comments on that. We had some very interesting testimony at the Standing Committee on Justice and Human Rights, particularly from Professor Janine Benedet, who said on record that any clarification we can give would be beneficial. I see the Senate's amendments as trying to do that and living up to some of the witness testimony that we heard.

Government Orders

Mr. Anthony Housefather: Madam Speaker, I also want to say that my colleague from Cowichan—Malahat—Langford was also a great addition to the justice committee while he was there. While the member for Victoria is irreplaceable, the member for Cowichan—Malahat—Langford did a great job in almost replacing him. It was a pleasure serving with him.

With respect to what the member is saying, I entirely agree that it is appropriate for Parliament to legislate what consent and capacity are. However, it is inappropriate that none of the witnesses who came before the Standing Committee on Justice and Human Rights had the proposed language by Senator Pate in front of them when they testified before our committee, nor did the people testifying before the Senate's constitutional and legal affairs committee.

An appropriate way for Parliament to legislate is for the government to carefully consult, put forward language, and then have both committees carefully study it, with all witnesses having the benefit of that language in front of them. I am hopeful that my colleague, the Minister of Justice, will do that.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, could my colleague expand on what took place at committee? It is worth noting that a number of amendments were brought forward. My friend made reference to the religious freedom amendment, which is a very important one. Could he provide further comment on the amendments moved at committee?

• (1335)

Mr. Anthony Housefather: Madam Speaker, absolutely. As I was mentioning, in our discussions at committee, we wanted to clarify consent. Therefore, rather than using the words the Senate has used, which we believe go far beyond what the J.A. decision codified, we clarified the provisions by saying that consent must be present at the time the sexual activity in question takes place, making it clear that it has to be ongoing consent and not implicit consent from a previous act that applies to the current act.

We wanted to clarify that only a question of law was being removed from the defence not mistakes as to facts. Therefore, we clarified that by saying that “The question of whether no consent is obtained under subsection (3) or (4) or 265(3) is a question of law.”

The committee carefully considered all of those issues, in addition to the issues brought forward by the Senate, and actually rejected the issues brought forward by the Senate.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Madam Speaker, I am very happy to be participating in today's debate on Bill C-51. I find it unfortunate, however, that the government has again had to resort to time allocation on a justice bill. The bill passed the House of Commons. I was certainly one of the members who voted in favour of it. However, I find myself in the awkward position of actually agreeing with what the Senate has done to the bill, because it very much mirrors the attempt I made at the justice committee last year to codify the nature of consent and provide a bit more definition in the Criminal Code.

Before I get to the Senate amendments more specifically, I want to talk more generally about the government's record on justice bills. While I do have a great deal of respect for the Minister of Justice and I very much agreed at the start of the government's mandate with

what she was attempting to do, the pace of legislative change from the Minister of Justice has been anything but satisfactory. We started off with Bill C-14. It received a lot of attention and debate in Canada, as it should have, but we have to remember that the only reason the government moved ahead with Bill C-14 and we passed it in 2016 was that the government was operating under a Supreme Court imposed deadline. There was really no choice in the matter. Furthermore, when Bill C-14 was passed, we very nearly had a standoff with the Senate because of the provision in the bill about reasonable death occurring in a predetermined amount of time. We knew that that particular section would be challenged in the court system.

The other substantive piece of legislation the government has passed is Bill C-46, which was designed to move in conjunction with Bill C-45. Of course, Bill C-46 was problematic because the government has now removed the need for reasonable suspicion for police officers to administer a Breathalyzer test. They can basically do it whenever a person is legally stopped, whether it be for a broken tail light or for not stopping completely at a stop sign. If an officer has a Breathalyzer test on their person, they can demand a breath sample right then and there, without the need for reasonable suspicion. I have seen mandatory alcohol screening operate in other countries, notably Australia.

In my attempt to amend that bill, I stated that if we were going to apply such a draconian measure, it should be applied equally, because if we start giving police officers the ability to decide when or where to test someone, we know from the statistics, notably from the City of Toronto, that people of a certain skin colour are more apt to be stopped by the police than others. If such a provision were to be implemented, it should be applied equally at all times.

Moving on, there is Bill C-28, which deals with the victim surcharge, but is still languishing in purgatory at first reading.

The government then moved forward with a number of cleanups of the Criminal Code, the so-called zombie or inoperative provisions and the many redundant sections of the Criminal Code. That is the thing about the Criminal Code: It is littered with out-of-date provisions that are inoperative because of Supreme Court or appellate court rulings, but they are still faithfully reprinted every single year because Parliament has not done its work to clean up the Criminal Code. As my colleague the member for St. Albert—Edmonton has noted, it has led to some very bad consequences, notably in the Travis Vader case, where the judge used an inoperative section of the Criminal Code to convict someone. That conviction was then overturned. So these sections do have very real consequences.

Government Orders

My contention has always been with section 159, which was brought forward in Bill C-32. Bill C-32 was then swallowed up by Bill C-39. Then Bill C-39 was swallowed up by Bill C-75, which has only just passed the House and now has to clear the Senate. We have no idea how much longer that is going to take. The House is about to rise for the Christmas break. We will be back functioning at the end of January, but Bill C-75 is a gigantic omnibus bill and full of provisions that make it a very contentious bill.

● (1340)

My argument has always been that for such an ambitious legislative agenda, especially if we are going to clean up the Criminal Code as Bill C-51 proposes to do, I contend that the Minister of Justice, had she had a good strategy in dealing with the parliamentary timetable and calendar and how this place actually works, would have bundled up the non-contentious issues in Bill C-39 and Bill C-32, which was morphed into Bill C-75, together with the non-contentious issues of Bill C-51 and made it a stand-alone bill, and we could have done that work.

These are issues that we cannot really argue against because it is a moot point; the Supreme Court has already ruled, so keeping them in the Criminal Code just leads to further confusion. Here we are, three years into the government's mandate, and the Criminal Code has still not been cleaned up to this day. For an ambitious legislative agenda, that leaves a lot to be desired. I heard Michael Spratt, who regularly appears as a witness before the justice committee, describe Bill C-51 as dealing with the lowest of the low-hanging fruit. Therefore, if we had been serious, we could have made some very reasonable progress on that. Be that as it may, we have Bill C-51 before us and we have to go over it.

Before I get into the specific amendments brought forward by the Senate, I think it is worth going over some of the things we are talking about. Among the things Bill C-51 would repeal is the offence of challenging someone to a duel. It used to be illegal to provoke someone to fight a duel or to accept the challenge. We will get rid of that section because it obviously reflects an earlier time in Canada's history. It is the reason why in this place we are two sword lengths apart. Members of parliament in the U.K. used to go into that place with swords on their hips. The bill would also get rid of section 143 dealing with advertizing a reward for the return of stolen property. It would get rid of section 163, dealing with the possession of crime comics, a legacy of a 1948 bill by a member who thought that crime comics negatively influenced kids by encouraging them to commit crimes, and that they were not a part of a good upbringing. The section on blasphemous libel would be dropped. Fraudulently pretending to practise witchcraft is probably one of my favourite ones.

While Bill C-51 is making some much needed changes to sections of the Criminal Code, as I said earlier, we would not be arguing these cases in the House three years into the mandate of the current government if the bills had been bundled up into a single bill, which I am sure could have had royal assent by now.

We did have a very interesting discussion at the justice committee on section 176. When I first read Bill C-51 and it mentioned that this section would be repealed, I read right over it. However, when hearing witnesses at committee, it became quite apparent that section

176 had a lot of very deep meaning to select religious groups. After hearing all of that testimony about the importance of having section 176 remain in the code, I am glad to see that the committee members were able to work together to polish the language to ensure that it would now be applicable to all religious faiths, and not just single out the Christian faith. Now, if someone were to interrupt the religious proceedings of any faith, that would be dealt with appropriately under section 176.

The heart of the matter before us is the Senate amendments to Bill C-51. As I mentioned, it is kind of awkward for a New Democrat to be recognizing the work of the Senate. I value the people who sit as senators. I know there are some very determined people who certainly try to do their best there. My problem has always been with a 21st century democracy like Canada having an unelected and unaccountable upper house. I have to face the electorate for the decisions I make and the words I say in this place, and for what the Senate as a whole does.

● (1345)

I am going to be rejecting the government's motion on Bill C-51, because I agree with the substance of what the Senate was attempting to do in Bill C-51. It very much reflects some of the testimony that I heard at committee, and I have also reviewed some of the Senate Hansard transcripts of the debates it had on Bill C-51. While it is true that the amendments were not passed at the legal and constitutional affairs committee of the Senate, they were passed at the third reading stage. When we see the transcripts, we can see that the hon. senators in the other place were trying to codify what they saw as some missing aspects of the bill.

If we look at the heart of the matter, it comes down to the Supreme Court decision in *R. v. J.A.* The Supreme Court ruling reads:

When the complainant loses consciousness, she loses the ability to either oppose or consent to the sexual activity that occurs. Finding that such a person is consenting would effectively negate the right of the complainant to change her mind at any point in the sexual encounter.

In some situations, the concept of consent Parliament has adopted may seem unrealistic. However, it would be inappropriate for this Court to carve out exceptions to the concept of consent when doing so would undermine Parliament's choice. This concept of consent produces just results in the vast majority of cases and has proved to be of great value in combating stereotypes that have historically existed. In the absence of a constitutional challenge, the appropriate body to alter the law on consent in relation to sexual assault is Parliament, should it deem this necessary.

The court in a sense is recognizing the very important part that Parliament plays in this. One thing I have learned during my time as our party's justice critic is that, in looking at the Criminal Code, ultimately, we in this place are responsible for drafting and implementing the law and it comes down to the courts to interpret it. There is this kind of back and forth. When the justice aspect of the government and the parliamentary part of it work in tandem like that, we hopefully arrive at a place where the law is reflective of today's society.

However, it is not only the *J.A.* decision that we should be looking at. On October 30, which coincidentally was the very same day that the Senate sent the bill back to the House, there was a decision in the Alberta Court of Appeal, *R. v. W.L.S.* In that particular case, an acquittal on sexual assault charges was overturned by the Court of Appeal. The Court of Appeal acknowledged in its decision that the complainant was incapable of consenting.

Government Orders

Senator Kim Pate provided us with a message. She said:

In regard to our discussions concerning Bill C-51, I write to draw your attention to the recent case of the Alberta Court of Appeal, concerning the law of incapacity to consent to sexual activity. Please find a copy of this case attached.

The Alberta Court of Appeal heard this case on October 30, the same day the Senate passed the amendments to Bill C-51. The court overturned the trial decision on the grounds that the trial judge had wrongly held that nothing short of unconsciousness was sufficient to establish incapacity. While this erroneous understanding of the law was rectified on appeal in this case, as we know, the vast majority of cases are never appealed. The trial judge's decision demonstrates the very error, fed by harmful stereotypes about victims of sexual assault, that many of us are concerned the original words of Bill C-51 risks encouraging.

Senator Kim Pate is basically acknowledging that there is a role for Parliament to play in providing a more explicit definition of consent, what it means and when consent is not given. While I am certainly one of those people who trusts in the power and ability of judges to make decisions, the judicial discretion, I align that thinking more with the decisions that they make and not in the interpretation of the Criminal Code. There is room in some parts of the Criminal Code to be very specific so that there is no judicial discretion, and that we are very clear on what consent means and what it does not mean.

• (1350)

Turning to the actual Senate amendments, they would be adding specificity in both clause 10 and clause 19. Basically, those particular aspects want to ensure:

(b) the complainant is incapable of consenting to the activity in question for any reason, including, but not limited to, the fact that they are

- (i) unable to understand the nature, circumstances, risks and consequences of the sexual activity in question,
- (ii) unable to understand that they have the choice to engage in the sexual activity in question or not, or
- (iii) unable to affirmatively express agreement to the sexual activity in question by words or by active conduct;

Adding this kind of specificity to the Criminal Code is very much a good thing. In paragraph (b), it says "including, but not limited to". I think adding that kind of specificity will help with certain cases. From the very interesting Senate deliberations on this subject at third reading, we can see that senators were not very happy with how Bill C-51 left a bit of a hole.

We have made much of the witness testimony at the Standing Committee on Justice and Human Rights. Professor Janine Benedet did look at this particular aspect of the Criminal Code. As I said in my exchange with the member for Mount Royal, one thing she stated was:

Any clarification we can give will be beneficial. It doesn't have to be an exhaustive list, but there has to be the idea that consent has to be informed, that you have to have the ability to understand that you can refuse—because some individuals with intellectual disabilities do not know they can say no to sexual activity—and that it has to be your actual agreement. Those are all things that can be read into the code as it's currently written, but sometimes are not fully realized in the cases we see.

Adding that specific part would be very much in line with what Professor Benedet was saying at the committee. That is why I will be rejecting the government's motion and voting in favour of the Senate amendments.

Turning to the Senate deliberations on this bill, in some of that debate it was said that *R. v. J.A.* outlines the requirement for active consent. However, the Senate very much found that without the

specific amendment by Senator Pate to Bill C-51, we would have failed to capture the scope of consent laid out for us by the Supreme Court, supported by experts in the law of sexual assault in Canada.

Feminist experts in sexual assault law have advised that the inclusion of the word "unconscious" risks creating a false threshold for the capacity to consent. There were also deliberations that the current wording in Bill C-51 poses a serious risk that women who are intoxicated would be blamed if they are sexually assaulted. They would not be protected by this bill.

Further, some have noted that the weakness is in the definition of what constitutes non-consent. According to a legal expert who provides sexual consent training to judges, there is not enough precedent or awareness among judges to believe that the proposed wording in clause 10 and clause 19 of the bill is clear enough.

I see my time is running out, but I will end with some of the really scary statistics we face as a country. Statistics Canada estimates that some 636,000 self-reported sexual assaults took place in Canada in 2014. Shockingly, it also estimates that as few as one in 20 were actually reported to police. Those are statistics which should give us great pause and lead us to ask ourselves what more we could be doing. The Senate amendments are very much in faith with trying to keep that.

I would also note that this is probably one of the last opportunities I will have to rise in this particular chamber to give a speech. I want to acknowledge the history of this place and what an honour it has been for me, in my short three years here, to have served in this House of Commons chamber. I know we will be going forward to West Block, and an admirable job has been done there.

I finish by wishing all my colleagues a merry Christmas. I hope they have a fantastic holiday season with friends and family, and that we come back in 2019 refreshed and ready to do our work on behalf of Canadians.

• (1355)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, I appreciate the member's comments, but I disagree with the member regarding the government's overall approach to legislation. Since the last election, we have seen a government that understands the importance of having safe communities in all regions of our country. Therefore, the government has developed pieces of legislation that ensure our communities are going to be safer, that there are actions against offenders, and that there is a sense we are moving forward with a comprehensive approach to make changes to the Criminal Code as necessary.

Would my colleague recognize that the many different pieces of legislation when put together and passed in a timely fashion are actually significant changes overall which will be for the betterment of public safety here in Canada?

Statements by Members

Mr. Alistair MacGregor: Madam Speaker, with respect, I will have to disagree with my colleague. Yes, I agree there are some very substantive provisions in Bill C-75 and Bill C-51 which we do support. The problem is that in Bill C-75, the government rolled in those changes with other more contentious issues and therefore has forced the legislation down to a snail's pace where it now has been sent to the Senate.

Three years into the Liberal government's mandate, when we look at its accomplishments at cleaning up the Criminal Code, so far nothing has been done. The zombie provisions of the Criminal Code are still on the books. The Criminal Code is reprinted every single year. The 2016 edition, 2017 edition and 2018 edition all contain those mistakes. If I am going to look at the government's performance based on its amendments to the Criminal Code, I am sorry but it is a failing grade.

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member will have eight minutes for questions and comments after question period.

STATEMENTS BY MEMBERS

[*Translation*]

IMMIGRATION

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Mr. Speaker, two years after the Prime Minister invited migrants around the world to Canada via Twitter, Ottawa still has not done anything to respond to Quebec's demands concerning immigration.

Quebec has asked the federal government for \$300 million in compensation to cover the cost of caring for migrants, but Ottawa is refusing to pay.

Quebec has asked for a triage plan so that it is not the only province that has to deal with the arrival of migrants, but Ottawa has done nothing.

Quebec has asked that asylum claims be processed quickly, but there are delays of several years.

Quebec has asked the federal government to collaborate to reduce its immigration levels in 2019, but Ottawa is refusing to do so.

That is the Liberals' record on immigration. Now, the Prime Minister has approved and wants to sign a migration pact telling Quebec how to act in its areas of jurisdiction without even consulting Quebec.

He needs to start by taking responsibility here before—

[*English*]

The Assistant Deputy Speaker (Mrs. Carol Hughes): The hon. member for Sydney—Victoria.

* * *

GAVINNA MACKENZIE

Hon. Mark Eyking (Sydney—Victoria, Lib.): Madam Speaker, I rise today to pay my respects on the recent passing of Big Bras d'Or resident Gavinna MacKenzie.

Gavinna was born in Black Rock, Victoria County, in 1922. While raising seven children, she worked as the central telephone operator in Boularderie. Gavinna was a founding member of the Big Bras d'Or fire department ladies auxiliary, the Munro Crafters Guild of Boularderie and the Arm of Gold Quilters. She was a long-time, faithful member of St. James Presbyterian Church, a life member of AMS and St. James Ladies Aid and a member of the Big Bras d'Or Home and School Association and the Alderwood Working Council. She was a busy lady. On top of all these commitments, Gavinna held various executive positions with numerous organizations and was recognized as an outstanding volunteer by several levels of government.

Gavinna's door was always open for a visit from family and friends, and before the passing of her husband, Rindress, he and Gavinna celebrated their 75th wedding anniversary.

I ask the House to join me in extending our condolences to her family and friends. Gavinna will be dearly missed.

* * *

• (1400)

CHRISTMAS

Mr. Ted Falk (Provencher, CPC): Mr. Speaker, on a recent flight, I noticed a beautiful sunset unfolding right outside my window. It was a stunning display of light, filled with a rainbow of colours. It lasted only a few minutes, and then it was dark again. Later, as we approached our destination, I could see the airport runway lights in the distance, guiding us in for a safe landing.

At this festive time of year, we celebrate with lights all around us. We decorate our trees, our offices and our homes. As Christmas approaches, let us remember that there was and is one light above all others, and that is God's son, Jesus. Jesus said, "I am the light of the world. Whoever follows me will not walk in darkness, but will have the light of life." Jesus called on us to be lights as well. He said, "You are the light of the world...let your light shine before others".

Let the lights all around us this Christmas remind us to be guided by the one true light and reflect the light of Jesus's love in our lives. May we all be the light that brightens this world.

Merry Christmas.

* * *

VOLUNTEERISM

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Mr. Speaker, my community of Oakville North—Burlington has a long history of giving during the holidays and throughout the year. The 26th annual Oakville Professional Firefighters Association holiday toy drive, organized by firefighter Kurt Merriman, collects and distributes toys to the less fortunate in our community. Last year, toys went to 3,800 children and youth. I am excited to perform elf duty again this year to sort and package the toys.

Halton Police organize the annual toys for tots program, which last year raised more than \$350,000 in toys, gift cards, cash and food for almost 5,000 local families in need.

Statements by Members

The Gift of Giving Back food drive inspires and empowers Oakville and Burlington children through minor sports associations and schools. As the largest community food drive of its kind in Canada, the Gift of Giving Back has collected and distributed over 2.6 million pounds of food since 2005.

These are just a few examples of those in my community who embody the true spirit of the season.

* * *

ALEX GYEMI

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Mr. Speaker, Alex Gyemi was a social justice pioneer and NDP founder in Windsor—Tecumseh. He died last month, on November 20, at age 96, leaving behind Margaret, his wife of 68 years, and their five children and their families. If Alex were here, he would want me to stand up and herald the 70th anniversary of the Universal Declaration of Human Rights and the convention on the prevention and punishment of genocide. That is why this tribute is for Alex.

There is an incredible pulse in Windsor that Alex was part of. It is the city where the first credit union was formed and with the first assisted living program, which is celebrating 80 years itself, by the way. It is no wonder Alex and Margaret's progressive politics flourished there.

I was fortunate to have Alex's wisdom imparted to me. "Look at the politics of a recommendation versus its practicality", he would say. As an incredible champion of people living free and equal in dignity and rights, Alex would also say, "Take words to deeds".

* * *

VOLUNTEER AWARDS

Mr. Marc Serré (Nickel Belt, Lib.): Mr. Speaker, I have the privilege to inform you today that I am recognizing 21 Nickel Belt residents at a community volunteer awards celebration on December 18 in recognition of their outstanding contributions to their community through volunteerism. These 21 individuals each have, in their own way, gone above and beyond to make their community a better place to live and have touched the lives of many people around their neighbourhoods. They are unsung heroes.

[*Translation*]

I invited the residents of Nickel Belt to nominate people of all ages who have had a positive impact on the lives of community members. These individuals were chosen from among those nominees.

[*English*]

I truly felt compelled to highlight the many selfless acts that too many times go unrecognized and to make this an annual event.

[*Translation*]

Talk to the volunteers at all of these organizations, give them a big hug during the holidays and tell them *dhanwad, merci, ᓇᓇᓇᓇᓇᓇ*, thank you.

●(1405)

[*English*]

CHRISTMAS

Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC): Mr. Speaker, over 2,000 years ago, three wise men spotted a bright star in the sky. Bringing gifts of gold, frankincense and myrrh, they travelled to the little town of Bethlehem. There they found God's greatest gift to humanity, and all these years later, the magnitude and the majesty of that gift is ever constant.

Through the good news of salvation and relationship, the birth of Jesus Christ carries a transformative message of renewed hope. This Christmas, I hope that hearts and homes are all filled with the blessings of the season. It is my hope that all experience great love, peace and joy.

Mr. Speaker, through you, I would like to wish everyone in this chamber, my constituents and all Canadians a very merry Christmas.

* * *

HANUKKAH

Mr. Lloyd Longfield (Guelph, Lib.): Mr. Speaker, as we near the end of Hanukkah, I would like to reflect on Guelph's response to the shooting at the Tree of Life synagogue in Pittsburgh, where, on Saturday, October 27 of this year, 11 people lost their lives.

When Guelph's Jewish congregation gathered on the Saturday following, the door to the Beth Isaiah synagogue was filled with messages of support and condolence from other faith communities, businesses, organizations and people in Guelph. These are examples of the posts on the sticky notes that covered the door: "Keep faith with love"; "We are stronger together than divided"; "We stand with you"; "Grateful to be your neighbour".

Canada is a place of the Charter of Rights and Freedoms, where many different religions and faiths are freely practised, and this makes our country stronger. We have to continually fight against the darkness. We have to continually fight against anti-Semitism and discrimination in all its forms.

Chag Sameach to all my Jewish friends, and peace and prosperity for all Canadians in the year ahead.

* * *

SENIORS

Ms. Sonia Sidhu (Brampton South, Lib.): Mr. Speaker, our seniors have earned the right to live their retirement years in dignity and deserve our respect and appreciation.

Statements by Members

In my riding of Brampton South, there are nearly 16,000 seniors, who account for 14% of the population. Over the weekend, we hosted a town hall on seniors issues, together with my colleagues from Brampton North and Brampton Centre, where we were joined by the hon. Minister of Seniors. I thank the over 100 residents, representing nearly 30 of Brampton's senior organizations, who came out to share their ideas, interests and concerns with us and to hear directly from the minister how important it is for our government to make progress on pensions, housing, health care, poverty and many other issues that affect them.

Our seniors deserve a better life.

* * *

CHRISTMAS

Mr. Mark Warawa (Langley—Aldergrove, CPC): Mr. Speaker,

Hark the herald angels sing
 "Glory to the newborn King!
 Peace on earth and mercy mild
 God and sinners reconciled"
 Joyful, all ye nations rise
 Join the triumph of the skies
 With the angelic host proclaim,
 "Christ is born in Bethlehem"
 Hark! The herald angels sing
 "Glory to the newborn King!"

This is one of the Christmas carols I sang recently with my friends at Renaissance Retirement Residence in Langley. This carol reminds us of what Christmas is really all about: the birth of Jesus, God's gift to us.

During this busy Christmas season, with lights, presents and shopping, let us remember that it is Jesus's birthday and join the angels as they sing, "Glory to the new born King". Let us share God's love with everyone, especially those in need.

On behalf of my beautiful wife Diane and I, we want to wish everyone a very merry Christmas.

* * *

GREATER VANCOUVER GRANDMOTHERS

Mr. Gordie Hogg (South Surrey—White Rock, Lib.): Mr. Speaker, they tell the story of a frail 90-year-old grandmother trudging down a mountainside in search of water, pain and despair etched upon her face, and her 19 grandchildren trailing behind her.

They are responding to the devastating impact of AIDS in Africa, to the grandparents who now care for their grandchildren, many grandmothers and many more children.

Last month I had the privilege of being the master of ceremonies at the Greater Vancouver Gogos fundraiser. Gogo means grandmother and they are part of the Stephen Lewis Foundation, which supports Grandmothers in Africa.

These Canadian grandmothers and "grandothers" have, over their 10-year history, made a difference in the lives of so many. The Greater Vancouver Gogos has raised over \$2.4 million to support community projects that support African grandmothers. The gogos are changing lives and they are saving lives. They are Canadian humanitarians making a profound difference in our world.

I congratulate and thank Barbara Thomas and the gogos, great Canadians making our world more caring and more livable.

* * *

● (1410)

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Mr. Sven Spengemann (Mississauga—Lakeshore, Lib.): Mr. Speaker, 70 years ago today, the then 59 member states of the United Nations adopted the Universal Declaration of Human Rights.

[Translation]

John P. Humphrey, a Canadian jurist who had just become the director of the United Nations Secretariat Human Rights Council, was the lead author. This declaration, which was written in the wake of the two world wars, is one of the cornerstones of international legal order.

[English]

In its opening paragraphs, it affirms the inherent dignity and equal, inalienable rights of all members of the human family as the foundation of freedom, justice and peace.

In Canada, the declaration inspired the Bill of Rights and ultimately our Charter of Rights and Freedoms.

Seventy years on we continue to stand together to defend the universal declaration, because humanity is at greater risk every time human rights are threatened anywhere around the world.

I invite all Canadians to join the conversation and share why human rights matter to us. The hashtags are UDHR70 and StandUp4HumanRights.

* * *

TRANS MOUNTAIN PIPELINE

Mr. Jim Eglinski (Yellowhead, CPC): Mr. Speaker, a third of the Trans Mountain pipeline runs through the greatest riding in Canada known as Yellowhead.

The people of my riding are hurting because of the Liberals failure to properly deal with the crisis facing Alberta. Thousands are unemployed and its vital resources are not getting to market.

The Liberals new four and a half billion dollar pipeline sits in limbo.

Residents of Drayton Valley, one of Yellowhead's largest communities, held impromptu meetings and a large rally, where over 1,000 people joined last week along with national and local media. People voiced their concerns over the lack of action by the federal government and their local NDP government for having deaf ears to the plight and crisis of Albertans.

Statements by Members

The Trans Mountain pipeline needs to be built.

* * *

RETIREMENT CONGRATULATIONS

Mr. Sean Fraser (Central Nova, Lib.): Mr. Speaker, as we conclude the 16 Days of Activism against Gender-Based Violence, it is important to recognize the people and organizations that promote this deeply important initiative.

One such person is Ms. Lucille Harper from Antigonish, Nova Scotia. Ms. Harper is retiring at the end of December after more than 30 years of service to our community.

Throughout her incredible career, she has worked on behalf of women and victims of sexual assault at the Antigonish Women's Resource Centre & Sexual Assault Service Centre and was also a founding member of SAFE, a network of volunteers that has sponsored Syrian refugee families for resettlement and provides housing, clothing and other essential goods.

In 2010, she was awarded the Governor General's Persons award for her work in advancing gender equality in Canada.

As Ms. Harper is preparing to retire, I am pleased to share that the Antigonish Women's Resource Centre will receive nearly \$1 million to help fight gender-based violence in rural communities at home.

It is my pleasure to wish Ms. Harper a very happy retirement and a sincere thanks for her many years of service to our community. Lucille has set an example we should all wish to follow. I congratulate her.

* * *

SALMON FISHERY

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, the CBC headline over the weekend in my riding was “Ucluelet on edge as Ottawa decides extent of fishing restrictions.” It got that right.

Coastal communities have every reason to be on edge. Their fishing and tourism industries depend both on our fish and our killer whales.

Meaningful consultation with first nations is a constitutional requirement and the application of local knowledge on fish management is just common sense.

Regardless of the decision, substantive investment is required urgently for the Clayoquot and Somass River salmon habitat, among the largest in all of British Columbia.

Please let us not doom our salmon to the fate of the Atlantic cod and other mismanaged fisheries. Our mayors, chiefs, fishers, tourist operators and environmentalists are all pulling together on the west coast of Vancouver Island. Canada needs to join this coalition, not sidestep it.

* * *

GOVERNMENT PROGRAMS

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, Canadians are expressing buyer's remorse when it comes to the

Prime Minister. It is hard to believe he could fit so much failure into just 12 months alone.

He has failed to move even an ounce of dirt to build a single inch of pipeline. He has failed to fix the illegal border crisis. He has failed to get a better NAFTA deal. He has failed to remove steel and aluminum tariffs. He has failed victims of horrific crime, like Tori Stafford and Catherine Campbell. He has failed to support our veterans. He has failed to equip our military. He has failed to defend our industry. Of course, yet again, the budget has failed to balance itself.

The year 2018 was the Prime Minister's year of failure. However, there is hope. The year 2019 can be a year of redemption, where Canadians will do away with this failed Liberal government and replace it with a brand new Conservative one. For most Canadians, 2019 just cannot come soon enough.

* * *

• (1415)

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Mr. Gary Anandasangaree (Scarborough—Rouge Park, Lib.): Mr. Speaker, world leaders came together 70 years ago today to sign the Universal Declaration of Human Rights and to enshrine it in international law.

Canadians through these decades have advanced human rights around the world, including one of the drafters of the declaration, John Peters Humphrey. In Canada, our Charter of Rights and Freedoms was inspired by the Universal Declaration, and our courts routinely invoke it.

Despite these advances, human rights continue to be violated routinely across the world and human rights defenders are often the first line of attack. Let us remember and honour these heroes today.

Much work remains to be done in order to attain human rights for all and to ensure that the key principles of the Universal Declaration are a reality. This year, our Parliament adopted the United Nations Declaration on the Rights of Indigenous Peoples and the Convention on the Rights of People with Disabilities.

On this human rights day, let us recommit to working toward a just society where human rights are universal, inalienable, indivisible, interdependent and interrelated.

ORAL QUESTIONS

[English]

FINANCE

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, allow me to quote the Prime Minister, who said, “I am looking straight at Canadians and being honest the way I always have. We said we are committed to balanced budgets, and we are. We will balance that budget in 2019....”

Despite a booming world economy and tax increases on the middle class of, on average, \$800 a family, the deficit is three times what he promised and growing next year. Therefore, when will the budget balance itself?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, in 2015, Canadians had a choice. There were two parties that believed in cuts, while we promoted investments for the middle class and those working hard to join it.

We have lowered taxes for the middle class by raising them on the wealthiest 1%. We have delivered a more generous, fair and tax-free Canada child benefit. We now have the lowest unemployment rate in 40 years.

While the Conservatives have no plan for the economy, we will stay focused on the middle class.

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, Canadians voted in the last election for a balanced budget in 2019. That was the Prime Minister's promise. However, despite the fact that taxes are up on the middle class by about \$800 a family, he has failed to keep his promise. He likes to brag about his big family fortune, but Canadians who have not inherited a trust fund understand that budgets do not balance themselves.

Therefore, simply put, when will the budget be balanced?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, it seems the member opposite is having trouble with the facts. The average Canadian family is actually \$2,000 better off every year because of decisions we have taken on this side of the House. After Stephen Harper's anemic levels of growth, which we had to return to the depths of the Great Depression to find a government with that bad a record on growth, we have grown the economy at an average of around 3%. We have created over 700,000 new jobs over the past three years. We had the best economic growth in the G7 last year.

We are continuing to invest in Canadians. That is what Canadians voted—

The Speaker: The hon. member for Carleton.

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, actually, the Conservative government had the best economic growth and the lowest debt levels in the G7, and we came roaring back with a million new jobs after the great global recession. We also had the best middle-class income growth in 40 years, according to the most recent Liberal budget.

The Prime Minister can spread falsehoods about the past, but what he should do is tell the truth about the future. He said that the

Oral Questions

budget would balance itself in 2019. He is breaking that promise. Therefore, when will we have a balanced budget?

• (1420)

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, in 2015, we committed to supporting the middle class and those working hard to join it. Middle-class families today are better off than they were under the Conservatives and they are finding it easier to make ends meet.

With our plan, a strong and growing middle class is driving economic growth, creating new jobs and more opportunities for everyone to compete and succeed. However, we know there is more work to do. We will continue to invest in our communities, invest in Canadians and grow the middle class. What is becoming clearer every day is that the Conservatives have absolutely no plan for the economy.

[Translation]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, the next election is less than a year away, and the Liberals have already racked up a deficit of \$80 billion.

Who is going to pay for it? Canadians will, by having to pay higher taxes down the line. However, it is primarily our children and grandchildren who will have to foot this massive bill.

Why do we have this problem? Because the Prime Minister thinks budgets magically balance themselves.

I have a simple question for the Prime Minister: when will the budget be balanced?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, I would remind the member opposite and the Conservative team that they were the ones who added \$150 billion to our national debt. They were the ones who had the lowest growth rate since the Great Depression.

We made a commitment to Canadians to invest in growth and the middle class. That is exactly what we have done. Now we have the lowest unemployment in Canadian history, and last year, we had the fastest growth in the G7.

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, the Prime Minister can keep repeating the same thing over and over again like a broken record, but he is completely out to lunch.

I have the Liberal Party election platform right in front of me. It states in black and white, “After the next two fiscal years, the deficit will decline and our investment plan will return Canada to a balanced budget in 2019-20.”

He repeated that himself in the debates during the 2015 election campaign, specifically on August 6, September 17, September 25 and October 2.

I will therefore ask the Prime Minister once again: when will we return to a balanced budget?

Oral Questions

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, let's talk about sounding like a broken record. We chose to be different from the Conservatives. We decided to invest in Canadians, in infrastructure and in the middle class to create jobs and ensure better economic growth than what we saw during the Conservative decade. That is exactly what we did. We now have the lowest unemployment rate in 40 years in this country. We have created 700,000 new jobs in three years. That is what we will keep doing to invest in Canadians and in their future.

[*English*]

The Speaker: Order. I have to ask the hon. member for Calgary Midnapore not to be yelling when someone else has the floor. I am sure he knows that is not permitted.

The hon. member for Rimouski-Neigette—Témiscouata—Les Basques.

* * *

[*Translation*]

INTERNATIONAL TRADE

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, from 2014 to 2016, the United States got around our supply management system by exporting diafiltered milk here. The Liberals did nothing about it, so our producers had to fend for themselves and negotiate a separate agreement with the major processors. By signing CUSMA, the Liberals have undone all that work by giving the Americans unlimited access to the Canadian market for their diafiltered milk. Just so we are clear, we are not talking about a supply managed product, but a product that is circumventing supply management.

The Liberals claim they will compensate dairy producers for the breaches in supply management. Will they also compensate them for the estimated additional losses of \$200 million a year?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, we said that we would protect supply management and that is exactly what we did. We also announced three working groups comprised of representatives from supply-managed sectors. Two of the working groups will collaborate to support dairy farmers and processors to adjust to the updated NAFTA as well as the CPTPP, while also charting a path to help the dairy sector innovate. We have protected supply management and secured long-term access to the U.S. market. We will work with producers to ensure that all goes well.

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, the Prime Minister does not understand. I just told him this is not a supply-managed product. It bypasses supply management. Dairy farmers have been waiting for compensation for three trade agreements for three years now, but there is nothing in the budget. I would remind the Prime Minister that there was no mention of compensation for dairy farmers in the economic update, nor was there anything about steel and aluminum tariffs. Those tariffs have been in place for months now, and some businesses are talking about closing. Some 35,000 direct jobs and 140,000 indirect jobs are at stake.

The Liberals could have told Trump they would not sign the agreement unless the tariffs were lifted. The Liberals rolled over. The tariffs are still—

• (1425)

The Speaker: The right hon. Prime Minister.

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, we signed the new NAFTA because it is good for Canada, it is good for workers and it is good for businesses. I am not the only one saying so. I would like to read a quote from the member for Rosemont—La Petite-Patrie, who said to the Canadian negotiators, “I just want to congratulate everybody in this room for the fantastic job that you did.” He then went on to say that the USMCA is the best deal possible and that it protects workers across the country. This deal is in keeping with what we promised, and that is stability, job protection, future growth and the defence of millions—

The Speaker: The hon. member for Essex.

[*English*]

Ms. Tracey Ramsey (Essex, NDP): Mr. Speaker, that tired line is not getting rid of the tariffs.

Canadian workers, small businesses and farmers are paying the heavy price of the Liberals' decision to sign the new NAFTA. Giving access to U.S. dairy compromises our supply management system and hurts our farmers. Canadian farmers want to be able to produce and sell their milk without U.S. interference, and families want to be able to purchase milk made in Canada that they can trust.

Farmers cannot understand why they were sold out by the current Liberal government. Why have the Liberals betrayed farm families and our food security in Canada?

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, we said we would protect supply management, and that is exactly what we did. Its future is no longer in doubt. We have also announced three working groups comprising representatives from the supply management sector. Two of the working groups will collaborate to fairly support dairy farmers and processors in adjusting to the updated NAFTA as well as to CPTPP, while also charting a path to help the dairy sector innovate. Supply management is protected, all while securing long-term access to the U.S. market.

Ms. Tracey Ramsey (Essex, NDP): Mr. Speaker, this Prime Minister does not have a clue about the uncertainty our workers are facing. Just yesterday he admitted that steel and aluminum tariffs need to go, but what is confusing is why he still went ahead and signed the new NAFTA. The reason, according to the Prime Minister, is to make investors and big businesses happy. These are the Liberals' true colours: standing up for the richest corporations and failing to stand up for our workers. Worse, they have no strategy to remove these tariffs. They just want to wait and see. Do Liberals not understand that every day these tariffs remain is another day when jobs are threatened?

Oral Questions

Right Hon. Justin Trudeau (Prime Minister, Lib.): Mr. Speaker, the attacks in the House by the NDP members on the renewed NAFTA are just a perfect example of how the NDP say one thing in the House, but behind closed doors, they admit that it is a deal that protects Canadian jobs. The NDP leader celebrated the deal at an event a few weeks ago, and the NDP member for Rosemont—La Petite-Patrie, who is also the NDP Quebec lieutenant, called the updated NAFTA the “best deal possible”. Even the NDP privately admits that this deal is a good deal because they know it protects millions of Canadian jobs that were under threat.

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[Translation]

FINANCE

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, it is clear to Canadians that the Prime Minister's word is worthless. Members will recall that, in 2015, the Liberals promised to run three small deficits and then balance the budget. The reality is that they ran three big deficits, three times higher than promised. They planned to balance the budget in 2019, but in 2019, there will be a \$20-billion deficit. That is a colossal failure. Unfortunately, the Prime Minister has failed Canadians.

My question for the Prime Minister is simple. Can he give us his word on when we will return to a balanced budget?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, if the member for Louis-Saint-Laurent wants to talk about colossal failures, then I urge him to look at the decade spent under Stephen Harper's Conservative government. That was a colossal economic failure in almost every way. The Conservative government had the worst growth in exports, the worst job record, the worst wage growth, the worst growth, period. Growth was so slow that, during the 2015 election campaign, we were debating about whether Canada was in a recession.

Our record speaks for itself. We had the strongest growth in the G7 last year.

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, I will always be proud to be a member of a party that guided Canada through the worst recession since the Great Depression, and ensured that the country had the best record in the G7. That is the Conservative Party's record.

I would remind my friend from Louis-Hébert that he was elected in 2015 by stating, hand on his heart, that the budget would be balanced in 2019. The member for Louis-Hébert and the 185 Liberal members did not keep their promise.

Since the Prime Minister refused to answer, would the member for Louis-Hébert rise and tell Canadians when the budget will be balanced?

• (1430)

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, in 2015, we made a very clear commitment to Canadians that we would not take the economic approach, which was an abject failure for 10 years under the Conservatives. They tried to stand in the way of prosperity and growth, and as a result, we had the worst economic record in almost all areas since the Second World War and even before that.

Instead, we decided to invest in infrastructure, reduce inequality and give more to the middle class, and it is working. Last year, we had the best growth in the G7.

The Speaker: I would like to remind the hon. member for Portneuf—Jacques-Cartier that the rules do not allow yelling in the House when someone else has the floor.

The hon. member for Aurora—Oak Ridges—Richmond Hill.

[English]

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC): Mr. Speaker, the Prime Minister vowed that he would deliver big infrastructure projects and balance the budget next year, but now we know he has no intention of doing either. Even with the recent job losses and a destabilized energy sector, the Liberals continue to spend taxpayer dollars on their every whim, failing to heed the economic storm on the horizon. When will the Prime Minister admit that budgets do not balance themselves, brace our economy for the tough times ahead and balance the budget?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, in 2015 Canadians clearly rejected the Conservative plan of austerity and cuts, which did not work and did not create the kind of growth Canadians expect. It did not result in more money in the pockets of the middle class, because they focused on the wealthiest. We took a different approach: investing in our communities, giving more money to the middle class, lowering the taxes of the middle class while raising them on the wealthiest 1% to deliver for Canadians. The results speak for themselves, with 700,000 jobs created in the last three years and our debt-to-GDP ratio is steadily going down. We are in the best fiscal position in the G7.

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC): Mr. Speaker, the facts do indeed speak for themselves. Foreign capital is leaving. Corporations are not investing and jobs are being lost. Canadians are not fooled. They know that spending money that we do not have today with zero results will mean severe cuts to critical services tomorrow when we need them the most.

When will the Prime Minister stop failing Canadians with his reckless spending and do what every hard-working Canadian must do, balance the books?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, as I mentioned, our debt-to-GDP ratio is going steadily downward. We are in the best fiscal position in the G7. That is because we have managed to see growth in the country over the last three years with a plan that is working. Unlike the Conservatives, who failed on all economic fronts for a decade, we are seeing 700,000 full-time jobs created in the Canadian economy over the last three years, the fastest growth in the G7, and Canadian families by this next year will be \$2,000 better off than they were under the previous government, which focused so much on the wealthiest, but so very little on the middle class.

Oral Questions

Mr. Mark Strahl (Chilliwack—Hope, CPC): Mr. Speaker, the Prime Minister has never had to worry about a paycheque. He has never had to wonder how he was going to put food on the table. He has never faced an unexpected expense that he could not pay. His inherited family fortune has taken care of everything for him. Since he has never had to worry about his own money, he is not worried about spending Canadian tax money either. He is racking up a huge bill that someone else will have to pay for, just like he has for his entire life.

Could the Prime Minister finally tell us, when will the budget balance itself?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, that is a little rich coming from the Conservatives who added \$150 billion to Canada's debt and who gave tax break after tax break to the wealthiest Canadians. We took a different approach, lowering taxes on the middle class, and improving the Canada child benefit, which has lifted 300,000 kids out of poverty. I am very proud to work alongside the Prime Minister who has taken steps to make sure that Canada remains a fair and just society for all, with prosperity shared by all.

Mr. Mark Strahl (Chilliwack—Hope, CPC): Mr. Speaker, the Prime Minister took money away from Canadians while maintaining his own nannies. Canadians without trust funds have to make tough choices each month. They sit at their kitchen tables and decide what they can afford and what they cannot pay for. They know they cannot live off their credit cards forever. They know how difficult it is to pay off their debts. The Prime Minister knows none of these things. When will he finally agree to stop mortgaging our children's future and tell us when will the budget balance itself?

• (1435)

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, as I stated in a previous answer, our debt-to-GDP ratio is steadily going down. We are in the best fiscal position in the G7. The facts are clear. We lowered taxes on the middle class and raised them on the wealthiest 1%. They voted against it. We improved the Canada child benefit, lifting hundreds of thousands of kids out of poverty in our country, and gave more to the middle class. They voted against it.

It begs a question. They say we raised taxes. The only taxes we raised were on the wealthiest 1%. Is that what they are so concerned about? I guess that is what it is.

* * *

[Translation]

EMPLOYMENT

Mr. Matthew Dubé (Beloeil—Chambly, NDP): Mr. Speaker, business is good at the Montreal airport: profits are up, traffic is increasing and there are plans for an expansion.

Nevertheless, the CEO is asking 93 employees to agree to a pay cut of 27% to 33%. Otherwise, they will be laid off and the work will be outsourced, all with Christmas a few weeks away. No one would agree to such an offer.

Will the Liberals stand up for the workers or will they once again side with the bosses?

[English]

Hon. Patty Hajdu (Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, our government believes in a fair and balanced approach to labour relations in Canada. That is why we repealed Bill C-525 and Bill C-377, the Harper Conservatives' anti-union bills, as one of the very first things we did when we came into office.

We are aware of the situation at the Montreal airport and are monitoring it very closely.

[Translation]

Ms. Karine Trudel (Jonquière, NDP): Mr. Speaker, that is called the privatization of our services.

The Liberals are letting the Montreal airport privatize its operations, while they themselves, champions of privatization, backed off because it was a bad idea.

Threatening employees that they will be laid off if they do not agree to a pay cut of 27% to 33%, and just a few weeks from Christmas, is appalling. This is only possible because the federal government refuses to protect our good jobs.

How many good jobs need to be lost before the Minister of Employment will put an end to outsourcing at public airports?

[English]

Hon. Patty Hajdu (Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, on the topic of contract flipping, that is in fact something we are working on through the new decent work legislation that was approved in budget implementation act 2.

On the topic of labour disputes and labour negotiations, our government stands behind fair and balanced approaches to labour negotiations, and we are monitoring the situation very closely.

* * *

NATURAL RESOURCES

Mrs. Shannon Stubbs (Lakeland, CPC): Mr. Speaker, under Conservatives, well over 8,000 kilometres of pipeline was built. The Liberals talk and talk, but they have deliberately blocked over 7,000 kilometres of pipeline already, and their no-more-pipelines Bill C-69 will guarantee that not a single kilometre of new pipeline is built in Canada again. That Liberal-made crisis harms all of Canada. Provinces, economists, industry and indigenous leaders are all warning of the damaging consequences.

Will the Liberals withdraw their no-more-pipelines Bill C-69, yes or no?

Oral Questions

Mr. Sean Fraser (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Mr. Speaker, we are moving forward with a plan that is going to implement better rules for considering major project development in Canada. This includes an approach that is going to help restore the public confidence that was lost after 10 years under Stephen Harper, where they disrespected our environment and ignored the concerns of Canada's indigenous people. I note, in particular, as we move forward with this important piece of legislation, that we received an endorsement from the Assembly of First Nations just last week.

We are moving forward with a plan that is going to bring certainty to the regulatory process, respect our environment and give credence to the voices of indigenous people.

Mrs. Shannon Stubbs (Lakeland, CPC): Mr. Speaker, more than 30 indigenous leaders are going to sue the Liberals over Bill C-69, just like they are suing them over the tanker ban.

The fact is, when the Liberals were elected, three companies planned to build pipelines in Canada, but they are gone now because the Liberals chased every single one of them away, and not a single new inch of pipeline has been built under these Liberals. They are directly responsible for the discount on Canadian oil. The Husky CEO says that the discount will continue “the rest of the year, all of next year, all of the year after that.” Their no-more-pipelines Bill C-69 will make that discount permanent. Will they withdraw their no-more-pipelines Bill C-69, yes or no?

Mr. Sean Fraser (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Mr. Speaker, we are moving forward with a plan that is going to grow the economy and protect the environment at the same time. When it comes to getting our natural resources to market, the Conservatives talk a good game, but after 10 years, no more of our resources were getting to non-U.S. markets than they were when the Conservatives first came into office.

As I mentioned in my previous answer, we are giving certainty to business, we are respecting our environment and we are giving a voice to indigenous people who were ignored for 10 years under Stephen Harper. This represents better rules for development in Canada.

• (1440)

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, a global investment survey places nine of the top 10 most attractive jurisdictions for oil and gas investment in the U.S. No Canadian province made that list. In fact, Enerplus' CEO announced that this year and next, it will spend 90% of its capital in the United States.

The Liberals' no-more-pipelines bill is making regulations even more complex and uncertain. When will the Prime Minister reverse course and kill Bill C-69?

Hon. Amarjeet Sohi (Minister of Natural Resources, Lib.): Mr. Speaker, there is \$176 billion in potential investments planned over the next decade in the oil and gas sector. We are moving forward on expanding our pipeline capacity. We are the government that gave approval to Enbridge Line 3, which is under construction and will add 470,000 barrels per day in capacity. We are moving forward on

the Trans Mountain pipeline in the right way and undertaking consultation with the—

Some hon. members: Oh, oh!

The Speaker: Order.

The hon. member for Haliburton—Kawartha Lakes—Brock.

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, the Liberals cancelled northern gateway, changed the rules on energy east and now TMX is in limbo. The lack of pipeline capacity has resulted in staggering discounts for Canadian oil, underscoring Canada's problem in attracting investment. To make matters worse, the government has proposed Bill C-69. It will increase uncertainty, politicize the regulatory process and lengthen approval times.

When will the Prime Minister reverse course on the no-more-pipelines bill and kill Bill C-69?

Hon. Amarjeet Sohi (Minister of Natural Resources, Lib.): Mr. Speaker, we absolutely understand the current crisis we are facing in Alberta, and we are working for solutions. However, it is because of the decade of failure by the previous government to build a single pipeline to non-U.S. markets. Ninety-nine percent of Alberta's oil is sold to one customer, the United States. When the Conservatives came into office, that was the case. When they left office, that was the case.

We are moving forward to expand our non-U.S. global markets.

* * *

[*Translation*]

INDIGENOUS AFFAIRS

Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, the forced sterilization of indigenous women is a blatant violation of human rights.

The Prime Minister keeps repeating that his most important relationship is with indigenous peoples, so will he implement the recommendation made by the UN Committee against Torture?

Will the government investigate, provide redress to victims, hold accountable the persons responsible and, most importantly, pass legislation to outlaw the forced sterilization of indigenous women?

[*English*]

Hon. Jane Philpott (Minister of Indigenous Services, Lib.): Mr. Speaker, this is a very important issue. Of course, we agree with the member opposite that coerced sterilization of any woman in this country is a violation of that woman's rights, including her reproductive rights.

We are working with provinces and territories and we are working with health care providers and medical associations to make sure that the concept of informed consent is well understood and that culturally safe care is also well taught.

Oral Questions

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, doing nothing is condoning the practice right now. The UN Committee against Torture urges Canada to stop sterilization of indigenous women by ensuring that all allegations of forced sterilization are investigated, by holding accountable the persons responsible, by providing redress to the victims and by adopting legislative policy and measures to outlaw forced sterilization.

My question is simple: Will the minister implement the UN recommendations?

Hon. Jane Philpott (Minister of Indigenous Services, Lib.): Mr. Speaker, the coerced or forced sterilization of any woman in this country is and always has been against the law. It is against medical ethics and it is against human rights. We are working to make sure that this never happens again. We are working with medical associations and medical providers to make sure that it never happens.

* * *

[Translation]

THE ECONOMY

Mr. Angelo Iacono (Alfred-Pellan, Lib.): Mr. Speaker, the traditional drivers of growth are no longer sufficient in a digital economy. New technologies are changing the way we access information, shop, socialize and work.

Artificial intelligence is helping doctors make more accurate diagnoses, helping farmers improve their crops and helping us find the shorter route to work.

Could the Minister of Innovation, Science and Economic Development tell the House what the government is doing to ensure that Canada is a leader—

Some hon. members: Oh, oh!

• (1445)

[English]

The Speaker: I have to ask the member for Vancouver Kingsway not to be yelling when someone else has the floor.

The hon. parliamentary secretary.

[Translation]

Mr. David Lametti (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, I thank the member for Alfred-Pellan for his question. Artificial intelligence is not just transforming our economy; it is changing our everyday lives.

Last week at the G7 Multistakeholder Conference on Artificial Intelligence, the Prime Minister announced that the government signed a fifth supercluster agreement.

SCALE AI will use Canada's world-class AI resources to create more than 16,000 jobs and contribute \$16.5 billion to our GDP.

Canada is a leader in the responsible adoption of artificial intelligence.

[English]

PUBLIC SAFETY

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Mr. Speaker, today Global News reported that a man who has been back in Canada for two years and has told reporters that he has been active as an ISIS terrorist has still not been arrested. The Prime Minister has failed to secure Canada's borders so badly that genocidal maniacs feel safe to brag to their friends about our Prime Minister's fecklessness. "No unbeliever can touch me," Global News reported he texted his friend.

Under the Prime Minister, is he right?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, the police and security agencies of this country are far more proficient at securing the country and keeping Canadians safe than the alleged sources that are referred to by the opposition. The fact of the matter is CSIS, the RCMP, and the other security and police agencies of this country take every possible step to make sure that Canada is secure and that Canadians are safe. There is no higher obligation or priority.

Hon. Michelle Rempel (Calgary Nose Hill, CPC): Mr. Speaker, why are the Liberals not doing their jobs? They have had three years to bring these terrorists to justice. Instead, they have paid for poetry lessons for them. They have tried to assist them in returning back to Canada. They have let them roam free without restriction or constant surveillance. They have introduced legislation that makes it harder to bring them to justice. They have allowed them to become so confident that nothing is going to happen to them that they text their friends and say that no unbeliever can touch them. Why?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, every single item in that preamble is patently false.

The fact of the matter is that every possible step is taken in relation to known terrorists to charge them and to prosecute them to the full extent of the law. There is also a full suite of other measures that the Government of Canada uses through the police, through our security agencies, through all of the departments and agencies of the Government of Canada to make sure that Canadians are safe in their homes and their communities. We are doing—

[Translation]

The Speaker: Order. The hon. member for Charlesbourg—Haute-Saint-Charles.

* * *

IMMIGRATION, REFUGEES AND CITIZENSHIP

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, the Prime Minister is working with the UN to sign the compact for migration just to look good internationally, but he cannot even control the problems at the border at Saint-Bernard-de-Lacolle here at home.

His irresponsible tweet in January 2017 resulted in illegal migration to Canada and he does not have the guts to admit it. In the meantime, Quebec and Ontario are still waiting to be compensated for the costs, wait times keep going up and the system is broken. It is a complete failure.

Oral Questions

When will he secure the border and restore order?

Mr. Matt DeCourcy (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.): Mr. Speaker, our support for this compact allows us to do exactly what the hon. member across the way is asking us to do.

We are working with the international community to better manage our borders and ensure that people who enter our country do so through regular channels. Canada is a leader in global migration and we will be at the table to show our support for this compact to ensure that the rest of the world has the same tools Canada has to respond to this—

• (1450)

The Speaker: Order. The hon. member for Charlesbourg—Haute-Saint-Charles.

Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, if I were in the other countries' position, I would be very worried. Considering Canada's handling of this problem, we should not be giving advice to anyone.

This mess is still going on because of the Prime Minister's lack of courage. The cost to the federal government alone is over \$1 billion, and the provinces are on the hook for another half a billion. Furthermore, thousands of illegals are getting lost in the woods, and law enforcement has no idea where they are. That is an abject failure.

Could the Prime Minister tell us when he is going to stop playing fast and loose with Canadians' safety?

[English]

Hon. Bill Blair (Minister of Border Security and Organized Crime Reduction, Lib.): Mr. Speaker, the fact is that we have been working diligently to uphold Canadian law for everyone who comes to our border, regardless of how people come to this country seeking asylum, to ensure that our laws are applied.

We also take very strict measures to ensure that the safety and security of Canadians is maintained, and that work continues. We have achieved tremendous success. We have seen a significant reduction. We did not see the surge that occurred last year, and this is a direct result of very effective measures taken by the government to discourage irregular migration.

* * *

INDIGENOUS AFFAIRS

Ms. Jenny Kwan (Vancouver East, NDP): Mr. Speaker, the Prime Minister claims that survivors and family members are at the heart of the missing and murdered indigenous women inquiry, yet after-care for those who relive the trauma by testifying was a disaster. Many did not even know after-care existed, and those who did had a difficult time accessing it.

Soledad, a survivor in my riding, struggled to the point where she lost her job. Her after-care plan fell through twice, and my office had to intervene in order for her to get the support she needed. Family members like Lorelei Williams were not even offered after-care.

How is this putting survivors and family members at the heart of the inquiry?

Hon. Carolyn Bennett (Minister of Crown-Indigenous Relations, Lib.): Mr. Speaker, our government is committed to ending the ongoing national tragedy of missing and murdered indigenous women and girls. The independent commission's mandate was clear, that the families had to be at the centre of its work. We are working—

Ms. Jenny Kwan: Where is the after-care for families?

Hon. Carolyn Bennett: After-care was very much part of the plan of the commission and of its budget. After the interim report, we increased the money for healing. We will continue to do whatever it is to support those families.

The Speaker: I remind the hon. member for Vancouver East that her opportunity to speak is when she has the floor, not when someone else is speaking.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, 17-year-old Braiden Jacob came to Thunder Bay for grief counselling and now he is dead. He joins 14-year old Josiah Begg, 17-year-old Tammy Keeash, 15-year-old Jordan Wabasse, and so many other indigenous youth who have died violently in Thunder Bay. They were victimized after being forced to leave their communities because the government refuses to provide adequate schools or provide services.

Will the Minister of Public Safety commit an RCMP team to work with indigenous leaders to find out why so many young indigenous youth are dying in Thunder Bay?

No more fallen feathers.

Hon. Jane Philpott (Minister of Indigenous Services, Lib.): Mr. Speaker, I thank the member opposite for raising this solemn issue.

Our hearts go out to the family of Braiden. We are grieving with that community. I reached out to the chief today. I also spoke to the grand chief of the region to express our condolences.

The community where Braiden is from, the community of Webequie, is an area where we have made significant investments in mental wellness care. We will continue to make those investments. This is for all Canadians to work together to bring justice and ensure the safety of indigenous youth.

* * *

JUSTICE

Hon. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, news is breaking right now that Michael Rafferty, the other cold-blooded killer of Tori Stafford, was moved to a facility with a lower level of security back in March. That was after Terri-Lynne McClintic was moved to a healing lodge, a decision which the Liberals had to reverse because of widespread outrage from Canadians.

Can the minister tell us if this is true? Is Michael Rafferty behind bars where he belongs or is he in a cushy healing lodge somewhere in the woods?

Oral Questions

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, I would remind the opposition that the decisions taken with respect to McClintic were in fact taken by the previous government when the classification was moved from maximum security to medium security.

I will examine the facts of this case to ensure that all the proper rules and procedures have been followed and that Canadians are safe.

* * *

• (1455)

TELECOMMUNICATIONS

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Mr. Speaker, it seems that the only Canadians not concerned about the threat Huawei poses to our mobile network are sitting in the Liberal benches. This is a major security threat and the government refuses to do anything about it. A former security adviser to the Prime Minister has said, “Once Huawei is in, we will never get them out.”

The time has come to make a decision. We either stand with our western democratic allies or with Communist China. Which one will it be?

Mr. David Lametti (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, on this side of the House we will never compromise our national security. We remain open to global investment. We understand that 5G is an emerging technology that has the potential to meet the explosion in consumer and industrial demand, and we want to make sure that Canadians have access to this latest technology in terms of quality and coverage.

Our Communications Security Establishment provided us with guidance on the 4G network and it will continue to do so with 5G. As is always the case, we will follow the advice of our public security officials and never compromise security in Canada.

* * *

NATIONAL DEFENCE

Mr. David Yurdiga (Fort McMurray—Cold Lake, CPC): Mr. Speaker, the Liberals have a long history of attacking rural communities in Alberta. First they moved jobs from Vegreville and now they are taking aim at Cold Lake. Last week, we learned the Liberals are planning to move the aerospace engineering test establishment from Cold Lake to Ottawa. Will the minister cancel this plan to kill jobs at CFB Cold Lake?

Hon. Harjit S. Sajjan (Minister of National Defence, Lib.): Mr. Speaker, I thank the member for meeting with me last week to discuss this very important issue, when we discussed that the Canadian Armed Forces plays a very important role in NORAD missions and will continue to play a very important role. In fact, we are actually increasing our investments in Cold Lake, including making important upgrades to infrastructure.

Both CFB Bagotville and CFB Cold Lake will benefit from decisions to acquire the fighter jets to replace our CF-18s, both through the interim and the future fighter missions. I am happy to

carry on the discussion. In fact, I spoke with the mayor this afternoon and will—

The Speaker: The hon. member for Scarborough Centre.

* * *

STATUS OF WOMEN

Mrs. Salma Zahid (Scarborough Centre, Lib.): Mr. Speaker, by failing to ensure economic equality for women, we are missing out not only as a society but as an economy. A McKinsey Global Institute report estimates that women's economic equality could add \$150 billion to Canada's GDP by 2026 but women face barriers to full labour market participation, such as gender-based discrimination, patriarchal attitudes and lack of training.

Could the minister please explain how this government is actually helping women and how the women's entrepreneurship strategy is working to help women overcome these challenges?

Hon. Mary Ng (Minister of Small Business and Export Promotion, Lib.): Mr. Speaker, small businesses make up 99% of all businesses in Canada, yet only 16% are women-owned or women-led and they face unique barriers. This is why we recently invested \$85 million in a women ecosystem fund to help support those women entrepreneurs and another \$20 million to help those women grow their businesses. By advancing women's economic participation, we could add up to \$150 billion in GDP to the Canadian economy by 2026.

[Translation]

Women's success is everyone's business.

* * *

PUBLIC SERVICES AND PROCUREMENT

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Mr. Speaker, this past Friday, Quebec's National Assembly unanimously called for the Davie shipyard to get a contract to build the supply ship *Obelix*. The Prime Minister's failure to understand that our women and men in uniform need a second interim supply ship is unacceptable.

The Davie shipyard in Lévis knows how to build these ships on time and on budget.

The Liberal government's handling of this file has been a complete and utter failure. Will the Prime Minister make the only logical decision and award the *Obelix* contract to Davie as soon as possible?

Hon. Carla Qualtrough (Minister of Public Services and Procurement and Accessibility, Lib.): Mr. Speaker, our government is getting results for Canadians by providing the navy and the Coast Guard with the ships they need to serve the Canadian public. Through the national shipbuilding strategy, our government is creating good jobs for the middle class. We have awarded 17% of the strategy contracts, valued at more than \$1.3 billion, to Quebec companies. We are getting results for Quebecers and for Canadians.

Oral Questions

●(1500)

[English]

[English]

TRANSPORTATION

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, incidents of cyclist deaths are increasing in Canada. Just last week, a man was killed here in Ottawa while cycling on the street. Other tragic deaths in Vancouver, Toronto, Port Alberni and elsewhere show the urgent need for cycling safety and better infrastructure in our municipalities. The FCM recently voted 95% in favour of a national active transportation strategy. It has been two years since the Liberals created a cycling committee, which produced a single report but no action.

Will the Liberal government immediately introduce a national cycling strategy, or continue to do nothing?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, I fully recognize the issue of vulnerable road users, whether they are cyclists or people on foot, and that is why I have been working with the provinces. We came out with a report last September, after extensive consultations across the country. I will be speaking to my fellow transport ministers in January on this very important matter.

* * *

[Translation]

TOURISM INDUSTRY

Hon. Denis Paradis (Brome—Missisquoi, Lib.): Mr. Speaker, tourism is an important economic driver for our communities from coast to coast to coast, and especially for Brome—Missisquoi, where our landscapes, our environment and our lakes serve as a standing invitation for people to come and visit.

The tourism sector employs more than 1.8 million Canadians and is booming around the world, generating over \$8,000 billion in economic benefits and growing by 4% every year.

Can the Minister of Tourism, Official Languages and La Francophonie inform the House of the measures our government is taking to ensure that Canada is reaping its fair share of this growing global market?

Hon. Mélanie Joly (Minister of Tourism, Official Languages and La Francophonie, Lib.): Mr. Speaker, I want to thank my colleague from Brome—Missisquoi for his excellent question. We are proud to give a strong voice to over 1.8 million Canadians who work in this sector. In fact, not only are we proud, but it is time that that sector got the recognition it deserves.

If we combine the right economic conditions with smart policy decisions and ensure that the business community gets involved, the potential for development is huge: \$25 billion more annually and 180,000 jobs.

We are going to come up with a good strategy to develop tourism around the country.

AUTOMOTIVE INDUSTRY

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, the Prime Minister promised that his policies would attract the jobs of the future. Oshawa's auto workers want those jobs. Auto manufacturers have announced that they will be building the electric and autonomous cars of the future, somewhere. Oshawa workers are ready, willing and able. They just want a chance to be competitive, a chance to bid on those jobs.

Will the Prime Minister announce his plan for Oshawa workers by Christmas, yes or no?

Mr. David Lametti (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, we obviously feel for the workers in Oshawa, and their families. We have invested a great deal in the auto sector in Ontario. Almost \$400 million in investments on our part has generated over \$1 billion in investments in the auto sector in the car of the future. We are confident moving forward that Ontario will play a great role in the auto of the future, and we will continue to support the workers in Oshawa in the meantime.

* * *

[Translation]

NATURAL RESOURCES

Mr. Luc Thériault (Montcalm, BQ): Mr. Speaker, the Premier of Quebec made it very clear that we want nothing to do with Alberta's dirty energy. There is no social licence. We do not want pipelines crossing our rivers, and we do not want tank cars rolling through our towns. Will the Prime Minister get the message that if they want to sell their tar sands oil to other countries, it will not be going through Quebec either by pipeline or by train?

[English]

Mr. Sean Fraser (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.): Mr. Speaker, in the last federal election campaign, we made a commitment to grow the economy and protect the environment at the same time, and that is what we are doing. In particular, we are moving forward with a piece of legislation that is going to overhaul the environmental assessment project to ensure that we are able to get our resources to new markets, while at the same time mitigating the negative environmental consequences that can come when development happens in an irresponsible way. We are moving forward with a plan that is going to allow major projects to go forward, get our resources to new markets and protect our environment, all while incorporating the feedback of our indigenous people.

Routine Proceedings

[Translation]

RAIL TRANSPORTATION

Mr. Rhéal Fortin (Rivière-du-Nord, BQ): Mr. Speaker, speaking of trains, VIA Rail, a Crown corporation, would rather give a contract to Berlin for work that can be done in La Pocatière. They are taking Quebecers' money and giving it to businesses that are competing with Quebec companies. That is some nerve. We are proud of our workers, and we stand by them.

Will the Minister of Transport stand by Quebec companies and workers and ask VIA Rail to reconsider that decision and award the rail car contract to our own companies?

• (1505)

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, as I have said many times, VIA Rail is in the middle of a procurement process to replace its Quebec City-Windsor fleet. VIA Rail is a Crown corporation that makes its own decisions, and it has to take into account our free trade agreements—with Europe, in this case—as well as WTO rules. Everyone has to play by the rules of the free trade agreements we are part of.

[English]

Mr. Erin Weir (Regina—Lewvan, CCF): Mr. Speaker, the government says it will consider helping Alberta buy tanker cars. That is welcome news and I trust that the same offer will be extended to Saskatchewan. Transport in our region is limited not only for oil but also for people. The southern Prairies currently have neither passenger rail nor bus service.

Will the government consider restoring VIA Rail service between Winnipeg, Regina and Calgary to help the Prairies get back on track?

Hon. Marc Garneau (Minister of Transport, Lib.): Mr. Speaker, VIA Rail is responsible for passenger traffic across this country. It must do so based on a number of factors. At the moment, as we know, VIA Rail does pass through Saskatchewan. The Canadian goes from the eastern part of Canada all the way to Vancouver, so VIA Rail, as far as I know, still goes through Saskatchewan.

[Translation]

The Speaker: The hon. member for Montcalm on a point of order.

Mr. Luc Thériault: Mr. Speaker, I seek the unanimous consent of the House for the following motion: That this House condemn the government's approval of the global compact for safe, orderly and regular migration in Marrakesh without debate in this House.

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

Some hon. members: Agreed.

Some hon. members: No.

[English]

Hon. Pierre Poilievre: Mr. Speaker, I believe you will find unanimous consent for me to table the page from the Liberal Party platform showing the budget will be balanced by the year 2019.

The Speaker: Does the hon. member have unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to eight petitions.

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INTERPARLIAMENTARY DELEGATIONS

Hon. David McGuinty (Ottawa South, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian Group of the Inter-Parliamentary Union respecting its participation at the 281st session of the Executive Committee of the Inter-Parliamentary Union, the 139th IPU Assembly and related meetings held in Geneva, Switzerland, October 12-18, 2018.

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present, in both official languages, the reports of the Canadian delegation to the OSCE Parliamentary Assembly respecting its participation at the 17th winter meeting of the OSCE Parliamentary Assembly in Vienna, Austria, February 22-23, 2018, and the 27th annual session of the OSCE Parliamentary Assembly in Berlin, Germany, July 7-11, 2018.

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• (1510)

COMMITTEES OF THE HOUSE**AGRICULTURE AND AGRI-FOOD**

Mr. Pat Finnigan (Miramichi—Grand Lake, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 14th report of the Standing Committee on Agriculture and Agri-Food in relation to Supplementary Estimates (A), 2018-19.

FINANCE

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 27th report of the Standing Committee on Finance entitled “Cultivating Competitiveness Helping Canadians Succeed”. This report is the work of hundreds of Canadians who drafted over 500 submissions for the committee's consideration and approximately 300 witnesses who appeared before the committee from coast to coast to coast.

I want to thank members from all parties for their efforts and a special thanks on behalf of the committee to the clerks, David Gagnon and Alexandre Jacques, and to the analysts from the Library of Parliament, Andrew Barton, Brett Capstick, Michaël Lambert-Racine, Shaowei Pu and Ryan van den Berg. Without the efforts of the Library of Parliament, this fairly massive project would not be possible and I want to sincerely thank them and other committee members for their work and Canadians for their presentations.

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. Speaker, the Conservative Party feels that the report by the Liberal majority on the finance committee just reflects the broken promises of their government. Unfortunately, the Liberals have failed to balance the budget in 2019 as they promised, instead adding more multi-billion dollar deficits, more unchecked spending and more debt. The Liberals are also making it harder for our economy to grow through added regulations such as the pipeline-killing Bill C-69, payroll taxes and the carbon tax. As such, we are attaching a dissenting report that is also being tabled today.

FISHERIES AND OCEANS

Mr. Ken McDonald (Avalon, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 18th report of the Standing Committee on Fisheries and Oceans entitled, "Protection and Recovery of Endangered Whales: The Way Forward". I want to thank all committee members for their input. I want to thank the clerk and the analysts for getting this prepared.

[Translation]

PUBLIC SAFETY AND NATIONAL SECURITY

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 29th report of the Standing Committee on Public Safety and National Security regarding Bill C-83, an act to amend the Corrections and Conditional Release Act and another act.

[English]

INDIGENOUS AND NORTHERN AFFAIRS

Hon. MaryAnn Mihychuk (Kildonan—St. Paul, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the 17th report of the Standing Committee on Indigenous and Northern Affairs entitled, "The Challenges of Delivering Continuing Care in First Nations Communities".

In this process we heard from communities about the challenges with receiving care, as well as the many facilities that do not have culturally appropriate services for indigenous people.

I want to thank everyone who raised the issues and brought them to our committee, as well as all of the people who participated.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, this is a very important issue. If we look at the original motion for this committee report, it was comprehensive in nature, and we supported it. It was a Liberal motion. However, what we were most challenged by was the fact that the Liberals did not do what they said they wanted to do in their motion, so we called this report "A Missed Opportunity", because it missed the opportunity to do the comprehensive work that I think the witnesses expected from us as a committee. Therefore, I table a dissenting report today.

Routine Proceedings

PETITIONS

HUMAN ORGAN TRAFFICKING

Mr. John Nater (Perth—Wellington, CPC): Mr. Speaker, I am pleased to table a petition signed by a number of residents in Ontario. As members know, Bill S-240 was passed unanimously earlier today. The petitioners are calling for the speedy passage of this bill through committee stage and finally passed through this House.

VISION CARE

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, it is an honour to table a petition on behalf of constituents from coastal British Columbia, including Parksville, Ucluelet and Port Alberni. The number of Canadians with vision loss is expected to double in the next 20 years. In fact, just 1% of total expenditures on vision loss is invested in post-vision loss rehabilitation therapy. The petitioners are calling on the Government of Canada to commit to acknowledging eye health and vision care as a growing public health issue and to respond to it, particularly with respect to Canada's vulnerable populations of children, seniors, diabetics and indigenous peoples, through the development of a national framework for action to promote eye health and vision care. That would benefit all Canadians through the reduction of vision impairment resulting from preventable conditions and the modification of known risk factors.

● (1515)

HUMAN ORGAN TRAFFICKING

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, I rise to table a petition calling on the House to give speedy passage to Bill S-240. They will be pleased to know that it has now passed unanimously at second reading. However, it remains to be considered at committee and by the House again at third reading. The petitioners recognize the evil of international organ harvesting and call on us to move forward on this issue as quickly as possible.

FIREARMS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, I am pleased to present a petition signed by Canadians from the ridings of London West, London—Fanshawe and Guelph. The petitioners call on the House of Commons to respect the rights of law-abiding firearm owners and reject the Prime Minister's plan to waste taxpayers' money studying a ban on guns that are already banned.

Routine Proceedings

BLOOD DONATION

Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP): Mr. Speaker, it is an honour to rise today to present e-petition no. 1589, originally sponsored by former Burnaby South MP Kennedy Stewart. This petition was sparked by the failure of the Government of Canada to end the unscientific one-year ban on blood donations by men who have sex with men. This petition now has over 5,000 signatures from across the country. It calls on the Government of Canada to repeal the gay blood ban in order to help end the stigmatization of men who have sex with men, and to end the misgendering of transgender women as men for the purposes of blood donation.

HUMAN ORGAN TRAFFICKING

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, I have a petition today with respect to concerns about the international trafficking of human organs. The petitioners point out that there are two bills currently before the House of Commons and the Senate, the other place. They urge the Parliament of Canada to move quickly on the proposed legislation to prohibit Canadians from travelling abroad to acquire human organs removed without consent or as a result of a financial transaction, and to render inadmissible to Canada any and all permanent residents and foreign nationals who have participated in this abhorrent trade.

THE ENVIRONMENT

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Mr. Speaker, I am rising today on behalf of the residents of southern coastal British Columbia who are greatly concerned about the anchorages that are being used as a parking lot for freighters around the southern Gulf Islands.

The petitioners recognize that the ships that are staying for longer periods of time and with greater frequency are causing some stress for a very sensitive marine ecosystem. They point out that the bright lights and noise are affecting nearby residents.

The petitioners call upon the Government of Canada to use its power to fix this situation and eventually get us to a situation where these anchorages are no longer needed in this sensitive area.

PUBLIC SAFETY

Mrs. Rosemarie Falk (Battlefords—Lloydminster, CPC): Mr. Speaker, I rise today to table a petition signed by my constituents who are concerned about the alarming increase in crime rates in our rural communities. These petitioners are concerned about their safety and that of their families, friends and communities.

The petitioners call on the government to ensure that law enforcement agencies not only prioritize crime prevention and investigation, but that they also have the resources they need to do it so people can feel safer in their own communities.

THE ENVIRONMENT

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, I have two petitions to present to the House today. The first is a petition in support of protecting the Thames River system.

The petitioners draw attention to the fact that the Conservative government stripped environmental regulations covered in the Navigable Waters Act, leaving hundreds of rivers vulnerable,

including the Thames. They note that the current government has failed to keep the promise to reinstate environmental protection gutted in the original act.

Therefore, the petitioners ask the Government of Canada to support my Bill C-355, which would commit the government to prioritizing the protection of the Thames River by amending the Navigation Protection Act.

• (1520)

MILITARY VOLUNTEER SERVICE MEDAL

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, the second petition is in regard to a Canadian volunteer service medal.

The petitioners wish Parliament to recognize that Canadians who serve voluntarily in the Canadian Forces at one time were recognized for their volunteerism with a special medal. This was lost in 1947.

The petitioners ask that the Government of Canada recognize the volunteerism of various members of the Canadian military, the regular forces, the reserves and the Cadet Corp, with a new medal that would be kept in perpetuity to honour the service of these individuals.

ANIMAL WELFARE

Mr. Len Webber (Calgary Confederation, CPC): Mr. Speaker, I am pleased to present a petition today from Canadians across Canada.

These petitioners are concerned about the accidental poisoning of pets and wildlife. They are concerned that Health Canada still allows the use of strychnine, sodium cyanide and compound 1080 to kill wildlife, which they consider to be an archaic, inhumane and unnecessary practice. In particular, they are concerned about the use of this poison on the wolf and coyote population in Alberta and Saskatchewan.

The petitioners are asking that the government reconsider its approval of these poisons for use in Canada.

THE ENVIRONMENT

Ms. Tracey Ramsey (Essex, NDP): Mr. Speaker, I rise today to present a petition on the protection of the western basin of Lake Erie.

The petitioners point out that the western basin of Lake Erie is home to Carolinian flora and fauna, migrating and passive birds, butterflies and marine ecosystems that need to be managed for sustainable use while protecting the area for future generations.

The petitioners point out that conservation and protection practices need to be managed due to the high use of this area.

The petitioners also point out that on June 30, 1997, the national parks directorate of Parks Canada, run through the heritage resource centre at the University of Waterloo, identified this region as a candidate for a national marine conservation area as an outstanding natural area with historic Canadian significance and encourage public appreciation, awareness, understanding and enjoyment of the area.

The petitioners call on the Government of Canada to undertake an updated feasibility study.

HUMAN ORGAN TRAFFICKING

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, I am pleased to rise to present this petition signed by members across the greater Toronto area in support of this Parliament's moving very quickly on Bill S-240. As people may be aware from previous speakers, the bill did pass the unanimously to go to committee. The petitioners would like to see the House and the committee move very quickly on this.

The petitioners call on Parliament to take a stance on and ban the international trafficking of human organs.

IMMIGRATION, REFUGEES AND CITIZENSHIP

Ms. Jenny Kwan (Vancouver East, NDP): Mr. Speaker, I have four petitions to table today. Two of them are on the same topic, so I will present them together. The petitioners call on the government to repeal paragraph 38(1)(c) of the Immigration and Refugee Protection Act. They note that the immigration law discriminates against people with disabilities. In particular, it makes excessive and arbitrary demands that are inaccurate, and does not account for the contributions of individuals and their families before determining that they are not admissible to Canada. It also notes that this is in contravention to the UN Convention on the Rights of Persons with Disabilities and section 15 of the Canadian Charter of Rights.

• (1525)

Ms. Jenny Kwan (Vancouver East, NDP): Mr. Speaker, in the second petition, the petitioners call on the government to waive the requirement of travel loans by all refugees. It notes that refugees face extreme violence, conflict and persecution and are forcibly displaced from their countries of origin. The travel loan is something refugees have to take on as a burden when they come to Canada. Although the government recognized the significance of that burden by waiving the travel loan requirement for Syrian refugees from November 4, 2015, to February 29, 2016, no other refugees will benefit from that waiver. Therefore, the petitioners call on the government to waive the travel loan requirement for all refugees.

NATURAL RESOURCES

Ms. Jenny Kwan (Vancouver East, NDP): Mr. Speaker, the final petition notes that the Trans Mountain pipeline brings massive environmental and economic risks with no substantive benefits to British Columbia or its local residents. It notes that an estimated 50 permanent jobs would be created by the pipeline, many of which would not be for local workers in our own country. It notes that the Liberal and Conservative governments have undermined the National Energy Board review process, resulting in many B.C. residents being unfairly prevented from stating their concerns.

Routine Proceedings

The petitioners note there is no known scientific technology to clean up bitumen when it is spilled. They also note the government approved the Kinder Morgan Trans Mountain pipeline expansion under Harper's process and are therefore asking for the government not to proceed with the pipeline expansion.

Hon. Hedy Fry: Mr. Speaker, I rise on a point of order. I must have missed your calling for motions, because I do have a motion that I would like to present, with the consent of the House.

The Speaker: Is there unanimous consent to return to motions?

Some hon. members: Agreed.

Hon. Hedy Fry: Mr. Speaker, I rise, seconded by the member for Charleswood—St. James—Assiniboia—Headingley to introduce Senate Bill S-248, an act respecting national physicians' day.

The Speaker: This would not be under the rubric of motions. It would be under the rubric of first reading of Senate public bills. Therefore I should ask if there is unanimous consent for members to revert to that.

Is it agreed?

Some hon. members: No.

The Speaker: There is no unanimous consent.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the following questions will be answered today: Questions Nos. 2012 to 2014, 2019 to 2021 and 2023.

[Text]

Question No. 2012—**Mr. Peter Kent:**

With regard to meetings between the RCMP and ministers, exempt staff members, or other government employees in relation to leaks of Cabinet confidences: what are the details of all such meetings, including (i) name and title of minister, exempt staff member or other government employee, (ii) location, (iii) date, (iv) subject matter discussed?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, given its mandate and operational requirements, the RCMP does not disclose details related to operational activities.

Question No. 2013—**Mr. Peter Kent:**

With regard to the government's response to Q-1503 where it indicated that it was aware of six incidents of leaked information, but that only one individual had been under investigation for leaking information: broken down by each of the five instances where information was leaked but an investigation did not take place or no one was placed under investigation, what is the rationale for not pursuing an investigation into each of the instances?

Routine Proceedings

Mr. Peter Schiefke (Parliamentary Secretary to the Prime Minister (Youth) and to the Minister of Border Security and Organized Crime Reduction, Lib.): Mr. Speaker, with regard to the government's response to Q-1503, in the five other incidents, following initial fact-finding work, it was determined that there was insufficient data and evidence to determine the source of compromise and no further action was warranted.

Question No. 2014—**Mr. Peter Kent:**

With regard to instructions or directives provided by the Office of the Prime Minister to the Privy Council Office (PCO) since November 4, 2015: what instructions or directives were given to PCO in relation to the release of documents as requested by lawyers in the Mark Norman case, or in relation to the alleged leak of information from a November 2015 Cabinet committee meeting, and on what date was each instruction or directive given?

Mr. Peter Schiefke (Parliamentary Secretary to the Prime Minister (Youth) and to the Minister of Border Security and Organized Crime Reduction, Lib.): Mr. Speaker, there is an outstanding legal proceeding before the Ontario Court of Justice and the parties to that proceeding have sought disclosure of documents. The Government of Canada is collecting documents in its possession that are potentially responsive to the request, to provide to the court. It is up to the court to decide which documents should be released to defence counsel. It is accepted practice for the House of Commons to respect the sub judice convention and, as such, it would be inappropriate to comment.

Question No. 2019—**Mr. Tom Lukiwski:**

With regard to the terms used in Bill C-83, An Act to amend the Corrections and Conditional Release Act and another Act: (a) what is the government's definition of "meaningful human contact" and what are examples of contacts that would or would not satisfy the Bill's requirements related to that term; and (b) what is the government's definition of "leisure time" and what would be examples of activities that would or would not satisfy the Bill's requirements related to that term?

Hon. Ralph Goodale (Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, with regard to (a), in Bill C-83, the term "meaningful human contact" is intended to refer generally to social interaction and psychological stimulation conducive to mental health and rehabilitation. It is drawn from rule 44 of the United Nations Standard Minimum Rules for the Treatment of Prisoners, the "Nelson Mandela rules".

With regard to (b), in Bill C-83, the term "leisure time" is intended to refer to interactions with other individuals outside the context of formal CSC programs and interventions. Examples include sharing meals or engaging in physical activity with compatible inmates in a manner consistent with the secure environment of a structured intervention unit.

Question No. 2020—**Mr. Luc Berthold:**

With regard to changes or concessions made by the government to supply management in the United States—Mexico—Canada Agreement (USMCA): (a) what are the details of any studies the government has conducted on the impact of the changes to supply management in the USMCA, including the findings to any such studies; and (b) what projections does the government have on the impact of the supply management changes in the USMCA to each of the supply managed industries?

Hon. Lawrence MacAulay (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, with regard to Agriculture and Agri-Food Canada, including the Canadian Pari-Mutuel Agency, information on the economic impact of recent trade agreements that

can be made public is available on Government of Canada's websites.

With regard to CPTPP, please see <http://international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/cptpp-ptpp/sectors-secteurs/agri.aspx?lang=eng>

With regard to CETA, please see www.agr.gc.ca/eng/industry-markets-and-trade/international-agri-food-market-intelligence/europe/canada-european-union-comprehensive-economic-and-trade-agreement-ceta-for-agri-food-exporters/ceta-a-competitive-advantage-for-the-canadian-agri-food-industry/?id=1505510292539

With regard to CIFTA, please see <http://international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/israel/benefits-avantages.aspx?lang=eng>

With regard to USMCA, please see <http://international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/usmca-aumc/agri.aspx?lang=eng>

The Canadian Grain Commission did not conduct any studies on the impact of the changes to supply management under the USMCA and does not have any projections on the impact of the supply management changes under the USMCA. The Canadian Grain Commission does not have any role or responsibility with respect to supply-managed industries.

The Farm Products Council of Canada has not conducted any studies on the impact of the changes to supply management in the United States-Mexico-Canada agreement, USMCA.

With regard to the Canadian Dairy Commission, information on the economic impact of recent trade agreements that can be made public is available on Government of Canada's websites.

With regard to CPTPP, please see <http://international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/cptpp-ptpp/sectors-secteurs/agri.aspx?lang=eng>

With regard to CETA, please see www.agr.gc.ca/eng/industry-markets-and-trade/international-agri-food-market-intelligence/europe/canada-european-union-comprehensive-economic-and-trade-agreement-ceta-for-agri-food-exporters/ceta-a-competitive-advantage-for-the-canadian-agri-food-industry/?id=1505510292539

With regard to CIFTA, please see <http://international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/israel/benefits-avantages.aspx?lang=eng>

With regard to USMCA, please see <http://international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/usmca-aumc/agri.aspx?lang=eng>

Farm Credit Canada has not conducted any studies on the impact of the changes to supply management in the United States-Mexico-Canada agreement, USMCA.

*Routine Proceedings***Question No. 2021—Mr. Todd Doherty:**

With regard to instructions or advice provided by the Office of the Prime Minister (PMO) or the Privy Council Office (PCO) to departments and agencies regarding requests for the release of documents by a legal counsel to a party with matters before the courts: what are the details of any instructions which the PMO or PCO provided to any department or agency since November 4, 2015, including (i) sender, (ii) recipients, (iii) date, (iv) contents of the instructions or advice?

Mr. Peter Schiefke (Parliamentary Secretary to the Prime Minister (Youth) and to the Minister of Border Security and Organized Crime Reduction, Lib.): Mr. Speaker, the Government of Canada is bound by the Privacy Act and makes efforts to apply the principles of the Access to Information Act. In relation to matters before the courts, if such records exist, any instructions or directives would generally be subject to litigation privilege and potentially, to solicitor-client privilege.

Question No. 2023—Mr. Bob Benzen:

With regard to the government's Expert Panel on Sustainable Finance: why are there no panel members from any province or territory outside of Ontario and Quebec, as of October 24, 2018?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, the ministers of Environment and Climate Change and Finance selected panel members based on their experience in diverse segments of the financial sector, their ability to engage financial sector executives and their understanding of both private sector and regulatory perspectives.

The Expert Panel on Sustainable Finance is consulting broadly with industries and stakeholders across Canada.

* * *

[English]

QUESTIONS PASSED AS ORDER FOR RETURNS

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if the government's responses to Questions Nos. 2011, 2015 to 2018, 2022 and 2024 could be made orders for returns, these returns would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 2011—Mr. Dan Albas:

With regard to the government's Scientific Research and Experimental Development (SR&ED) tax incentive program, broken down by each of the last three fiscal years: (a) what is the number of businesses which applied for tax incentives under the program; (b) what is the average time between the receipt of an application and a decision; (c) what is the average time between the receipt of an application and the funding actually being delivered to the business; (d) what is the number of applicants who have received notice of an audit under the program; (e) what is the average length of time between the notice of an audit and the applicant being audited actually receiving funding under the program; and (f) does the government pay the applicant interest in the case that an audit delays payment or does the government simply put the interest towards general revenue?

: (Return tabled)

Question No. 2015—Mr. Tony Clement:

With regard to the number of individuals placed under a lifetime non-disclosure or gag order since November 4, 2015, broken down by department and agency: (a) what is the total number of (i) government employees, (ii) contractors, vendors or their

employees, (iii) others, who are under such an order; and (b) what is the number of individuals who have been found to violate such an order since November 4, 2015?

(Return tabled)

Question No. 2016—Mr. Tony Clement:

With regard to requests made to government ministers: (a) did any minister, including the Prime Minister, ever receive a request, including via email, text message, written, or oral communication, from members of the Irving family, or representatives of the Irving Group of Companies, that an investigation take place, or that charges be laid, in relation to the November 2015 alleged leak of information from a Cabinet committee meeting; and (b) if the answer to (a) is affirmative, what are the details of all such requests, including (i) sender, (ii) recipient, (iii) date, (iv) form (email, text, etc.), (v) summary or nature of request?

(Return tabled)

Question No. 2017—Mr. Tony Clement:

With regard to the meetings which took place at the Halifax International Security Forum, in November 2015, involving ministers and representatives from the Irving Group of Companies: what are the details of all such meetings, including (i) date, (ii) attendees, (iii) whether attendees were in person, or connected via teleconference, (iv) topics discussed?

(Return tabled)

Question No. 2018—Mr. Deepak Obhrai:

With regard to government expenditures on sporting event tickets since December 1, 2017: what was the (i) date, (ii) location, (iii) ticket cost, (iv) title of persons using the tickets, (v) name or title of event for tickets purchased by, or billed to, any department, agency, Crown corporation, or other government entity?

(Return tabled)

Question No. 2022—Mr. Bob Saroya:

With regard to government sponsorships: (a) what is the complete list of conferences or conventions which were sponsored by any department, agency, or other government entity, since November 4, 2015; and (b) what are the details of each sponsorship in (a), including (i) name of event, (ii) location, (iii) amount of sponsorship, (iv) date of event?

(Return tabled)

Question No. 2024—Mr. Larry Maguire:

With regard to the increase in fuel costs for school buses as a direct result of the federal carbon tax: does the government have any plans to compensate every local school board which will have to pay increased fuel costs and, if so, how much will each local school board receive in compensation funding?

(Return tabled)

[English]

Mr. Kevin Lamoureux: Mr. Speaker, I ask that all remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

*Government Orders***GOVERNMENT ORDERS**

• (1530)

*[English]***CRIMINAL CODE**

The House resumed consideration of the motion in relation to the amendments made by the Senate to Bill C-51, An Act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another Act.

The Assistant Deputy Speaker (Mr. Anthony Rota): The hon. member for Cowichan—Malahat—Langford has eight minutes remaining for questions.

Questions and comments, the hon. member for St. Albert—Edmonton.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, during his speech, my colleague, the member for Cowichan—Malahat—Langford, expressed understandable frustration over the failure of the government to move forward with the removal of unconstitutional sections of the Criminal Code. During her speech, the minister almost unbelievably encouraged opposition members to work with the government in moving government legislation forward in an expeditious fashion as though it was somehow opposition members who had been an impediment to getting these sections removed from the Criminal Code.

In fact, two years ago, following the Vader acquittal that overturned a guilty verdict on two counts of second-degree murder, our justice committee wrote to the minister. I stood with the McCann family in December 2016. The minister finally got around to introducing a bill in March 2017, but it is stuck at first reading.

Is there any possible explanation for how a bill that could be unanimously adopted in the House is still stuck at first reading almost two years later, other than the complete mismanagement and incompetence by the government of its own legislative agenda?

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Mr. Speaker, I will agree with my colleague from St. Albert—Edmonton. It is a real head-scratcher.

He recalled a few hours ago that when Bill C-32 was introduced, the government made much fanfare. There was a huge press conference in the foyer of the House of Commons. A number of stakeholders were behind the minister. It made headlines across the country. That bill still remains in purgatory.

It was then rolled into Bill C-39, and we had hope that this was moment we would be moving forward with the much-needed amendments to the Criminal. However, again, that bill remains in purgatory at first reading.

Finally, Bill C-39 was rolled into Bill C-75. The House of Commons has only just passed that bill and sent it to the Senate.

Here we are more than three years into the government's mandate and we have only just sent that package of Criminal Code reforms to the Senate. Who knows how long it will take in the other place, given how massive that bill is, how many debates will be needed in the Senate and how many stakeholders will appear before the legal and constitutional affairs committee.

For a government that came to power with such a huge and ambitious mandate to reform our criminal justice system, the evidence of its legislative progress has been very lacking. I would agree with my colleague that the government's management of time in the House could certainly use a few lessons.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am always happy to ask questions of the New Democrats.

My understanding is that the NDP is supporting the legislation. A lot of work was done at the committee stage, as was referenced. Even the amendment before us from the Senate was also discussed at the committee stage. My understanding is that it was generally felt at that time that we should move ahead without making those changes.

Could my colleague provide his thoughts and maybe even correct the record if I have misinterpreted this inappropriately? Did the NDP members participate in the discussion at that time? If so, what were their thoughts?

Mr. Alistair MacGregor: Mr. Speaker, I did. I was not there for most of the committee's deliberations on Bill C-51 because of a family matter I had to deal with at home, but I was there for the clause-by-clause consideration.

I moved an amendment at committee stage, which my Conservative colleagues supported. It sought to clarify some of the language. The hon. member for Saanich—Gulf Islands, the leader of the Green Party, also moved an amendment that was very much in line with what the Senate has attempted to do. I voted in favour of that one as well.

My short answer to the member is, yes, we in the NDP did support Bill C-51, with the constructive criticism that more could have been done. Now the bill has come back to the House with Senate amendments. While I still support the bill in principle, I will be voting against the government's motion. I very much agree with what the Senate has attempted to do to add more clarification to this part of the Criminal Code, which is warranted. With many sexual assault cases, the judicial discretion has sometimes left much to be desired. This is a crime in Canada that goes unreported much of the time. Adding more clarity to what does and does not constitute consent will be very valuable for Canadian society going forward.

• (1535)

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, the Senate amendments relate to section 273 of the Criminal Code, which set out a whole host of factors in which consent is deemed not to have occurred. The issue relates to subsection 273.1(2) that codifies, on its face, the J.A. decision by adding the word “unconscious”. There was some debate and some disagreement among some witnesses about whether adding those words would be helpful or whether they would create uncertainty in the law. That was the basis upon which Senator Pate introduced her amendments, which ultimately passed in the Senate.

Government Orders

A counter argument to that is that the wording is sufficiently clear because it does, yes, incorporate the word “unconscious”, but it goes on in paragraph 273.1(2)(b) to refer to there being no consent for any reason other than the one referred to in proposed subparagraph (a.i), which is the word “unconscious”. Perhaps the hon. member for Cowichan—Malahat—Langford could address that point.

Mr. Alistair MacGregor: Mr. Speaker, I recognize the deliberations that were made in favour of keeping the bill as is. However, when I was doing research for my speech on the bill today, I had the opportunity to look at the transcripts from the Senate's third reading debate on it. I was very moved by Senator McPhedran's deliberations on it.

More than 30 years ago, she was one of the co-founders of LEAF, the Women's Legal Education and Action Fund. She knows many people in the legal community, especially feminist scholars of criminal law. I was very moved by her comments that without Senator Pate's amendments to Bill C-51, we would have failed to capture the scope of consent as laid out for us by the Supreme Court.

While, ultimately, the New Democrats support Bill C-51 as is, I support what the Senate has attempted to do, and was very much moved by the senator's arguments in favour of it.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, it is always a pleasure to address the House, especially as we get closer to this beautiful building being shut down for many years to come.

First, I would make reference to the other place. The Senate contributes a great deal to the public debate. It goes through amendments and gives an assessment of what has been proposed by the House of Commons through legislation. I truly appreciate the work of many senators and the amount of time they put into trying to improve legislation before them.

However, from what I understand, a lot of discussion on the amendments proposed by the Senate took place in a standing committee of the House. I do not want to take away from the seriousness of the offence we are talking about, but I think a majority of Canadians see this legislation as positive and long overdue. It would go a long way in making our system that much better.

I will start with the purpose of the legislation, what we have debated over the last while and the time frame. I want to address many other aspects that were raised by the opposition, particularly around the area of timing, the number of legislation and so forth.

With respect to the purpose of the legislation, I will highlight four areas.

First, the bill would clarify and strengthen certain aspects of sexual assault law relating to consent, admissibility of evidence and the legal representation for the complainant during rape shield proceedings. One only needs to listen to some of the debates we have had at second reading and some of the discussions that took place during the standing committee to get a good sense of the nature of the problem and why that aspect is so critically important.

Second, the bill looks at repealing or amending a number of positions within the Criminal Code that have been found to be

unconstitutional by appellate courts and other provisions that are similar to ones that are found as unconstitutional.

Third, the bill looks at repealing several obsolete or redundant criminal offences.

Fourth, which is a strong positive, the bill would require that a minister of justice table a charter statement in Parliament for every new government bill, setting out the bill's potential effects on the charter. A good number of members have raised concerns about this, but I see it as a welcomed addition.

I have indicated on numerous occasions that the Liberal Party founded our Charter of Rights and Freedoms. We take it very seriously. I like to think that this is a good example of a very tangible action that clearly demonstrates we are a government that genuinely supports Canada's Charter of Rights and Freedoms. Therefore, to have a minister responsible to give his or her interpretation on how legislation could affect laws is a positive thing.

● (1540)

It is something that could complement future decisions. A court could take into consideration ideas, concepts, thoughts and expressions that might have been raised while the legislation was being debated in the House. I would argue that it gives a little more depth to the legislation itself. I see it as a very strong and positive thing.

Those are the four core points that I would highlight. However, I want to address some of the things I have heard during the debate earlier this morning and during questions and comments. Members across the way have asked why time allocation is important. I am often quoted by some members of the opposition, suggesting why I would support time allocation. I can remember sitting in the third party benches in the far corner over there, just a few years back. I recognized back then that time allocation is an effective and necessary tool at times in order for government to deliver on its commitments to Canadians. It is something we have taken very seriously.

Let me give an example. Last Thursday we brought forward another piece of legislation. I believe it was Bill C-57. When we brought that bill forward, the member for Sherwood Park—Fort Saskatchewan started the debate at about 3:30 p.m., and he continued to debate the bill for two and a half, maybe three hours. There is no doubt that it was somewhat enlightening. Some might argue that we are looking at a limited amount of time, and we need to acknowledge that there is a limited, finite amount of time for the House to deal with legislation.

Government Orders

If the opposition chooses to prevent legislation from passing, it does not take very much. The member for Sherwood Park—Fort Saskatchewan is very capable of articulating at great length. He could stand in his place and talk for two or three hours. If I was provided the opportunity to talk about a budget and all the wonderful things we do, I would like to think I could probably talk for a few days because there are so many good things this government has done for Canada's middle class. It would be a wonderful thing to be able to share that information with my colleagues across the way. However, the reality is that if the opposition were to allow me to do that, I suspect it would be somewhat hurtful for the government, given the limited amount of time we have inside the chamber.

I use this as an example because a number of members across the way have been somewhat critical of two things. One is why we found it necessary to bring in time allocation on this legislation. The other is related to the overall approach by this government on justice.

On the time allocation issue, both the Conservatives and the NDP often like to get together on a united front, and if they were determined to prevent legislation from passing, they could put government in a very difficult position where it would need to try to push the legislation through. That is in fact a responsibility of government.

• (1545)

Many pieces of legislation that we brought forward, including this bill, are because we made a commitment to Canadians in 2015. This legislation is another commitment fulfilled by this government.

If we were to give all the time asked for by the opposition, we would not have been able to pass a couple dozen bills. Canadians, rightfully so, expect the government to have a full legislative agenda. That is, in essence, what we have.

A New Democratic member criticized the government by saying that we have legislation here and there, and why is this bill not passing, and why is this other bill still in the Senate, and why are we still debating it here. There are two reasons. One, there is a process that does have to be followed. Two, at times individuals or political entities have an interest, for whatever purpose, to not allow legislation to go through. That means there is legislation that is at different points of discussion and debate. We have legislation still with the Senate. We have some getting ready for committee stage, some at second reading and some at third reading.

Let there be no doubt that when it comes to the issue of justice, we do very much take a holistic approach at delivering on that issue. I think it is safe to say that as a government, we want to ensure that legislation we bring forward is all about protecting Canadians.

This is one piece of the whole pie that is having that desired impact. We want to show compassion to victims. The Conservatives often say we are not sensitive to victims, yet we have legislation that enshrines victims rights in certain situations. We as a government recognize the importance of not only showing compassion to victims, but also bring in legislation where we can and other measures through budgets, to demonstrate that compassion to victims.

It is also important that we hold offenders accountable. Again, this government takes this very seriously. In the past, when I have

addressed that particular issue, there has been a comparison made between the Conservatives and the Liberals. There is a big difference between the two parties on the issue of offenders. Within this legislation we talk about offenders. However, there is a significant difference. Many of the Conservatives like to take a hard line on crime, as if that rhetoric will make our society a better, safer place to live. We, on the other hand, have a different approach to it, which is seen in this legislation as I get back into some of the details of it.

We recognize that incarcerated individuals at some point in time will be released back into society. There is a responsibility for us to ensure that we prevent victims in the future by ensuring that the majority of those individuals who are released become more productive citizens of our country.

• (1550)

We also recognize the importance of our Charter of Rights and Freedoms. I made reference to that at the beginning when I talked about the scope of the legislation. I made reference to the fact that we are the party that brought in the Charter of Rights and Freedoms. We understand it and this legislation would ensure there is a stronger place in recognizing the importance of the charter.

I would like to cite something specific that was provided to me in recognizing the importance of charter statements:

Respect for the Charter is a critical aspect of governing and legislating in Canada.

That is something we would argue and one of the reasons we are asking members to support this legislation. It then states:

Requiring the introduction of a Charter Statement for every new Government bill represents a new, more open and more transparent way of demonstrating respect for the Charter.

The Minister of Justice has already tabled nine different charter statements in Parliament for her own bills. She has demonstrated leadership on that aspect. The proposed legislation would make the minister's existing practice a legal duty. The duty would extend to all government legislation.

Obviously, there has been a great deal of discussion on clarity in regard to consent. That was very well discussed. There was a great deal of discussion at the committee stage, where from my understanding the committee members believed it was okay to proceed to third reading with what had come out of the committee stage. I cannot recall anything coming from the official opposition regarding the need to reopen the area of an additional definition of consent, and I am sure I will be corrected if I am wrong during questions and comments. That is a very important aspect of the legislation.

I have heard a couple of members talk about a clause that dealt with religious freedom, something which was taken into consideration at the committee stage. I want to raise that because someone, in posing a question earlier today, reflected on how the government backed down on a clause in the form of an amendment. It is important to recognize that the minister and the department did a wonderful job in the work prior to the introduction of the bill in the House, in meeting with the different stakeholders and working with other jurisdictions to present the legislation. It comes through the department after that consultation.

Government Orders

A clause came up which was looked at concerning something to be taken out of the Criminal Code and it was deemed that we did not want that to happen. That was at the committee stage. To me, that speaks well of our standing committee process. Within the standing committee, the members identified an issue that ultimately was amended and there was a change in the legislation. It is not the only change that occurred.

•(1555)

I raise that point because from the very beginning of the original consultations and the work done by the department, we have been working with stakeholders to ensure that we have good legislation that I believe will ultimately serve Canadians well.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, one issue I want to ask the parliamentary secretary to the government House leader a question about is the defence disclosure requirements in Bill C-51. This would mark the first time there would be a positive obligation on the part of the defence to turn over evidence, other than a few minor exceptions that are not in the least bit controversial and are well accepted. In this regard, for a defence counsel to tender evidence and records that in any way related to the complainant, it would have to bring forward an application at least 60 days before the trial.

We are not talking about records relating to the sexual activity of the complainant. Those are addressed in section 276. We are not talking about records in which there would be a reasonable expectation of privacy on the part of the complainant, such as therapeutic records. Those are dealt with in section 278. We are talking about any record relating to the complainant.

I would submit that this expansive definition would create an unwieldy process that would result in significant delays, not to mention the real risk of mid-trial applications, and therefore adjournments, and would do much to undermine trial fairness. Could the hon. parliamentary secretary comment?

•(1600)

Mr. Kevin Lamoureux: Mr. Speaker, on the issue of defence disclosure, I do not have the background to provide the type of detailed answer the member would like to hear.

What I do know is that at times, we need to recognize that there is a need for change. I talked about compassion for victims. This is a good example that could be used, when we talk about defence disclosure. As we evolve our court system and the way trials are conducted, at times we need to recognize that there is a need for change. Will it have a negative impact in terms of delays in justice? I am not in a position to provide the type of answer the member across the way may be looking for. However, I believe this is the right direction to be going.

If the member wants a more detailed answer, I would suggest that it might be more appropriate to ask the minister or the parliamentary secretary.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Mr. Speaker, excuse me while I shed a few tears for the troubles of being in a majority government. The parliamentary secretary should have an inkling of understanding, because he once sat in this corner, of the vast amount of power a majority government wields in this place. Frankly, I find it inexcusable at this stage in the

42nd Parliament that the only substantive justice bills that have been passed by the current government are Bill C-14, which was the result of a court-ordered deadline, and Bill C-46, which, of course, was the companion bill to Bill C-45.

Our contention on this side of the House has been that it would have been unnecessary to even use time allocation if the government had taken the non-contentious parts of Bill C-32, which was rolled into Bill C-39, which was rolled into another bill, and made those a standalone bill. For example, we have provisions in the Criminal Code such as challenging someone to a duel, possessing crime comics and fraudulently practising witchcraft. For decades, legal scholars have complained that these faithful reproductions in the Criminal Code lead to confusion. It should have been no secret to officials in the justice department that as soon as the justice minister assumed her mandate, we could have moved ahead with a bill to get rid of those inoperable, redundant sections of the Criminal Code, probably with unanimous consent.

Looking back at the last three years of the government's legislative agenda, particularly with justice bills, would the parliamentary secretary not agree with me that it would have been smarter to package the non-contentious reforms of the Criminal Code in a standalone bill, rather than having us, at this stage, at three years, with not a single reform of the Criminal Code yet passed by this Parliament?

Mr. Kevin Lamoureux: Mr. Speaker, from day one, this government has been introducing legislation. I believe the first piece of legislation was Bill C-2, which gave the tax break to Canada's middle class. From that day to this day, this government has been very diligent in trying to pass legislation in as orderly a fashion as possible. At times we have had support from the NDP to use time allocation. The NDP on occasion has recognized the odd piece of legislation it prioritized. The idea of using time allocation has been recognized by all parties in this chamber. It is just that we have different priorities.

The government's priorities are to fulfill the commitments it made to Canadians in the last election as much as possible, and a good number of those commitments have to be done in the form of legislation. It might not meet the timing of my New Democratic friends, but this has been a very busy government on a number of fronts.

The justice file has been an important priority for this government. That is one of the reasons there are a number of legislative items in different stages. If the member wants to see them pass, it should make a suggestion. I would definitely recommend to the government that it accept unanimous consent to have this bill and other pieces of legislation passed right now. If the NDP has identified legislation it wants passed, I will be pleased to advocate on the NDP's behalf that we allow for the unanimous passage of government legislation. I do not know if the Conservatives will agree. We might have to lobby them together.

Government Orders

•(1605)

Ms. Sheri Benson (Saskatoon West, NDP): Mr. Speaker, I would like to follow up on my colleague's comments on the promises of the Liberals during the election on the substantive changes they were going to make. In particular, in my province of Saskatchewan, many people were swayed by the Liberal promise that it would get rid of mandatory minimum sentences. We will not all agree on that issue, I know, but in my province, the rates of incarceration for indigenous people are horrendous. It is a human rights issue by any stretch of the imagination. We have been waiting a very long time for the government to do something substantive on justice issues that will make a difference to people's everyday lives and bring justice and honour their human rights.

I would share with my hon. colleague how very disappointed I am at this point in the Liberals' mandate to not see the issue of getting rid of mandatory minimum sentences. If the most important relationship to the government is the relationship with first nation people, it was a TRC call to action to get rid of mandatory minimum sentences, and I would be the first to stand up to pass that bill with unanimous consent.

Mr. Kevin Lamoureux: Mr. Speaker, I appreciate the member's comments. If we were to look at the amount of legislation the government has brought forward over the last few years, there are a lot of good things in it. I am hoping that we will get as much of it, if not all of it, passed, because it is something I believe Canadians would be very supportive of. I will concede that we might need that second mandate to achieve all the wonderful things we want to achieve. That is not up to me. It will be up to Canadians to ultimately decide in 2019.

[*Translation*]

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Mr. Speaker, I wish to inform you that I will be sharing my time with the member for Saskatoon—University.

I find it very impressive that my colleague opposite hopes to have a second mandate. I hope that will not be the case.

I am rising today in the House to speak to Bill C-51, an act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another act.

This bill has sparked lively discussions and important debates because it deals with sensitive subjects both for parliamentarians and the general public.

The bill has some value because Canada's Criminal Code needs to be updated. Passages or provisions that have been deemed to be unconstitutional or that could result in challenges based on the Canadian Charter of Rights and Freedoms need to be amended, removed or repealed, as do any passages or provisions that are obsolete or unnecessary or that no longer have a place in today's criminal law.

Bill C-51 has four main sections, namely the provisions pertaining to sexual assault, the provisions that have been deemed unconstitutional or that are similar to other provisions that were, the obsolete or needless provisions, and the charter statements.

I would like to focus on the part of the bill that would amend certain provisions of the Criminal Code pertaining to sexual assault in order to clarify their application and to establish a regime concerning the admissibility and use of a plaintiff's or witness's private records in possession of the accused.

In light of all the much-needed efforts made by all parties concerning the reporting of sexual assault, I agree with the provisions of Bill C—51 pertaining to sexual assault because they are very reasonable, and the Conservative Party has always advocated and voted for improving laws when they strengthen the rights of victims of crime, including victims of sexual assault.

The changes proposed by Bill C-51 are necessary if we are to be consistent in our efforts to support victims of sexual assault.

As a woman, a mother of two daughters and an advocate for enhancing the rights of victims of crime, I fully support the changes proposed by the bill, which would clarify and strengthen the sexual assault provisions of the Criminal Code.

It is obvious that these changes will help the government provide solid support to victims of the serious and deeply traumatizing crime of sexual assault.

Despite this positive step forward, it is vital that we also amend the Canadian Criminal Code to toughen penalties for criminals convicted of sexual assault, so that victims feel supported from the moment they decide to report their attackers.

Furthermore, the Criminal Code should have significant minimum sentences for perpetrators; otherwise, victims will never feel like justice has been done.

It is indeed important to modernize the Criminal Code and keep it up to date in order to ensure that justice is done, eloquently and effectively, for the sake of victims and their loved ones. However, as I was saying earlier, the Criminal Code needs to have significant minimum sentences, not maximum sentences. We already know that in most cases, these sentences are rarely imposed by judges. A minimum sentence is a stronger and far more effective deterrent for perpetrators and also sends a positive message to victims.

Parliament has adopted clear provisions that define the concept of consent in the context of sexual assault.

•(1610)

Section 273.1 includes an exhaustive list of factors pertaining to situations where no consent is obtained. I am pleased that Senator Pate's amendments on this were not adopted. It is essential to keep the concept of consent intact. Consent can never be obtained when a person is unconscious.

The wording in Bill C-51 clearly recognizes the many possible reasons why a person cannot provide consent even if they are conscious.

Government Orders

We had to preserve one of the primary objectives of this bill, namely to ensure that we did not make legislative measures more complicated than they already are or make the concept of consent contentious. Far too often, in court, defence attorneys use the concept of consent against victims.

For the victims, nothing must undermine the definition of consent, which requires the complainant to provide actual active consent through every phase of the sexual activity. It is not possible for an unconscious person to satisfy this requirement, even if they express their consent in advance.

I can only imagine what state sexual assault victims would be in, if, during an evening, they provided consent to “normal” sexual relations but were drugged with the date-rape drug and violently sexually assaulted.

If the government wants to better protect victims of sexual assault, it is vital that it keep this provision, especially since we also support former MP Rona Ambrose's private member's bill, Bill C-337, an act to amend the Judges Act and the Criminal Code with regard to sexual assault. This bill would restrict eligibility for judicial appointment to individuals who have completed comprehensive education in respect to matters related to sexual assault. Furthermore, it amends the Criminal Code to require that reasons provided by a judge in sexual assault decisions be in writing.

In closing, I would like to add that this bill, if it were serious about this matter, could have proposed that the Department of Justice be required to assess the impact of any change to the Criminal Code on the rights of victims of crime contained in the Canadian Victims Bill of Rights. That is the only reason for my strong reluctance to vote for this bill. I believe that, without this provision, we run the risk of passing legislation that could negate the rights contained in the Canadian Victims Bill of Rights.

However, I will agree to vote for Bill C-51 because, on the whole, it is a good bill.

• (1615)

[*English*]

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, the member is right that there are a number of aspects of Bill C-51 that are welcome in clarifying, in some cases, the law around sexual assault.

I think everyone in this House would agree that sexual assault is an extremely serious offence. The lives of those who are victims of sexual assault are forever changed. It is why I have to say I am very disturbed that, on the one hand, there are some positive aspects to Bill C-51 but, on the other hand, the government would turn around in Bill C-75 and hybridize the offence of administering a date-rape drug. The government is actually reclassifying that offence from what is now a solely indictable offence, the most serious type of offence in the Criminal Code, to an offence that could be prosecutable by way of summary conviction.

I was wondering if my hon. colleague could comment on what kind of a message it sends to water down sentencing for administering a date-rape drug. I would submit it sends exactly the wrong message.

[*Translation*]

Mrs. Sylvie Boucher: Mr. Speaker, I thank my colleague for his question. He is right. It does send a strange message. On the one hand, they want to clarify a situation, but on the other, they make it impossible to clarify.

I have always advocated for victims of crime. What bothers me the most about Bill C-51 is that it mentions the Charter of Rights and Freedoms a lot but does not mention the Victims Bill of Rights at all, even though it is supposed to help victims. Plus, the Victims Bill of Rights takes precedence over the Charter of Rights and Freedoms.

Unlike their attackers, victims of crime get life sentences. In many cases, there is no minimum sentence for perpetrators. A judge may hand down a maximum sentence knowing full well that the offender will never serve it in its entirety. Many offenders get out of jail after serving a third of their sentence, and that is what makes victims of crime nervous. Sexual assault and rape are life sentences for victims. We have no idea what those women and young boys go through. Yes, boys can be victims too.

For those people, and as far as I am concerned, Bill C-51 does not go far enough. I would have liked an explanation as to why Bill C-75 was scrapped when it should have been kept. I would also like someone to mention the bill introduced by our former leader, Rona Ambrose, that addressed this problem.

Bill C-51 is a good bill, but there is still more work to be done.

• (1620)

[*English*]

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Mr. Speaker, one of the happier moments in the deliberations on Bill C-51 was the decision by the committee to reinstate section 176 of the Criminal Code that goes after people who, by threat or force, unlawfully obstruct or prevent an officiant from celebrating a religious or spiritual service. The committee heard from a lot of witnesses that this was very important to keep in the Criminal Code. I am wondering if my colleague has any thoughts about the all-party consensus to keep that in the bill and what it may mean for constituents in her riding.

[*Translation*]

Mrs. Sylvie Boucher: Mr. Speaker, I think everyone agrees that we need to keep that particular aspect.

[*English*]

Mr. Brad Trost (Saskatoon—University, CPC): Mr. Speaker, it is my pleasure to discuss Bill C-51, an act involving a variety of issues that have been put together. I will not deal with the entirety of the bill, but I will give a brief summary and deal with certain sections that are of particular concern.

Government Orders

This legislation has been described as consisting of four separate parts. The first part is provisions that deal with sexual assault and rules around that. I do not pretend to be an expert on this, and my speech will not concentrate on those areas of the bill, but what I am hearing from some of my colleagues is how certain sexual assault offences would be treated less seriously in this legislation than in previous legislation. That does concern me. I wonder why the government is making these changes. I do not see any reason to treat sexual assault offences less seriously in the future than we have in the past.

There are a couple of other provisions where it makes sense that they are grouped together. They are dealing with things that may be obsolete, or provisions that have been found to be unconstitutional. It makes sense those two would be together in this legislation, as they are sort of a cleanup in the legislation. They are no longer functional, and it is a housecleaning bill in that sense.

Then, for some strange reason, the government has put a provision in the bill about charter statements. It would require that statements and legal opinions about the Charter of Rights and Freedoms be attached to all government bills.

If I could give some advice to the government for the future, perhaps it should not try to package these four separate areas together. Issues around sexual assault in particular need their own legislation to be dealt with so members can properly discuss it and look for ways to provide justice both to the accused and to victims going forward. As has been mentioned, this is a criminal offence that has very profound life-changing consequences for those affected by it.

I am particularly interested in a couple of things the government has put together as far as obsolete provisions or provisions that have been found to be unconstitutional or are similar to other provisions that have been found to be unconstitutional. I understand the government's reason for putting in clause 28, where it repeals the offence to supply or procure a drug or instruments used to cause the miscarriage of a female person. I understand why it is putting that clause in to get rid of that element of the legislation.

Let me express my disappointment with it, because what that is doing is cleaning out what is left of the abortion legislation that we have in Canada. I know with the Morgentaler rulings and so forth it was struck down, so I can understand the government's legal reasoning on this makes sense. If I shared its philosophical perspective I would do this as a matter of housecleaning, but it does bring to the notice of the House that Canada is the only democratic country in the whole world that does not have legislation dealing with abortion. I, and I know other members of the House find that to be an absolute disgrace. This is really the last housecleaning aspect to get rid of what is left of legislation in our Criminal Code dealing with abortion.

Members of the House, particularly members who agree with me that this is a disgrace, should contemplate on this final bit of housecleaning to get rid of what is left of legislation that protected the life of the unborn and should actually think about possibly opposing this legislation on the final vote to send a message that we think something needs to be done to defend the life of the unborn. Again, I understand the government's legal reasoning behind it. I am

not questioning it. However, I think the duty of the House is not just to always rubber-stamp what the courts have said. It also needs to send a message about what we feel is right and moral, even when the courts, in my view, usurp the role of the House.

● (1625)

The other change in this legislation that has caught the attention of a considerable number of people, including me, is regarding obstructing or violence to or arrest of officiating clergymen. Originally the government was arguing that this was an obsolete provision that needed to be taken out. However, I think what has happened in regard to this clause actually demonstrates that our democratic processes do work well in this country. Many Canadians were very concerned, because this clause has actually been used. I have been informed that not that many years ago it was used, I believe, with respect to St. Patrick's here in Ottawa. Members can understand why this would be of major concern.

I think the government was right to expand the definition beyond Christian clergy, such as a Roman Catholic priest. One can see very clearly how a rabbi conducting a service in a Jewish house of worship could be very concerned if someone came in to do a demonstration with respect to Israel, or if at a Muslim service something were to take place. A lot of foreign policy questions are, in some people's minds, now tied to religion. I think it was very important that the public spoke out and clearly said to the government that it is unacceptable to remove this and that it is something they want protected.

All forms of freedom of speech need to be protected and are of importance. Religious freedom of speech is not a singular, individual one, but rather it is done collectively. When a clergyman is officiating a service that is interfered with, it is interfering with something that is very profound and sacred to a group of people. It is invading their privacy. It is taking away from them an intimate, special moment, an act of connection with their god. The government's original suggestion was that this was redundant to other pieces of legislation, but I think it is clearly understood that is not the case. This is something special and distinct. The government did a wise thing by backing down under public pressure and to understand what this means to many Canadians.

My final concern with this legislation has to do with the requirement for charter statements being put into this bill. The bill is suggesting that every time the government brings forward a piece of legislation, it must table a charter statement in Parliament with the bill. If the current government wants to do that, that is its choice. I understand it has been done eight times. However, I have a couple of concerns with this.

When a legal statement involving the Charter of Rights and Freedoms is attached to a bill, it may very well give the public an incorrect impression as to the legality or illegality of the bill. I would expect all governments to check and be very thorough about whether or not a bill or a piece of legislation they are putting forward is just. However, a legal opinion from one, two or even three lawyers in the Department of Justice may be seen as something more than it is, something more consequential and more powerful.

Government Orders

My other concern about this is it could very easily be a way for the Department of Justice to steer, through its own opinions, political opinions of the government. Governments have the right to disagree with their own lawyers. They have the right to put forward legislation that pushes the grey line of charter rights. We have a notwithstanding clause. Governments do not even have to universally follow the Charter of Rights and Freedoms. That is the way it is construed. That is a concern I have. Again, if the government wishes to do it, it should feel free to do so. However, this is something that is creating an extra hurdle or perception that I am not sure members of this House would universally agree with.

Those are my concerns. I understand the basis for the legislation. However, there are things about this bill that I cannot support.

• (1630)

Mr. Larry Maguire (Brandon—Souris, CPC): Mr. Speaker, I want to ask my colleague for clarification. He was speaking about the hybridization of section 176 sending the wrong message that unlawfully obstructing, threatening or harming a religious official is not a serious offence. With the experience that he has had and the discussions that have taken place on previous bills in this House, I wonder if he could elaborate on whether or not he believes that the government is serious about keeping the act the way it is or changing it to be softer.

Mr. Brad Trost: Mr. Speaker, generally when the government hybridizes an offence, it allows the prosecutors to put the charge in a less serious form, whether it is a year, two years or more or two years less. This allows the government to keep the crime in the Criminal Code legislation but allows prosecutors to put a much softer charge to it. I think the message is that the government still views it as a crime, but not that serious of a crime, and it is sending a message to prosecutors that if they do prosecute, not to prosecute all that hard and go for a very minimal sentence.

I do not think that is a good message to be sending. Offences against religious worship are very serious. We can ask people in the Jewish community how they would feel if a neo-Nazi came in to intimidate them.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, it is unfortunate that the member would see hybridizing as a negative thing. It would allow our courts, Crowns in particular, the opportunity to ensure that certain situations would not go through a criminal court if it was not necessary. The example I used before was kidnapping. If someone stalked and apprehended a child from a schoolyard, who knows the horrors that could happen. However, that is quite different from a hotly contested divorce settlement where a child takes it upon himself or herself to leave one parent to go to another parent. Both situations would be classified as kidnapping. When we hybridize something, it allows the Crown to use more discretion.

Is my friend suggesting that we should not have hybridization in our justice system?

• (1635)

Mr. Brad Trost: Mr. Speaker, I was not saying that as a broad principle for every situation every time, but with some of the

examples being put forward in the legislation, it is not particularly wise to be hybridizing particular offences.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, one of the most troubling things I find with the bill is that we have had to, once again, shame the government into removing something it ought to have known should not have been in there in the first place. I am speaking about the protection for religious services and the ministers associated with them.

I wonder if my hon. colleague could comment on the fact that the bill is so far delayed that it probably will not make it out before the election year is upon us.

Mr. Brad Trost: Mr. Speaker, the hon. member is asking me to comment on how the government mishandles its own schedule. I should leave that for our House leaders. We do not want to necessarily teach the government how to actually handle its own schedule. Suffice it to say that, yes, the Liberals are often incompetent and do not know what they are doing when it comes to handling legislation, legislative timetables and things like that.

I am not always sure I want the government to be more efficient, since most of the legislation it puts forward is poor legislation. Therefore, to some degree, I actually appreciate the fact that the Liberals do not pass a lot of legislation, as they are inefficient and often do not have a real idea of where they are going, because the direction in which they do head tends to be net negative, in my opinion, for the country.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, it is a pleasure to rise today to participate in the debate on Bill C-51 and, in particular, the Senate amendments.

My intention in my remarks today is to focus on two issues that arise out of this bill. One is the question of advance consent in general, at a philosophical and practical level, and whether we think that a person ought to be able to consent in advance to something happening in the future and some of the issues related to that in this bill. The other is I want to talk about section 176 and the way in which the government approaches our response to potential acts of hate and violence and disruption that are perpetrated against faith communities in Canada.

The issue of advance consent is very much one that has been discussed back and forth and from different perspectives. I note that with respect to the idea of someone consenting in advance to sexual activity, this is a subject on which the Supreme Court of Canada and the Ontario Court of Appeal, at certain points in time, disagreed. There was a court decision in *R. v. J.A.* in which the person accused of sexual assault argued in the context of that particular case that sexual assault had not taken place because the complainant had consented to being rendered unconscious, allegedly, and consented, allegedly, to engaging in sexual activity. The Ontario Court of Appeal actually agreed with the arguments of the accused in this case, and said the “only state of mind ever experienced by the person is that of consent”.

Government Orders

I think the Ontario Court of Appeal got it wrong. Many people would say that it is not only wrong but deeply offensive to suggest that a sexual act could be performed without a person's explicit consent in the moment, on the basis of alleged prior consent in advance.

In my view, the Supreme Court got it right when it said:

It is not possible for an unconscious person to satisfy this requirement, even if she expresses her consent in advance. Any sexual activity with an individual who is incapable of consciously evaluating whether she is consenting is therefore not consensual within the meaning of the Criminal Code.

Bill C-51 puts that legal court decision into the Criminal Code by noting that there is never consent when a person is unconscious. Proposed paragraph 273.1(2)(a.1) states:

For the purpose of subsection (1), no consent is obtained if
(a.1) the complainant is unconscious;

The decision of the Supreme Court in this case is the right decision. It is one that I agree with and it is one that is reflected in the law.

It is noteworthy at the same time that the Ontario Court of Appeal thought differently and indeed advanced arguments for the idea that a person could provide so-called advance consent in this case. It reflects the fact that in different contexts around different debates, people have made arguments about the supposed legitimacy of advance consent. We see in another case the use of that argument, and I will get to that in a few moments.

The cases against so-called advance consent as something we should allow or accept are myriad. One of the obvious arguments against it is that one's past self, in one's wishes and inclinations, might disagree substantively from one's future self. One might think that at such and such a point in the future under certain circumstances one will want this or feel this or accept this. However, in reality, when one experiences those things, one feels totally differently in the context of that new situation. The idea of a past self irrevocably dictating the conditions and events that are going to occur with a future self is unjust to the future self and it violates the autonomy of the individual at that point in time in the future. Our past selves differ from our future selves, and perceptions about how we will experience certain events in the past might differ from how we actually experience them in the moment when they are taking place.

• (1640)

It is on this basis of recognizing the importance of autonomy, not in the sense of a past self-binding and future self-binding but autonomy in the sense of individuals making determinations about themselves in the moment and being able to ensure that they are comfortable with and accepting of everything that is happening while that thing is happening, that the court, the House, and this legislation recognize the fundamental wrongness of advance consent in the context of sexual activity.

I develop this point in spite of the perhaps pre-existing agreement in the House because it has some relevance to our discussion of other issues with respect to consent. In particular, some members would like to see us allow advance consent in the case of euthanasia or assisted suicide. It is important for members to reflect on the argument for and against allowing advance consent in the one case

when we consider the possible application of that same principle in a different case.

Questions were asked in the House, for example, about the case of Ms. Audrey Parker, a tragic situation for her, and other cases, where the idea of advance consent was brought up. Some have argued, especially some of my friends in the NDP, that people should be able to provide consent in advance that their life be taken if their condition advances to a certain point and if certain conditions are met.

I find that prospect very troubling, that a present self could irrevocably bind a future self, especially that the person could establish parameters under which that future self would be bound even in a case where that future self might, in the moment in terms of practical expression, not want that to happen.

The particular context in euthanasia of providing advance consent is, of course, that people have to imagine how they would experience certain conditions, certain development of a disease, and how they would feel about it, how they would respond and what they would want in the moment. The idea and the argument that some advocates have made is that the person should be able to issue an advance directive, so that even if they in that moment do not have the capacity to make a decision, their past self would decide for them in the present.

This can create a situation, though, where one might ask what happens if a person with somewhat lost capacity, but nonetheless with a condition set out by their past self, then says he does not want his life taken. His past self had established this living will, this advance directive of sorts, that would then theoretically involve the state and medical professionals taking his life in a case where he did not want that to happen in the moment based on something his past self said.

This is not a purely hypothetical case. There is currently a case before the Dutch courts in which a patient was held down by family members while a physician injected her with lethal medication. The doctor was acting based on an interpretation of an advance directive and of past statements made by the patient.

We do have cases where there is an application of the idea of advance consent to euthanasia, and we have a very scary situation, frankly, where a person's life is taken when he or she is saying in the moment, "No, I don't want this to happen", but someone else is interpreting something the individual said in the past as overruling the individual's expression in the moment.

The present self who is facing this kind of violence, I would argue, is maybe at a point of lower capacity than the person previously had, but I still think it is a very scary situation or proposition.

Government Orders

●(1645)

I would encourage members to reflect on the question of advance consent and to take a consistent position on it. I would suggest that members set a similar standard for consent in these cases. It does not seem, to me, to make sense to have a lower bar for the consent required to die than consent required for sexual activity, to abhor advance consent in the case of sexual activity, and yet to support it in the case of death and dying. We do not know exactly where the debate on advance consent in the context of death and dying is going to go. I know there is an expert panel the government has put forward that we expect to hear a report back from relatively soon. I know there are members of the government caucus who have said that they are supportive of the idea of advance consent.

However, if we think about the case that I spoke about in particular and how we would feel if a past version of ourselves had said we wanted something, which all of a sudden, in the moment, in a situation, we really do not want to have happen, and yet we are told that we had said we had wanted this in the past, so our past self can dictate to our present self. I would see that as really going against a pretty basic principle of autonomy that I know is important to many members.

I leave that for the consideration of the House. It is very relevant to our discussion of Bill C-51, in terms of the way in which the bill codifies the point that in the context of sexual consent, one cannot consent in advance, that a person who is unconscious can never consent, regardless of what they said beforehand. Again, to underline this, I very much agree with that particular change to Bill C-51. I want to encourage members to think about what that means for some of the other conversations that are happening.

This bill deals with Senate amendments. There is a proposed Senate amendment that provides some specific language around that section. I know that some of my colleagues are favourably disposed towards the intent of the senator who brought this forward, but are concerned about some of the unintended legal implications of it, namely, that if certain things are spelled out explicitly, there might also be things that are not spelled out in the section. The sense, and I think it is a good sense, is that the existing language in that particular section of Bill C-51 does the trick in hitting the particular point on the mark. That is what I wanted to say about the issue of advance consent.

I would like to make a few comments about section 176 of the Criminal Code and the back and forth we have seen in our discussions on that section and on some of the other actions the government has taken in this regard.

Section 176 deals with the disruption of a religious service and vandalism against church property, and so forth. Our caucus has done a great deal of work with civil society to bring attention to the importance and value of this section, and to oppose initial efforts by the government to remove this section.

The government argued that section 176 could be removed, because it was redundant. Clearly the offences that are covered by section 176 are things that other charges could apply to, but that does not mean that the offence, in terms of putting a particular emphasis on it and ensuring fulsome prosecution in these cases, is redundant.

By analogy, our Criminal Code speaks specifically of hate crimes, and I have never heard anyone argue that hate crimes legislation is redundant because the violence associated with hate crimes, namely, vandalism, but more particularly assault and those sorts of things, are already illegal.

I have never heard anyone ask why we need hate crime provisions because those things are already illegal. I think all of us accept that the message sent by having a particular category of prosecution associated with hate crimes is appropriate, because hate crimes are not just aimed at doing violence to a particular individual but also at making an entire community feel threatened and unsafe in living their lives as they do, including the practice of their faith and the public actions they take that are associated with their identity, and so forth.

●(1650)

Hate crimes legislation is about ensuring that groups of people are not targeted on the basis of their identity. That is why we treat a hate crime as something distinct from an act of assault on its own. If members accept that principle with respect to hate crimes and hate crimes in prosecution, it would seem to me that the same principle goes to section 176. Someone who actively disrupts a church service or commits acts of vandalism or violence against religious clergy are not just trying to enact specific violence against an individual or place. It is not merely an act of trespassing or vandalism, rather an action that carries with it a real chill for the ability of people of faith to live freely and confidently without worry of that kind of violence. That is why section 176 is not redundant. It is critically important.

Another argument the government used was to say that the language in section 176 is outdated because it refers to a clergyman and is not, in its textual implications, inclusive of all faiths and genders. However, in reality, the section was clearly being applied in a way that was fully inclusive. It really was an odd argument to make that we should take the section out completely because it was not, in its language, inclusive when all that was really required was to change the language. Even changing the language did not change the actual practical effects of the law.

In the end, in response to a really strong reaction and groundswell from different communities working collaboratively with our party, the proposed deletion of section 176 by Bill C-51 was abandoned. We were pleased to see that.

At the same time, we then saw the government, in Bill C-75, proposing to hybridize offences under section 176, effectively reducing the sentence for these offences. In the previous discussion in the House on this issue, my friend from Winnipeg North offered a defence of the idea of hybridized offences. I do not think anyone has argued there should not be any cases where the level of available discretion would not cover a spectrum associated with hybridized offences.

Government Orders

However, I think a lot of those who advocated significantly for section 176 to be preserved, and were initially pleased by the government's stepping back from their decision, kind of saw in the hybridization of this particular offence yet another indication that the government does not really understand the importance of this and does not accept the value of having strong, clear language with appropriate associated sentences in the Criminal Code to protect the practice of faith in this country.

It is ironic because the government talks a good game a lot of the time when it comes to fighting hate. When it comes to motions or statements around these kinds of issues, the government always seems to be ready.

We had considerable debate in the House on Motion No. 103 on the question of "Islamophobia". All of us in the House should read that it is important for us to take a strong stand against, in this case, anti-Muslim violence or hatred, and that it is important for us to take a strong stand against those who express bigotry against any community. However, we wanted the government to provide a definition of what it meant by "Islamophobia", and it refused to do that. Unfortunately, the House was not able to come together in a way that might have been desirable to send a clear unified statement on that issue.

Despite the specific language of Motion No. 103 speaking of the need to "quell the increasing public climate of hate and fear", the government's actions with respect to section 176, an actual section of the Criminal Code that provides real legal protection for those practising their faith, show that in so many cases, it is only interested in the statement and not the substance.

For faith communities and leaders across the board who wonder what substantive protections exist, they should look to and expect the government to underline the importance of section 176, not to be weakening its application as we are seeing.

• (1655)

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Mr. Speaker, when I look at the existing text of Bill C-51, where it attempts to amend the Criminal Code with respect to consent, some of the main issues that the senators had, and I very much agree with them, was that while we had a clear definition of what consent meant, where the vagueness became problematic was in no consent.

The existing text of Bill C-51, under section (2.1), it has "(a.1) the complainant is unconscious" and then follows up with "(b) the complainant is incapable of consenting to the activity for any reason other than the one referred to in paragraph (a.1)", which is kind of vague. I know a lot of senators had problems with that.

Given the concerns that experts in sexual assault law have, what does my colleague think about the Senate's attempts to clarify that part of the Criminal Code? If the Senate amendments were allowed, we would basically have no consent defined as being unable to understand the nature, circumstances or risks, unable to understand that a person has a choice and unable to affirmatively express agreement to the sexual activity.

My colleague talked about judicial discretion. Certainly we have different opinions on that when it comes to sentencing. However, it

seems to me that in the interpretation of this very important part of the Criminal Code, given the problems we have had with case law in sexual assault, this is perhaps one area of the Criminal Code where we do not really want to have too much judicial discretion, where perhaps it is good to have a very clear road map of what precisely no consent means. Would my hon. friend comment on that part?

Mr. Garnett Genuis: Mr. Speaker, I hope my colleague and his party will consider the arguments I made with respect to advance consent and its other application as well. It is important to reflect on that. I know they have been very clear on the issue of advance consent in this case, but it is important to consider in the other context that it can be asserted as well.

With respect to the Senate amendments, the existing language in Bill C-51, as proposed when it was sent to the Senate, was, "For the purpose of subsection (1), no consent is obtained if...(a.1), the complainant is unconscious; (b) the complainant is incapable of consenting to the activity for any reason other than the one referred to in paragraph (a.1)."

This clearly sets out the conditions in which a person is unable to consent. The proposed amendment from the Senate says, "For greater certainty, capacity to consent at the time of the sexual activity that forms the subject-matter of the charge cannot be inferred from evidence on capacity to consent at the time of another sexual activity."

The question is whether that addition adds anything, given the certainty already established under the new section 2. We agree with the principle. It is just a question of the practical legal application. My judgment at present is that the existing language in Bill C-51 is sufficient.

• (1700)

Mr. Ted Falk (Provencher, CPC): Mr. Speaker, the member mentioned section 176, which is the part of the Criminal Code that deals specifically with protection for the clergy. However, it also deals with protection for houses of worship and for worshippers at those places. He said that rather than consider removing it, that the section should have been strengthened. I would like to hear his ideas on that.

Mr. Garnett Genuis: Mr. Speaker, if we look at strengthening the legal mechanisms in place that address the issue of violence against clergy, the targeting of people on the basis of their faith or attacks against houses of worship, section 176 is the place to look. We often hear about the importance of these issues from the government and yet it is weakening the one section. An important discussion would be how we might be able to strengthen it. I am not sure I can say exactly whether the numbers are increasing or decreasing, but it is something that has hit home for a lot of people.

I was recently at a Hanukkah event in Toronto and had an opportunity to meet someone who was recently the victim of an anti-Semitic attack. This is a case that has been in the news, where a number of Jewish boys were attacked with what seemed to be a clear intention around hate and faith-based intimidation, intimidation against a faith community associated with that.

Also, when I was recently in Halifax, I visited Saint Benedict Parish, which is a Catholic church. A friend of mine is a priest there. That church was subjected to vandalism on Easter Sunday.

Government Orders

Many members of Parliament have had an opportunity to interact with people and see these cases. They do happen and they happen far too often in the country. We can take steps to address them. However, expressing the opinion of the House through a motion does not necessarily make that much of a difference to the people on the ground. It is really a question of what the law says and what we do as legislators, as lawmakers, and not simply what we say expressively about these issues.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I want to pick on section 176 of the Criminal Code and the whole idea of freedom of religion and ensuring that services are 100% functional. I would argue that it demonstrates how effective a standing committee can be. It is not necessarily a government backing away as much as it is committee membership listening to what presenters and Canadians as a whole have to say.

An amendment was brought forward and it was unanimously accepted. Therefore, members from all political parties at committee recognized the importance of keeping it within the Criminal Code, and that as a positive thing. It shows that standing committees can make a difference. Could my colleague comment on that?

Mr. Garnett Genuis: Mr. Speaker, on that point, the government proceeded with hybridizing offences under section 176 in Bill C-75. Although members of the standing committee chose to make that change with respect to Bill C-51, we saw new government legislation in the form of Bill C-75 that again showed a lack of appreciation for this important section.

It would have been great if the same standing committee had shown the alleged independence that the member speaks of by fixing it the second time around as well. Unfortunately, sometimes, even on relatively independent committees, the PMO's hammer comes down and we do not see that change.

It is frustrating to see repeated attempts by the government in its legislation to weaken section 176. Yes, there was an amendment the first time around on this bill, but there was not an amendment the second time around.

In so many different areas, the government tries to do something, there is a public backlash, it waits a while and then we see it do something similar. Talking about the impact on faith communities, the Canada summer jobs issue has been in the news recently. I do not think Canadians are going to be fooled by the fact that the government is trying to make what looks like a change in an election year. Many faith communities have seen what the government's intentions are with respect to their freedoms and liberties. To change the tone of the discussion in an election year is not the best indication of what it has in mind or what it would likely do if it were re-elected.

• (1705)

Mr. Martin Shields (Bow River, CPC): Mr. Speaker, it is always a privilege to stand in this place, especially as we approach the time when it will be closed and the last week we will be here.

It is an august place, a place where many interesting debates have happened since it reopened after the fire. As for the one before the fire, we are coming up the 100th anniversary of Prime Minister Laurier, who was a leader of note. He established Alberta and Saskatchewan as provinces, and passed away the following year. Not

only did he establish Alberta and Saskatchewan, he was in favour of free trade agreements. In 1911, he lost an election on a free trade agreement. We may see that happen again in 2019.

Also I remember well the debates on the flag issue, which was a focus for the country in the sixties. The debates between Diefenbaker and Pearson are legendary in this place. The flag issue is one that had a lot of Canadians focused on this place and on the debates, which resulted in the maple flag we have today.

I also remember when we had a loyal opposition party leading a charge to leave the country. A lot of people were a little confused about the debates that went on in this place when the leader of the loyal opposition wanted to split up the country.

Many debates have happened in this place, with many people who are orators, intelligent people expressing their opinions and representing Canadians. At this time, I am one of 338 who has the honour and privilege to stand in this place, but not for much longer as this building will close this week and we will move to another place. Again, it is a privilege to look around and see the magnificent edifice and beautiful place in which we get to work.

Today I rise to speak to C-51, an act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another act. Since it was introduced the first time, and again as it has come back from the Senate, there have been learned people standing and speaking to this. It is an omnibus bill. It is very complicated and one some people in the House are able to understand, comprehend and speak very clearly about. Others speak of its broad issues, but not as intelligently as some of the members in the House who have legal backgrounds.

However, it should not be a surprise there are issues when we get a bill this big, although many people would agree with some of the things in it.

I will be sharing my time, Mr. Speaker, with my colleague from Niagara West.

We agree with some things in this omnibus bill. It contains some worthy provisions. Clarifying the law in relation to sexual consent is very important. Repealing unconstitutional provisions in the Criminal Code is a positive aspect. I was also very happy the government backed down, as we have heard many times, on the removal of section 176 of the code. I heard a lot about this one from my constituents. Many faith groups, including those in my riding of Bow River, were deeply concerned about that section.

Government Orders

The section provides protection to those practising their religion. We have freedom of religion in Canada. One of thing I may not agree with everybody on is religion, but I would fight to the death for those people to be able to express their religious beliefs. Religious communities need to be able to worship without fear of interference and disruption. This is truer now than ever. Hate crimes against religious groups are on the rise in Canada. A section of the code that gives these groups clear, unambiguous confidence in their right to worship as they please is far from redundant.

When we were talking about the inoperative sections of the Criminal Code and Bill C-51, it was the unfortunate decision by the government to initially include section 176 of the Criminal Code among the sections it deemed to be obsolete. Section 176 is hardly redundant, hardly obsolete and certainly not unconstitutional. Indeed, section 176 is the only section in the Criminal Code that protects clergy from having their services disrupted, something which is very serious and goes to the heart of religious freedom.

● (1710)

The government turned a blind eye when it introduced this, and the Conservatives called them out on it. As a result, tens of thousands of Canadians spoke out, telling the government that it was wrong.

My learned colleague on the other side previously mentioned that a committee was able to resolve this. It was one of the outstanding features of the committee that it unanimously came to that. However, it is my belief that there was such push-back in religious communities that the people sitting on that committee realized the mistake in that initial document and changed it.

Municipal governments must react much sooner when they may have made a mistake. If in coffee shops they hear about something, they pass it the next day, and at the next meeting, they can fix it. This is a much longer process, but at the committee level, members heard from religious people of faith in our country that this was not the appropriate thing to do.

I will move on. Clause 14 of Bill C-51 proposed to repeal section 176 of the Criminal Code, which makes it a crime to unlawfully obstruct a religious official. Conservatives were the first to identify this clause. As a result of the public backlash, the Liberals on the justice committee amended Bill C-51 to remove it.

However, only months later, the Liberals hybridized section 176 in Bill C-75. Currently, it is a solely indictable offence, which is reserved for the most serious offences. However, by hybridizing section 176, it could be prosecuted as a summary conviction offence, which is reserved for less serious offences. That means that offenders could just get a fine, and I think that would downgrade the importance of religious freedom. For people who practice it and leaders of religion, this would be downgraded to a less serious offence. That is not right.

While the specific changes would not have a significant impact on the maximum sentence, unlike some of the other offences the government is hybridizing, it would send a message. I would submit that it would send exactly the wrong message. It would send the message that disrupting a religious service and infringing on the freedom of religion of Canadians, which is not just any freedom but

a fundamental freedom in our Charter of Rights and Freedoms, is not that serious. That is just wrong. It is why the Conservatives opposed it and stood up to fight Bill C-75.

Then there were amendments that came back from the Senate. The Senate put forward amendments because there was concern that this would add confusion in cases where a person was not unconscious but was, for example, highly intoxicated. Unfortunately, while the Senate amendments may have been well intentioned, they would simply cause more problems and solve a problem that really does not exist. We would support voting against these amendments, because we believe that they do not clarify; they just make things more confusing.

Conservatives fully support all changes in the bill to clarify and strengthen sexual assault provisions in the Criminal Code. These changes would help support victims of horrific sexual assault crimes. Conservatives also support repealing or amending sections of the code that have been ruled unconstitutional by the courts.

It is important to keep the code clean and up to date for efficient and effective justice for victims and their families. Bill C-51 would merely clarify that consent can never occur when an individual is unconscious. That is consistent with the J.A. decision.

Bill C-51 would not, as the Senate amendment argues, potentially create a bright line for consent on the basis of consciousness. In that regard, proposed paragraph 273.1(2)(b) provides that “no consent is obtained...for any reason other than [unconsciousness].” This language clearly acknowledges that there are many possible reasons a person may be incapable of consent, despite being conscious.

The Senate amendment would likely lead to additional complexity and confusion over what evidence was relevant to determine consent. Instead of adding certainty to the law, it would lead to further litigation involving these factors. For those reasons, we oppose this amendment.

● (1715)

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, my friend from Bow River is quite right. It was only after Conservatives pointed out the attempt by the Liberals to remove section 176 of the Criminal Code, the only section of the Criminal Code that protects religious officiants, and tens of thousands of Canadians lent their voices in opposition to the removal of section 176, that the government finally got the message and backed down. The member also noted, disappointingly, that, after backing down, the government reclassified section 176 so that it would be a hybrid offence. As the member pointed out, that sends exactly the wrong message.

Government Orders

We also saw recently the government back down from the changes it made to the Canada summer jobs program. It had imposed a Liberal values test on organizations that wished to hire summer students. Contrary to their charter rights, the government forced them to check off a Liberal values box to receive funding. We saw more than 1,500 applications rejected, and thousands more organizations simply did not apply.

I see a theme in all of this, and it is a theme of a government that really does not take religious freedom, which is not just any freedom but a fundamental freedom under our charter of rights, seriously. Would my friend agree?

Mr. Martin Shields: Mr. Speaker, I thank my colleague for his question and leadership on this particular file. His knowledge of it is tremendous, and I acknowledge the fact that he is able to speak so clearly about many parts of it.

When it comes to religion and the guarantee we have in this country for it, it is basic to the fundamental rights we have. It needs to be protected at all costs and not removed, as initially it was. It was wrong to say that this was obsolete and should not be in here. That was a mistake. I think that is why we saw every religion across the country uniting against this.

It was so important that people out there understood what this particular proposed legislation was about. They understood from coast to coast to coast, in every religion, that this was wrong. It was against the principle of religious freedom. It is important that the Liberals finally backed away, but they still hybridized it. It is still not as it should be and not as strong as it should be.

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, I wonder if my colleague could continue on section 176. This is one of the things that generated a lot of emails in my office.

As my colleague mentioned, this is a fundamental right in Canada. He also mentioned the fact that the values test for Canada's summer jobs was something the government was promoting. Again, people in my riding of Oshawa who wrote to me felt that they were under attack for their beliefs.

This is something our country has stood for, the right to have one's own beliefs. I wonder if the member could say what he thinks is motivating this, because I do not see any solid reason for it. What does he think is motivating the government to do these things and makes these changes?

• (1720)

Mr. Martin Shields: Mr. Speaker, what the Liberals might be thinking in introducing this, I am really not sure. People talk about sending out trial balloons to see how people might respond, but this is too serious an issue. As my colleague has stated, we do not run trial balloons about taking away fundamental rights in our country. That is not why people run political trial balloons.

We had outright anger from people asking how the Liberals could do this. It is part of the fundamental rights we have in this country. To understand why they would want to take this away baffles me. That is why the response across the country was so significant.

Mr. Dean Allison (Niagara West, CPC): Mr. Speaker, the member for Bow River mentioned that this is the last week we are going to be in the House. I never really thought about that in terms of

this being maybe the last time I rise in this building before it is shut down for what could be the next decade or so. I want to just comment on what the member for Bow River said.

It is an honour and a privilege for all of us to serve in this place. This building is certainly historic, and the fact that we have an opportunity this one last week to rise is not lost on me. As I said, I do not know if any of us will make it back here 10 years from now. Who knows? Some of my younger colleagues over there may.

It is great to get a chance to stand and talk about Bill C-51, the justice omnibus bill. It contains a number of changes on a variety of matters. One of the things I find interesting, and I know it has been mentioned before, is that the Liberal government railed on and on about how omnibus bills were so bad and the fact that Conservatives would put so many things in them and how the Liberal government was going to be different and would not behave this way.

I find it interesting and somewhat comical that the Liberals railed about what the Conservative government did in the past, yet here they are, and some of the Liberal omnibus bills are actually greater in size than the ones we moved forward during our time in government. I needed to mention that. I think there is some irony there. I know the Liberals campaigned on that.

I am here to talk about Bill C-51, but I would love to talk about how the Liberal government said it would act differently when it got into government, yet we see that this has not necessarily been the case.

I will give credit where credit is due. I know there are some things in the bill we were encouraged to see the Liberals move on. There was some strengthening of penalties for sexual assault. These are definitely important things. I will talk about that briefly. The Liberals got rid of some obsolete laws as well. There is some cleanup there.

There are some things we still have concerns about. My colleague from Bow River and other colleagues have mentioned it, but it is somewhat troubling that the Liberals would even consider the removal of section 176. This is something that is very near and dear to the hearts of a lot of my constituents in the Niagara West area. I come from an area where there are a tremendous number of churches, a number of Dutch Reform churches, but not just Dutch Reform. There are all denominations. The fact that the Liberal government would actually consider removing that just shows how out of touch the government is sometimes when it comes to some of these issues. I will get to that in a second.

I want to talk about the sexual assault piece. I want to say that I am pleased. As I said, I will give credit where credit is due. The Liberals followed our lead to strengthen the sexual assault provisions in the Criminal Code around consent, legal representation and expanding rape shield provisions. Standing up for the rights of victims of crime is something our party has always been very serious about. We are aligned with the provisions the Liberals have in this legislation in terms of strengthening those issues.

Government Orders

Among other things, there is a private member's bill introduced by our former Conservative leader, Rona Ambrose, Bill C-337. This bill would make it mandatory for judges to participate in sexual assault training and ensure awareness among the judiciary, in addition to education about the challenges sexual assaults create. The bill was designed to hold the Canadian judiciary responsible for the ongoing training of judges. We were pleased to see this bill passed in the House. Now that it is in the Senate, we hope it will move it forward.

I want to talk a bit about section 176. That the government would consider removing it is certainly troubling. It is good to see that it backed away, as has been mentioned. This was the only section of the Criminal Code that directly protected the rights of individuals to freely practise their religion, whatever that religion happened to be.

In fact, section 176 was recently used, on June 9, 2017, in a criminal case here in Ottawa. It is imperative to see that interrupting a religion service is really not the same as interrupting other services. If we think about the various religions that are practised in this country, with the Sabbath maybe being on Saturday for some and on Sunday for others, the fact remains that people are there to worship. That fact that it would even be considered that they would not have the ability to do that or that it would be okay to interrupt is very troubling.

● (1725)

It is good to see they have backed off on this, but we are still concerned with the message the government sent to religious communities, that they are not important.

My colleague, the member for Bow River, mentioned last summer's summer jobs program, which was a concern. I had a number of churches in my riding that did great stuff. They were running day camps for disabled, helping to feed people and doing a ton of things that I thought were great in nature, just for the overall encouragement of the community. A lot of these organizations were not even considered. We will see how it works this summer. I see there have been some changes.

I really believe that churches, especially in my community, regardless of the denomination, are great community leaders. I always say we have a great community spirit in Niagara West. It has a lot to do with the people in my community of Niagara West, but also there are a number of churches that encourage volunteerism and that give back, feed the poor and do a number of these things that are all very fundamental to healthy communities.

A safer Canada is certainly a concern. It is a government's responsibility to make sure its citizens are kept safe. We see what is happening with gang violence in Canada. When we soften penalties for gang crimes and reduce them to administrative fines, we are not only doing ourselves a disservice, but there are real consequences for Canadians when gang members are being let off in our streets.

One of the things we want to do as a Conservative government is put an end to the revolving door for gang members. Now, even if someone is a known notorious gang member they are entitled to bail. We would make sure repeat gang offenders are held without bail. I think that is reasonable when we look at what gang members may do in a community, how they might terrorize a community. We would

also make sure it is easier for police to target and arrest gang members.

Canada's Conservatives always put the safety and security of Canadians ahead of the interests and comfort of violent criminals. We would work hard to impose tougher federal prison sentences for the leaders who order others to do their dirty work for them.

The other thing that is important is we want to make sure we are recognizing and supporting the rights of victims over the rights of criminals. We have seen some troubling things that have happened in recent days in the country. We saw issues with Terri-Lynne McClintic and with Christopher Garnier, and the fact that Tori Stafford's killer was in a healing lodge instead of behind bars. We have seen cop killers who have not served a day in the military getting services. These are things that are all troubling, not just to us as Conservatives, but to Canadians at large. We just learned recently that Tori Stafford's father is now reporting that her co-conspirator, Michael Rafferty was transferred to a medium-security prison in March. He was just informed about this happening.

We can see some of the things we are dealing with in the country. We realize violent repeat offenders are people who probably should have a harder time getting bail if these are things they are doing on an ongoing basis.

As we look at what is going on right now in our justice system, I think there are opportunities to make sure we are looking at returning terrorists from ISIS. That is another issue. I realize I am almost out of time, but I could spend a lot of time on that. We realize that some of these individuals who have gone over purposely to kill and destroy are people we should be looking at, and making sure we are doing our job to keep them behind bars to ensure they are not a threat to society here in Canada.

In conclusion, the government is failing to protect victims of crime. The Prime Minister did nothing after learning of Catherine Campbell's killer receiving taxpayer funds, having never served a day in the military. We have pushed and pushed the Liberals to put Tori Stafford's killer back behind bars, and to transfer her from the healing lodge. We believe we need to continue to work to protect the rights of those who need it.

● (1730)

Mr. Chris Bittle (St. Catharines, Lib.): Mr. Speaker, my colleague from Niagara West, my neighbour in the Niagara region, spoke about a potential provision that was released by the Leader of the Opposition in regards to bail. He makes it seem as if everyone is eligible for bail all the time, which is not necessarily true. It is a bit misleading.

In terms of the provision that the Leader of the Opposition outlined, constitutional experts have suggested that it is somewhere on the spectrum between unconstitutional and grossly unconstitutional.

I am wondering if his party is going to listen to experts on this. Is his party going to push forward with these types of provisions? Why are the Conservatives not listening to the experts in terms of the constitutionality of what they are suggesting?

Government Orders

Mr. Dean Allison: Mr. Speaker, one of the challenges we have here is that there are certain groups in society that continue to reoffend and at the end of the day, the job of any government is to protect the victims. Of course we are going to consult with experts and talk to people.

One of the challenges we have is the fact that we feel that the government does not worry about the rights of victims as much as it worries about the rights of criminals. This is the thing that we need to address. We have to find a way to stop the revolving door in our justice system. We need to make sure that we stand up for the rights of victims.

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, like my colleague, I have been here since 2004. It is interesting to realize that for 10 years the House will not be located here. It reminds me of how honoured I am to be here.

I do want to ask the member about this whole soft on crime agenda of the Liberals. He mentioned section 176. In my community, people perceive that as an attack on religious freedom.

He also talked about the Canada summer jobs program.

Bill C-75 would actually change indictable offences into summary convictions.

My colleague asked if we on this side have consulted experts. It seems members on the other side do not want to consult with Canadians.

The entire agenda of the Liberals moving forward is soft on crime policies, especially policies that would change something that was an indictable offence into a summary conviction. What kind of message does that send to Canadians?

Mr. Dean Allison: Mr. Speaker, that is one of the things that we are talking about. When we consult with Canadians and we talk to victims of crime, they tell us that sometimes they do not feel that the punishment fits the crime.

We understand that we have to deal with the constitutionality of what is going on in terms of what is required by law, but that does not stop the fact that at times there is the perception of a revolving door in our criminal justice system.

My colleague mentioned section 176 as an example. Religious freedom is paramount and is protected in our Constitution. If we look at religious freedom as an example, the fact that the Liberal government would even consider not dealing with that is of concern to us. His point in terms of summary conviction for some of these things is also a concern to us in many ways.

Canadians from coast to coast to coast have told us they feel at times that the rights of criminals seem to trump the rights of victims. This is the balance that we need to deal with. We need to continue to listen. We need to act on this and do the right thing for victims.

• (1735)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, as always, it is a great honour to rise in this House and represent the people of Timmins—James Bay. This may be one of the last times I rise in this incredible institution before it is closed for renovations. It makes me reflect on why we are here. It is because this is the centre

of power in Canada. Are we here to be apologists for power, are we here to mimic the power or are we here, sent by the ordinary people who work hard and pay their taxes, to be a voice to power, to speak truth to power, to speak for those who have no access to the insiders and the powerful? Our position in this House does matter when we rise on issues.

Therefore, tonight I will be rising to speak on Bill C-51, an act to amend the Criminal Code and the Department of Justice Act and to make consequential amendments to another act. I find it ironic that we are discussing this bill that is going to drop from the Criminal Code comic books that may cause people to commit crimes. That is something that is considered a priority of the current government, when this week, at the B.C. Court of Appeal, the Attorney General for this country, the Minister of Justice, had her lawyers attempt to deny basic issues of justice for survivors of residential school abuse.

Speaking of people who come into this place to be a voice to speak to power, they come across all party lines. Therefore, when the Prime Minister appointed the Minister of Justice, I thought there was finally a moment of historic change, because very little attention is ever paid to the work of the justice department, which is the absolute brass knuckles at denying indigenous rights across this country. I thought that having an indigenous justice minister was dramatic and that it would bring change. However, what I have seen over the last three years is a pitifully poor standing.

Instead of moving hard and clear on UNDRIP on refusing the recent UN call to deal with the forced sterilization of indigenous women that meets the test of both torture and genocide, instead of standing up for the Indian residential settlement agreement, we are here with a minister who has her priorities focused on the issue of people who fraudulently practise witchcraft. I did not know that was a major crime in this country, but I am glad the justice minister noticed it. The possession of comic books that may cause crime is another great priority for her. For the folks back home, we no longer have to worry about the rules around duelling, because it has not happened in 200 years, and our justice minister thinks that is a priority. Meanwhile, this week, she is sending her lawyers against survivors of some of the most horrific abuse in the Indian residential school settlement agreement to argue in those hearings that the basic notion of procedural fairness does not apply to survivors of Indian residential school.

The issue of procedural fairness is a fundamental legal principle. It applies everywhere. It applies to criminals who have committed sexual abuse. They get the principle of procedural fairness. However, our justice minister says that survivors of residential school abuse do not have that right. I find that really disturbing.

Government Orders

We will be talking about and we have talked about the changes in the bill with respect to issues of consent and sexual consent. I think that is an important discussion. However, it is something the justice minister has sent her lawyers to argue. The children who had their genitals grabbed by adults in Indian residential schools could not prove that was sexual in nature. The government's position that survivors of child sexual abuse in residential schools had to prove the sexual intent of the adult is contrary to all the principles of justice, unless of course one is an Indian residential school settlement survivor. The current government will talk about its commitment to reconciliation, but it will not talk about how the justice minister has given her officials whatever tools they need to deny the basic legal rights of survivors of some of the most horrific crimes that have ever been committed in this country.

● (1740)

I am looking at Bill C-51, an act to amend the Criminal Code. The Liberals are changing the laws on advertising a reward for the return of stolen property. They dealt with blasphemy, finally. It has only been 300 years.

However, this week at the B.C. Court of Appeal, the minister instructed her lawyers to go in and attack the fundamental principle of the Indian Residential Schools Settlement Agreement which former prime minister Stephen Harper signed with Phil Fontaine and the guilty churches. In that agreement, the government agreed that it would set up a process to adjudicate claims in a non-adversarial manner, which saved the government millions and millions and millions of dollars from class action lawsuits, and as part of that, the government would have the obligation to bring forward the evidence of the known crimes and give the survivors a chance to speak.

We know what happened in the case of St. Anne's Indian Residential School. Justice department lawyers suppressed thousands of pages of police testimony. They suppressed the names of the perpetrators. They went into those hearings and told the survivors at the court hearing that there was no evidence to prove the horrific crimes of sexual assault, sexual torture, rape and forced abortions that were committed against those children in St. Anne's residential school. When it was exposed that the government had done this, the justice department and the justice minister opted to spend \$2.3 million fighting against people. They are in my region and I have met some of these brave survivors, people who did not even have the bus fare to go to their own hearings to stand up against that justice minister.

She states in these hearings her rejection of an incredible affidavit that was brought forward by Phil Fontaine who signed the original agreement with the previous Conservative government. Phil Fontaine said that procedural fairness in the independent assessment process is a "fundamental principle". The Indian Residential Schools Settlement Agreement and the IAP were designed to be "fair, reasonable and in the best interests of IAP claimants." He said, "I understand procedural fairness to mean whether the same rules that guarantee a fair hearing that a litigant would expect from the courts or another similar tribunal would apply to the adjudication of a claim under the IAP."

He further stated that the Assembly of First Nations would never have signed an agreement that gave away the basic legal rights of the

survivors to the Government of Canada, if the Government of Canada was not willing to defend that basic legal principle; that if it failed, as the defendant and as the Government of Canada, to provide the documents that named the perpetrators of the crimes and then went in and had those cases thrown out, to say that those survivors did not have the right to procedural fairness to have those cases reopened is a complete attack on the Indian Residential Schools Settlement Agreement that was signed in this House, which we saw the previous prime minister make that incredible statement for. That is what the justice minister is doing this week in British Columbia.

She also states through her lawyers that one should not give any attention to the statement brought forward by Phil Fontaine on the position of the AFN. She said, "Little evidentiary weight ought to be accorded to the affidavit of Larry Philip Fontaine", and "Canada takes issue with the section of the Fontaine Affidavit entitled 'Procedural Fairness'", that the paragraphs are largely subjective, speculative and that in hindsight, it is of no assistance to receive theoretical views of subjective intent.

There is nothing theoretical about it. We are talking about two fundamental cases in particular, not a thousand cases, but they spent \$2 million against two survivors: H-15019 and C-14114. H-15019 suffered some of the most horrific sexual torture that one could not even begin to imagine. He went into the hearing, and lawyers for the justice department said that his evidence was not credible because he could not prove where the perpetrator was because they were sitting on the person of interest report of the perpetrator, who was a serial abuser. After that case was thrown out, they were forced to turn over the person of interest report, which revealed that this survivor had told the truth, and they are fighting against the principle that he has a right to procedural fairness.

● (1745)

In fact, the government is patting itself on the back because it claims in one of its affidavits that it is not trying to force him to give back the money that was finally awarded to him. It is trying to fight against the principle that it lied, suppressed evidence and that it has no legal obligation to the survivors whose cases were thrown out. I find the actions of the justice minister absolutely appalling. The justice minister stands in the House and has us address issues such as a bill regarding the issuance of trading stamps, a bill that has been pretty much redundant since 1905.

Government Orders

We have the first indigenous justice minister in Canadian history and she has spent \$2.3 million fighting survivors of some of the most horrific abuse while the Prime Minister talks about the most important relationship being reconciliation with indigenous people. Her officials are going into the IAP to have the cases thrown out of family members of people who suffered the abuse. The Liberals say it is completely unacceptable that the IAP was not set up to address family members of the original survivors, and yet all along the adjudication secretariat had forms for those family members of survivors who had died and they had that right. This is a fundamental issue of case law. This is a fundamental issue of legal right. Yet the government says that none of these rights apply within the agreement that it signed with the Assembly of First Nations, and the perpetrators, the defendants, the churches.

If we are going to do anything in this House, we need to be willing to stand up and face the fact that for 150 years, Canada has allowed the horrific abuse of Indian children and now it is allowing the abuse of their most basic legal rights. In a B.C. court this week, the justice minister, who will use the endless dollars of Canadian taxpayers to fight people who have no funding, to go after their pro bono lawyer. The government will fight this case in B.C. superior court because it knows the survivors are in Ontario and they cannot even afford the fare to get there to defend themselves. That is the malevolence that has happened under the justice minister, and I say shame on her. If this is what she came to do in Ottawa as the first indigenous justice minister, to oversee the attack on people whose only crime was that they were indigenous children and whose only crime today is that they continue to speak up against the horrific abuse they suffered, then this country fails if it does not call this injustice out.

We could speak all night about how the justice minister is getting rid of bills on witchcraft, how she is dealing with blasphemy and that trading comic books makes kids commit crimes. We could debate that all night, but what we are debating is a sideshow for the real intent of the government to undermine the Indian residential schools settlement agreement, to make a complete mockery of any of the Prime Minister's words on reconciliation and to abuse the trust of the Canadian taxpayers by spending millions of dollars against survivors, who only want justice and only want this attack on their legal rights closed.

• (1750)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, in many ways I disagree with the way the member classifies this bill. Saying that this bill has absolutely no substance is a discredit to the efforts to strengthen certain aspects of the crime of sexual assault. Believe it or not, it is a serious issue, something that needs to be addressed, and yet the member across the way marginalizes that.

The bill deals with other aspects, such as ensuring there is a charter statement in other pieces of legislation that are brought forward. That is a substantial piece. We take a more holistic approach in what this government has done on the issue of justice, and I would challenge the member opposite to demonstrate that any previous government has done as much as the current justice minister has done to ensure there is a safer Canada today.

I find it very difficult to hear New Democrats talk about the plight of indigenous people. I come from the province of Manitoba where thousands of children were in the care of the Manitoba NDP government for 15 years and the NDP failed to address those core issues.

Mr. Charlie Angus: Mr. Speaker, I would classify that under my dossier of what a pitiful sideshow.

The Liberals say we are not taking the issue of sexual assault seriously. I do not know what the member was listening to, but let us talk about sexual assault. Let us talk about the case that the justice minister's lawyers had thrown out of a child who was raped by a priest. They said it was not credible because he could not remember the age he was raped at, six or seven. The justice department had that thrown out.

Let us talk about how the Liberals went to the Supreme Court to say that the case of a young child whose genitals were grabbed by an adult clergy should be thrown out because they could not prove sexual intent of the adult. That is the member's government.

Let us talk about H-15019, a victim of some of the most horrific sexual abuse imaginable. That member and his minister spent \$2 million fighting against that survivor because they suppressed the person of interest report. That is what the member's government has done. That is what it is doing right now.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, the member for Timmins—James Bay cited a number of sections that are redundant and obsolete. I have been very frustrated that on something as simple as removing redundant or unconstitutional sections, it has taken the government almost three years to get around to finally doing it.

We have the case of Travis Vader, who was convicted on two counts of second-degree murder of Lyle and Marie McCann from St. Albert, which is a community that I represent. That conviction had to be vacated when the trial judge applied an inoperative section of the Criminal Code. It has been two years since the government introduced legislation on that front to remove section 230. It is such a priority of the government that the bill is stuck at first reading, something on which there is surely unanimity in the House to get those sections out of the Criminal Code.

Is this not really an illustration that on the big things and on the small things, on the hard things and the easy things, on all things, the government just cannot get it done?

Government Orders

Mr. Charlie Angus: Mr. Speaker, I think my colleague understood what I was trying to get at, that in the fourth year of the government's mandate, this is the Liberals' justice issue: redundant pieces of legislation that would be so easy to clean up. That is what is done when government is getting started. This is the fourth year. The Liberals are missing the boat on serious pieces of justice reform and justice action. The minister has been almost non-existent in the House. I cannot remember the last time she stood and answered a question.

Normally, a justice minister is in the top front line, the top three or four people in any government. The current justice minister is not.

When I look at the bill which finally after four years is dealing with comic books in the Criminal Code, I have to ask, is that it? Is that all the Liberals have to show after four years? That is not good enough.

• (1755)

Mr. Chris Bittle (St. Catharines, Lib.): Mr. Speaker, in response to the question from the hon. member for Winnipeg North, the member started talking about the role of the justice minister in a particular case. I have heard the speeches from the hon. member. I have seen some of his tweets questioning the rule of law in Europe or the United States. Why does he rise in this place and suggest that elected officials have a role in determining where cases go? Is he intentionally misleading his constituents or does he not know what the rule of law does and that the justice minister does not have a role in individual cases?

Mr. Charlie Angus: Mr. Speaker, I would put that slightly above pitiful because when we are talking about the St. Anne's cases, all the cases are for the Attorney General of Canada. Whoa, it is the Attorney General of Canada; it is the justice department. They are the ones who are putting this in place. The suggestion is that it is the Attorney General of Canada but not really the Attorney General of Canada, and it is the justice department but not really the justice department that is undermining the rights of some survivors.

Look at how angry the members opposite are to be called out for the fact that they are using millions of dollars to go after survivors of sexual abuse as children. What a shameful, shameful government. What a shameful minister. Anyone who is not willing to do the right thing on this is going to be marked down in history as someone who went along with the ongoing attempt to destroy indigenous identity and is on the wrong side of history. The members across the aisle are as well.

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, my hon. colleague from Timmins has talked about the role of the justice minister. In my riding of Courtenay—Alberni, we know about the Nuu-chah-nulth fishing rights case that the government has spent \$19 million on for lawyers alone, never mind the over \$10 million the Nuu-chah-nulth have had to spend defending their rights and the court costs in the tens of millions of dollars. The minister of intergovernmental affairs, when he was the minister of fisheries and oceans and coast guard, promised in the House that he would make a reasonable offer to the Nuu-chah-nulth. These are the same survivors of the residential school system who are constantly being re-traumatized.

Maybe the member can speak about the government constantly speaking out of both sides of its mouth.

Mr. Charlie Angus: Mr. Speaker, tonight we have tried to show the triumvirate of power that exists between the Prime Minister's Office; the wonderful statements the Prime Minister has made on reconciliation and his public support for the Nuu-chah-nulth on this, his most important relationship; and the Minister of Indigenous Services and her department's handling of the file.

That said, we never talk about the role of the justice minister and the justice department, which is key. It is the justice department that was given direction by the justice minister at the time to carry on the cases against indigenous rights. The Nuu-chah-nulth won in court. For anyone else who wins in court, they move on. However, in response to an indigenous case where the plaintiffs won, the justice minister will sic her lawyers on them.

Was it \$19 million the government spent? It will use as much taxpayers' money as possible to fight against the implementation of any agreement. It does not matter what the Prime Minister says. He will never have the legal blood on his hands. It is always the role of the justice minister. With an indigenous justice minister who is carrying on with this, whether it is \$2.3 million against St. Anne survivors or \$19 million against Nuu-chah-nulth or going after any case, again and again, it is the justice minister who needs to be called out.

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, I am getting up because I am concerned about the personal attacks by the Liberal members against the hon. member for Timmins—James Bay. I do not often agree with that member, but I would never question his desire for positive outcomes for indigenous Canadians and I share his concern. In fact, while he did not mention Stephen Harper by name, I do know that he referenced the apology for residential schools, and while I was not in the House, I think of that when we walk under the stained glass window when we enter the chamber.

I would like him to comment on this. The Liberals promised two central things that I am sure he is as frustrated about as I am. First, they promised never to take veterans or court or force them to go to court, which they have done and are doing currently. Second, in the case of reconciliation, the Prime Minister made a personal promise on that, yet there are indigenous people being forced into the courts. That is the point the hon. member is making tonight.

Can the hon. member elaborate on the fact that the Liberal Prime Minister is breaking these two central promises he made, which is having the worst impact on the families impacted?

• (1800)

Mr. Charlie Angus: Mr. Speaker, the hon. member brought up the issue of veterans. When we look at the delivery of services under the purview of the federal government, the two groups that are continually denied rights or that are continually over-promised and under-delivered to are veterans and indigenous peoples.

Government Orders

The Prime Minister will get up and make incredible promises that whatever is needed will be delivered, and then that money will not show up. It is the same with the department of Indian affairs. I remember the member saying, when he was in opposition, that the Liberals would never fight veterans in court, and yet what did they do? They forced the veterans to go to court.

This is not a level playing field. This is the Government of Canada that will spend every dollar it can to fight veterans, just as in the case of the St. Anne survivors, who are among the most marginalized poor people one could meet, some of the most decent, good, caring people who met with the minister of indigenous affairs and asked her to stop their legal battle. She promised that they would all get along together.

The government has endless dollars to fight veterans and indigenous people. If someone is an indigenous person or a veteran, they have to take that cost on themselves. The government will go after someone for costs and punishment, whatever it is to intimidate the person not to take the government on. I just say that the justice minister needs to stand for something better than this kind of vindictive legal battle.

Mr. Dave MacKenzie (Oxford, CPC): Mr. Speaker, before I begin with my prepared text, I would like to read a Facebook post by Mr. Rodney Stafford, who is from my riding. It starts with “Rodney Stafford is feeling angry”. His post reads:

I'm really trying to find the words to say right now. There are so many questions that have been unanswered regarding Terri-Lynne, and I'm NEVER going to rest until justice is upheld. NOW, knowing what all we have [all] been fighting for over the last three months, and the questions asked without real answers and run around, it has come to my knowledge as of today that MICHAEL RAFFERTY—THE MAN RESPONSIBLE FOR ALL ACTIONS THE DAY OF APRIL 8TH, 2009. THE ABDUCTION, BRUTAL RAPE, MURDER, AND CONCEALING OF EVIDENCE, WAS TRANSFERRED FROM HIS MAXIMUM SECURITY FACILITY TO A MEDIUM SECURITY FACILITY IN MARCH!!!! This means that ALL THIS TIME over the last three months, CORRECTIONS SERVICE CANADA AND OUR CANADIAN GOVERNMENT have been hiding the fact that NOT ONE, BUT BOTH people responsible for stealing the life of Victoria have been working their way to luxury. Where in the world does it make sense that the worst of criminals, not petty thieves, THE WORST OF THE WORST, CHILD KILLERS!!!, even get the opportunity at a better life. So now there are two child killers living in Medium Security penitentiaries, with frequent day passes, medical, dental, schooling, and access to air!!! I NEED CANADIANS EVERYWHERE TO HELP WITH THIS FIGHT!!! Our children and lost loved ones deserve justice and security within our country. I am so ashamed to be Canadian right now. During our meeting with Anne Kelly, Commissioner of Corrections, she was blatantly asked by Petrina if there was information about Rafferty that we didn't know about. Another dodged question. Corrections Service Canada NEEDS AN IMMEDIATE OVERHAUL if this is what they consider justice. Three, NOT ONE, but three appeal judges on October 24th, 2016 looked Michael Rafferty's lawyer in the face as they ALL stated he was right where he belongs. SAME AS THE TRIAL JUDGE!! So Corrections Service Canada, a year and a half later, says ha, no you're not. And lowers his security and transfers him. YET AGAIN WITHOUT MAKING CONTACT WITH ME regarding his transfer. Think about it??? That means, during the rallies and all this time that Canada has been fighting for real justice for Victoria and all our loved ones regarding the lowering of Security and transfer of Terri-Lynne, CSC has withheld this information about Michael Rafferty. I only received the information because I had requested it even though I was asked "There really hasn't been much activity on Michael Rafferty's file, would you still like me to send the information to you".??? "Oh ya", I said. Glad I did.

Thank you for taking the time to read this and please share the snot out of this. If Commissioner Anne Kelly is willing to sit and slap me in the face over and over again with the tragedy having lost Victoria to two brutal killers the way we all did, who is she willing to screw over??? THIS IS COMPLETELY UNACCEPTABLE ON EVERY LEVEL!!!! CHILD KILLERS!!!!!!

That was written by Rodney Stafford, the father of Tori Stafford. It shows there is a justice issue at stake here that all Canadians feel is very important, and in this case, a father has made his feelings very clear.

Now, I would like to share my time with the member for Sarnia—Lambton.

I am pleased to rise in the House to speak to Bill C-51. The purpose of this bill is to streamline the Criminal Code of Canada by removing certain provisions that are no longer relevant to contemporary society. Bill C-51 is a justice omnibus bill. It is one bill containing many changes on a variety of different matters.

The Prime Minister and his Liberals call omnibus bills “undemocratic”, and the Prime Minister pledged that the Liberal government would undo the practice of introducing omnibus bills. Regardless, my Conservative colleagues and I are aligned with the need to strengthen the provisions of the sexual assault legislation.

Former Conservative leader Rona Ambrose led the way for supporting victims of sexual assault by introducing a private members' bill, Bill C-337. This bill would make it mandatory for judges to participate in sexual assault training and education to ensure that the judiciary is aware of the challenges that sexual assault victims face. Her bill is designed to hold the Canadian judiciary responsible for the ongoing training of judges and the application of law in sexual assault trials. As we all remember, this bill was passed by the House of Commons and we were hopeful that it would pass the Senate. It has not passed yet.

● (1805)

We are pleased that the Liberals are planning to strengthen the sexual assault provisions in the Criminal Code surrounding consent and legal representation, and expanding the rape shield provisions. The Conservative Party stood up for the rights of victims of crime when the Canadian Victims Bill of Rights passed in 2015, and will continue to do so in the future.

Bill C-51 would amend, among other things, section 273.1 to clarify that an unconscious person is incapable of consenting. This is a reflection of the Supreme Court of Canada's decision in *R. v. J.A.* It proposes to amend section 273.2 to clarify the defence of mistaken belief if consent is not available and if the mistake is based on a mistake of law—for example, if the accused believed that the complainant's failure to resist or protest meant the complainant consented.

This bill would expand the rape shield provisions to include communications of a sexual nature or communications for a sexual purpose. These provisions prevent evidence of a complainant's prior sexual history being used to support the inference that the complainant was more likely to have consented to the sexual activity at issue, or that a complainant is less worthy of belief.

Government Orders

In addition, this bill would provide that a complainant would have a right to legal representation in rape shield cases. It would create a regime to determine whether an accused could introduce a complainant's private records at trial, which would be in his or her possession. This would complement the existing regime governing an accused's ability to obtain a complainant's private records when those records would be in the hands of a third party.

Another aspect of Bill C-51 that I strongly support is the removal of unconstitutional sections of the Criminal Code. Canadians should be able to expect that the Criminal Code accurately reflects the state of law, and, yes, Canadians who made that common-sense assumption could be wrong.

I agree with a few other revisions, for example, clause 41's removal of section 365 of the Criminal Code, which states, "Every one who fraudulently (a) pretends to exercise or to use any kind of witchcraft, sorcery, enchantment or conjuration", and clause 4's removal of section 71 pertaining to duelling in the streets, which states:

Every one who

- (a) challenges or attempts by any means to provoke another person to fight a duel,
- (b) attempts to provoke a person to challenge another person to fight a duel, or
- (c) accepts a challenge to fight a duel

There are a number of provisions to be removed. Obviously, it is long overdue that the sections dealing with duelling are removed.

One other positive aspect of Bill C-51 is the fact the government has finally backed down from removing section 176 from the Criminal Code.

One of the parts of the bill removes unconstitutional sections, as well as sections of the Criminal Code that, in the opinion of the government, are redundant or obsolete.

There has been much discussion on section 176. What is most interesting is that minister brought this bill before Parliament on June 5, 2017. Ironically, on June 9, 2017, a criminal court case in Ottawa dealt with the bill. It would seem that there was not a great deal of research done by the government on what that particular section of the code really meant. It is fair to say that section 176 of the Criminal Code makes it a criminal offence to obstruct or threaten a religious official, or to disrupt a religious service or ceremony. Section 176 is not unconstitutional, it has never been challenged in court, and it is not obsolete. Actually a number of individuals have been successfully prosecuted under it. Also, it is not redundant, as it is the only section of the Criminal Code that expressly protects the rights and freedoms of Canadians to practise their religion without fear or intimidation. Religious prejudice knows no borders and has no respect of persons. That is why I am glad that the government listened to the thousands of Canadians who signed petitions, wrote letters and emails, and made phone calls to MPs and the government to keep section 176 in the Criminal Code.

• (1810)

There was one other section of the code I did not agree with the government removing. That section has specific protection if someone attempts to attack the Queen. We all know this section is not used often. In fact, it has probably never been used. However, as state visits are rare, it should still remain in the code because it

protects the person who represents the monarchy in Canada. It is still a very serious crime. Attempting to attack royalty, as Canada's head of state, is not the same as getting into a bar fight. The section is important and it has significant aspects.

I am pleased the government is no longer scrapping section 176. I am pleased with the clarification with respect to sexual assault. I am also pleased that a number of sections that are taking up space in the Criminal Code and no longer have any particular relevance are being removed.

Mr. Chris Bittle (St. Catharines, Lib.): Mr. Speaker, the member started his speech by talking about changing the classification of an inmate. In my last intervention, I talked about the rule of law. One of the elements of the rule of law is that elected officials do not take part in those types of decisions. The justice system and the penitentiary system are independent of government.

During the previous government, McClintic was transferred from a maximum to medium-security prison. Could the member show me either in *Hansard* or in speeches he gave back home where he was just as angry about this type of thing? Why is it outrageous now, but was fully acceptable for the law and order government, which the Harper government purported to be? Why was it acceptable for that government to do it back then? Was it the rule of law then and the Conservatives did not interfere, but now for some reason a Liberal government can?

Mr. Dave MacKenzie: Mr. Speaker, if that member had heard my previous intervention on this whole issue, he would have heard me make it clear that it was not the government's fault she was moved. The fault comes in after the Liberals knew she had been moved.

The government has the ability to change the rules with respect to Correctional Service Canada. I give him full points that Correctional Service Canada makes those changes. I dare say the previous government did not know McClintic had been moved and I dare say that the current government did not know Rafferty had been moved.

Between McClintic and Rafferty, we heard from the government that changes had been made and these issues would not occur in the future. Ironically, Rafferty had already been moved. Perhaps Correctional Service Canada did not make the minister aware of that either, but that is where the problem comes in. The government has the right to make the rules, but it does not have the right to interpret them within the system.

• (1815)

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, my colleague from Oxford, who I have the privilege of serving with on justice committee, noted that in Bill C-51 the government initially sought to remove section 176 of the Criminal Code. This is the only section of the Criminal Code that protects religious officiants.

We have seen recently a significant spike in anti-Semitic, anti-Muslim vandalism and hate at churches, synagogues, mosques and community centres. In the face of this climate of hate in which persons of religious faith are targeted because of the fact they are practising their faith really speaks to how ill-timed and ill-thought out it was for the government to consider removing section 176.

Could the member speak a little more on that?

Mr. Dave MacKenzie: Mr. Speaker, I would agree with my colleague that this legislation was poorly thought out.

When we heard members on the other side talk about all the research and all the things that went into the legislation, we would have to question why they would want to remove that section. We are hearing from every religious denomination about all the attacks on their properties and their persons. To remove that section just did not make sense. All of us heard loud and clear from our constituents how opposed they were to it.

As I pointed out, when the minister brought the bill in on June 5, 2017, there was already a court case going on in Ottawa at the same time. It had to be something the Liberals either completely missed or did not care about and they moved forward. However, this is a critical issue for many Canadians. As we see the increase in hate crimes with respect to religion, this is one where the push back obviously made the Liberals change their ways. It is appropriate the section is still there.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, I am here to speak tonight to Bill C-51. For those who are not aware, this bill is intended to clean up clauses in the law that are no longer useful or applicable and to strengthen some of the language.

First, Bill C-51 is another omnibus bill. The Prime Minister said that the Liberals would not have omnibus bills, but we continue to see them in the House day after day. I may have gotten used to the fact that the Prime Minister always breaks his promise. However, I want people to be aware of this so they understand, as we approach next year's election, that the Prime Minister does not keep his promises and if he makes new promises, Canadians can expect that behaviour to continue. The promises really are not worth the paper on which they are written. Therefore, I object to this being an omnibus bill.

Usually when we think of justice bills, we think about what the government is trying to achieve in the country with respect to justice. Normally, we try to define what behaviour would be considered criminal, sentences that would be appropriate and commensurate with the crimes and that they are enforced in a timely way. However, I have to question what the justice minister is thinking with these pieces of legislation and actions that have been taken.

The government is in the fourth year of its mandate and what priority has the justice minister been giving time to? First, she has not put enough judges in place to keep murderers and rapists from going free because time has passed and the Jordan principle applies. That should have been a priority for the government, but clearly was not.

We heard earlier in the debate about how the government was pursuing veterans and indigenous people in court. That is obviously a priority for it, but one would think that other things would make

Government Orders

the list. The Liberals prioritized the legalization of marijuana and the legalization of assisted suicide. Then it introduced Bill C-75, which took a number of serious crimes and reduced them to summary convictions of two years or a fine, things like forcible confinement of a minor, forced child marriage, belonging to a criminal organization, bribing an official and a lot of things like that. Those were the priorities of the government.

Then there is Bill C-83 regarding solitary confinement and impacts on 340 Canadians.

I am not sure what the priority of the government is when we consider the crime that has hit the streets. There is the increase in unlawful guns and gangs and huge issues with drug trafficking. I was just in Winnipeg and saw the meth addiction problem occupying the police and law enforcement there. I would have thought there would be other priorities.

If I think specifically about some of the measures in Bill C-51, the most egregious one to me is that the government tried to remove section 176, which protects religious officials and puts punishments in place for disrupting religious ceremonies.

Eighty-three churches in Sarnia—Lambton wrote letters and submitted petitions. There was an immediate outcry. It was nice that the government was eventually shamed into changing its mind and kept that section the way it was. However, why is there no moral compass with the government? We have had to shame it into doing the right thing many times, and this was one of them.

Terri-Lynne McClintic was moved to a healing lodge. I remember hearing the Minister of Public Safety talk day after day about how there was nothing he could do. I looked at section 6(1) of the Corrections and Conditional Release Act. It says that the minister has full authority over his department. Eventually, of course, we shamed the government into the right thing. We heard today there may be a similar opportunity with Michael Rafferty, the other killer of Tori Stafford.

There is the Chris Garnier situation. He brutally murdered a police officer. He has PTSD and is getting veterans benefits when he was never a veteran. Again, we had to shame the government into taking action.

● (1820)

Then there was Statistics Canada. The government had a plan to allow it to take the personal financial transactional information of people's bank accounts and credit cards without their consent. Again, there was a total out-of-touch-with-Canadians response from the government, asking why it was a problem. Eventually, ruling by the polls, Canadians again shamed the government into changing its mind on that one.

Government Orders

Finally, there was the Canada summer jobs situation, which was very egregious to me. In my riding, numerous organizations were not able to access funding because of this values test that the government had put in place. The hospice, which delivers palliative care, was not even able to apply. It is under the Catholic diocese of Canada, which objected to the attestation. It has taken a very long time, but again, the government has been shamed into saying that the people are right and that maybe it will change it up for next year. Why does the government always have to be shamed into these things instead of having a moral compass to know what is right and what is not?

Bill C-51 would clean up a lot of things that were obviously a big priority for the government, like comic books causing crime. We know there have been huge issues about that in Canada. It would remove offences such as challenging someone to a duel. It would clean up the section on people fraudulently using witchcraft and sorcery. It would clean up a number of things. I do not object to it; I just do not see it as a priority when people are dying because of serious crimes.

Then there is the issue of sexual assault. The government spends a lot of word count talking about the fact that it cares about this. However, does it really care about sexual assault and strengthening the language on consent when it does not appoint enough judges to keep rapists from going free?

I was the chair of the status of women and we studied violence against women and girls. We know that one out of every thousand sexual assault cases actually goes to court and gets a conviction. If we want to talk about the sentences applied, they are measured in months and not years, when the victims struggle on forever.

Although there has been an attempt to make it clear what consent really means, there has been discussion in the debate today that it is still not clear. If people are interested to see what consent really means, there is a little video clip that can be googled. It is called *Tea Consent*. It is a very good way of demonstrating what consent is. I encourage everyone to take a look at that.

When it comes to the justice system and the priorities of the government, I cannot believe it has not addressed the more serious things facing our nation. We can think about what the justice minister ought to do, such as putting enough judges in place so we can have timely processing of events, and prioritize. If we do not have enough judges for the number of cases occurring, it is an indication of too much crime. However, it is also an opportunity to put the priority on processing murderers and rapists ahead of people being charged with petty crimes of less importance.

When it comes to looking at some of the actions the government should be taking going forward, it should be focusing on the issue of illegal gun activity happening right now. Ninety-five per cent of homicides is happening with unlawful guns or guns that are used unlawfully. There is a huge opportunity to do something about that. This should be a priority for the justice minister.

Our leader has put together a very cohesive plan that would reduce gun and gang violence. It is a great, well-thought out plan. I wish the Liberal government had some plan to try to do something to reduce crime in the country and to ensure that the people who commit

crimes are actually held to account. I do not see that in Bill C-51. I have to wonder why it took so long to bring the bill forward.

As I said, the government is in the fourth year of its mandate and Bill C-39 would have made a lot of these fixes. It was introduced in March of 2017. Here we are at the end of 2018 and still none of this has gone through.

• (1825)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, the member mentioned that she thought this was an omnibus bill. Everyone else in the House obviously disagrees with her because with an omnibus bill, the vote can be split, and no one requested to have the vote split. It only affects two acts: the Criminal Code and the Department of Justice Act.

Maybe the member could explain why she thinks this is an omnibus bill, as she is the only member in the House who thinks this.

Ms. Marilyn Gladu: Mr. Speaker, I am sure I am not the only one in the House who thinks it is an omnibus bill. Perhaps we are just so numb with the number of these that have come by. The most recent one was the 854-page budget bill, which was definitely an omnibus bill. We are so used to seeing them, and all of these things lumped together.

In this one, there are so many different issues that members have to look at many different parts of the Criminal Code in order to see them. This takes a lot of time, and of course we do not always get a lot of time because the government is continually doing time allocation to cut off the time for debate and study.

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Mr. Speaker, in my opinion, the issue with respect to section 176 was just an oversight. It was a mistake that was quickly rectified by the committee. I think we are all glad that it was. This underlines how important committee work is in fixing bills.

I want to move to the Senate amendments. Part of the issue that the Senate had with this bill was not so much with the definition of “consent”, but more with the definition of when no consent is obtained. I am thinking of a victim who is intoxicated voluntarily. We are unsure as to whether consent can be obtained. I am thinking of the Rehtaeh Parsons case. Rehtaeh Parsons was sexually assaulted while intoxicated, and the court acquitted the people who were charged.

The Senate is attempting to really add in more specific language to the Criminal Code so that we do not have judicial discretion. It is so that “no consent” is clearly laid out such that people have to be able to understand the nature, circumstances and risks and that they have a choice. They have to be able to “affirmatively express agreement to the sexual activity”.

Could my colleague comment on those specific amendments the Senate is trying to make on this bill, and whether she agrees with the spirit and intent of the amendments?

Government Orders

•(1830)

Ms. Marilyn Gladu: Mr. Speaker, I think we're definitely moving in the right direction with respect to defining "consent", but when I still hear arguments back and forth that say it's still not clear, it sounds like we have not arrived at the exact answer.

If we can determine what makes a person mentally competent to give consent in the case of assisted dying, then we should be able to define consent for sexual activity. I do not think this definition is exactly where it needs to be, but I think it is moving in the right direction. We have to move away from the notion of people being unconscious. It has to be clear that if they are inebriated, they cannot give consent, and that people who have a mental challenge may not be able to give consent.

Hon. Larry Bagnell: Mr. Speaker, I just want to continue on the omnibus bill discussion.

I gave a 10-minute speech explaining to the House the technicalities and how the orders have been changed so that they cannot be abused. With respect to the budget bill, the member mentioned that at 854 pages it was obviously an omnibus bill. It does not matter how long a budget implementation bill is. Obviously governments have to implement budgets, so they need legislation, which can be 1,000, 2,000 or 3,000 pages long. As long as a bill implements what is in the budget, it can put in a number of things. Previously, there was a budget implementation bill that had a huge amount about the environment that was not in the budget, and that was abuse of the budget implementation bill.

This is to provide clarity so that members know what is abuse and what is not abuse with respect to budget bills and non-budget bills.

Ms. Marilyn Gladu: Mr. Speaker, the member opposite is asking the wrong question. The question really should be why the government does not keep its promises. Omnibus bills are one example. Liberals said they would not propose them and they have. He admitted that there are some out there.

Let us think about the other promises the government made but did not keep: the deficits that were going to be very small that are not, which are three times what they were supposed to be; the balancing of the budget within the mandate; and the restoration of home mail delivery. I could go on and on, but I can see that my time is up.

The Deputy Speaker: I will inform the member that there are only 12 minutes remaining in the time for debate on the motion before the House and I will interrupt him at 6:45 p.m.

Resuming debate, the hon. member for Saskatoon—Grasswood.

Mr. Kevin Waugh (Saskatoon—Grasswood, CPC): Mr. Speaker, I have been here for three plus years and this will be the last week for many of us in this beautiful building. I hope all 338 of us take the time to walk around each of the sections of this wonderful building and soak them in: the Railway Committee Room, the Reading Room, the Library of Parliament and the House of Commons. This is one of the great institutions of our country. We all felt it coming to the House of Commons tonight, with the Christmas lights. We are so privileged, over 300 of us, to call this our home.

A good number of us will not be here when it reopens, whether it is in 12 years, 15 years, 20 years, whatever the case may be.

Hopefully, we all take pictures. This is a great facility and such an honour. I had a distinguished 40-year career in broadcasting. The iconic curtains in the House of Commons have been here for so long. Come Wednesday or Thursday, we should treat this place like a basketball court, cut them down and each get a piece of the curtains.

I am here tonight to speak on Bill C-51. The stated purpose of this bill is to streamline the Criminal Code of Canada by removing certain provisions that no longer have any relevance in contemporary society. The Conservative Party is very supportive of Bill C-51 strengthening the provisions of the sexual assault legislation and has led the way for supporting victims of sexual assault by, among other things, Bill C-337 by my former Conservative colleague Rona Ambrose, which is one such measure.

Bill C-337 would make it mandatory, as we have heard in the House throughout the day, for judges to participate in sexual assault training and be aware of the challenges sexual assault victims face. The bill was designed to hold the Canadian judiciary responsible for the ongoing training of judges and the application of law in sexual assault trials. It would require that lawyers also receive training in sexual assault as a criterion of eligibility for a federally appointed judicial position. As members will recall, Bill C-337 was passed in the House of Commons and appears to be well on its way to royal assent in the Senate, although Ms. Ambrose, like the rest of us, is waiting patiently for the results.

Bill C-51 would expand the rape shield provisions to include communications of a sexual nature or communications for a sexual purpose. These provisions would provide that evidence of a complainant's prior sexual history cannot be used to support the inference that the complainant was more likely to have consented to the sexual activity in issue or that the complainant is less worthy of belief. The bill also provides that a complainant would have the right to legal representation in rape shield cases, which I believe is very important, but also creates a regime to determine whether an accused could introduce a complainant's private records at trial that would be in his or her possession. This would complement the existing regime governing the accused person's ability to obtain complainants' private records when those records would be in the hands of a third party.

There are some aspects of Bill C-51 that Conservatives were opposed to, such as the removal of section 176 of the Criminal Code, the section of the code that provides protection for religious services and those who perform religious services. It was absolutely ludicrous to remove this section of the Criminal Code when we have seen such a startling increase in attacks on mosques, synagogues and even churches as of late.

•(1835)

It should be noted that, according to Statistics Canada, over one-third of reported hate crimes in this country are motivated by hatred of religion, and removing section 176 would remove valuable protection for our faith leaders in this country.

Government Orders

I received many calls in my riding of Saskatoon—Grasswood over the removal of this section from the Criminal Code. This was brought up on June 5 here in the House, and a couple of weeks later when we recessed for the summer, I had many phone calls in my office in Saskatoon. I remember one phone call came from Pastor Eldon Boldt of Circle Drive Alliance Church. He was terribly concerned by this and was going to start a petition. He wanted the current government to know that this was wrong. He was concerned not only for his own well-being but for other religious leaders across the country.

In Quebec City, we had six people killed in a mosque attack. Our Conservative caucus at the time of that attack was just leaving Quebec City and returning to Ottawa. Also, 26 people were killed at the First Baptist Church in Texas. This is just a short list of what has gone on in this world.

Our religious freedoms are protected, and section 176 of the Criminal Code is certainly part of that protection. Religious freedoms are fundamental to all Canadians, and Conservatives are clearly proud to be among the first to stand and support religious freedoms of all faith.

I should add some words from the Right Hon. John G. Diefenbaker, Canada's prime minister from 1958 to 1962, who hails from my province of Saskatchewan, in fact, Prince Albert. He said:

I am a Canadian, free to speak without fear, free to worship in my own way, free to stand for what I think right, free to oppose what I believe wrong, or free to choose those who shall govern my country. This heritage of freedom I pledge to uphold for myself and all mankind.

If members come to my city of Saskatoon, I will take them to the Diefenbaker Centre where these words are etched onto the wall. It is very important, and these are great words from former prime minister John G. Diefenbaker.

There was a large public outcry against this amendment, and, thankfully, the Liberal members of the justice committee listened to all Canadians and voted to keep section 176 of the Criminal Code.

To summarize, I am pleased to participate in this debate on Bill C-51, which covers a broad range of amendments to the Criminal Code. Our current Prime Minister, of course, talked about omnibus bills being undemocratic. We talked about this in the House. I remember door-knocking back in 2015 as our former Conservative government was blamed, and maybe rightfully so at times, for the omnibus bills created in the House from 2011 to 2015. However, we see now that the bill before us, introduced by the current government, could also be considered an omnibus bill, because it has so many sections to the Criminal Code that we are dealing with. It is a promise, actually a pattern of promises, not kept by the Liberal government.

However, there are some amendments to the Criminal Code addressed in Bill C-51 that are quite necessary and really common sense. For example, we fully support all changes in the bill that clarify and even strengthen the sexual assault provisions in the Criminal Code. These changes would help support all victims of sexual assault crimes.

Conservatives have always stood up for the rights of victims in this country. We have a proud record of introducing the Canadian

Victims Bill of Rights and the passing of Bill C-337, which would make it mandatory for all judges to participate in sexual assault training. Both of these actions are in support of victims. Sometimes we forget all too much about the victims in this country, and they certainly need to be supported.

● (1840)

I think the Conservative Party has supported victims very well in the past number of decades.

Additionally, we support repealing or amending sections of the code that have been ruled unconstitutional by the courts. The removal of obsolete or even redundant provisions makes common sense. There is really no need for provisions about witchcraft or duelling in the streets. They are just not part of today's society.

However, an area of this bill which caused great concern for all Canadians was the government's removal of section 176 of the Criminal Code. We have talked about that. Thanks to the work of an effective opposition on this side, and the voices of all Canadians who spoke up in the summer of 2017 to challenge the government, the Liberals have decided to back down from these changes.

That just about wraps up my time. I just want to wish everyone who is in the House and who is watching the House of Commons on CPAC tonight all the best in the holiday season. As this could be the final time that I rise in 2018, I wish everyone a merry Christmas and a happy new year.

The Deputy Speaker: It being 6:45 p.m., pursuant to an order made earlier today, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the consideration of the Senate amendments to Bill C-51 now before the House.

● (1845)

[*Translation*]

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Deputy Speaker: Call in the members.

● (1910)

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

(Division No. 977)

YEAS

Members

Abouttaif
 Albrecht
 Alghabra
 Allison
 Anandasangaree
 Arnold
 Arya
 Badawey
 Barlow
 Bennett
 Bergen
 Bezan
 Bittle
 Block
 Bossio
 Bratina
 Brison
 Calkins
 Carrie
 Chagger
 Chong
 Cooper
 Dabrusin
 DeCoursey
 Dhaliwal
 Diotte
 Dreeshen
 Dubourg
 Duguid
 Dzerowicz
 Eglinski
 El-Khoury
 Erskine-Smith
 Eyolfson
 Falk (Provencher)
 Finley
 Fisher
 Fortier
 Fraser (West Nova)
 Fry
 Gallant
 Généreux
 Gerretsen
 Godin
 Goodale
 Graham
 Hardie
 Hébert
 Hogg
 Housefather
 Iacono
 Joly
 Jowhari
 Kent
 Kitchen
 Kusie
 Lametti
 Lapointe
 Lebouthillier
 Leitch
 Levitt
 Lighthouse
 Lobb
 Long
 Ludwig
 MacAulay (Cardigan)
 MacKinnon (Gatineau)
 Martel
 May (Cambridge)
 McColeman
 McDonald
 McKay
 McLeod (Kamloops—Thompson—Cariboo)
 Mendès
 Mihychuk
 Soeurs
 Monsef
 Murray
 Albas
 Aldag
 Alleslev
 Amos
 Anderson
 Arseneault
 Ayoub
 Bagnell
 Baylis
 Benzen
 Berthold
 Bibeau
 Blair
 Boissonnault
 Boucher
 Breton
 Caesar-Chavannes
 Carr
 Casey (Cumberland—Colchester)
 Champagne
 Clarke
 Cuzner
 Damoff
 Deltell
 Dhillon
 Doherty
 Drouin
 Duclos
 Duncan (Etobicoke North)
 Easter
 Ehsassi
 Ellis
 Eyking
 Falk (Battlefords—Lloydminster)
 Fergus
 Finnigan
 Fonseca
 Fragiskatos
 Fraser (Central Nova)
 Fuhr
 Garneau
 Genuis
 Gladu
 Goldsmith-Jones
 Gould
 Hajdu
 Harvey
 Hehr
 Holland
 Hutchings
 Jeneroux
 Jordan
 Kelly
 Khalid
 Kmiec
 Lambropoulos
 Lamoureux
 LeBlanc
 Lefebvre
 Leslie
 Liepert
 Lloyd
 Lockhart
 Longfield
 Lukiwski
 MacKenzie
 Maguire
 Massé (Avignon—La Mitis—Matane—Matapédia)
 McCauley (Edmonton West)
 McCrimmon
 McGuinty
 McKinnon (Coquitlam—Port Coquitlam)
 McLeod (Northwest Territories)
 Mendicino
 Miller (Ville-Marie—Le Sud-Ouest—Île-des-Soeurs)
 Motz
 Nassif

Nater
 Ng
 Nuttall
 Oliphant
 O'Regan
 Ouellette
 Paul-Hus
 Peterson
 Philpott
 Poilievre
 Qualtrough
 Rayes
 Rempel
 Rioux
 Rogers
 Rota
 Rusnak
 Saini
 Samson
 Sarai
 Schiefke
 Schulte
 Sgro
 Sheehan
 Shipley
 Sikand
 Sohi
 Sorbara
 Spengemann
 Strahl
 Sweet
 Tan
 Tilson
 Van Kesteren
 Vandenbeld
 Vecchio
 Wagantall
 Warkentin
 Webber
 Wilkinson
 Wong
 Young
 Zahid
 Nault
 Nicholson
 O'Connell
 Oliver
 O'Toole
 Paradis
 Peschisolido
 Petipas Taylor
 Picard
 Poissant
 Ratansi
 Reid
 Richards
 Robillard
 Romanado
 Ruimy
 Sahota
 Sajjan
 Sangha
 Scarpaleggia
 Schmale
 Serré
 Shanahan
 Shields
 Sidhu (Brampton South)
 Simms
 Sopuck
 Sorenson
 Stanton
 Stubbs
 Tabbara
 Tassi
 Trost
 Vandal
 Vaughan
 Viersen
 Warawa
 Waugh
 Whalen
 Wilson-Raybould
 Yip
 Yuriga
 Zimmer — 240

Government Orders

NAYS

Members

Ashton
 Beaulieu
 Boutin-Sweet
 Cannings
 Davies
 Duncan (Edmonton Strathcona)
 Fortin
 Gill
 Hughes
 Julian
 Laverdière
 Malcolmson
 Masse (Windsor West)
 Moore
 Quach
 Rankin
 Trudel

PAIRED

Members

Chen
 Pauzé
 Cormier
 Plamondon — 4

The Speaker: I declare the motion carried.

[*English*]

Pursuant to order made on Thursday, December 6, the House shall now resolve itself into committee of the whole to consider Government Business No. 26. I do now leave the chair for the House to go into committee of the whole.

*Government Orders***GOVERNMENT ORDERS***[English]***OPIOID CRISIS IN CANADA**

(House in committee of the whole on Government Business No. 26, Mr. Bruce Stanton in the chair)

The Chair: Before we begin this evening's debate I would like to remind hon. members how the proceedings will unfold.

Each member speaking will be allotted 10 minutes for debate, followed by 10 minutes for questions and comments. The debate will end after four hours, or when no member rises to speak. Pursuant to the order adopted Thursday, December 6, 2018, members may divide their time with another member and the Chair will not receive any dilatory motions, quorum calls or requests for unanimous consent. I will also remind hon. members, as with the rules for committees of the whole, members will be recognized from the seat in the chamber of their choice.

We will now begin tonight's take-note debate.

Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.) moved:

That the House take note of the opioid crisis in Canada.

Hon. Ginette Petitpas Taylor (Minister of Health, Lib.): Mr. Chair, it is always an honour to rise in the House to debate and discuss issues that are important to Canadians.

As we gather here tonight, our country is in a national public health crisis. Over the past two and a half years, over 8,000 Canadians have lost their lives as a result of the opioid crisis. It is the most significant health issue in Canada's recent history.

This crisis is as complex as it is tragic. It is playing out across the country, in many different settings, yet the heartbreaking reality remains the same.

Last year in Vancouver, 370 people died of opioid-related overdoses. In Windsor, it recently claimed the lives of four unrelated people in a 24-hour period. On the Blood reserve in Alberta, paramedics responded to some 150 overdose calls in a single weekend in 2017.

From big cities to mid-size centres to rural areas, no corner of Canada has been spared this crisis. This epidemic takes the life of one Canadian every three hours. I believe it is worth repeating: One Canadian every three hours loses his or her life as a result of the opioid crisis.

While media coverage can sometimes make it seem like a distant problem, the opioid crisis certainly affects us all. Recently the stepson of B.C.'s Minister of Agriculture tragically died as a result of an overdose. While studies show that men in their thirties are most likely to die of an overdose, the impact is truly widespread. Each death devastates families, friends and communities as a whole.

Most tragic is the impact on our children. Overdose deaths have left a growing number of children without a mother or a father, or worse, as orphans. In the municipality of Brant, Ontario, one-quarter of the calls to child and family services involve parents using opioids.

The sad reality is that few Canadians are left untouched by this crisis, from coast to coast to coast.

The root causes of this crisis are many. We know that the over-prescribing of opioids has played a critical role and that toxic, illicit fentanyl continues to permeate our borders. For too long, leaders have been slow to react.

As Canada's health minister, there is no issue more important to me than this one. This was the first file I was briefed upon when I became Minister of Health, and I have to say, it is truly the file that keeps me up at night.

We are working to turn the tide on this national public health crisis. We certainly have to make sure that a response is compassionate, collaborative, and evidence-based. We are treating this as a health issue, and certainly not as a criminal one. We are taking action to save lives.

To support prevention, we are working to raise awareness to fight stigma, as we recognize that it is truly an obstacle. To increase access to treatment, we have made major investments with provinces and territories and have enacted new legislation to cut red tape. To better understand the crisis, we have improved data collection and surveillance.

● (1915)

[Translation]

We have also added money to better address this crisis. We committed \$231 million in the 2018 budget. The provinces and territories will receive \$150 million of this amount so that they can directly help the Canadians who are struggling with this issue.

We also took steps to make treatment easier to access by changing the rules that no longer made sense. For example, nurses could not transport certain controlled substances, but we changed that. They can now provide better care to Canadians living in rural and remote areas.

[English]

Properly addressing this crisis is impossible to do without including harm reduction. We support harm reduction, because we know that harm reduction saves lives. It means treating substance use and addiction not as a moral issue but as a medical one. It means asking ourselves not which solution fits our ideology but rather which one will help people.

Since coming into office, our government has placed harm reduction at the centre of our response when it comes to the opioid crisis. A core feature of that response is supervised consumption sites. For too long, these sites and harm reduction were used as a political wedge issue, yet we know that these sites save lives. That is why we have streamlined the application process for supervised consumption sites.

Government Orders

There are presently 28 sites operating across Canada. They have received over 125,000 visits in the past 18 months and have reversed over 1,100 overdoses, without a single fatality at any of these sites.

To further save lives, we have helped establish temporary prevention sites where the need is urgent. However, the federal government is merely one actor in a broader response. Progress is impossible without the collaboration of provincial and territorial governments, community partners and much more.

Most importantly, solving this crisis requires listening to those who know it best, those who understand its wrenching realities and those who live this crisis day in and day out. When I think of this, I think of individuals like Jeff Fleming.

Jeff was a service and support worker working the night shift in a downtown mission in Windsor, helping folks struggling with mental health and addiction issues. What set him apart from the other staff was that Jeff himself struggled with substance use disorder. His own experience with addiction only strengthened his resolve, because he wanted to help others. Jeff's colleagues said it made him better at his job. They noted how he treated everyone with respect and dignity, pushing to get people the help they needed, even in the face of insults or worse, yet last month, Jeff Fleming died of a suspected overdose.

Unfortunately, Jeff's story is not unique. If we take one thing from his story, it is that we must listen before it is too late. This is why we have made it a priority to engage and involve those affected by this crisis. In September, I hosted a two-day symposium that brought together close to 200 stakeholders and partners. The voices around the table, from those with lived experience to researchers to people suffering from chronic pain to front-line service providers, reinforced our belief that we make better policies when all voices are heard.

● (1920)

[*Translation*]

I would now like to take a few moments to talk about stereotypes. The preconceived idea that problematic substance use should be seen as a personal failure is hindering our efforts to help those who need it.

Having spent my life helping many men and women with substance abuse problems, I know that treating this situation as a health issue is the best way to help these individuals. It is also the best way to help their families and friends, who are also affected by stereotypes.

People with substance abuse problems often do not ask for help because they are afraid of facing these stereotypes. In British Columbia alone, 90% of those who died of an overdose died alone at home. That is why I encourage Canadians to be careful about the words they use when they talk about problematic substance use.

Changing preconceived ideas is not easy, but being more respectful, showing compassion and being careful about our choice of words are steps in the right direction. There is still no miracle cure for people with substance abuse problems, but I have to say that I am optimistic. I will continue to encourage all those who are working to deal with this crisis to develop bold new solutions.

We have started to do just that. It is now possible for people to have their drugs tested at consumption sites. We have also funded projects to develop more practical testing tools. We will continue to find bold solutions to help those who need it.

[*English*]

Today Canada faces our most significant public health crisis in recent history. It is complex and challenging from every angle, be it social, medical or legal. There are no easy solutions when it comes to the opioid crisis. We must remember that no one wakes up one morning and decides to have an overdose. This crisis is a human tragedy, and our response must be compassionate.

This evening I have highlighted only a few of the many actions our government has taken to save lives and address this tragic situation. I understand members' sense of urgency, and I share that sense of urgency as well. We can and we will do more. Know that our government is deeply distressed by this national public health crisis, and we will do everything in our power to stop it.

● (1925)

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Chair, the Minister of Health mentioned that the opioid crisis is her number one priority. When I look at the spending of the government, I see that the Liberals can find money for a \$4.5 billion pipeline, \$800 million to legalize marijuana, \$1.1 billion for illegal asylum seekers, and most recently, \$600 million to try to buy the media in an election year, but \$250 million is the amount that has been pledged for the opioid crisis, and only a fraction of that has actually been spent.

How can it be such a big priority when there has been a lack of resourcing for prevention and recovery?

Hon. Ginette Petitpas Taylor: Mr. Chair, as indicated in my comments this evening, when we look at the opioid crisis, we are dealing with a national public health crisis, and our government is taking action. I was very pleased that in budget 2018, significant investments were made to help provinces and territories address the issue of treatment on the ground. We have heard from provinces and territories, and they want to make sure that they have additional resources. That is why we are in the process of negotiating bilateral agreements with provinces and territories to ensure that they receive additional funding to help those who need it most.

I am also extremely pleased that we were able to provide significant funding in the area of addressing stigma. We recognize that often Canadians are not receiving the treatment they need because of the stigma associated with it. Individuals who work within the system want to make sure that we have a campaign in place and that significant work is done to address stigma. We want to make sure that we address every aspect to ensure that Canadians receive the help they need.

Government Orders

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): Mr. Chair, as the minister said earlier, this is a health crisis. It is no different where I come from. I hosted a symposium in my office in July 2016, and many residents were concerned. There are many steps our government has taken.

Where I come from, the Vancouver Port is nearby and the land border is nearby. I would like to ask the minister what steps have been taken to make sure that we are able to stop fentanyl and opioids coming across our borders, whether through the port or across land borders?

Hon. Ginette Petitpas Taylor: Mr. Chair, the Minister of Public Safety and I are working very closely to ensure that additional resources are put in place to address the illicit entry of fentanyl and other drugs that are entering our borders. We continue to work in close collaboration to ensure that we put all steps and measures in place so that this is addressed.

I was very pleased this summer that I was able to attend Surrey and speak with many individuals in the community, as they have shared that the opioid crisis has affected them tremendously. I was very pleased that we were able to sign a bilateral agreement with that province to ensure that additional services are put in place on the ground to effectively help citizens who are affected by the crisis.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Chair, the minister repeatedly uses the phrase “public health crisis”, but she studiously avoids calling the opioid epidemic what we in the New Democratic Party call it, which is a public health emergency. On this side of the House, we have repeatedly called, for two years, for the government to declare a public health emergency under the Emergencies Act.

The government and the minister repeatedly say that there are no powers under the Emergencies Act that they are not exercising now. I am going to quote from the Emergencies Act, section 8(1). It says that this gives clear authority to make “orders or regulations” that it believes “are necessary for dealing with an emergency”, including “the establishment of emergency shelters and hospitals”.

In this country, including in Vancouver, we have overdose prevention sites that are operating right now illegally that are saving lives. Eleven Canadians are dying every single day to the opioid overdose crisis, yet if the government declared a public health emergency under the Emergencies Act, it could designate overdose prevention sites as emergency shelters or hospitals under the act, thereby rendering them legal and subject to federal funding. They are operating illegally, with not a nickel of federal funding.

Why is the minister continuing to insist that the Emergencies Act would give her no power to do anything she is not doing? Obviously, the act would allow her to save lives immediately by declaring overdose prevention sites legal and giving them federal funding to save lives.

• (1930)

Hon. Ginette Petitpas Taylor: Mr. Chair, the member opposite talks about a public emergency. We have made it very clear, and I have made it very clear to him personally, that if declaring this a public health emergency would provide me with any additional powers to effectively help the situation on the ground, we would be

doing so. However, we have consulted on that with my friend and colleague, the Minister of Public Safety and Emergency Preparedness, and there are no additional resources and additional powers that would be given to me.

We have spoken to our partners on the ground with respect to the provinces and territories, and they have indicated to us that additional financial support could certainly help them to address the situation and provide their clients with the help they need. That is why I am pleased that in budget 2018, we have been able to make significant investments in the emergency treatment fund. We are in the process of finalizing the last negotiations with provinces and territories, as they have made it very clear that they want to ensure that Canadians have access to services on the ground when it comes to treatment. Those are exactly the investments we are making.

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Mr. Chair, there have been quite a number of questions here on the funding in British Columbia. However, with the funding announced by the health minister, we now have 27 new safe injection sites, according to media reports.

However, in British Columbia, only 25 beds for treatment were funded, so out of \$33.1 million, the minister has allocated money to a whole bunch of new safe injection sites, yet there are still only 25 new rehabilitation beds that have been put in place. When we speak to people at every one of these injection sites, they say there is not enough bandwidth when we are finally getting people who are hurting with this problem and who want help to be able to access those funds immediately. When will the minister stand up and use the funding to actually fund recovery, not just for a place to go to inject the illegal drugs?

Hon. Ginette Petitpas Taylor: Mr. Chair, the emergency treatment fund actually consists of bilateral agreements that we have signed with the provinces and territories. It is not the federal government that tells the provinces where the money has to go. If provinces and territories choose to fund additional beds in treatment centres, that is completely their decision and at their discretion. We simply want to make sure that the money is going to go where it is needed. If it is to ensure that there are additional beds for services on the ground, that is where we want the money to go.

Furthermore, as I have indicated, I am very proud to say that negotiations for our bilateral agreements are going very well and that we are hoping to finalize those agreements in the very near future.

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Chair, the minister mentioned that she has put in place some measures at the borders. I have worked in the area of training border guards and I know how many federal pieces of legislation they are responsible for checking. Could the minister tell us how many additional resources have been put to train and assist our border officials, particularly on the west coast or anywhere where shipments may be coming in from China, to inspect very carefully for fentanyl and carfentanil to make sure that we are catching every single shipment of these drugs coming into our country?

Government Orders

Hon. Ginette Petitpas Taylor: Mr. Chair, we certainly recognize that the contamination of drug supply is an area of concern. That is why in budget 2018 I was pleased there monies to support the Minister of Public Safety and Emergency Preparedness with respect to border services. We recognize that more needs to be done in that area. That is why in budget 2018 I was pleased to see additional resources put in place to deal with the situation.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Chair, I am very disheartened to be standing up in the House again. I remember that we stood here many years ago talking about some very tragic incidents and deaths in my riding from fentanyl.

We managed, through a public health approach, to do amazing work on drinking and driving. We managed to do amazing work on tobacco reduction. What we are not doing is accomplishing anything here. We have more people dying. When will the minister start to get creative and take new approaches to deal with a tragedy that we seem to have become desensitized to? We need new approaches that would work, because clearly what the minister has done to date has not made a difference.

Hon. Ginette Petitpas Taylor: Mr. Chair, I would have to disagree with the member opposite. Our government has been very creative in its approach and has moved forward to ensure that we reintroduce harm reduction as a key pillar of our drug strategy. We recognize that “just saying no to drugs” does not work. We have to make sure that we meet clients where they are at. For some of them, it means meeting them at a supervised consumption site; for others, it means meeting them at a treatment facility. We have to make sure that our approach is innovative and that we meet patients where they are at.

Finally, I am proud of our government's position and the steps we have taken so far. We recognize that more needs to be done to deal with this crisis, but we have to recognize that one size fits all will not deal effectively with this crisis on the ground.

• (1935)

The Chair: Before going to the next round and resuming debate, I would remind hon. members that they can be recognized in the seat of their choice. They do not have to be in their usual seat to participate in the debate.

I would add that it is great to see so many members interested in participating in the questions and comment time. That being the case, at least for now, I would ask all hon. members to keep their interventions to less than one minute in that portion of the debate. That way, we will be able to accommodate more members.

We will follow the usual way we do this. If it is a government member presenting their 10-minute speech, the large majority of questions will be given to other parties. When a different party is speaking, the other parties will get the preponderance of opportunities to ask questions during the 10-minute question and comment period.

Resuming debate, the hon. member for Barrie—Springwater—Oro-Medonte.

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Mr. Chair, a week ago, I had the opportunity to stand in the

House and request an emergency debate on the opioid crisis, because it is not just affecting one province anymore. It has been spreading across this country from large urban municipalities to medium and smaller municipalities, and even rural municipalities, as we have seen with the issues in Simcoe Muskoka. However, that request for a debate was turned down. I was told that we did not need an emergency debate, that it was not something the House needed to spend time on at that point. Well, I am very glad that the House leaders have come together and provided this opportunity here tonight.

I do not believe this to be a partisan issue. I think that no matter what happens, no matter where people are coming from, everyone agrees that Canadians want to see movement on this issue, and movement means fewer Canadians dying each and every year.

Governments have a problem with putting measurables in place to ensure that their plans and strategies are working. If we are going to put measurables in place for the opioid crisis, we need to show that we are reducing the number of Canadians dying each and every year from this crisis, to the point where we are able to say that we have made headway.

This has obviously come on the backs of some devastating news back in Barrie. We have seen 36 deaths in 2017 related to this crisis. We have seen over and over again the different socio-economic problems that contribute to what is now an out-of-control crisis that started with simple opioids and has now extended to include fentanyl, carfentanil and other drugs on the streets in Barrie.

Different national newspapers have been coming to our region and writing about it. They say that the Simcoe Muskoka area of Ontario has been devastated by powerful opioids, like illicit fentanyl and carfentanil, with a significantly higher overdose rate there than the provincial average. They talk about how individuals are getting incarcerated for moving these substances. For example, a 21-year-old Barrie man is serving a seven-year sentence after pleading guilty to importing fentanyl in 2016. They say, to put it bluntly, that people are dying. Until his arrest, he was an unabashed importer and peddler of a variety of drugs, including, and most significantly, fentanyl.

The Globe and Mail said that the opioid crisis hit Barrie, Ontario with a painful shock. It says that the city has struggled for years with pockets of poverty, with its soup kitchens, methadone clinic and men's shelters. The downtown is a gathering place for the homeless, the mentally ill and those who were recently incarcerated, who tend to be vulnerable to drug addiction.

I can tell members that whatever the strategy is that the government has been putting forward, it is not working. I am not saying that to be a judge of past performance, but I am requesting that the government actually step up and put a strategy in place.

When the Minister of Health was asked about the Portuguese model, which seems to have worked, the response was, “Well, look, it's going to be essentially not my job to get everybody else in order on this”. However, it is, because this is not a provincial crisis. This is a national crisis that is spreading from province to province.

Government Orders

If the federal government did not believe it had responsibility for dealing with this, it would not have created safe consumption sites, which it is funding. Therefore, it cannot have it both ways. The federal government cannot say that this is not its problem, that it will just hand some money to the provinces, and then say that, actually, it is our problem and it is going to fund this over here. The government needs to have a strategy. It needs to work with health ministers across the country and deliver what it decides in unison, in uniformity. However, this has just not happened.

We have seen safe consumption sites, safe injection sites, what I call “illegal drug injection sites”, going up across the country. This has been happening now for years. However, over those same years, there has been a severe increase in the number of deaths, including a 40% increase between 2016 and 2017. In Simcoe Muskoka, there were 81 deaths. In Barrie, there were 36 deaths, and that is out of a population of 150,000 people. One newspaper described Barrie as a city where it would be unusual to have two homicides in one year, yet there have been 36 deaths there from opioid-related addictions or consumption.

● (1940)

It is absolutely devastating. What is more devastating is the government is not meeting the call. I do not pretend to stand here and say that the New Democrats, the Conservatives and the Liberals will agree on every piece of this. However, I do not think there is anyone in the chamber who could honestly stand and say that the strategy being used right now is working. It is not.

We need to ensure there is a comprehensive strategy that can help these people every step of the way. Sometimes a one-time use results in death. Sometimes it is an addiction. Sometimes it is laced in marijuana or crack. Fentanyl is being added, because it is so cheap, to “improve” the high that has resulted in so many deaths in so many circumstances.

We have not had a clear strategy, whether it is border security or to help those who are fighting an addiction. I have had the opportunity to visit The Works, the Moss Park, Insite and the area around Insite in downtown Vancouver. What I have seen is something that I do not want to see in Canada. People have been left behind by the system. Some of it is socio-economic, some of it homelessness and some of it is trauma. People are being left behind and they are being left behind by the government.

The reality is that we can do more. If \$50 million can be tweeted out on a Saturday night to somebody in another country because he is a celebrity, then dammit we can help people who are Canadians, who have been living in the country forever and who have contributed to the tax system. We could put the funding in place to ensure the help is there. We will not save everybody, but we will do a heck of a lot better than we are doing right now. It has not been good enough.

I am a fiscal Conservative. I fight for low taxes. I fight for an efficient use of our tax dollars. I have not met a Canadian who has said that providing more rehabilitation, more recovery services, more support and more help for individuals who are fighting these addictions is a bad thing. We know it is a good thing. It helps the individual, it helps society and it is the right thing to do.

One might ask how I know these individuals are being left behind. The federal government is claiming it does not have a responsibility here, that is the responsibility of the provinces, but is doing everything at the same time, which is a very strange approach to what is being communicated by the health minister.

When the health minister says that the government has created 25 new injection sites and only 25 beds in British Columbia, which has seen over half of the deaths related to the opioid crisis, we are failing. People are being left behind.

When the government puts \$1 million into a vending machine to provide opiates and only 25 beds are created, we are failing.

When we have failed to work with pharmacists who could be gatekeepers on this issue, who could ensure, when they see a prescription that is either too great in terms of the quantity of the opiate or too great in terms of the quantity of the number of pills being prescribed, when we fail to work with pharmacists who have to see, each and every time, the individual who has received the prescription, we are leaving people behind and we are leaving the gate open for more people to become addicted.

When the health minister says that the federal government is but one actor in the response, that is pretty much saying we are failing.

When we look at what we are doing and we fail to take responsibility, we are failing.

I know we will not answer or create all the solutions here tonight, but I hope, through this debate, the government will actually take note, change its path and put the funding where it needs to go. I guarantee that we can make headway on this issue. I hope everyone in the House will work together, moving forward, to ensure we leave no more Canadians behind.

● (1945)

Mr. John Oliver (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chair, like my hon. colleague's experience in his riding, I think all of us in all our ridings across Canada are seeing the increasing consequence of the opioid burden in our communities.

However, I did want to remind the members that in 2011, the previous Harper government tried to revoke support for the one and only safe consumption site in Canada, Insite. It fought it in the Supreme Court to close it down. Insite won, but it was the only existing harm reduction site that existed when the Conservatives lost power. They removed the harm reduction pillar from the drug strategy and moved the lead to justice. They took an enforcement and law and order strategy, which led to criminalization, which leads to stigma and the fact that many people now are reluctant to come forward and identify as having dependencies.

I am curious if the hon. member could reflect on the policies of that government. Is he happy to see the harm reduction moving forward? Is he happy to see over \$300 million now committed for treatment and harm reduction programs and a focus on public health instead of criminalization?

Government Orders

Mr. Alexander Nuttall: Mr. Chair, we have an opportunity to talk about a strategy going forward and the member wants to know what my opinion is of the government seven to eight years ago. I do not think the Liberals are getting the point. Eleven Canadians are dying daily. The answer is not to look back to 2011 or 2012. It is to come up with solutions so we can help Canadians who are at risk. It is to invest in prevention and education. Quite frankly, the commercials the government has put on TV, saying there is an opioid crisis, misses the opportunity to tell people to check in their own cupboards.

This is not why we are here tonight. We are here to discuss solutions and opportunities to do better for Canadians who have been left behind, not to discuss a government that is seven or eight years old and not in power anymore. If the member wants to ask a question about something we can do better, I will certainly answer it. If not, I would ask him to please let someone else ask a question.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Chair, I would like to talk about current drug policies and what the member might think about the best way forward.

I am going to quote from Dr. Patrick Smith, the national CEO of the Canadian Mental Health Association. He said:

Criminalizing people who use drugs stigmatizes substance use, fosters a climate in which they feel unsafe in accessing life-saving interventions and treatment, and further marginalizes those living in poverty or at social disadvantage. The war on drugs doesn't work and it's time we lay down our weapons and start getting people help.

Dr. Perry Kendall, B.C.'s provincial health officer says:

Focusing on people who have become dependent on drugs as criminals means we spend a lot of money on law enforcement, which doesn't actually appear to have stemmed the appetite for drugs...It hasn't helped move people who are dependent on drugs into health-care facilities; in fact, they have become very marginalized over time. Because they are marginalized, their use of drugs has often gone up, and has been accompanied by HIV and hepatitis C infections.

The police chief of Lethbridge, Rob Davis, said that they could not arrest their way out of this problem.

Does my hon. colleague believe it is time we stopped the failed war on drugs, which wastes billions of dollars and does not actually do anything, and instead deal with addiction and substance use as a health and social justice issue?

• (1950)

Mr. Alexander Nuttall: Mr. Chair, my office did a lot of research from around the world on harm reduction. The reality is that a wide spectrum of things are involved in harm reduction, from education right through to clean needle supply, to ensuring that whatever is being used can be put in a proper place and not left on the street. That is the goal of harm reduction.

We actually talk about it in this report. We say that these things need to happen. They are part of the solution. We need to work through all of these things and ensure the proper funding is in place for them.

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): Mr. Chair, I heard the hon. member mention they had two murders in Barrie and 36 deaths through fentanyl and opioids. I would submit that he has had 38 murders.

Also, as we look at real solutions going forward, a strategy that applies right across the country to deal with this issue, I would submit for the hon. member that one of the first places we should look at is in his province. His premier has put new harm reduction facilities on hold while they look at “the merits” of this kind of approach. This is an odd country. We have provincial jurisdiction and federal jurisdiction. Far too often it is the federal government that is asked to rush in with money, as though that is the answer to everything. However, part of it is policy and policy tainted by ideology will not get us ahead. Could the member comment on that?

Mr. Alexander Nuttall: Mr. Chair, I just want to clarify. The member said “my premier”. I will leave that alone.

As we look at the opioid crisis in Ontario, we need to realize that it is spreading very quickly. I understand what the member is saying, that it is not two murders, it is 38. I completely get that. However, the reality is that a government cannot stop most murders. We do not know what people are thinking. We do not know those circumstances.

We do know the circumstances here. We know the weapon. The weapon is fentanyl. The weapon is an opioid. We are failing to act in so many ways, from border security to prevention education to wrapping our arms around individuals who are hurting from trauma and other things and ensuring they have a way out. That is how we need to deal with these going forward. Unfortunately, there has been no strategy.

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): Mr. Chair, earlier the hon. member called the safe consumption sites illegal drug sites. Our government has made it easier for cities to have those safe consumption sites. If members talk to the experts, they all say that they are saving lives.

Moving forward, will the hon. member follow in the footsteps of Mr. Harper or will he move onward and support the safe consumption sites, today and in the future?

Mr. Alexander Nuttall: Mr. Chair, it does not matter what we call them. We can call them safe injection, we can call them safe consumption, it does not matter what language we use. There is nothing safe about injecting illegal heroin. That is why I call them illegal drug injection sites, because that is what they are.

Government Orders

With respect to moving forward, members have to realize that we can create all of these injection sites across the country and they are one of maybe 10 ways that individuals may access help. They may go through an injection site and get into a relationship with somebody and end up in rehabilitation and recovery. It may be a family member who helps them get there. They may just wake up one day, or it may be through an emergency situation, at hospital, or through the justice system. However, if we do not have bandwidth up top to answer the call for the amount of people who need rehabilitation and recovery, then we are failing. It is a six to eight week wait, and sometimes it is a six month wait, to get into recovery and rehabilitation. That is what the government should be funding.

It is an important first step for the House to be having this discussion. I want to thank the House leader from the government side, as well as the House leaders from all of the parties, for letting this happen and making this happen in the House tonight.

• (1955)

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Chair, I would like to thank my colleague for his advocacy with respect to this crisis. I wonder if he could comment on the failure of the government to provide education for young people about the harms of drugs and to not be paying attention to the lack of beds across the country. When drug addicts decide they want recovery, there are no beds available.

Mr. Alexander Nuttall: Mr. Chair, certainly prevention and education was a major theme in Portugal. In our report, “Care and Compassion: Fighting the Opioid Crisis”, we found that it was a major theme. It prevented people from going down this road. They met with people, specifically those who were at risk, where they lived, where they resided and encouraged positive behaviours. They did not use an anti-drug campaign. Rather, they used campaigns like “pedal with your own energy” to signify and symbolize a positive, healthy lifestyle. Therefore, the government needs to follow that example and do something with respect to it.

There is no question about the rehabilitation beds. If we spend \$33 million of taxpayer money and we only create 25 beds, we are failing. We need to do better.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Chair, the number of Canadian lives lost to the opioid crisis is staggering, sobering and growing. This crisis is affecting every community and every demographic across Canada. Over 10,000 Canadians have died from overdoses in the last three years alone and the death toll shows little sign of abating. Last year alone, nearly 4,000 Canadians lost their lives, more than from motor vehicle accidents and homicides combined.

The origins of this crisis can be traced back to the late 1990s, when the number of opioid prescriptions began to increase dramatically in Canada. Experts allege that drug manufacturers promoted this proliferation through a deliberate effort to minimize the risks associated with potent opioids like OxyContin.

According to drug safety expert, Dr. David Juurlink, the message that physicians should use these drugs more liberally was one they were happy to hear because of the limited treatment options available for chronic pain. Canada now ranks as the world's second biggest

consumer of pharmaceutical opioids, second only to the United States.

To put that in perspective, 21 million prescriptions for opioids were dispensed in 2017. That is enough to stock every medicine cabinet in the country. In addition to the widespread dependency that was fostered by over-prescribing opioids, the escalating death toll that we are currently witnessing is largely attributable to the fact that the illicit or street drug supply in Canada has become toxic, overwhelmingly laced with poison and tainted with fentanyl.

A recent study by the B.C. Centre on Substance Use found that just 39% of drugs tested at two supervised consumption sites contained what the buyer thought they had been sold and there has been a devastating impact on first responders across our nation.

Given the scale and depth of this crisis, it is easy to succumb to despair and it is tempting to claim that there is nothing more that government can do. While there is no immediate or complete fix to this overdose epidemic, that does not mean we have exhausted all options for action. Indeed, there is much more that can and must be done.

Canada's New Democrats have a number of positive evidence-based proposals to bring this crisis under control. First, we must recognize that this crisis requires an emergency declaration at the national level. British Columbia, the epicentre of the opioid crisis, has been in a declared state of health emergency since April 2016. Canada's New Democrats have been calling for a similar declaration at the federal level for over two years. Unfortunately, the federal Liberal government has refused to use this tool. The Liberals claim that declaring a public health emergency is unnecessary, saying it would provide no additional levers for action. This is absolutely false.

Such a declaration would constitute a formal recognition that we have reached an emergency situation in this country when we are burying 11 Canadians a day. It would affirm to the public the urgency with which the federal government is approaching this crisis. In addition to its symbolic value, however, a declaration of a public health emergency would have the practical effect of empowering the federal government to coordinate a pan-Canadian response to this crisis, something it has not done to date.

Specifically, section 8(1) of the Emergencies Act grants the federal government clear authority to make orders or regulations that it believes are necessary for dealing with an emergency. This includes: the authorization of, or direction to, any person to render essential services; the regulation of the distribution and availability of essential goods, services and resources; the authorization and making of emergency payments; and the establishment of emergency shelters and hospitals.

Government Orders

This means we could cut red tape and allow the federal government to rapidly authorize and support overdose prevention services currently operating illegally and with no federal funding, but saving lives. This means that health professionals currently working at unsanctioned sites throughout Canada would no longer be forced to put their licences and personal liberty on the line to save lives. It would allow for the emergency allocation of resources on the scale needed to adequately address the mounting death toll.

● (2000)

Second, we must begin to treat substance use and addiction for what they are: health issues. Therefore, we need substantial new federal money for evidence-based addiction treatment across all modalities, from abstinence to 12-step to opioid substitution, tailored for every demographic from youth to women to indigenous Canadians. Treatment must be available as a fully insured service provided by our public health care system so that individuals and families can get timely access at quality facilities, regardless of income or ability to pay.

When people are ready to get treatment, they must get it immediately. They cannot wait even a day or they are risking a death sentence, yet on this score our public system fails utterly. For example, the wait-list for publicly funded beds at the Pine River Institute, Ontario's only residential treatment program for kids aged 13 to 19 years old, is a year and a half. Angie Hamilton, executive director of Families for Addiction Recovery, has rightly called the situation "unconscionable". It is time to recognize that substance use disorder is a disease like any other. It is past time we closed the fatal gap in our health care system that fails to deliver the treatment that Canadians need.

Third, in the U.S., federal authorities have secured criminal pleas and over \$600 million in fines, damages and other costs from Purdue Pharma for misbranding OxyContin with the intent to defraud and mislead. This summer, the NDP government of British Columbia also filed a civil lawsuit against opioid manufacturers and distributors to recoup the enormous public costs of addressing this crisis. That lawsuit is open to every province and territory and the federal government to join. If corporate executives minimized or concealed the addictive qualities of prescription opioids in the U.S., it is very possible that they did so in Canada as well. The New Democrats say it is time for the federal government to support B.C.'s lawsuit and launch an investigation itself to determine if criminal sanctions are warranted under federal law.

Fourth, we must be willing to look past the discredited "war on drugs" ideology in favour of an evidence-based approach to drug policy in Canada. Given that overdose mortality rates are overwhelmingly being driven by the tainted illicit drug supply, as every police officer in the country will tell us, it is clearly necessary to explore the decriminalization and medical regulation of substance use. Indeed, it is obvious that we could avoid thousands of unnecessary deaths if, instead of consuming poison, substance users had consistent access to regulated chemicals in a known dosage through our health care system.

The example of Portugal shows that decriminalization works. In 1999, there was a drug crisis in Portugal, related to a cheap toxic heroin supply. Faced with rising harms, the Government of Portugal

decided to treat substance use as a public health issue, not a criminal one. The crisis in Portugal soon stabilized and the ensuing years saw dramatic drops in problematic drug use, HIV and hepatitis infection rates, overdose deaths, drug-related crime and incarceration rates. Ninety per cent of public money spent fighting drugs in Portugal is now channelled toward health care goals and just 10% on enforcement. In contrast, in Canada, 70% of funding spent combatting drug use is spent on enforcement. In Portugal, six people per million die from drug overdoses. In Canada, the number is 110. It is time Canada explored this approach.

Finally, I wish to conclude my remarks by speaking directly to every Canadian who has lost a loved one. Their courage to show up, to speak up, to share their experiences and to demand more in the knowledge that we can do better, is inspiring. It is in the service of the greatest legacy we can pay to those we have lost to do everything in our power to prevent the avoidable, unnecessary death of another loved one to addiction. We can put an end to the marginalization and stigmatization of our country's most vulnerable citizens. We can turn the tide on this crisis and we can forge a better future based on courage, compassion, love and science. It is time we did so, and the New Democrats are working hard toward those goals.

● (2005)

Mr. John Oliver (Parliamentary Secretary to the Minister of Health, Lib.): Madam Chair, I want to thank my hon. colleague for his passionate work at the health committee and the work that he took on with the health committee when a study was done of the opioid crisis.

I want to ask my colleague to reflect a bit on decriminalization. Decriminalization does not ensure a safe drug supply. Decriminalization does not make people seek treatment. Decriminalization does not solve the stigma problem that leads to people not moving forward.

Thus, the government is responding through evidence-based programs. Portugal's former head of drug policy has said that "decriminalization is not a silver bullet" to solve this crisis.

We are restoring harm reduction. We have opened supervised consumption sites. We are investing over \$200 million in treatment centres, much of which has gone to British Columbia. We are fast-tracking regulatory action to cut red tape.

My question to my hon. colleague is this. Does he not agree that harm reduction and moving forward to encourage people to seek treatment as well as taking some of these other strategies are the building blocks to help resolve this crisis?

Government Orders

Mr. Don Davies: Madam Chair, first, I think it is very important that we be very precise in our language. Nobody is calling any particular strategy a silver bullet in this debate and nobody is saying that decriminalization on its own is what is required. All the experts call for decriminalization and regulation to ensure that people are accessing their drugs through the health system, not buying their drugs at two in the morning on a street corner, in an alley, drug sick, from organized crime.

Interestingly, the grassroots of the Liberal Party voted at their own convention to bring in decriminalization because they realized that the cause of deaths in this country is people accessing a tainted drug supply.

I want to quote from an open letter signed by a coalition of 200 families, friends and organizations, including Bob Rae, the former leader of the Liberal Party. It states:

We urge you to be the progressive government you promised to be, choosing human rights and evidence-based policy over ideological relics.... We need you to listen to our voices as we call for the essential next step: decriminalization. The example of Portugal and other European countries illustrates that this policy works. We ask you to prevent thousands of more unnecessary deaths by supporting this resolution.

The exact same arguments were raised by the government for legalizing cannabis, namely, to take the product out of the hands of the black market, to ensure that Canadians have a supply of safe, regulated cannabis products. They are exactly identical to other drugs, except this is worse. These other drugs can kill.

It is even more important that we ensure that Canadians, if they are going to be using drugs, which nobody supports and nobody is encouraging, at least have access to drugs in known quantity and known substance so at least they are not dying. That is what New Democrats are calling for.

● (2010)

The Deputy Chair: I just want to remind the members to take one minute to ask a question and one minute to answer, because there are a lot of people who want to ask questions.

The hon. member for Sarnia-Lambton.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Madam Chair, I would like to thank my colleague for all the dedication he shows on the health committee.

One of the things that is really disappointing is to see that the government is in its fourth year of its mandate and there has been a crisis with opioids from the time that the Liberals were first elected. We still do not see the urgent action that is required.

I was interested in the member talking about declaring a national emergency. I wonder if he could comment on how that might increase the urgency of the action to address this crisis.

Mr. Don Davies: Madam Chair, I think it is important to state that the number of opioid deaths in Canada has gone up every single year of the Liberal government's term. Either it is not taking effective action or when it says it is doing everything possible, it is clearly not enough. That is why the New Democrats are looking for creative, additional measures and steps. It is not acceptable to us that the death rate from opioids is rising. One of those steps is to declare it a public health emergency.

As I pointed out in my speech, it is important from a symbolic point of view. We cannot call this an emergency and have Canadians take us seriously if we are not actually prepared to use our powers legislatively and declare it so.

I think when the Liberal government refuses to declare this a public health emergency, it is sending a signal to Canadians that 11 Canadians dying every day from opioid overdose is not an emergency in their point of view. However, it is to New Democrats and I hope it is to the Conservative Party as well.

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): Madam Chair, I would like to remind the hon. member of all the positive steps that our government has taken. The minister has been on the ground. The money has been given to British Columbia. In Surrey B. C., even the Right Hon. Prime Minister was on the ground talking to experts and having a round table to discuss how we can deal with this crisis. We have taken many positive steps.

When we look at the Conservatives, they are passionate about bringing this debate forward, but on the other hand they say that safe consumption sites are illegal. I would like to ask the hon. member what his opinion is about that statement from the Conservative member about safe consumption sites.

Mr. Don Davies: Madam Chair, the government is calling overdose prevention sites illegal and is refusing to give any federal money or take an obvious step like declaring a public health emergency and then using that power to declare overdose prevention sites as emergency hospitals, which would allow them to proliferate across this country and save lives tomorrow. The Liberals refuse to do that.

In terms of money, New Democrats are calling for substantial new federal money for treatment. The Liberals paid \$4.5 billion for a pipeline. There should be \$1 billion available for treatment in this country for Canadian families that need to get their sons and daughters, mothers and fathers, sisters and brothers into addiction treatment, which they cannot do now.

The Liberals gave \$250 million a year, which works out to about \$20 million, when it is divided among the provinces and territories. That is not enough to open a 50-bed treatment facility in each province. We need significantly more than that. The Liberal government is not putting its money where its mouth is. The Liberals are not treating this as the serious urgent health crisis that it is and that New Democrats know it is.

Ms. Tracey Ramsey (Essex, NDP): Madam Chair, I want to thank the hon. member for Vancouver Kingsway for his work on this critical issue. It is an emergency issue.

I listened to the health minister earlier. She said that the government is doing everything it can across the country as though there were overdose prevention sites and safe injection sites in every community.

In my community of Windsor-Essex, there are none. Our community is having a raging debate right now about whether or not to have one. On the weekend of November 10 and 11 of this year, we had five overdoses in a 24-hour period. Four people died and one person survived. This is an emergency but we cannot even get a site because there is no funding for it.

Government Orders

As the member said, if the government used its powers under the Emergencies Act to declare a national public health emergency, it would help communities like mine in Windsor-Essex that simply have nothing at this point. We are relying on volunteers and medical professionals who are afraid of losing their licences.

I wonder if the member could please comment on how declaring this an emergency would help communities like mine in Windsor-Essex.

● (2015)

Mr. Don Davies: Madam Chair, under our federal legislation it is possible for a community to apply for a supervised injection site, but that takes a lot of paperwork and a lot of time. The New Democrats urged the government when it was first elected to change the Conservative legislation to make that happen more quickly and it has happened. There are more supervised injection sites in this country than there were before, but that is not enough.

We need overdose prevention sites to pop up in every community across the country because we cannot wait. We cannot wait another two years for a single supervised injection site to maybe open up in a particular community. We need these overdose prevention sites now and we need treatment facilities now.

The overdose prevention site in the Downtown Eastside of Vancouver is operating illegally right now with no federal money. Brave people go to work every day and risk their professional licences in order to save lives. All it would take is the stroke of a pen by the Liberal government under the Emergencies Act to render that overdose prevention site legal and allow sites to proliferate across the country, but the government refuses to do it.

Worse still, the government is misleading Canadians by saying it has no powers under the Emergencies Act that would allow it to do anything more than what it is doing now. That is patently false. Any Canadian can read section 8 of the Emergencies Act and see for themselves, and ask the Liberals why they are refusing to exercise that power.

If the Liberals truly believe this is an emergency and they truly want to save lives, they should be doing it now. A New Democrat government would.

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Chair, as the Minister of Health has talked about, this is a national emergency. It is a crisis. It is interesting to be following the New Democrat member, who was speaking about why Ottawa does not declare it a national emergency and invoke legislation to that effect.

During this debate, it is really important to have an appreciation of how important it is that Ottawa work with the provincial and territorial jurisdiction. I used to be a health critic in the province of Manitoba, and it is the provinces which are responsible for the delivery of health care services. When we talk about bed allocations, whether it is in a walk-in clinic, an emergency room in a tertiary hospital or a community hospital, or any other form of health care service, it is the provincial government which leads through the administration of health care. If we talk about nurses and doctors,

who do people think is paying their salaries? The administration of health care is done through the provinces.

Canadians and Liberal governments from the past to the present have recognized how important it is that Canada demonstrate national leadership on the health care file. It is why we have a Canada Health Act. It is the reason we transfer hundreds of millions, going into the billions, of dollars every year to support health care. It is why we have a Minister of Health who meets with her provincial and territorial counterparts. It is one of the reasons we have direct relations with indigenous people in relation to health.

Canadians are not going to be fooled on the issue. We recognize it is an emergency, a crisis. The Minister of Health herself stated just minutes ago that every three hours someone dies in Canada as a direct result of this crisis. We have invested not tens of millions, but hundreds of millions of dollars to try to assist in alleviating this crisis situation.

As the opposition tries to point fingers and assign blame, we need to recognize how Ottawa can do more. We are exploring all sorts of ways in which we can deal with this crisis. The most significant ways to help would be to, one, provide financial resources, which we are doing in the sums of hundreds of millions of dollars, and two, to work with the different provinces. It is the provinces which have many of the levers. They too have tax dollars and are at the front lines. We need to work with the stakeholders.

This whole take-note debate was not only agreed to, but was pushed by the government House leader. Not that long ago, the member for Winnipeg Centre stood and talked about the crisis situation with crystal meth in the city of Winnipeg. To try to imply that this government is not doing anything on this crisis situation is bogus and disrespectful, because the Government of Canada is taking action. We are committing resources, negotiating and talking with different provinces and territories. We are working with the stakeholders, meeting with first responders and so forth.

We are making a difference. Whether the opposition wants to recognize it or not, lives have been saved by the actions of this government working with other governments and different stakeholders.

Yes, there is more that needs to be done. It is one of the reasons we want to hear this debate tonight. The opposition seems to be focused on just being critical of the government. Let us see genuine ideas come forward.

● (2020)

The biggest problem in Winnipeg North regarding overdose is crystal meth. It is destroying lives. It is killing people. It is causing all sorts of problems, including safety-related issues, in many communities in Manitoba. In Winnipeg North, it is very serious. In fact, a number of weeks ago, I had a tour with the Bear Clan. I understand the leader of the Conservative Party has been there. Our Governor General has been there. Other members have actually recognized the fine work that the Bear Clan has been doing in my home constituency of Winnipeg North.

Government Orders

As opposed to just taking a tour, if members really tried to understand the issue and the problems with crystal meth, they would have a better appreciation of why the different governments have to work together. It is not only the provincial and federal governments but the municipal government needs to work with them. We need to ensure that our first responders are engaged in this issue as well.

There is not just one issue. Declaring a public emergency under the Emergencies Act is not going to resolve the problem. The NDP members are really off-base on that.

If we want to have the biggest impact, the most significant thing we could do is provide financial resources. The government is doing that. We also need to work with the different stakeholders, the provincial entities, and to a certain degree, even our municipal governments. That is the way we are going to have a more positive impact on resolving the crisis that we are in today.

Ms. Sheila Malcolmson: Madam Chair, I have a point of order.

The Deputy Chair: There are no points of order during this debate.

Ms. Sheila Malcolmson: Could you please ask the member to stop screaming—

Mr. Kevin Lamoureux: Then leave the chamber.

Madam Chair, that is so disrespectful. Because I am passionate on an important issue, the member feels it is offensive that I get a little passionate about it. If the member does not like the volume of my voice, then she should leave the chamber.

At the end of the day, this government is taking the necessary action in order to have an impact, and I am proud of the actions by the Minister of Health and the previous minister of health in dealing with this crisis situation. To try to imply that we are not dealing with it is just wrong.

In Winnipeg North, the issue is crystal meth. As I have indicated, it is destroying lives. It is causing a great deal of harm. If members were to go into some of our emergency wards, they would see people who are hooked on crystal meth. They are psychotic. Members have no idea what kind of behaviour could occur. People who are addicted are robbing stores, going into drugstores, walking along the streets causing all sorts of havoc in our communities. Then we have wonderful volunteer groups, wonderful first responders, governments at different levels that recognize the issue, and we are all trying to do our part to make a difference.

What I would suggest to the Minister of Health, personally, is to look at the issue of crystal meth. In some provinces, crystal meth is not as big an issue as it is in the province of Manitoba. I would ask the Minister of Health and the Department of Health to focus on the crystal meth issue. That is the problem in Winnipeg North, but I would suggest it goes beyond Winnipeg North. It has to be dealt with.

I was really encouraged that Manitoba was the sixth province to actually sign on with the emergency treatment fund. Manitoba took the initiative to recognize the issue of crystal meth and sign on, and as a direct result, we will see more treatment facilities.

That is what I mean in terms of working with the different provinces. Not only is Ottawa contributing money, but the provinces

are also contributing. The province, which has a more hands-on approach, could identify how to maximize those resources. As a direct result of two governments working together and, I like to think, consulting with the first responders and others, we will in fact have additional beds.

My time is getting close to the end, so I would just recognize the work and efforts of the Bear Clan. It is a fantastic group with some outstanding volunteers. James Favel is a co-founder of the Bear Clan. I believe there are over 300 regular volunteers who walk the streets in the core of Winnipeg's north end. They do wonders. Some of those individuals, and I am thinking in particular of one individual I walked with, have been addicted to crystal meth. Directly and indirectly, groups of that nature are also contributing to dealing with this crisis situation.

● (2025)

The Deputy Chair: Before we go to questions and comments, there was an error made. There are points of order that can be accepted. What cannot be accepted are dilatory motions, quorum calls or request for unanimous consent. That said, I would ask the member to apologize for asking people to leave the chamber.

I think that every member has a right to be here and to be heard. The point of order that the member was attempting to make was that it is very difficult to hear when one is wearing the earpiece, especially if one is trying to hear the translation and someone is speaking extremely loudly. Therefore, I would ask the member to apologize for asking people to leave the chamber and to keep in mind that people want to hear what individuals are saying, especially when there is going to be some translation. I think we owe respect to every member to be able to participate and to hear what is said.

Mr. Kevin Lamoureux: Madam Chair, I would encourage all members to stay in the chamber to listen to and participate in the debate. I apologize to the member for suggesting that she leave the chamber.

I will add my further comments as the first questions and answers go through.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Madam Chair, I thank the parliamentary secretary to the government House leader for his speech and passion.

I do understand the nature of the problem in Winnipeg, Manitoba. I was there two weeks ago doing a round table on methamphetamine addiction. Some of the solutions to these addiction issues are similar for the opioid crisis and methamphetamines. People need to be educated that if they try it even once, it can result in an addiction that can ruin their lives.

I had parents of young people in Winnipeg telling me that no treatment is available and that wait times are eight months. Would the member agree that prevention and treatment recovery is needed?

Government Orders

Mr. Kevin Lamoureux: Madam Chair, I agree there is a need. That is why I was so encouraged when Premier Brian Pallister signed an agreement with the federal government that will see millions of dollars flowing for the establishment of beds, which supports my point that Ottawa can be so much more effective if we can get the co-operation and support of other jurisdictions.

Manitoba is not alone. Other provinces have also signed onto this emergency funding that has been made available. I look forward to seeing all provinces ultimately signing on in support of the need for additional beds. I truly believe that the provinces are in a good position to ensure that we maximize the tax dollars being spent on expanding treatment services.

● (2030)

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Madam Chair, I am thankful for the opportunity to stand to talk about a bogus and disrespectful display by the other side of the House with the previous speaker who was accusing this side of using some drama.

For all of the Canadians watching tonight, if they look back at the Hansard, they will see that the terms “bogus” and “disrespectful” were used to describe what this side of the House was doing when we have simply been passionate and asked to have resources leveraged and a public health emergency declared, which would not have to take very long. Now people are acting as if they are so distracted. We heard gruesome details, as if those are the only details. When we go home to our ridings, we see there is a true crisis happening right now. There is a way for all of us to maximize our resources and work together. We can cut this red tape and can have an immediate response.

There are 11 people a day dying from this. In Windsor and Essex Counties, we have government leaders at all levels watching and understanding how a pan-Canadian strategy could expedite the kind of response we need. That is why we are so incredulous to hear in the House someone swagger, raise their voice and say, “We’re allowing a take-note debate tonight and are doing our very best. How dare you?”

How dare we say so? We have a real public health crisis that can be dealt with as an emergency if the government would truly take leadership and do that. To do otherwise is bogus and disrespectful to all of the families suffering today.

Mr. Kevin Lamoureux: Madam Chair, the issue at hand is a very passionate one because people are dying from it and lives are being destroyed. I see animation and yelling on the New Democrat side, and so there is nothing wrong with my also being a little bit passionate about this. What is good for the goose is good for the gander at times. I know sometimes that makes NDP members a little uncomfortable, but the reality is that the NDP is wrong on this issue.

The most significant things the Government of Canada can do is, one, provide financial resources, and two, work with the different stakeholders, in particular our provinces, to ensure that we are maximizing the benefits of the resources going to treatment programs. Our government has already brought in hundreds of millions of dollars and has already signed up, I believe, six provinces. Let us recognize how important our first responders are as a part of the solution.

As much as I raise my voice at times, it is only because, like New Democrats, I also care.

Ms. Jenny Kwan (Vancouver East, NDP): Madam Chair, I cannot take seriously the member’s suggestion that the government cannot do any more to save lives. Just for the wannabe minister’s records, I will note that in 2009, 428 people died of the H1N1 virus. Today, with the opioid crisis, over 1,400 people are dying a year in this country, yet we do not have a national health emergency. Why is that?

We heard the NDP critic, the member for Vancouver Kingsway, state very clearly that the government can exercise its right to declare a national health emergency and take immediate action to save lives.

If the Liberals really mean what they say and care deeply about the people whose lives are being lost today, why do they not take action? To suggest there is nothing more the government can do is simply bogus.

● (2035)

Mr. Kevin Lamoureux: Madam Chair, I think the member opposite is being unfair to the NDP governments of British Columbia and Alberta. At the end of the day, as I have indicated, political parties of all stripes govern our provinces. Once all has been said and done, members will find that the greatest resource to ensure that this crisis is dealt with is to place it with our provincial and territorial governments, with the support of Ottawa demonstrating national leadership, which it has done. The government has been working with the provinces and the territories. It has been providing financial resources. It has been working with first-time responders. It is listening to what the stakeholders have said, whether to the current Minister of Health or the previous minister of health.

Many of the concerns that NDP members might want to raise here could also be applied to their provincial counterparts. I would suggest to them not to be too harsh, because I believe that the NDP governments in Alberta and British Columbia are, in fact, working with Ottawa. Like us, they recognize the situation and know it is not going to be resolved overnight. Both levels of government are doing the best they can to ensure that we get the resources and treatment as quickly as possible to those individuals who truly need it.

Mr. Sukh Dhaliwal (Surrey—Newton, Lib.): Madam Chair, there have been numerous reports that closely link money laundering and the opioid crisis. Could the hon. member for Winnipeg North tell us and my constituents how the government is helping to stop the financing of drugs through money laundering?

Mr. Kevin Lamoureux: Madam Chair, when we look at this crisis, more ministers than just the Minister of Health need to be involved. The Minister of Public Safety is also engaged in it, along with others who have an interest or a vested stake at play here.

There is no doubt there is a very strong criminal element in this crisis. Over the last number of years, we have been working as a government to address that issue also. As I indicated, these terrible drugs have consequences not just for individuals, but also for communities. It is not only the users but also the communities at large that end up paying a significant price.

Government Orders

That is one of the reasons the government is taking a holistic approach when dealing with this crisis. We realize, first, that it takes money and we are committed to providing financial resources. Second, it also means working with the different stakeholders, particularly our provinces and territories.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Madam Chair, I am very pleased to be here tonight to speak on this very important topic. The opioid crisis in Canada is killing more people than homicide, suicide and traffic accidents combined. We have heard the statistics and they are alarming: 8,000 Canadians have died from this crisis and 11 Canadians are dying each day. My feeling is that the actions the government has taken to date are not effective because the numbers continue to increase.

Canada is the number two opioid user. I grew up in a time when we got Tylenol and no one got opioids. We have look seriously at the solutions we need to put in place, so I am going to devote a lot of my time to discussing the kinds of solutions I think the government should be making. It is sad that in the fourth year of its mandate, the problem has continued. Yet the government knew about it from the beginning. It is clear it has absolutely no idea what to do about the problem, so I am going to make some helpful suggestions.

The first suggestion has to do with prevention. We need to prevent fentanyl and carfentanil from getting into the country. Although references were made to the Minister of Public Safety having a plan to increase resources, there is nothing specific. We see, on the other hand, that the United States has negotiated with China to make those substances controlled substances and to work together to prevent those drugs from leaving China and going to the North American continent. We need to do something similar. We need to step up inspection to make sure that these drugs do not come here in the first place.

We also need to work on education. I talk often with youth, who seem very unaware that trying opioids once could kill them because of the contamination we are seeing with fentanyl and carfentanil. In my riding of Sarnia—Lambton, there have been four deaths due to fentanyl-contaminated marijuana. Young people are not being informed about how dangerous it is to try these drugs even once. The Parliamentary Secretary to the Leader of the Government in the House of Commons talked about the situation with the methamphetamine crisis. When I toured Winnipeg, I heard stories of people of all ages thinking they were purchasing a drug other than methamphetamine and then becoming addicted. It is so addictive, it is almost impossible to get off it.

There is an addiction problem across the country, and as we look at solutions, we need to make sure we are covering the gamut. The government, unfortunately, decided to legalize marijuana knowing from the experience of other jurisdictions that there would probably be a 32% increase in the number of people using it. That is what happened in Colorado. Addicts today either started with marijuana or prescription drugs. The health committee heard this in testimony, so we know that the number of people we can expect to become addicted has increased. Depending on the study we look at, 10% to 17% of people who consume marijuana will become addicted to it.

We really need to do something about prevention on the prescription drug side. I do not know how many people watching

the debate at home know of kids, for example, having dental surgery and being prescribed 30 and 40 tablets of an opioid. This is totally unacceptable, and it is definitely being over-prescribed. There was a time when opioids were not prescribed at all for dental surgery, so we need to step back and look at prescription practices.

Some efforts have been made across the country to educate doctors so that they will not over-prescribe, but there is more to be done on that because people still have access to and become addicted to these drugs, and then get into an endless cycle of addiction. The government has done a reasonable job of working with first responders in the provinces and territories on naloxone, so that people can be saved from dying from fentanyl and carfentanil. We saw some early deaths there.

Another thing we need to do is to prevent the demand for all of these drugs. The way to do that is by education, but also getting people off of drugs. That is where the Liberal government has really failed. It has failed to put recovery in place. The health committee heard testimony from the Pine River Institute, the only recovery facility in Ontario for young people. There is a wait time of 18 months, which is not an uncommon story. We hear time and again in Ottawa that there are multiple safe injection sites, but no treatment beds are available and there is a six-month wait.

● (2040)

If an addict decides that his or her life has hit rock bottom and wants to get off drugs, he or she cannot get treatment across the country. This is a huge issue. I know that the government has been busy signing onto agreements with the provinces and talking about money that has yet to flow. However, it is year four, and thousands of Canadians are dying. We really have to ramp up the effort to get that put in place and look at other solutions.

Another solution we have not really implemented is looking at pharmacists. They could be the gatekeepers in this whole solution. They can see when someone is being prescribed a large amount of opioids or has a lot of repeats of prescriptions, and if they feel there may be a concern, they could raise a flag. I think there is something to be done there as well.

Government Orders

I have seen some interesting examples of success stories. I went to the two-day symposium on opioids the health minister talked about. There was an example from, I believe, the Blood reserve. At the start, 40% of the people on that reserve were addicted to opioids. There was a nurse practitioner there who took the training for Suboxone treatment to get people off drugs and put everyone who was addicted on the plan, and within a two-year period, they began to see the dosage reduced for many of them. The community came alongside and provided counselling for those who had mental health issues and needed counselling. It provided jobs and job training for those who needed to work. There were rides to school, etc. The results were astounding. There was a reduction in the crime rate of 58%. Emergency calls at the hospital were down about 50% as well. Half the women no longer had their children being removed by children's aid. School attendance was up 33%.

It is a great example of how to get people off drugs by using that program and educating nurse practitioners to do the Suboxone treatment, which is apparently better than methadone treatment, because it is not as hard on the system and on people's teeth. This is a solution that worked and has been proven to work. It should be leveraged across the country, because indigenous people are disproportionately suffering in the opioid crisis, and we need to do something.

We have a number of safe injection sites in Vancouver and Toronto. This is how the lives that are saved are tracked. When someone has to be treated with Suboxone, that counts as a life that has been saved, because the person was going to overdose. However, that same person may come back the next day and the next day and have that same thing happen again. Eventually, he or she will inject somewhere that is not safe and will die. Therefore, this is not the permanent and long-term solution we need. The solution we need is to keep people from getting addicted to drugs in the first place by educating them about the harms and by reducing the supply of drugs. Then we need to help people get treatment and detoxification, which is under provincial jurisdiction, and into recovery. We need a lot more recovery facilities. For them to recover, we are also going to need to up mental health support. This country has a huge gap in the mental health supports that are available and affordable. We need to do something there if we really want to see the crisis averted.

If I had more time, I would go into some of the solutions that have been put in place in other places in the world. I was in Switzerland to see what was done there. It has moved away from supervised injection sites and has trained all its GPs in how to do methadone and Suboxone treatment so that it could increase its treatment capability very quickly without putting bricks and mortar in the ground at great expense and over a huge period of time. That is an idea we should be considering as well. We have heard people talk about the Portugal model. I think there is a lot to learn there.

We have to have a sense of urgency about this crisis. We cannot wait another four years. We have to act. We have to get treatment capability. We have to prevent the drugs from coming into the country and provide education for all.

• (2045)

Mr. John Oliver (Parliamentary Secretary to the Minister of Health, Lib.): Madam Chair, I wanted to thank the hon. member for her thoughtful remarks and for her hard work on the health

committee as vice-chair and for the great representation she provides at that committee.

There were a number of very thoughtful recommendations brought forward in her address. I want to touch on a few of them. She mentioned border security. I thought she might want to know that more than 42 grams of fentanyl and its analogs, nine million lethal doses, were stopped and seized at the border between April 2016 and September 2016.

In terms of education, we are requiring mandatory labels on all prescription opioids so that people are aware of what they are buying and the risks of what they are buying. We are moving to severely restrict the marketing of opioids to medical professionals and are creating a dedicated team to crack down on offenders.

It has been three years. This has been a problem for about 12 years. The failure to act, in fact the suppression of harm reduction strategies during the Harper government's time, is what we are really dealing with now. We are trying to play catch-up. We have made amazing investments in three years, and we are starting to make a difference. There have been 1,100 overdoses already treated at our safe consumption sites.

Could the member reflect on those lost years and what could be done to try to avoid that happening again?

Ms. Marilyn Gladu: Madam Chair, as my mother always said, "You can't change the past, you can only change the future."

When we look ahead at what we need to do, public education does not just mean labels on a bottle. In places that do it well, like Switzerland and Portugal, they have mandatory education in all schools, from the public system to the high school system. That would be of great use.

We have seen that supervised consumption sites are not solving the problem. We see that people inject again and again and overdose again and again. The answer is that when they come to that moment when they say that this is enough and they need to get their lives back on track, we can get them immediately into treatment and see them recover and get their lives back.

• (2050)

Mr. Gord Johns (Courtenay—Alberni, NDP): Madam Chair, I agree with my friend that there are not enough treatment facilities. On Vancouver Island, there are no tier-four beds for youth with mental health issues and addictions. In the province of B.C., there is not one tier-five bed. It is a huge problem for us.

We know that over 4,000 Canadians died last year. These preventable deaths have now surpassed the total number of deaths from all public health emergencies in the last 20 years, including SARS, H1N1 and Ebola.

We had an opioid summit in Port Alberni, and we heard from our medical health officers. They said that they believe that addiction should be treated as a health issue, not criminalized. Talking to RCMP officers, they say that we are not going to arrest our way out of this problem. We have to take a different approach.

Government Orders

At the association of Vancouver Island municipalities, we heard from all four medical health officers, and they all agreed on one thing. They wanted to see us take the Portugal model and decriminalize all drugs.

Does my colleague agree that if the Liberal government was really listening to our medical health officers who are dealing with this issue on the ground, it would look at treatment and decriminalization and a holistic approach, as Portugal has done? It had the highest number of overdose deaths in the EU, and now it has the lowest.

Ms. Marilyn Gladu: Madam Chair, it is important, when we look at the Portugal model, to understand what was done there and what the order of operations was.

It put in place mandatory public education, and it had 170 treatment and recovery centres for 11 million people. It has a truly universal health care system, where mental health is covered, so everyone can afford to get it.

When it decriminalized, it did not come without any penalties. People get a hearing with a panel of a medical specialist, a legal specialist and a psychologist, who impose sanctions. The panel may let people off if it is their first time, but if people continue to have issues and are health care workers, it can sanction them so they cannot work. It can send people to therapy if they need it or to treatment and recovery centres. Portugal has those things in place. Those are the things that are missing that we need to work on and progress toward in Canada.

Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.): Madam Chair, I disagree with some of the member's comments, particularly in relation to gateway drugs. A special Senate committee in 2001 debunked a lot of that.

I want to focus on what we agree on. The member said that there has been a lot of positive work done in Portugal and in Switzerland. We know that in Switzerland, they provide a clean and regulated supply of drugs to those addicted. In Portugal, they take a health-focused approach.

I want to ask not about decriminalization but about the idea of the people we want to help. Forget traffickers and forget producers. If we want to treat patients as patients and not as criminals, does the member think we can move out of criminal courts for people with small possession of all drugs and move toward health-focused panels made up of medical health practitioners and social workers, a proposal supported by the Canadian Mental Health Association? I know she has spoken very positively about tackling mental health issues.

Ms. Marilyn Gladu: Madam Chair, we cannot move to that step until we have these other elements in place. We in Canada have huge gaps in mental health support, so people cannot afford to get the help they need. We do not have the treatment and recovery infrastructure we need. We have not done the innovative things, like training family physicians, who are actually better positioned to help treat people because they have a relationship with their patients. There are a lot of steps I would like to see us take in that direction.

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Madam Chair, I certainly want to thank the member for all the work she continues to do on this file to ensure that it is brought up day in and day out.

One of the things that was just asked was about the Portugal model. We need to go a little deeper. Could the member perhaps show a comparison between what the government did in Portugal in terms of the rehabilitation centres and what we are seeing happening here in Canada? If we can learn from Portugal, we should understand where we are and where we need to get to.

Ms. Marilyn Gladu: Madam Chair, it is an excellent question. Portugal had 170 treatment and recovery centres, and they were multi-bed, with 100 plus beds each, for 11 million people. If we think about Canada, with 36 million people, and the number of treatment centres we would have to have in place, that is a huge difference from what we see today. We have essentially just a handful in each province. A huge amount of money would be needed to put bricks and mortar on the ground.

There may be ways of getting that recovery capability without bricks and mortar by using nurse practitioners, in the example I cited, by using family physicians and training them up, and by putting in communities public education to prevent people from going down that dark path in the first place.

● (2055)

[Translation]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Madam Chair, rehabilitation and treatment are one thing, but getting the person to that point is another.

In the meantime, something needs to be done, because people are still dying. Two young women died in my riding last week. We could be doing something to stop these things from happening.

Declaring a state of emergency would give us plenty of tools we could use to prevent deaths. Last summer, naloxone kits, which help slow the effects of an overdose, were not available in my riding, and there were seven overdoses. The organization Dopamine ended up having to call a pharmacy to order them. Steps should be taken to make naloxone kits available. Sometimes, the drug is so powerful that a single kit may not even be enough.

In light of all this, does the member not think there are some very practical steps we could be taking to save lives?

[English]

Ms. Marilyn Gladu: Madam Chair, the member brings up a very good point. There were shortages of naloxone. There are chronic drug shortages under the current Liberal government. The Liberals need to get a plan to address that. Their plan of having a website where they list them is not helpful at all.

Government Orders

Specifically with respect to the opioid crisis, we know that the number of deaths is increasing, and we know that people who are at supervised consumption sites are overdosing multiple times. Therefore, we need to have those kits in supply. We need to have backup suppliers, which is chronically a problem for the government, and we need to make sure that gets in place quickly.

Mr. John Oliver (Parliamentary Secretary to the Minister of Health, Lib.): Madam Chair, the opioid overdose crisis in Canada is a public health crisis of the highest priority. Our government is committed to taking an evidence-based, comprehensive public health approach to save lives, reduce harms and provide treatment and other support to people who use drugs.

We are taking action through the Canadian drugs and substances strategy, the federal government's approach to drug and substance use, which was first announced in December 2016. The Canadian drugs and substances strategy reflects a health focused approach to drug policy, is grounded in evidence-based decision-making and includes harm reduction as a key pillar, alongside prevention, treatment and enforcement.

Tonight, my comments will highlight some of the evidence-based harm reduction measures we are taking under the strategy to address the opioid crisis. In particular, I will outline the importance of supervised consumption sites as evidence-based interventions and key components of our emergency response. Finally, I will highlight a number of other innovative approaches that have been undertaken to help reduce harms from problematic opioid use in Canada.

There is a growing consensus in Canada that problematic substance use is a health issue that requires a public health response. As such, the Canadian drugs and substances strategy is a comprehensive, collaborative and compassionate approach to drug policy and uses a public health lens when addressing substance use issues. Harm reduction aims to improve the health and well-being of people who use drugs, while at the same time helping them to make connections with important health and social services, including treatment providers.

In addition to existing funding, in budget 2017, our government announced an additional investment of \$100 million over five years and \$22.7 million ongoing to support the Canadian drugs and substances strategy. That includes \$30 million over five years for the harm reduction fund for community based initiatives to support needle exchange and other critical evidence-based harm reduction measures to help reduce rates of hepatitis C and HIV from sharing of drug use equipment.

I would now like to move specifically to our government's support for supervised consumption sites under the Canadian drugs and substances strategy.

In May 2017, the federal government streamlined the application process to establish supervised consumption sites to help support their establishment in the communities they were needed in. As of early December 2018, there are 28 operating supervised consumption sites across the country, working day in and day out to help save lives.

International and Canadian evidence has shown that supervised consumption sites are an effective harm reduction measure. When

properly established and maintained, these sites have health and social benefits for individuals and the community at large, without discernible negative impacts on public health or safety.

Supervised consumption sites reduce the transmission of communicable diseases, decrease infections, reduce emergency room use and hospital admissions related to injection drug use and decrease overdose deaths. In addition, supervised consumption sites provide access to other health and social services for people who use drugs, including opportunities to pursue drug treatment programs for those who are ready.

Data reported to Health Canada also shows that over the last 18 months supervised consumption sites in Canada have had over 125,000 visits and over 1,100 reported overdoses on site without a single death. In addition, these sites distributed over 2,600 naloxone kits, helping to get this life-saving medication into the hands of the people who needed it.

Cost-benefit studies demonstrate that by reducing behaviours like needle sharing and by preventing overdose deaths, supervised consumption sites result in savings to the health care system that far outweigh the costs of their operation.

Recognizing the need for rapid access to front-line services, the federal government has also facilitated the establishment of temporary overdose prevention sites. Overdose prevention sites provide short-term harm reduction services and operate on the basis of a class exemption provided by the federal government under the Controlled Drugs and Substances Act, and are authorized to address an urgent public health need related to drug overdoses.

We also know that while harm reduction measures are vital, a number of other critical interventions are required. For example, a range of evidence-based treatment options need to be easily and readily accessible for those who are ready to seek treatment services.

● (2100)

In terms of treatment for problematic substance use, our government has committed \$150 million for an emergency treatment fund to help improve the availability of treatment options in Canada. In addition, our government has made a number of investments in recent federal budgets to support expanded mental health and drug treatment services in first nations and Inuit communities, including \$200 million over five years and \$40 million ongoing provided in budget 2018.

Government Orders

Our government is also committed to exploring new and innovative approaches to address the opioid crisis to help reduce harms from problematic substance use. We continue to lose lives to drug overdoses every day and we need to explore new and promising approaches.

That is why in November 2017, Canada began allowing drug checking services to be performed at supervised consumption sites that wished to offer that service. Drug checking allows people who use drugs to make informed choices by having additional information on what may be in their drugs, including the presence of highly toxic substances like fentanyl that are driving the overdose crisis we are currently seeing in Canada.

We have made naloxone, a drug used to temporarily reverse an opioid overdose, available without prescription in Canada. We have passed the Good Samaritan Drug Overdose Act that encourages people to seek help in the event of an overdose by providing some legal protection for those who experience or witness an overdose.

Another key component to harm reduction is addressing stigma toward people who use drugs. For people who use substances, stigma can have many negative effects, including feelings of isolation and helplessness; discriminatory treatment by society; and the creation of barriers to accessing quality health care or social services that other Canadians enjoy freely. Our government is committed to reducing stigma toward people who use drugs and will be rolling out a campaign in early 2019 to help inform the public about stigma and what people can do to help reduce it.

Our government remains committed to doing everything it can to reduce overdoses and to save lives. To do this, we will continue to work closely with provincial and territorial counterparts, with people with lived and living experience with drug use and other stakeholders to help ensure that evidence-based harm reduction services are available for Canadians that want them and need them.

The evidence is clear that harm reduction works to help protect people who use drugs from overdose deaths, improve their health and well-being and connect them to other important services like treatment, housing, training and other important social supports. There is no trade-off between harm reduction and other interventions like treatment or prevention. They work best when they work together in a combined way.

Our government is committed to addressing this crisis in a way that is collaborative, comprehensive, compassionate and evidence-based.

• (2105)

Mr. Don Davies (Vancouver Kingsway, NDP): Madam Chair, I would like to thank my hon. colleague for his thoughtful work on health committee.

The president of the Canadian Medical Association is calling on Canadian politicians to have an open and courageous debate about decriminalizing opioids in the face of the overdose crisis.

The Canadian Association of Chiefs of Police has struck a special committee to study decriminalizing or legalizing illicit drugs in response to the opioid crisis.

Toronto's Chief Medical Officer Dr. Eileen de Villa is calling for the decriminalization and the potential legalization of all drugs for personal use as a way to curb opioid-related deaths.

I could go on and on.

Every stakeholder who has come before health committee and who works in the field of addiction says the same thing. The reason people are dying by the thousands in Canada is because they are being poisoned by a street level, tainted drug supply.

All things being equal, if we could do one thing and ensure those people have access to the health system to clean sources of drugs of known dosage and known origin, at least we could stop those people from dying.

Does my hon. colleague disagree with that and those stakeholders? Could he maybe explain why, if he does feel this way, he is opposed to at least studying the decriminalization of drugs as a way of dealing with these deaths?

Mr. John Oliver: Madam Chair, I thank my hon. colleague for his work on health committee and for the efforts he is making to address this problem in a proactive way.

As I said earlier, decriminalization would not ensure a safe drug supply. It means that if one is found with drugs, the individual would not be charged criminally, but it would not ensure a safe drug supply. It would not solve the stigma problem that is a barrier to people seeking treatment. Decriminalization would not boost access to treatment centres. As I referenced earlier, Portugal's former head of drug policy has said that decriminalization is not a silver bullet to solve the crisis.

We need to start on the basics, so that is what we are doing. We are responding by restoring harm reduction. We have opened over two dozen supervised consumption sites. We have invested over \$200 million in treatment centres. We are fast-tracking regulatory action to cut red tape.

We are all on the same page on this one. We need to ensure that Canadians, when they are ready to seek treatment, have access to treatment.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Madam Chair, my question for the member is this. This is a huge priority. We see the Prime Minister tweeting out \$50 million here and there. There have been \$250 million pledged to the opioid crisis, but probably only \$50 million has been spent to date. Will the government increase its funding to address this crisis?

Government Orders

Mr. John Oliver: Madam Chair, I thank my hon. colleague for her work on this file. It is a bit rich. For the entire term of the Harper government, the Conservatives did everything they could to suppress and drive down investments and harm reduction in treatment centres. In fact, they made it almost impossible to open safe consumption sites across Canada.

In budget 2017, we invested \$100 million over five years to enhance efforts related to harm reduction and to strengthen the evidence base. In budget 2018, \$231.4 million were additionally added to establish the emergency treatment fund, develop a national public education campaign, enhance the ability of front-line personnel to address, detect and intercept illegal drugs at the border and to accelerate and expand a timely national public health data and analysis system.

In our three years, we have moved this program far forward. Over 1,100 overdoses were successfully treated on site at these consumption sites. This government is making a difference. We have the right plan and we are moving forward with it. We need Conservative governments across Canada to get on board and help with harm reduction.

• (2110)

Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP): Madam Chair, I want to give the parliamentary secretary another chance to answer the question posed by my colleague from Vancouver Kingsway, because he neatly sidestepped it.

First, no one in the NDP has made a claim that decriminalization is the only policy that will be a silver bullet to solve this issue.

Second, I remember the parliamentary secretary being present at the health research caucus earlier this year when experts from the field of mental health and addictions unanimously stated that decriminalization should absolutely be a tool the federal government employed as one part of a suite of programs and policies to combat this crisis.

Furthermore, the member for Vancouver Kingsway mentioned tackling this as a health issue and ensuring the supply of drugs people were addicted to were clean. That would address the parliamentary secretary's concern.

If he is not going to be in favour of decriminalization, is it the parliamentary secretary's position that the continued arrest of people for possession of illicit street drugs is the smart way going forward and is that his position for the 2019 election?

Mr. John Oliver: Madam Chair, I want to be very clear. The government is not looking at legalizing or decriminalizing any illegal drugs. Cannabis has already been addressed in Canada. As I said earlier, decriminalization does not ensure a safe quality supply of drugs. However, we are making much easier for care providers and others to get expanded access to alternative drugs other than opioids.

We have expanded access to methadone, opioid replacement therapies and diacetylmorphine, which is a pharmaceutical grade heroin, to try to provide alternative solutions for people with opioid addictions. Those are the steps we are taking.

Mrs. Celina Caesar-Chavannes (Whitby, Lib.): Madam Chair, the member for Sarnia—Lambton mentioned a couple of really great suggestions around pharmacists and nurse practitioners. As we think

about the comprehensiveness of our approach, it is really important to think outside the box. I have listened to some of the debate about the education we have done.

I was recently at a movie, where I saw educational commercials about the opioid crisis. We are expanding into non-traditional spaces so the stigma is removed. We are looking to provide additional education.

One of the things we did really early on was provide \$5 billion toward mental health. We are not just looking at what happened. We are looking at ensuring individuals have the services they need, especially for people who are 25 years and younger, and ensuring they have the treatment they need to recover and get out of what they are in right now.

Could the member talk a little more about the comprehensiveness of the strategy we are employing around this national tragedy?

Mr. John Oliver: Madam Chair, absolutely, we are focused on people who need treatment today, who are experiencing severe health issues, possibly leading to death. We have to take steps to stop the next generation or the next cohort of Canadians from becoming addicted to opioids.

As I have mentioned before, we are requiring mandatory labels on all prescription opioids sold in Canada, with increased pharmacist education and training, so that people are aware of the addictive or dependent nature of those drugs. We are moving to severely restrict the marketing of opioids to medical professionals, and are creating a dedicated team to crack down on offenders.

When it comes to the Canada health transfer and the current negotiations we have \$5 billion going to the provinces to address mental health and addictions, so that we can stop the next generation, the next cohort of Canadians from developing a dependency on these opioid drugs.

Ms. Tracey Ramsey (Essex, NDP): Madam Chair, the B.C. government has launched an investigation into whether criminal charges are warranted against the companies that are producing the opioids.

It really is something that I think the Trudeau government has been ignoring, that it needs to follow through on. We have to talk about the role that opioid manufacturers play in marketing these products to Canadians. It is time for the Liberals to launch a federal investigation to determine whether or not there should be criminal charges.

Does the member support the idea, and would he pursue this with the minister and the government to bring those charges at a federal level against the manufacturers of opioids?

Government Orders

• (2115)

Mr. John Oliver: Madam Chair, the Government of Canada is very aware of the B.C. lawsuit against the opioid manufacturer. That case is being studied and looked at. At this juncture, I think the government is interested in watching the B.C. government proceed with it.

If there is criminal activity happening in Canada, the government will not fail to take action to protect and defend Canadians from criminal action. That is where it sits right now, with an ongoing review and consideration of that B.C. lawsuit.

Mr. John Barlow (Foothills, CPC): Madam Chair, I appreciate the opportunity to speak in this take-note debate.

I have listened intently throughout the hours we have spent on this. I have to admit to my colleagues that I am surprised at some of the issues that we are talking about. I really want to thank my colleague from Central Okanagan—Similkameen—Nicola for allowing me to jump in as part of this debate today.

I was listening as the discussion was going on, and I really cannot believe that in this day and age we are talking about decriminalizing drugs, opioids, fentanyl, as well as the importance of safe injection sites. I want to take this opportunity to tell a personal story, something I have been through, and how I feel we are way off track on what we should be focusing on here.

We had lost touch with one of my best friends in the world. Less than two years ago, we actually had to break into her apartment, and when I saw her there, the look on her face and the condition she was in was permanently scarred into my brain. I took her to the South Health Campus in Calgary. The things that were going through my mind were not “I wish I could get her to a safe injection site” or “I sure wish that these drugs were decriminalized so she had better access to them.” As a parent of three kids, the things that were going through my head were, “How do I get treatment for one of my best friends in the world? How can I get her somewhere where she is not going to be doing these things again, whether it is safe or not? I want to do everything in my power to ensure that she no longer has to deal with this addiction.”

At the hospital, I could not believe the fact that, obviously, my friend had been in a very sorry state for several months. They had no bed for her, no treatment options. She was kept for a couple of hours, and thankfully, my wife and I took her home with us. We encouraged her to try to find some sort of treatment. We went back to the hospital. We went to the family doctor. We went to counsellors who we knew in our small community. Do members know how easy it was to access a treatment bed?

Mr. Todd Doherty: Madam Chair, on a point of order, we have shown a considerable amount of courtesy to others when they are giving their debates. I am sitting right beside our hon. colleague and am struggling to hear what he is saying because of the other chatter that is going on throughout the House. I ask for the same amount of courtesy that we have shown others in this debate.

The Deputy Chair: As I mentioned earlier, everybody should have a right to hear what is going on in the House. I would ask people who are having side conversations to take them outside of the chamber.

The hon. member for Foothills.

Mr. John Barlow: Madam Chair, I appreciate that. I hope that members in the House would understand the gravity of the situation and the reason we are having a take-note debate on this issue tonight.

As I was saying, I could not believe how difficult it was to get my friend treatment in our community. I am in a very rural riding, but we are not far from the city of Calgary. We have facilities in our communities, but for someone who was at death's door, I could not get her treatment that night, that day or even in the weeks afterward. We were put on a waiting list to get her into a treatment facility. As I am sitting here tonight, over the last few hours listening to members on either side of the floor, the NDP and Liberals, fight about decriminalizing these drugs or how many safe injections sites we should have, I cannot believe this is the discussion we are having.

I apologize, but I am being brutally honest tonight. The fact that the Liberal government has opened more safe injection sites than treatment beds in the three years of its mandate, I cannot believe what I am hearing. Again, I have to be honest with members.

I have a community in my riding that was called a state of emergency in 2015, because there were 347 opioid deaths in one year. This past November, it had 24 opioid overdoses in 48 hours. Having more safe injection sites or decriminalizing these drugs is not going to make this problem go away. I can guarantee that. What we have to do is put our priority in treating these people. When I hear about these being criminal issues and criminalizing this is not the right direction to go for these people who are addicted, decriminalizing that and ensuring that they have every opportunity to get a clean needle or reinject themselves another day is not the way to do it either.

I know I am going to hear questions when my time is up about what the Harper government did and why we took steps to make it more difficult for safe injection sites. In 2011, we were not facing the crisis we are facing now. I was not there in 2011, but I can tell members what I have experienced in my own life over the last couple of years, and I do not want to go home and go to another funeral for a friend who has passed away from a drug overdose.

Again, I just want to thank my friend for Central Okanagan—Similkameen—Nicola for splitting his time and letting me jump in on this debate when I just could not sit on the sidelines.

• (2120)

Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.): Madam Chair, that is a tragic story about the member's friend.

Government Orders

In the last budget, there was \$150 million to immediately expand treatment options, and treatment should be a central focus. There was also money, of course, for an education campaign to address the stigma associated with seeking treatment, because it is not just about making treatment available. It is also about making sure that Canadians are seeking the treatment they need. We know that the number one stigma for those seeking treatment is actually the criminal sanction.

Therefore, I do not think decriminalization is a silver bullet. I do not think that removing the criminal sanction and then stopping there is the answer. However, once we have expanded treatment, and there is money to expand treatment, surely the answer is to make sure it is as easy as possible for Canadians to seek treatment. Members need not take it from me. They can take it from the Canadian Mental Health Association, the Canadian Centre on Substance Use and Addiction, the Canadian Public Health Association, the BC Centre for Disease Control and chief medical officers across the country.

If we care about saving our friends' lives, and the friend of the member, surely it is about expanding treatment options and making sure that people can seek the treatment that they need.

Mr. John Barlow: Madam Chair, I appreciate the effort that my colleague has put into this, but I am speaking as a parent and for somebody in our community. I firmly do not believe that decriminalizing these drugs is the right direction to go in. I will be brutally honest and say that not one single constituent has said to me that is the direction in which we want to go. I would say it is the exact opposite.

I agree with the member's comment that we have to find ways to improve access to treatment, and that is the point of my intervention here tonight. I believe that should be priority number one. I do not believe we should be having this argument at this point in time on what the best step is: safe injection sites or decriminalization. I cannot believe that we are not having a discussion on how many treatment beds we can get open tomorrow.

Ms. Linda Duncan (Edmonton Strathcona, NDP): Madam Chair, I appreciate the concerns that my colleague from Alberta is raising but he seems to be missing the point. That person who is waiting for a treatment bed, even if there are a lot more treatment beds, is still using. Would we not prefer that the person had a safe drug and a safe needle wherever he or she is using the drug?

I would also remind members about "Moms Stop the Harm". Hundreds of mothers across this country are calling for decriminalization because the majority of their children have gone through treatment and guess what? It is like alcoholism. A person is an alcoholic for life. With opioids, people may go through treatment but they always revert. Therefore, people need access to a safe drug that they can take in a safe place.

I wonder if the member could speak to that.

Mr. John Barlow: Madam Chair, I would absolutely love to speak to that.

I am glad that my colleague thinks this is so funny that we are having this discussion tonight. At least she can have some laughs at what we are discussing.

I can tell my colleagues that when I opened my friend's door, I was not laughing. I want to ensure that my friend—

Some hon. members: Oh, oh!

● (2125)

Ms. Linda Duncan: Madam Chair, I am rising on a point of privilege. I am deeply troubled that my colleague across the way would suggest that I think this is a laughing matter. No one heard one laugh from me on this serious matter.

Mr. John Barlow: Madam Chair, I will just answer the hon. member's question in this way. She made the sentiment, "They are an addict for life." How does ensuring that they have instant access to another injection stop that? If I am an alcoholic and you are going to give me free drinks all the time, does that stop my problem?

Again, you are saying you are not laughing but you are just shaking your head at me. I am telling you my personal experience and you are demeaning my personal experience. I am telling you what I am hearing from my—

The Deputy Chair: I just want to remind the member to address his questions to the Chair.

Resuming debate, the hon. member for Central Okanagan—Similkameen—Nicola.

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): Madam Chair, it is an honour to join the debate and speak on behalf of the constituents I represent in Central Okanagan—Similkameen—Nicola.

I will begin the debate by sharing an event that a father recently shared with me. Roughly one month ago, this father discovered some very serious drug paraphernalia in his teenager's bedroom. The drugs were opioids. There were small discarded baggies, needles, cookers and even a tourniquet, to all the more accurately target a bulging artery. Obviously, when needles and ongoing injections become involved, this all points to very serious drug use. This father was deeply traumatized by this discovery. Ultimately, to his horror and disgust, he would later learn that all of this drug paraphernalia did not come courtesy of the local drug dealer; it was all supplied by the local health authority.

Why would a health authority supply tools to enable successful drug use, he asked. It is a question that many ask when they learn about this little-known program. It is called a safe injection kit and it is increasingly used in areas where a safe injection site has yet to be established.

Government Orders

I am not here to debate kids being given safe injection kits so they can inject heroin. I am here to point out that many health providers are currently making it very easy to use drugs, but not so easy to get off drugs. In the Okanagan, as an example, there is one publicly funded residential youth detox facility for the entire region, with a wait-list to get in. However, for those who do manage to get in and are successfully discharged, they need a residential treatment facility. Once again, very few are available and all have long wait-lists. It is not uncommon for teenagers in the Okanagan to have to travel to Vancouver, away from their families, and support networks for drug rehabilitation. This is wrong on every level.

Many teens waiting to get in basically have one of two options: methadone treatment, which, in itself, is yet another powerful and addictive drug, or, more recently, Suboxone. However, in each of these cases, there needs to be either a clinic or prescribing doctor on these programs. Once again, there is a huge shortage of physicians who subscribe prescriptions for opioid maintenance programs.

To recap my comments so far, the local health authority hands out free kits to help people inject opioids such as heroin, but if they need a youth detox centre, they wait in line. If they need a rehabilitation centre, preferably immediately upon discharge from detox, once again they must wait in line or be prepared to travel 400 to 500 kilometres or more. If they need a Suboxone prescribing doctor, I wish them good luck finding one. More commonly, they might find a methadone clinic. Is it any wonder relapse rates are so depressingly high? We make drugs easy to use, but getting help not so much.

Now we have naloxone, because when people use powerful opioids, it is only a matter of time until they overdose. Naloxone saves lives. We see it increasingly distributed throughout British Columbia, but, ultimately, we have to take a step back and pause. We give away free kits to make it easy to use drugs, we give away free kits to help stop people from dying from a drug overdose, but the most important part, getting the help people need, is where there is a huge shortage and they must wait in line.

If a health authority can open a safe injection site, why can it not, at the same time, open a detox centre, along with a rehabilitation centre? Why are safe injection sites opening up at a much faster rate than detox or rehabilitation facilities? These are the questions we must start to ask and demand changes on. That is why I have joined this debate tonight on behalf of those families in my riding who are facing some of life's greatest challenges and families that have lost loved ones to an opioid addiction. Let us work together to create more services and find a solution.

I have heard some very passionate speeches here tonight and I know that many people have put considerable time and resources into them. Not all of us are at that level, but I hope we can all recognize there is a problem and through dialogue and exchanging of views, we can come to understand we want good things to happen in this country, but we need to recognize when people have legitimate concerns on both sides of the debate. I see there is some willingness here tonight and I hope that this debate can move forward in a way that we as Canadians can feel proud of and know that our children and family members can benefit from the work we do here tonight.

● (2130)

Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.): Mr. Chair, the member for Foothills spoke about the importance of expanding treatment options and in the last budget. We spent \$150 million to expand treatment options. The next step has to be—

Mr. Alexander Nuttall: No, you didn't. That's not true.

Mr. Nathaniel Erskine-Smith: There was \$231 million allocated and \$150 million for treatment options, if I am being absolutely clear. The next step has to be ensuring that people are accessing those treatment options.

If I told the member that there is one solution exists elsewhere around the world, and that by changing one thing, they were able to increase the number of people seeking treatment by 60%, would the member support making a similar move to increase the number of people seeking treatment by 60%?

Mr. Dan Albas: Mr. Chair, I appreciate that. First, I have talked to the health critic from the Conservative side and she was at the committee last week where they were examining how much money has gone to it. The government, since it has come into power, has put about \$50 million into this area and has pledged \$200 million over a period of time.

The challenge we have in this country is that every province has a different approach and has its own unique jurisdiction. In some areas such as Northwest Territories, they have much different needs than the member across the way from Toronto. Simply looking at models that are done in geographically different areas with different legal contexts, with different jurisdictional backgrounds and saying to import an idea will solve it 60%, I would welcome that being the case.

Unfortunately, I have found in life it is never as easy as it sounds. All of the headaches are in the front end. Part of the reason we are here tonight is to share concerns and ideas and to try to find a uniquely Canadian way to proceed.

[*Translation*]

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Chair, I completely agree that we need more addiction services.

I would like to share a statistic with my colleague. In the year following the opening of the supervised consumption site Insite, overdose deaths decreased by 35% within a 500-metre radius of the site, compared to a 9% reduction in the rest of Vancouver. The hon. member would like to see services improved and increased.

Based on that statistic, would he like to see more Insite sites or does he deny the results of that service?

Government Orders

[English]

Mr. Dan Albas: Mr. Chair, this is a very challenging problem. People who are involved in it will say that a multi-pillar approach is needed for us to be able to more effectively respond to the opioid crisis, and that involves institutional change.

As I said in my speech, there are safe injection sites that are opening and there are safe injection kits that are being given. Canadians cannot hold a structure that can take the weight of this problem if they only have a single pillar. There needs to be a proper balancing, and when Conservative voices say that we would like to see further emphasis on the other pillars, I do not think that is being unreasonable. Canadians deserve to know that a complex problem involves deliberation and a nuanced approach so that we can incorporate different ways of thinking to come up with a way to solve this, and that means a multi-pillar approach. We cannot say it is a multi-pillar approach and focus on just one component—

• (2135)

The Assistant Deputy Chair: Questions and comments, the hon. member for Oakville.

Mr. John Oliver (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chair, I feel that there has been an unwillingness to listen to what the government is doing and what actions have been taken. There is a multi-pillar approach going forward. The member is raising the continued question about treatment and treatment beds. I need to remind him that the opening of treatment beds is a provincial-territorial responsibility. We have a \$150-million fund created. We cannot create nurses and infrastructure and places for treatment. That is a provincial-territorial responsibility. The biggest problem we have is that we are playing catch-up after nine years of the Harper government's failing to making any investment in treatment and prevention. That is the biggest problem we are facing tonight.

Mr. Dan Albas: Mr. Chair, the government's own member, the chair of the heritage committee, said that if this had happened in Ontario there would have been a much different response.

I will say this to it. Leadership matters. In either 2007 or 2009 the government made a commitment to work on provincial wait-lists, on dealing with wait times on certain things. That leadership was a commitment to the Canadian people. Provinces worked together with it and they were able to come together. It is a matter of will, leadership and implementation.

Mr. Gary Anandasangaree (Parliamentary Secretary to the Minister of Canadian Heritage and Multiculturalism (Multiculturalism), Lib.): Mr. Chair, there is no doubt that Canada is currently in the midst of an unprecedented national public health crisis. Since the beginning of 2016, more than 8,000 Canadians have lost their lives as a result of opioid overdose. This is nothing short of tragic. Every community in Canada has been affected by it, from small towns to big cities. Many lives have been lost senselessly.

Last year, I met a mother who lost her only daughter to an opioid overdose. She told me of her pain and anguish when thinking about her daughter in the wee hours of the night. She could not find answers. She did not know where to turn. She just wanted to prevent other young people from being victims of this crisis.

Just recently, I attended the funeral of a young man who I have known for many years, whose best years were ahead of him. He was passionate, energetic, brilliant and had a heart of gold. We lose countless young men and women like this each and every day.

I want to thank many of the members in this chamber who shared their personal experiences, because I do not think that a single person in this chamber is immune to this loss.

I also want to thank, acknowledge and extend my deepest condolences to the families of the many young people who have died during these years. We share their pain. We weep with them. We will always remember these young men and women in the work we do. They are not a statistic. They are our sons, our daughters, our neighbours and our friends.

I want to give members a sense of the things that our government has undertaken since taking office in 2015.

In 2016, our government invested more than \$331 million in an effort to respond to the crisis and address the broader issue of substance use.

In budget 2017, \$100 million was allocated, over five years, which equals \$22.7 million annually, to ongoing efforts to enhance related harm reductions, as well as to strengthen the evidence base.

The substantive portion of my debate will be focused on the evidence base. However, let me just outline some of the other things that our government has undertaken.

In budget 2018, \$231.4 million, over five years, was put toward establishing an emergency treatment fund, developing a national public education campaign, enhancing stability of front-line personnel to detect and intercept illegal drugs at the border, as well as to accelerate and expand access to timely national public health data and analysis.

Our government has also used existing resources to support and then respond to the crisis. For example, \$16 million in emergency funding to B.C. and Alberta alone is currently funding 28 opioid-specific projects through the substance use and addictions program at a value of \$9.5 million a year. There have been 32 supervised consumption sites approved in Canada. There have been 12 federally trained public health officers deployed to jurisdictions. More than 42 kilograms of fentanyl has been seized between April of 2016 to September of this year. We moved the overdose antidote naloxone to a non-prescription status and made it more widely available. There are a number of other initiatives. However, let me speak primarily on the need for data.

Government Orders

I have heard many people speak this evening and I know everyone here means well. I think everybody comes to this debate from the right place. However, I think we need to be frank with each other. Nobody knows the answer. There is no silver bullet. There are things that governments can do, and as a government we are doing, but at the core of it we need more data, more information and more research. This is why we have supported and we will continue to support research at the Canadian Institutes of Health Research. Over the last five years, the CIHR has invested more than \$88 million in research in areas related to problematic substance use. This includes \$22 million in research related to problematic opioid use. Research supported by these investments provide new knowledge and the evidence needed to make informed policies in order to better address the needs of Canadians suffering from opioid use.

● (2140)

For example, CIHR recently announced an investment of \$1.1 million for a project by the University of British Columbia that focuses on evaluating the benefits of expanding the availability of prescribed opioids for the treatment of opioid use disorder. More specifically, this research project will explore how patients with different characteristics respond to treatment, which will help in the design of expanded services for patients.

In addition to this research project, CIHR is supporting various research initiatives aimed at addressing the opioid crisis. I would like to provide an overview of some of these initiatives that are providing important evidence needed by governments to make informed decisions.

I wish to begin by highlighting a pan-Canadian research consortium on problematic substance use that CIHR is supporting, the Canadian research initiative in substance misuse, or CRISM. CRISM is generating timely evidence related to the treatment of opioid use disorder by facilitating communication and collaboration between researchers, service providers, policy-makers, patients and people who use substances. In effect, it has a wraparound approach. It aims to translate evidence-based interventions with substance use into clinical practice, community-based prevention, harm reduction and health system changes. For example, CRISM developed the first Canadian guideline for managing opioid use disorder. This guideline, released in March of this year, addresses current gaps in care of opioid use disorder. It serves as an educational tool for Canadian health professionals and provides clinical practice recommendations for the treatment of opioid use disorder. The guideline also serves as a main resource informing development of evidence-based strategies related to treatment access policies on opioid use disorder across Canada.

CRISM is also addressing evidence gaps related to medication-assisted therapy for treating prescription opioid use disorder. With a \$4.4 million investment from CIHR, CRISM is conducting the OPTIMA study, a national clinical trial to compare and evaluate two models of care for prescription opioid use disorder. OPTIMA will generate evidence in real life clinical practice settings and will be used to inform patient care and improve health outcomes for all Canadians. In addition to providing guidance on OPTIMA strategies for treatment of problematic opioid use, CRISM is conducting research to facilitate and scale up promising interventions that reduce the harms associated with opioid consumption.

CIHR is providing an additional \$7.5 million to CRISM for the implementation science program on opioid interventions and services.

There are a number of other initiatives that I can speak about. For example, the knowledge synthesis initiative, another initiative of CIHR, invests \$1.9 million in 22 research teams of experts and policy-makers to rapidly inform policies on opioids by addressing the most pressing evidence needs. These research projects were directly informed by stakeholders that are on the front lines of the opioid crisis, including service providers, community advocates and policy-makers at all levels of government.

There is no question that we need more information to make sound decisions. While we are waiting for that information, our government has undertaken a number of very important initiatives that I spoke about earlier, including investing in a number of different initiatives directly targeted at this crisis.

There is no silver bullet, but research is going to be at the core of a long-term solution that could address some of the underlying issues related to this crisis.

In conclusion, we all need to work together as parliamentarians. It is important that we recognize this to be an issue, a crisis, that needs to transcend party divisions and party lines. We need to look at this with a science-based approach, one that focuses on research and that undertakes immediate interventions, so that this crisis can ultimately be curtailed.

I know this is a difficult conversation for many, and I want to thank all my colleagues for their participation today.

● (2145)

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Chair, Nanaimo has been hit early and hit hard by the opioid crisis, with 150 deaths in the last five years and overdose rates last year that were 50% higher than in the rest of B.C. Firefighters told me this morning they are on track to be called out to 500 overdoses this year, just in our city of 100,000 people. It is colossal.

Given that the Liberals called this debate tonight, we really wanted to hear more oomph and about the new offer for families that are hit so hard. I want to read a letter sent to me by Teena MacKenzie. She wrote it to the Prime Minister and copied me. She said:

Government Orders

My close friend lost her daughter.... [She was] a young mother, just 25-years-old. Three weeks shy of her only son's 4th birthday....

Yes, her mother tried to seek help for her daughter many times. Many times [she was] turned away as a waiting list grows. You can not place an addict on a waiting list for help; it almost appears these human beings are put on a waiting list to die instead....

Justin, where are the changes?....

I have read the Federal Government Action Plan; all I read is observers collecting information and No real action plan; PLEASE STOP stop talking and START DOING!

When is the government going to start doing more to treat the opioid emergency in the way that victims and their families deserve?

Mr. Gary Anandasangaree: Mr. Chair, my friend was sharing some very personal experiences of her constituents, friends and perhaps neighbours.

It is absolutely a crisis, and I outlined a number of very important initiatives the government is undertaking. However, it is also critical to look at the underlying research that needs to inform us of what the next steps should be. That is what the government is also doing. While we are putting in measures that address the immediate needs, but we are also looking at a longer-term undertaking to ensure that our decisions are based on sound science directed by the evidence that is before us, one that brings together and collaborates with researchers, individuals, patients, families and policy-makers. That is critical to any sound decisions our government could move forward with.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Chair, one of the areas we have not talked about tonight has been the grief supports that families of people who have died from the opioid crisis need. I am an advocate for palliative care, which has created a lot of grief support across the country. However, that support is being taken up by this opioid crisis and by the families who are suffering.

Will the government look to increase its support for grief counselling that is so needed?

• (2150)

Mr. Gary Anandasangaree: Mr. Chair, that is a very constructive observation. It is an essential part of what the families going through this need, and I believe that this support is lacking, to be honest, at least in the areas I represent. Unfortunately, the support systems are not readily available for families who require this.

As a matter of provincial jurisdiction, I encourage our provinces to assist in that regard. As part of our strategy, we have funds that are going to the provinces to support their overall response to the opioid crisis, and I would hope that support and counselling is an essential part of that.

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): Mr. Chair, what we have heard so far tonight is that we need demonstrated action and measurable results. I have also heard tonight that there are 28 safe consumption sites in Canada. My guess is that tens of thousands of people have used these sites over the last number of years, and we know of the statistic that 1,100 have suffered overdoses there, but have been saved. That no one has died as a result of safe consumption sites is a signal that maybe action there has at least paid some dividends.

We have 28 safe consumption sites now. What have we done since 2015 to produce these results?

Mr. Gary Anandasangaree: Mr. Chair, I believe that since taking office, we have opened 27 safe injection sites, and 32 supervised consumption sites have been approved going forward.

Philosophically, I do think the previous government failed to act on this to ensure that there were appropriate sites to support individuals. I believe there was only one when we took office. That number has expanded substantially in the last three years, and I think it will expand even more in the years to come.

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Chair, we have learned that in Portugal, the number of deaths from overdoses is 30 times fewer than in Canada. This tells me that we need to model our approach to tackling this issue after a country that is having success. We need to radically change what we are doing.

We are failing. There has to be some accountability for negligence here. Our overdose rate per million is 30-fold that of Portugal. I do not understand the government's resistance to adopting a decriminalized approach. It would take away the stigma and make this a health issue, which is what it should be. This is what medical health officers are saying it needs to be.

We need this approach immediately. People cannot wait, as we are losing lives every day. The 30-fold difference says it all.

What are we waiting for? Why are we not paying attention?

Mr. Gary Anandasangaree: Mr. Chair, Portugal is not Canada and Canada is not Portugal. In looking at jurisdictions even within Canada, I note that my friends opposite have outlined issues in their communities. These communities are sometimes even smaller in size compared to, say, places like Toronto. I do not think it is necessarily fair to compare what is happening in different jurisdictions.

Obviously we need to look at best practices that are based on the best information that is out there. However, we cannot solely base things on one issue alone.

Moreover, decriminalization is not a panacea. It is not the solution. A number of issues need to be addressed in order to reduce the numbers. Certainly it is not a silver bullet, which I discussed earlier.

• (2155)

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Mr. Chair, I would like to thank the members for appealing to some real change in terms of dealing with the crisis itself, but also dealing with grieving parents and family members.

It was just brought up that in Portugal there was a move toward decriminalization. This is not actually true. Portugal created a sort of third tier called administrative offences. However, at the same time, Portugal put beds everywhere.

Government Orders

We heard the geographical difference between Portugal and Canada, and to say that we cannot compare the two is, I think, actually inaccurate. We need to compare ourselves with those who are doing better than we are and strive for some similar results.

To the member, do you believe that the government should be investing as much money in rehabilitation and recovery as it is investing in injection sites? In other words, do you believe that the government should be providing more than one recovery bed's worth of funding for every injection site opened by the government?

The Assistant Deputy Chair: I want to remind the hon. members to place their questions through the Chair and not to ask the questions to those across. I have seen a few people do that. I know it is kind of familiar, and it is good to see that people feel comfortable, but just to avoid anything getting out of hand, please place your questions through the Chair.

The hon. parliamentary secretary.

Mr. Gary Anandasangaree: Mr. Chair, we are doing both. I do not think it is necessary to quantify which one supersedes the other. As a government, we believe in a multipronged, multi-pillared approach that essentially captures the different options that are available. I think we are on the right track toward addressing this in a multipronged way.

Mr. Todd Doherty (Cariboo—Prince George, CPC): Mr. Chair, I have listened to this debate right from the very start and I appreciate our colleagues sharing their stories and coming at this from a point of respect.

It is interesting to stand here and talk about a national crisis, which is really truly what we have today.

I will gear most of my speech towards the impact that this crisis is having on my province of British Columbia. British Columbia has had a significant number of deaths each month, approximately 100 deaths per month. Last January our minister of health called on her federal counterpart for help with this issue. She asked the federal government to declare this a national health crisis.

I heard some of the arguments and talking points from our government friends. I listened intently to our friends in the NDP. I listened to the passionate speeches given by my friend from Sarnia—Lambton as well as my good friend from Barrie—Springwater—Oro-Medonte. It is clear that we are not there yet. We still have a crisis. People are still dying every day.

I listened to a comment by the government House leader. I hope she was not heckling me.

We cannot stand up and say we are winning this war. I get it. I understand this is an election year and government members are standing up and saying their government has pledged \$350 million for this. This is a take-note debate. We should be listening. The government should be taking notes. We should be trying to move forward. We should be having a healthy discussion.

I will bring us back to the very first emergency debate that we had here in the House after the last election. It was on the suicide epidemic on Attawapiskat First Nation.

I do want to offer this before getting more heckles from anybody across the way. I have come to this debate with some personal experience in terms of a loss from an overdose.

I will bring members back to the debate that we had when our colleague from Coquitlam—Port Coquitlam brought forward his good Samaritan bill, Bill C-224. In that debate I talked about a day in 2008 when I received a call that my brother, who was not a drug user, was found deceased from an apparent overdose. It is still to this day hard to discuss. I strongly believe that our colleague's Bill C-224, the good Samaritan bill, will save lives. It allows people who are with someone who may overdosed or is struggling with some form of massive intoxication from some form of drug to dial 911 and ask for help knowing that they themselves will not be prosecuted.

Since 2016, over 8,000 Canadians have lost their lives because of this. In 2012, the death toll from fentanyl or opioids in British Columbia was 42, and right now we are sitting at over 1,000 in 2018 alone. This is a crisis like we have never seen before.

• (2200)

This past March was the worst month in B.C.'s five-year-old fentanyl crisis. There were 162 deaths. As a matter of fact, the week of July 23 was the worst week for Vancouver Fire and Rescue. It responded to 147 overdoses.

In preparation for this debate, I talked with a friend of mine who is with the RCMP. I also talked with a friend of mine who is with Vancouver Fire and Rescue. I asked if safe injection sites were helping. They did say that safe injection sites probably do help. However, they said that it probably helps those who are on the streets more so than the blue collar worker or the teenager, or the real estate agent that died recently of an overdose, who did not know what was in the drugs. They said the challenge that we have, and I do not think I have heard this brought up yet, is the drug is getting across our border. We are powerless.

People can say what they want about President Trump but at the G20 recently, he managed to get China to designate fentanyl as an illegal substance. I have to get the exact words. It is a controlled substance, "China agrees to make fentanyl a controlled substance after talks with the U.S. at G20 summit." That means that people from China who sell fentanyl to the U.S. will be subject to China's maximum penalty under the law. We need to get tough on this ourselves.

To give an example of what we are dealing with here, fentanyl is 100 times more powerful than heroin. A dose the size of a grain of sand can kill. When prescribed by doctors, it is prescribed in the millionths of a gram. If someone takes ibuprofen for a headache, the dosage is usually around 400 milligrams. Imagine cutting that pill into 400 pieces. Fentanyl is 100 times more powerful than heroin.

It has been described as readily available to purchase on the Internet, that it is as simple as ordering a book from Amazon. That is how easy it is to get. A kilogram of fentanyl over the Internet costs around \$23,000. A kilogram of fentanyl would be about the size of a cantaloupe, and on the streets that kilogram which costs \$23,000 sells for \$20 million.

Government Orders

That is the problem we have today. We need to be investing in things that will help us along the way, but we need to get people the treatment they need. Is a blue collar worker who is addicted to fentanyl going to check into a safe injection site? What about that real estate agent? What about a high school student who is at a rave or a party and ingests something, and he or she has no idea what he or she ingested?

It is now found in marijuana. It is found in cocaine. It is found in ecstasy. It is found in crack. It is coming across our borders, and we seem to be powerless to stop it. I would offer, respectfully, that our first line of defence is to make sure that this drug does not come into this country. We have to make it tougher for those who are importing it. We have to make it tougher for those who are selling it.

We have to educate Canadians that it could be found in anything they are trying. How many times do we have to pick up the newspaper and read about a teenager who went to a party or who was on a party bus and ingested a pop or a drink and overdosed? That is the reality. That is what we are hearing.

I do not have the answers. The people I have talked to who have been tasked to save lives, whether it is the RCMP or other police officers, say that safe injection sites may help, but we need to get people the treatment. We need to get beds. We need to stop the drug from coming into our country. When drugs the size of a grain of sand can kill, we have to do whatever we can to stop them from coming into our country. With that, I will cede the floor.

• (2205)

Mr. Nathaniel Erskine-Smith (Beaches—East York, Lib.): Mr. Chair, I trust in the sincerity of the member when he says that this is a public health crisis and that we need to put all options on the table to address it because thousands of Canadians are losing their lives.

The member said that he does not have all the answers. I certainly do not have all the answers either, but I know that health professionals have the answers. Health professionals, whether it is mental health professionals through the Canadian Mental Health Association or our chief medical officers, all say that providing treatment options is the first step and that once we have treatment options in place, it is incredibly important to ensure that people are accessing treatment options, which means ensuring there is not the stigma associated with seeking treatment. It means we have to move it out of the criminal system and into the health system.

If we want to save lives and put all options on the table, is the Conservative member willing to say that we should treat drug use as a health issue and move it out of the criminal system and into the health system where it belongs?

Mr. Todd Doherty: Mr. Chair, I deeply respect our hon. colleague across the way. I am going to offer that I have not read the same reports that he is referring to. I would think we should first make sure that we have beds available. Let us make sure that we have treatment facilities available. Let us make sure that the drugs are not getting into our communities, whether it is our major centres or rural communities. Let us make sure that the drugs are not getting into the hands of youth. It is staggering to see the reports that this is an all ages epidemic. Children as young as 10 are ingesting this drug and they are dying. It is cut into everything.

We need to make sure that we are doing everything we can to combat this crisis. The first step would be to declare a national state of emergency with respect to the fentanyl and opioid crisis.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Chair, the problem we find ourselves in today is not something that happened in the last few years. It has really taken decades to get here. It has come from a fundamental misunderstanding of the nature of addiction over the decades where we treated addiction as if it were a character defect or an issue of morality instead of a health issue. The result is that we have criminalized drug use and stigmatized addiction. The result of that is the obsession and compulsion to use, and the fog and detachment from reality that accompanies and is a feature of addiction means there is only a brief period of time when a person who suffers from addiction is ready for treatment. The health care system must be receptive and nimble enough to receive that person immediately. However, instead, we have built a system where there are wait-lists of six months, 12 months, 18 months, two years, and so that moment is lost.

We would never tolerate that for any other health issue. What about someone who needed a heart valve replacement or he or she would die within 48 hours? We would not put that person on a wait-list and tell him or her to come back in a year. That would be illogical. It would be absurd. However, that is what we do with addiction today.

The Liberals are patting themselves on the backs for spending \$150 million on treatment. However, if we divide that among 10 provinces and three territories, it works out to about \$11.5 million per province and territory. That is not enough to open one 50-bed treatment centre per province or territory.

I wonder if my hon. colleague can comment on what kind of investment he thinks is necessary to actually build our health care system so that treatment is available upon demand so that every person suffering from substance use disorder in this country, when they need treatment, can get it immediately so that people do not die, like the touching story of the member's own experience that he related to the House tonight.

• (2210)

Mr. Todd Doherty: Mr. Chair, the member gave me many options with that question.

When the Prime Minister sends a \$50 million tweet, and nobody is discounting the good or worthiness of that cause, or if \$600 million can be spent to purchase the media just before an election, or \$400 million for Statistics Canada to harvest private data, or \$800 million toward legalizing cannabis and then \$250 million to be pledged, although only \$50 million has really gone out the door, we need to do more.

Government Orders

I have said this before in the debate with respect to mental health. If I had a broken arm and walked into a hospital, I would get help right away. I think our hon. colleague said something very similar. If I walked in and said that I was just not feeling right, or may want to hurt myself, or I thought I had PTSD, it would be very similar. However, if someone is addicted to something, that person is told “We’ll get to you when we get to you and just to take a number.” The next number served type of attitude just does not work, because we are losing people left, right and centre. People are slipping through the cracks.

I did not bring this up earlier, but I had an uncle who battled addiction for a long period of time. I feel strongly about this. My uncle was in a horrific car accident in the eighties. He went to a clinic in Vancouver, called G.F. Strong, with a head injury.

The dealers and drug pushers know that people are coming out of this with limited cognitive abilities and are taking advantage of them. At every step of the way people are told to wait. They do not have an opportunity for instant access.

I would agree with our hon. colleague across the way that we must do everything in our power to ensure those beds are available and the care that is needed is received on a timely basis.

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Mr. Chair, specifically with respect to safe injection sites, the member mentioned that those sites could help, depending on where it was, etc. Does the member believe there should be as easy access to rehabilitation and treatment services as there is to a place to go and inject illegal drugs?

Mr. Todd Doherty: Mr. Chair, people should have the opportunity to go into a treatment facility if needed. They should get the help when needed, wherever needed and for as long as it is needed.

Mr. John Oliver (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chair, I just want to emphasize again that there is a multi-faceted approach that the government is bringing to this problem. In budget 2018, \$231 million has been invested, establishing an emergency treatment fund for treatment beds just as the member described; developing a national public education program to help address those who might be considering using opioids or moving down that path; enhancing the ability of front-line personnel to detect, intercepting illegal drugs at the border, which is happening; and accelerating and expanding access to public health data so we can track this problem.

However, the real issue here is that we have had three years to play catch-up with this problem. Where was the member in 2014? Where was he in 2013 when this problem began?

We are playing catch-up for the previous crime and punishment approach to opioids and opioid addiction. The former Conservative government did not move into treating this early enough and now we are dealing with the crisis across Canada.

• (2215)

The Assistant Deputy Chair: We were doing so well and it seems that all of a sudden the heckling is starting again. It is a very serious topic and I would ask people to maybe show some

consideration to the person who is speaking on both sides. Please take some time, take a deep breath and respect each other.

The hon. member for Cariboo—Prince George.

Mr. Todd Doherty: Mr. Chair, I will not dignify that question with an answer. We have all shown respect and courtesy throughout this. The member well knows I was not a member of the previous government.

The bottom line is this. There is a crisis before us today. The provinces, from my province right across the country, have called on the government to act and it has failed to do so. That is shameful.

Hon. Bardish Chagger (Leader of the Government in the House of Commons, Lib.): Mr. Chair, from the years of 2006 to 2014, I was the manager of a Twin Cities Minor Tackle Football Association team. My good friend Jody Brown was the head coach and his son Jody Jr. played on our team, while his other son Tyshawn watched from the sidelines and played with his friends and the siblings of other players on the team. In later years, he too would play.

Football, like any other sport, provides children an outlet. It also teaches values and life skills. It teaches them about community, dedication and teamwork. It provides them love and support, as truly one can never really have too much of either. It provides them structure. It gives them a sense of belonging. It sure did for me, and I was just holding the clipboard.

Tyshawn gets along with other kids and with adults fairly easily. However, there was one friend with whom Tyshawn played on the same football team and basketball team during grades five and six. Being part of these teams strengthened their friendship. Though I was not on the team, I was not the manager, I supported these teams often by going to watch and cheering from the sidelines. These kids are part of our community and they are part of my family.

Tyshawn's friend's name was Zion. In May 2017, at the age of 14, Zion died of an overdose. I share this because Zion is always on my mind. I share this because I know there are many people in this place, in my community and across Canada whose minds are with people, often in their own back yard, who have been lost to overdose.

With over 8,000 overdose deaths in Canada from January 2016 to March 2018, it is hard to imagine that anyone has not been touched by the overdose crisis in some way. Opioid-related deaths are now the highest cause of death in working-age Canadians. The overdose crisis has affected all our communities. It has certainly affected mine. In Waterloo region, we lost Zion and 84 other precious lives to overdose in 2017. All of those people were loved and valued, but we did not do enough to save their lives.

This is not a partisan issue. Across Canada, communities are trying to find ways to address the overdose crisis to save their community members. We know there are many effective strategies to reducing the number of overdose deaths, because we have consulted health professionals, policy experts and directly with people who use drugs. Consultation works.

Government Orders

We know that supervised consumption services and overdose prevention sites work. We know that greater access to housing and mental health support work. We know that increasing access to naloxone and naloxone training works. We know that working with police officers and paramedics to better serve people who use drugs, so people are not afraid to call for help when someone overdoses, that works. We know that lifting restrictions on options available to physicians to provide prescriptions for methadone, suboxone and opioid agonist therapy works. We know also that we need to be having serious conversations about decriminalizing people who use drugs. We have so many tools at our disposal. We have so many ways to support people who are at risk because of the toxic illicit drug supply.

However, one barrier I continue to see that has so saturated our society and that has caused communities to be paralyzed in their response to the overdose crisis is the stigma we continue to place on people who use drugs. This year, the Canadian Mental Health Association Waterloo Wellington joined organizations across the country in observing National Addictions Awareness Week, from November 26 to December 2. Education and awareness are key components in dispelling stereotypes and reducing the stigma associated with addictions and recovery.

According to innovative thinker, physician and author, Dr. Gabor Maté, pain is complex. He writes:

We don't explain how physical pain is often a result of a combination of both physical and emotional factors. We don't learn how to speak to people with pain and how to listen to them. We don't learn about the roots of chronic physical pain and chronic emotional pain that often lies in childhood experience.

● (2220)

Dr. Maté offers a view that counters the black and white notions of addiction being either a genetic disease or an individual moral failure. He says, "The question is not why the addiction, but why the pain." He takes a trauma-informed approach to addictions that views poverty, isolation and painful childhood traumatic experiences as a major risk factor for developing addictions.

I know these are tough conversations. I know these are needed tough, challenging conversations that we must have today. My colleagues from the Waterloo region, namely, the members of Parliament for Kitchener Centre, Kitchener South—Hespeler and Cambridge, know this hits home. This issue is in our backyards. The Record, a Waterloo region newspaper, reports that in 2017, Waterloo Regional Police seized over 4,000 grams of fentanyl and carfentanil. By September of this year, they had already seized more than 9,000 grams of these drugs.

I know this is an issue that is of deep concern to all of us on both sides of the House. I thank all of my colleagues for being here this evening to participate in this take-note debate and to express their passionate views. I thank those who have been affected by the crisis and yet bravely share their stories to help others. I thank people on the front lines who work with governments and organizations to find a better way forward. I thank the first responders who do their best to save lives and help families.

As we debate this issue and look forward to solutions, I invite everyone to dig deep, to challenge the deeply ingrained stereotypes that we hold about drugs and the people who use them. We cannot

work our way out of this crisis until we take responsibility for the ways that our laws, policies and institutions traumatize people, and disproportionately those who are already marginalized because of their race, gender, sexual orientation, poverty and histories of colonization. We need to look at ways in which our own communities are perpetuating this traumatization, thus putting people in our communities at greater risk of overdose.

I do not want to hear any more this old refrain of "not in my backyard". This problem is in our backyard, so the solution needs to be there too.

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Mr. Chair, I want to thank the member for helping to bring this debate to pass. I really do hope tonight is not just a debate, but a spark to bring all parties in the House and all governments in this country at all levels onside in a single movement forward, because that certainly needs to happen.

It was really difficult to hear of the member's experience with a young person in her life. As we go through these debates, we hear more and more personal stories, which reflect how rampant this issue is, whether it is opioids at large or specifically fentanyl. This issue is expanding heavily in Ontario, which I am seeing as a member of Parliament from Ontario, and I know the member is as well.

Will the government support and fund further treatment and rehabilitation beds in the province of Ontario, and if so, when can we expect to see them open and communicate that to the public?

● (2225)

Hon. Bardish Chagger: Mr. Chair, I recall the member for Winnipeg Centre first asking for an emergency debate on this, and it was not granted. Then the member for Barrie—Springwater—Oro-Medonte asked for an emergency debate on this issue and it was not granted. That triggered me and others on the government benches to encourage the government to request a take-note debate so that we could share the stories of very real people in our communities who are affected by this crisis.

The government takes this very seriously. We have committed over \$230 million toward this crisis, and it will take more than the federal government to fix it. In Ontario, we need partners in the provincial and municipal governments. In the province of British Columbia, where the crisis really started and has affected so many people, they have taken a leadership role and continued to work hard, to the point where they are not only challenging the crisis and saying that it will result in a solution, but are also ensuring that people know that the government is there for them. Just like the B.C. government, our government is here for them, and I really hope that the Ontario provincial government will also take a leadership role, knowing that people are counting on it, so that we can deliver results for them, because it is the right thing to do. The federal government, under this Prime Minister, is there for them.

Government Orders

Ms. Jenny Kwan (Vancouver East, NDP): Mr. Chair, I thank the member for her comments and for sharing the story of the loved one in her own universe who died of an overdose.

In the government House leader's comments, she stated that overdose prevention sites work. They do work. In my own community of Vancouver East, where they started, they have not lost one life at the overdose prevention sites. If the government House leader acknowledges that they work, why does she not call on her own government to declare a national health emergency and use subsection 8(1) of the Emergencies Act to allow them to become sanctioned sites, not only in Vancouver East but throughout Canada, to save lives.

Every month, the overdose prevention sites in my own community see at least 500 people come through, and they have not lost one life. They have no federal funding. They have zero support. Health care professionals are worried about working or being involved with these sites because they could lose their licences because they are unsanctioned. Will she call on her own government to declare a national health emergency and sanction all these sites?

Hon. Bardish Chagger: Mr. Chair, that member, having served in a provincial parliament, should very well know that when it comes to the administration of health care services, they are within provincial jurisdiction.

I can tell her that the federal government is here to provide billions of dollars in transfers, and we will always be a partner in that. I can tell her also that this House was able to quickly advance Bill C-37, which not only passed in the House of Commons but in the Senate, because we recognize that this is a crisis.

The member may choose to get into semantics. The member might want to have this determined a health emergency. What this government and I are about is lives. I personally have an individual who is impacted in my life. This issue is in my backyard. This issue is not only in my backyard, it is in every person's backyard. For me, it is not about semantics. It is about results. The government is advancing dollars. It is willing to work with provincial governments. That is what it will take. We are also working with municipalities.

All levels of government need to take this issue seriously. I can tell members that there is a federal partner that is more than willing to do so. We need to ensure that not only do these lives matter but that we provide the resources for them. This government is willing to do so.

• (2230)

Mrs. Bernadette Jordan (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Chair, all the speeches tonight have been very enlightening. I have heard a lot about the opioid crisis in cities, in particular. However, this is also happening in our rural communities. This is happening in rural Nova Scotia. We have seen a number of deaths in my community and also in remote areas. I am wondering if the government House leader would like to comment on what we are doing to provide services in rural and remote communities as well.

Hon. Bardish Chagger: Mr. Chair, this is a crisis that affects every community. Waterloo, the riding I represent, is a small town turned city. It is amazing the number of people who come to visit the riding of Waterloo who are surprised to see horses and buggies.

Every community across the country has been impacted by this crisis. It is serious. It is impacting lives. I agree with the member that the federal government has a role to play. We need to work with the provinces and territories. We need to work with municipalities. I can assure her that the Minister of Health, the Minister of Public Safety, and all members of cabinet, under the leadership of the Prime Minister, take this very seriously.

We are pleased to see that so many members are here tonight to be part of this debate, because it is really about saving lives and how we move forward. It is really about innovative solutions. This is an issue that has been growing over time. This did not start when we took office, but it is definitely something this government is addressing. We know that we need to work with members from all sides of the House to ensure that we are able to deliver results.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Chair, one of the really important things is to make sure there is public education about the harms from these drugs and the fact that one can take them once and die. It is the government's duty to inform. There has been no education about the harms of the opioid crisis that I have seen. In the case of marijuana, the government sent a card to everyone's house telling young people to go to the government web page. That was totally inadequate. What is the government going to do to inform Canadians about the absolute deathly harm of trying these even once?

Hon. Bardish Chagger: Mr. Chair, I can wholeheartedly say that I entirely disagree with the member. I appreciate the effort she puts forward. Within the over \$230 million the government has put forward, there are millions of dollars when it comes to education to ensure that people know about the harm associated with these drugs.

I shared a personal story. I shared a story of a loved one. I know that the member is not trying to unjustly imply that this kid had used drugs multiple times. Unfortunately, that kid is no longer with us. We know that education is important. If she had listened to the words I shared, I said that education and awareness are important, but more important is the stigma associated with people who use drugs. More important is the fact that people seem to assume that people who use drugs are evil.

There is more to the story. People are in pain. People are associated with these drugs for more reasons than what educational awareness can do. As Dr. Mate, who I referred to in my speech, said, we need to take more time to ask these people, why the pain? Why are they considering using drugs? Why are they considering sacrificing their lives? Their lives matter.

When it comes to this government, every life matters, and we will fight to ensure that people have the resources they need.

Government Orders

Ms. Jenny Kwan (Vancouver East, NDP): Mr. Chair, this is perhaps one of the most important debates we can have in the House, certainly from my perspective, as the member for Vancouver East. People will know that the Downtown Eastside is what some people say is ground zero where the overdose crisis began. I saw people's lives lost. I heard the House leader's comments about the loss of people she knows. In my own community it is an everyday occurrence, and this has happened for years.

When we fought for the first safe injection site in Vancouver East, we had a demonstration in the community where we planted 1,000 crosses. Each cross had a name marked on it to remember and commemorate the lives that had been lost as a result of an overdose. That was in the 1990s.

We thought it was bad then, and we moved heaven and earth to bring the first supervised injection facility in North America to the Downtown Eastside. It was not an easy process. We had to work with the federal, provincial and municipal governments to finally get there. We established full collective action between the governments. We created the Vancouver agreement where there was a federal representative, the member from Vancouver Centre, myself as the minister then at the provincial level and the then-mayor, Mayor Philip Owen. We came together to do this and drive it through. Eventually, through much hard work, and community distrust as well, we finally got that safe site. It was the Conservatives, I might add, who levied the hate and fear against the community and actually stopped the supervised injection facility. They attempted to do that. It took the community to take the Harper government to court, and it won all the way to the Supreme Court of Canada to keep that facility, to continue to save lives.

We have come a long way since then, but the crisis has not averted itself. We now are in a situation that is way worse than it was back in the 1990s. We now have a fentanyl crisis, where people are dying so rapidly that it is absolutely breathtaking. In British Columbia, we now have over 1,400 deaths. We are looking at four people dying of an overdose every single day.

We are trying to exercise all of our resources to save lives. In that process, volunteers in our own community came forward and established the OPS, the overdose prevention sites, on their own, without resources, because they wanted to save lives. These unsanctioned sites have saved thousands and thousands of lives. Each day they see 500 people come through. Without any funding, they continue to do this work. The people working there are stressed to the limit. Every time they experience an overdose, it takes a toll on them, but there is no recognition from anyone. From the government side, there is no federal funding. We have heard from the member for Nanaimo—Ladysmith and others. She talked about how this is happening throughout the communities. OPS could exist in every single community today to save lives.

Mr. Chair, before I go further, I will be splitting my time with the member for Edmonton Strathcona.

If we truly want to do that, let us put aside partisan politics. All I heard from the government side was bragging about how great they were doing and how many millions of dollars they have put in. However, if we really want to save lives, let us just park that for a minute and say what can work. OPS works. Let us do that. We also

know the Vancouver agreement worked. Let us bring forward an agreement like that in every single community where there are overdose deaths happening. Bring all levels of government together and they can sit at the table to resolve those issues in the name of saving lives. Remember, every single life that is saved is someone's daughter, someone's son, someone's family member.

I would ask the Conservative members to remember this. Dead people do not detox. We need to understand that and take this issue all the way to what needs to be done, which is to recognize that this is completely a health care issue and not a criminal justice issue. With that, we can save lives.

• (2235)

Mr. John Oliver (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chair, I want to thank the hon. member for her very passionate intervention in this take-note debate. A number of the issues she raised she called bragging. This is the government's attempt to deal with and address the issues and concerns she is raising. We are responding to the crisis. We are restoring harm reduction as a core approach. We have opened two dozen supervised consumption sites. We have invested over \$331 million into treatment and into fast-tracking regulatory action into education for those programs.

I believe the hon. member is in agreement with the direction the government is taking. I wanted to confirm that. Are there other steps she thinks the government could be taking in addition to those already in place?

• (2240)

Ms. Jenny Kwan: Mr. Chair, I have not heard one government member offer a suggestion outside of what the government has already been doing for this crisis. It is a national health emergency. Under what other circumstances can we say that people are dying everywhere across this country? The magnitude of the situation takes my breath away. How can it possibly be that we do not say that there is a national health emergency going on? When we say that we value lives, those lives matter. Let us call it what it is, a national health emergency.

New Democrats have proposed other suggestions tonight. My colleague, the health critic, the member for Vancouver Kingsway, called on the government to sue the pharmaceutical companies. I just met with a constituent of mine whose daughter became addicted to oxycontin after four surgeries when she was 14 years old. After each surgery, her dose increased. She became increasingly worried and went to see her doctor, who cut her off cold turkey. Guess what? Her daughter ended up in the Downtown Eastside buying street drugs, addicted and homeless today.

Government Orders

Why are we not making the people accountable? The pharmaceutical companies need to be held to account and provide answers to the family members. That is another suggestion government members can undertake. We should have O.P.S. everywhere in our communities. We should have no-sanction sites and make sure we can start to save lives. Those are some of the suggestions. Perhaps the government can take action.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Chair, I would like to congratulate my hon. colleague from Vancouver East on a well-informed and passionate speech. Unlike many of us in the House, the hon. member has been working in the Downtown Eastside for several decades and was instrumental in establishing the first supervised injection site, so it would behoove us to listen carefully to her comments.

I want to pick up one of the threads she mentioned tonight, which is that we know addiction is a complex psychosocial physical illness. We know it is in the DSM-5 and is a recognized mental illness. By definition it is the compulsive and obsessive use of a substance regardless of the negative consequences. What that means is that the more negative consequences and experiences there are from it matters not. By the very nature of the disease, as well as what the medical literature tells us, criminalizing and jailing an addict is not inconsequential and is actually harmful to that person.

New Democrats have mentioned at least four ideas for the government tonight. We have said to declare a public health emergency under the Emergencies Act, sue opioid manufacturers and investigate criminal behaviour, sanction and make legal overdose prevention sites and to put significant new money into treatment.

Has my hon. colleague heard a single new idea from the Liberal side of the House? It is the Liberals' take-note debate. Have we heard one creative new idea come forward to stem what is obviously a looming crisis? The death rate has gone up every single year of the Liberal government and looks like it will go up again in 2018.

Ms. Jenny Kwan: Mr. Chair, in terms of moving forward with this crisis, the only suggestions came from the New Democrat side, and I am not just saying that because I am a New Democrat. Honestly, the government did not offer any suggestions.

I have another suggestion for the government. Why do we not actually make available drug replacement therapy? We should make it available not as a pilot project but throughout our communities so people can get the treatment they need. That too will save lives. If we take action on all of this, something can happen. There is no silver bullet, and I am not suggesting that. Rather, it is a whole host of these actions that can make the difference. To save one life means we have made a difference, and it will have made this debate worthwhile.

There is a host of suggestions for the government side. I look forward to it realizing any of the actions we have suggested.

● (2245)

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Chair, I want to turn this discussion tonight in a slightly different direction. I will not call it a debate. Regretfully, it began as a debate, and it started to become hostile. I do not think that was the original intent of the evening. A number of members put forward very heartfelt,

well-founded, evidence-based additional solutions. There is a lot of frustration. Those on this side of the House are getting frustrating that the government does not appear to be open, whatsoever, to any new ideas or any new investments.

I became involved in caring about this issue because of one of my constituents, a dear friend, Petra Schulz. I talked to Petra Schultz last evening, in preparing to come to this debate. I told her I probably would not have much chance to speak, but I wanted to share some of her experience. Many members have probably become familiar with Petra, because she has been covered very widely in the national media.

Petra lost her youngest child, Danny, at the age of 25 to an accidental fentanyl dose in 2014. It is important to recognize that Danny, like many of those with opioid addictions, had attended treatment. Many, or at least some, of addicted often revert to opioids again, because it is an addiction, as much as they do not want to.

It is also very important to understand that Petra is one of hundreds of mothers across this country who have come together to call on the government to take deeper action. The kinds of action they are calling for are exactly the recommendations that have been made tonight in this debate. Where do those recommendations for action come from? They come from the health and legal experts in our country.

These mothers are not just coming up with these ideas off the top of their head. They work very hard. They do not want any more children lost in this country. Petra, along with the other mothers, have participated in everything they can. They go out and talk at schools. They meet with government and so forth.

They have come forward, through www.momsstoptheharm.com/ to ask for specific actions. They have asked for the government to take a public health approach to drugs based on evidence and human rights. Harm reduction is a key component of a comprehensive response to drugs to prevent drug-related harm and death. They have called for the decriminalization of the possession of drugs for personal use as an essential to a public health approach.

Petra says that it is fundamental to remove the stigma. That is what removing the stigma means. Many do not seek the treatment because they are drug users, and our society does not look fondly on drug users.

I mentioned that these moms have taken action together. They all wrote to the Prime Minister and to the federal Minister of Health, and not a single one of those mothers has received a response. Not a single one of those mothers who has lost a child to addiction to opioids has received a response to their letter to the Prime Minister or to the Minister of Health. I would recommend tonight that doing so might be a start, if the government really cares about the trauma of suffering, of losing someone to opioid addiction.

Government Orders

I could quote, if I had more time, which I do not, Leslie McBain, who also lost her son. She is one of the co-founders of this organization. She is calling, in desperation, on the government to decriminalize the drug. As she says, “jail has never cured addiction. For every dollar spent in harm reduction, \$7 is saved in medical care, enforcement and the criminal justice system.”

On behalf of all of these mothers who have lost their children to this addiction because they could not receive the support they deserved, I beg the government to consider acting expeditiously on the recommendations that have been made this evening by all members on all sides of this place.

We cannot wait any longer: 10,000 Canadians have been lost to opioid addictions, to fentanyl which kills, to carfentanil which kills. We took action on SARS.

● (2250)

The federal government has the spending power. It transfers money for mental health. Surely to heavens, if we accept that opioid addiction is a mental health problem, why can it not transfer additional funds? We are not telling the government to set up these centres. We are simply saying provinces, municipalities, towns and first nations are begging the federal government to step in and give more assistance.

Ms. Tracey Ramsey (Essex, NDP): Mr. Chair, I too have met with mothers in my office and with some children who they have been able to bring back from the brink but constantly have a watchful eye on. These are mothers who are looking for a way to be part of the solution and are desperately asking for urgent help from the government. Ten thousand people have died of opioid addiction in our country.

I do appreciate the member bringing up the issue of SARS.

I want to raise another emergency situation that we acted on and that was the H1N1 flu virus. In 2009, we had 428 deaths and we called a national public health emergency in our country that triggered mobilized centres working 24 hours a day, seven days a week for weeks. That stopped the deaths and put us back on a pathway to health.

New Democrats are not alone in calling for a national public health emergency in this country and we are doing so because the government is not doing enough. We in the House cannot pat ourselves on the back and say we are doing everything within our power. The government has the ability to call for a national public health emergency today and start to turn this conversation into one where we are saving people.

Could the member speak to what that would look like in her riding of Edmonton Strathcona and to the mothers that she has met with? What would it mean to hear the government respond in that urgent way?

Ms. Linda Duncan: Mr. Chair, I would like to thank my colleague from Essex. I would like to thank all of my colleagues in this place who have spoken tonight.

As a lawyer, I want to reiterate what my colleague said earlier. The law defines a national emergency as “an urgent and critical situation of a temporary nature that (a) seriously endangers the lives, health or

safety of Canadians and is of such proportions or nature as to exceed the capacity or authority of a province....”

We have not heard any rational response from the government this evening as to why it does not see this crisis of 10,000 Canadians who have been killed by an opioid overdose, or why it does not think that this is a situation where we should be calling for a national health emergency and triggering every conceivable mechanism available at all levels of government.

Mr. John Oliver (Oakville, Lib.): Mr. Chair, my colleague made reference to decriminalization as a potential strategy here. We have talked about that a bit tonight, and I just want to emphasize some of the points that were made earlier.

First of all, decriminalization would not ensure a safe supply of drugs. It means if one is found with drugs, that person will not be criminalized but would not be given a safe supply. It would not move people to treatment. Some of the feedback from Portugal is that it was not a silver bullet.

I did want to mention that the government has moved forward with expanding access to opioid substitution therapies, which is an important part of moving people off opioid dependency. We have expanded access to methadone and to opioid replacement therapies like diacetylmorphine, which is a pharmaceutical grade of heroin.

Steps have been taken to make sure that these kinds of drugs are available for safe and effective treatment for people who are working on their opioid dependency.

Ms. Linda Duncan: I am not sure there was a question there, Mr. Chair.

We have been very clear. We have called for decriminalization for personal use with regulation. We have been very clear, with regulation, and that would mean there would be a regulated supply in safe regulated places for access to this drug. It would be a perfect solution.

I am not sure what the rational is for refusing to take that additional small step forward on behalf of Canadians whose lives we could save.

● (2255)

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Chair, I have been sitting here listening to everyone speak to this issue. I have no doubt that the intent of everyone in this place is one of concern, as some have had personal tragedies, and that we really want to see something done about this.

I am pleased to speak after my colleague from Vancouver East, because I feel like we began with this so many years ago. In 1998, I was the minister responsible for the Downtown Eastside overdose problem; that member was a provincial minister; and the mayor, as she said, was Philip Owen. We were responding at the time to what we in the Downtown Eastside of Vancouver felt was a crisis. There were 417 overdose deaths in one year, which is nothing compared with what we are talking about now. However, in response to that, the three governments came together and signed an agreement called the Vancouver agreement. In that agreement, we committed to working in a non-partisan way to deal with the problem, because we felt that the lives being lost were greater than the partisanship and political spats we always had, for and against.

Government Orders

When we started this, out of the Vancouver agreement came the four-pillar approach to drug use: prevention, treatment, harm reduction and decriminalization. The point was that we agreed and worked hand in hand. Our bureaucrats from all three levels of government sat down regularly every week around a table and talked about what was falling through the cracks, what was being duplicated and how we could move forward. It was a very successful way of dealing with the problem. Here today, we have some provinces and municipalities that do not want to work on this issue. However, working together could move the agenda forward and get things done.

I will relate some facts about this particular problem.

In September 2018, there was a 38% increase in overdose deaths in British Columbia. I am using British Columbia as the national ground zero. Vancouver east was the provincial ground zero, and the national ground zero is now British Columbia, where we have seen a 38% increase in September 2018, representing an 8% increase from August. Ninety percent of those deaths were of people between the ages of 19 to 59, with 72% between the ages of 30 to 59. Therefore, we know the demographic that is at greatest risk.

We know that this is not an urban problem. We are seeing the highest rates now in Thompson Caribou, the northern interior, Okanagan and south Vancouver Island. It is not an urban phenomenon, and we cannot dismiss it as not being in our backyard.

We also cannot limit this problem to the stereotypical addict lying on street, homeless and shooting up drugs. It is now 30-year-olds and family members with young children who are using these substances for whatever reason. Perhaps alcohol is no longer doing it for them, or whatever, but we are seeing young families who should know better, who are educated, utilizing these drugs. We find young people in universities, single young people who have so much potential, overdosing.

I want members to know the truth that this is not a street phenomenon, as 58% of all overdoses have occurred in private residences, 28% in other private places, and only 13% of overdoses have occurred on the streets. Therefore, we are not looking at a phenomenon that some people treat as a moral issue, that we should not care about addicts because, of course, they are throw-away people. I have actually heard that said in the House about addicts. It is a stigma that we parliamentarians have heaped upon addicts, not recognizing this as a health issue. It is something I have fought, and many of my colleagues here have fought that kind of language and stigma.

I note as well that the data indicate that no deaths occurred at supervised injection sites or at drug overdose prevention sites.

● (2300)

What we know is that there are some things that have helped. At those sites, drugs can be analyzed to see if they are tainted with anything or mixed with something. That is a safe thing, because then people know when they bring their drugs to be injected. We also know that at safe injection sites, Naloxone is distributed widely so that people can have access to Naloxone wherever they are.

We can say that no one has done enough. We can say that our government has done so much and that we have spent so much

money. The bottom line is that it is not working. In September 2018, we saw a 38% increase. I do not think it is not working because no one has decided what the silver bullet is. There is no silver bullet. This is a very complex issue.

I have to say that there is a lot of good will involved here. People of good will are trying to come up with whatever they think can be done to save lives. However, when the government is giving \$230 million for treatment measures, and only \$50 million of that has been taken up by the provinces, we have a problem. Provinces that say when, how and who will deliver services are not picking up this money.

I have heard people talk about treatment. When we set up a safe injection site, which was the very first one in Canada, we did a lot of the work on that, and we found that the people who came into the safe injection site who knew that they were not going to die were ready to go to a treatment centre. We created a 25-bed unit above Insite called Onsite. People were able to go straight there.

Treatment is important, but if we do not get take-up by the provinces of the money we are putting into treatment, we have to do something that will make this happen, because we can no longer allow partisanship, whether it is federal, provincial, or political, to be involved in this issue, as we did in the Vancouver Agreement. We cannot allow this to continue to occur because no one gets along and no one talks to each other.

We need to look at some of the information, some of the best practices, some of the things we have seen. We had 417 overdose deaths in 1998. Those deaths went right down to almost zero after we put in the Vancouver Agreement and harm reduction.

In this House I have fought and fought over the years when people have said that harm reduction is a dirty word. Harm reduction saves lives and decreases morbidity while people are waiting for a resolution or treatment. It is keeping people alive, and that is what we are talking about here. Harm reduction is really important. When members pooh-pooh clean needles or safe injection sites, they are pooh-poohing the thing that will keep people alive.

In 10 years, this has gone up to the crisis we see today, because a government decided that it would do nothing about it. It fought safe injection sites even to the Supreme Court. The Province of British Columbia and the City of Vancouver took the federal Harper government to court to fight this issue, because it was about life, liberty and security of the person. The issue was fought for 10 years, and over those 10 years, we saw the number of overdose deaths creeping upward. We can say that happened in the past. Let us do something about it now.

Government Orders

Let us not use ideology as an excuse for saying that treatment is better than something else. There is no one thing that is better than the other. Let us move forward to do all of those things we can do together. Morality is not an issue here. Let us not stigmatize addicts and say that they are not important, that they are throwaway people, that they get HIV and get AIDS. That is not the issue. We shall not talk about people like that in the House of Commons, because we are representing people, and this is happening across the country.

Vancouver and British Columbia have been ground zero. A lot of people have said that if this were happening elsewhere, we would have done something about it, and I am here to say that I agree with those people. This was allowed to occur in British Columbia for a long time before a government did anything about it. When this government came in, we decided to act as soon as we could to move forward in doing the things we could do to fix this problem.

We know we have not fixed it, and we know that there is no silver bullet. I am saying that if we remove ideology from our argument, if we remove morality from the argument, all of us in this place can decide that we will come together, as we did with three different governments. The member for Vancouver East was a minister with the NDP. I was a minister with the federal Liberal government. The mayor of Vancouver was considered to be a Conservative.

• (2305)

If those three levels of government can put aside their partisanship, their morality and their ideology for the sake of the lives of the people who are in their city, then this government and the opposition parties could put aside all of their grievances. The provincial governments can begin to start talking about the lives of the people whom they serve and who elected them and the lives of Canadians and start to come together.

There is an answer. Let us talk about it. We heard good arguments here. We heard people saying that there were things we could do. Let us listen to each other. People's lives are at stake.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Chair, I fully agree that more needs to be done and we need to listen to one another. Would the member comment on the government's priority when it has offered \$600 million to buy the media in an election and \$230 million to address the opioid crisis?

Hon. Hedy Fry: Mr. Chair, again, we can use money. Money is not the solution to everything; political will is. When we have \$230 million put toward treatment and only \$50 million of that has been taken up by provinces, then we have a problem here. Why would we put more money in when only \$50 million is taken up by the provinces? We need to find a way to get the provinces to agree to do something about their own people who are dying. That is the issue here. It is not about how much money is being thrown at it and how much more we need. When that money is picked up, then we can start looking at spending more money if it is necessary, but it has to be spent.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Chair, I am very surprised to hear that any province or territory in the country would leave federal dollars on the table for treatment.

However, I know my hon. colleague is a physician and is committed to an evidence-based and scientific approach to this. I sit on the health committee and I moved the motion at committee to

study the opioid crisis. We have heard from stakeholders across the board. Police, firefighters, nurses, physicians, addiction specialists and psychologists have all come to the same conclusion, and that is the same conclusion the member came to, which is we must put ideology aside and base our position on evidence. Their conclusion is that decriminalization and regulation of drugs is the answer to at least stopping the tainted street supply.

The member commented upon the very successful approach to supervised injection sites when we had the tainted heroin supply 20 or 25 years ago. We see patterns and waves of tainted drugs, but what is foundational is the fact that as long as we have a criminalized drug culture in the country, we drive people underground, drug addicts get their drugs on the street and we have deaths.

Does the member not agree with the president of the Canadian Medical Association, the chiefs of police and every medical professional whom I have heard at the health committee, that it is time for the government to put ideology aside and look seriously at decriminalization and regulation of drugs? Does she agree with that?

Hon. Hedy Fry: Mr. Chair, the bottom line is that when we talk about decriminalization and we talk about all those other best practices that are happening around the world like in Portugal and in other places, no one has talked about Switzerland or about Scandinavia where HAT is going on, the heroin-assisted treatment in which people are being given substitution therapy. The answer lies in finding a way to deal with substitution therapy.

British Columbia did the SALOME trials and the NAOMI trials, which told us that substitution therapy worked for many people. Because methadone is not working and suboxone is not working, we need to find other ways. We found that dihydromorphone and dihydromorphine were substitution therapies that could work and did work. However, we only have one site available to get those drugs, because they are difficult to get internationally. Therefore, we have to look at other ways to get a clean, clear, legal supply of drugs that can be there, and not just for addicts. We are not just talking about traditional addicts; we are talking about all these young people who are using drugs. By doing that, they can know that we are taking it out of the hands of organized crime.

Switzerland has some very interesting legislation and best practices that have succeeded in taking it out of the hands of organized crime, which is the bottom line, and getting a clean, safe supply of substitution therapy to people. Scandinavia is doing this. Portugal has another model, but it is not the answer. There are a lot of holes in the Portuguese model.

Government Orders

All I am saying is whether they want to talk about decriminalization, about legalization or about any of the solutions, the idea is to stop the criminal element from putting these drugs out on the street and getting clean drugs. However we do it, we need to talk about that. We need to talk about a politically feasible way of getting Canadians to understand that. We cannot just go ahead and do something like this willy-nilly. Therefore, we need to discuss these issues.

• (2310)

Mr. John Oliver (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Chair, I want to thank all members tonight for their participation in this take-note debate. There have been some very touching and heartfelt stories. Every one of us is experiencing the impact of opioids on people in our ridings, and all of us have stories of people who have lost loved ones because of this crisis.

I want to go back to the words of the minister at the outset. She is deeply committed to addressing this issue. A top priority for her is the health of all Canadians, and this government is firmly committed to continue to address and work to resolve these issues. The debate tonight has been informative.

My hon. colleague mentioned how important it is that we work together across party lines to address this issue. I invite her one more time to talk about the importance of that all-party collaboration to get real results in this crisis.

Hon. Hedy Fry: Mr. Chair, it was a crisis at the time 417 people died in one year in the Downtown Eastside. That crisis moved three different political parties and three different levels of government to decide that we were going to do whatever we needed to do, that we were going to put aside our differences, arguments and historic battles to get it done. At the time, we were able to create a safe injection site, which was a pilot project, for two years. We put a bubble zone around a spot in the Downtown Eastside where people could bring in these drugs and inject them themselves.

I had travelled to Switzerland, as had the mayor of Vancouver, and we saw this being done with great success. As I said before, we need to look at the model in Switzerland, where it has found a way, without decriminalizing or legalizing drugs, to get a safe source of drugs for people so they do not have to buy them on the street.

The Assistant Deputy Chair: It being 11:13 p.m., pursuant to Standing Order 53.1, the committee will rise and I will leave the chair.

(Government Business No. 26 reported)

[*Translation*]

The Assistant Deputy Speaker (Mr. Anthony Rota): Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 11:13 p.m.)

CONTENTS

Monday, December 10, 2018

PRIVATE MEMBERS' BUSINESS

Criminal Code

Bill S-240. Second reading	24629
Ms. Hardcastle	24629
Mr. Schmale	24630
Mr. Tabbara	24632
Mr. Webber	24633
Mr. Genuis	24634
(Motion agreed to, bill read the second time and referred to a committee.)	24635

Points of Order

Scheduling of Adjournment Proceedings

Mr. Genuis	24635
Mr. Lamoureux	24635

Suspension of Sitting

(The sitting of the House was suspended at 11:48 a.m.)	24635
--	-------

Sitting Resumed

(The House resumed at 12 o'clock)	24635
---	-------

GOVERNMENT ORDERS

Criminal Code

Bill C-51—Time Allocation Motion

Ms. Chagger (for the Minister of Justice and Attorney General of Canada)	24635
Motion	24635
Mr. O'Toole	24636
Ms. Wilson-Raybould	24636
Mr. MacGregor	24636
Mr. Cooper	24636
Mr. Angus	24637
Mr. Nater	24637
Mr. MacGregor	24637
Mr. Lamoureux	24638
Mr. Eglinski	24638
Mr. O'Toole	24638
Mr. Cooper	24639
Mr. Albas	24639
Motion agreed to	24641

Consideration of Senate Amendments

Bill C-51. Motion	24641
Mr. Housefather	24641
Mr. O'Toole	24643
Mr. Cooper	24643
Mr. MacGregor	24643
Mr. Lamoureux	24644
Mr. MacGregor	24644
Mr. Lamoureux	24646

STATEMENTS BY MEMBERS

Immigration

Mr. Beaulieu	24647
--------------------	-------

Gavinna MacKenzie

Mr. Eyking	24647
------------------	-------

Christmas

Mr. Falk (Provencher)	24647
-----------------------------	-------

Volunteerism

Ms. Damoff	24647
------------------	-------

Alex Gyemi

Ms. Hardcastle	24648
----------------------	-------

Volunteer Awards

Mr. Serré	24648
-----------------	-------

Christmas

Mrs. Falk (Battlefords—Lloydminster)	24648
--	-------

Hanukkah

Mr. Longfield	24648
---------------------	-------

Seniors

Ms. Sidhu (Brampton South)	24648
----------------------------------	-------

Christmas

Mr. Warawa	24649
------------------	-------

Greater Vancouver Grandmothers

Mr. Hogg	24649
----------------	-------

Universal Declaration of Human Rights

Mr. Spengemann	24649
----------------------	-------

Trans Mountain Pipeline

Mr. Eglinski	24649
--------------------	-------

Retirement Congratulations

Mr. Fraser (Central Nova)	24650
---------------------------------	-------

Salmon Fishery

Mr. Johns	24650
-----------------	-------

Government Programs

Ms. Bergen	24650
------------------	-------

Universal Declaration of Human Rights

Mr. Anandasangaree	24650
--------------------------	-------

ORAL QUESTIONS

Finance

Mr. Poilievre	24651
Mr. Trudeau	24651
Mr. Poilievre	24651
Mr. Trudeau	24651
Mr. Poilievre	24651
Mr. Trudeau	24651
Mr. Rayes	24651
Mr. Trudeau	24651
Mr. Rayes	24651
Mr. Trudeau	24652

International Trade

Mr. Caron	24652
-----------------	-------

Indigenous and Northern Affairs	
Ms. Mihychuk	24661
Mrs. McLeod (Kamloops—Thompson—Cariboo)	24661
Petitions	
Human Organ Trafficking	
Mr. Nater	24661
Vision Care	
Mr. Johns	24661
Human Organ Trafficking	
Mr. Genuis	24661
Firearms	
Mrs. Gallant	24661
Blood Donation	
Mr. Garrison	24662
Human Organ Trafficking	
Mr. Anderson	24662
The Environment	
Mr. MacGregor	24662
Public Safety	
Mrs. Falk (Battlefords—Lloydminster)	24662
The Environment	
Ms. Mathysen	24662
Military Volunteer Service Medal	
Ms. Mathysen	24662
Animal Welfare	
Mr. Webber	24662
The Environment	
Ms. Ramsey	24662
Human Organ Trafficking	
Mr. Schmale	24663
Immigration, Refugees and Citizenship	
Ms. Kwan	24663
Ms. Kwan	24663
Natural Resources	
Ms. Kwan	24663
Questions on the Order Paper	
Mr. Lamoureux	24663
Questions Passed as Order for Returns	
Mr. Lamoureux	24665

GOVERNMENT ORDERS

Criminal Code	
Bill C-51. Motion	24666
Mr. Cooper	24666
Mr. MacGregor	24666
Mr. Lamoureux	24666
Mr. Cooper	24666
Mr. Lamoureux	24667
Mr. Cooper	24669
Mr. MacGregor	24669
Ms. Benson	24670
Mrs. Boucher	24670
Mr. Cooper	24671
Mr. MacGregor	24671
Mr. Trost	24671
Mr. Maguire	24673

Mr. Lamoureux	24673
Ms. Gladu	24673
Mr. Genuis	24673
Mr. MacGregor	24676
Mr. Falk (Provencher)	24676
Mr. Lamoureux	24677
Mr. Shields	24677
Mr. Cooper	24678
Mr. Carrie	24679
Mr. Allison	24679
Mr. Bittle	24680
Mr. Carrie	24681
Mr. Angus	24681
Mr. Lamoureux	24683
Mr. Cooper	24683
Mr. Bittle	24684
Mr. Johns	24684
Mr. O'Toole	24684
Mr. MacKenzie	24685
Mr. Bittle	24686
Mr. Cooper	24686
Ms. Gladu	24687
Mr. Bagnell	24688
Mr. MacGregor	24688
Mr. Waugh	24689
Motion agreed to	24691

GOVERNMENT ORDERS

Opioid Crisis in Canada

(House in committee of the whole on Government Business No. 26, Mr. Bruce Stanton in the chair)	24692
Ms. Chagger	24692
Motion	24692
Ms. Petitpas Taylor	24692
Ms. Gladu	24693
Mr. Dhaliwal	24694
Mr. Davies	24694
Mr. Nuttall	24694
Ms. Duncan (Edmonton Strathcona)	24694
Mrs. McLeod (Kamloops—Thompson—Cariboo)	24695
Mr. Nuttall	24695
Mr. Oliver	24696
Mr. Davies	24697
Mr. Hardie	24697
Mr. Dhaliwal	24697
Ms. Gladu	24698
Mr. Davies	24698
Mr. Oliver	24699
Ms. Gladu	24700
Mr. Dhaliwal	24700
Ms. Ramsey	24700
Mr. Lamoureux	24701
Ms. Gladu	24702
Ms. Hardcastle	24703
Ms. Kwan	24703
Mr. Dhaliwal	24703
Ms. Gladu	24704

Mr. Oliver	24705	Mr. Nuttall	24715
Mr. Johns	24705	Mr. Doherty	24716
Mr. Erskine-Smith	24706	Mr. Erskine-Smith	24717
Mr. Nuttall	24706	Mr. Davies	24717
Ms. Boutin-Sweet	24706	Mr. Nuttall	24718
Mr. Oliver	24707	Mr. Oliver	24718
Mr. Davies	24708	Ms. Chagger	24718
Ms. Gladu	24708	Mr. Nuttall	24719
Mr. MacGregor	24709	Ms. Kwan	24720
Mrs. Caesar-Chavannes	24709	Mrs. Jordan	24720
Ms. Ramsey	24709	Ms. Gladu	24720
Mr. Barlow	24710	Ms. Kwan	24721
Mr. Erskine-Smith	24710	Mr. Oliver	24721
Ms. Duncan (Edmonton Strathcona)	24711	Mr. Davies	24722
Mr. Albas	24711	Ms. Duncan (Edmonton Strathcona)	24722
Mr. Erskine-Smith	24712	Ms. Ramsey	24723
Ms. Boutin-Sweet	24712	Mr. Oliver	24723
Mr. Oliver	24713	Ms. Fry	24723
Mr. Anandasangaree	24713	Ms. Gladu	24725
Ms. Malcolmson	24714	Mr. Davies	24725
Ms. Gladu	24715	Mr. Oliver	24726
Mr. Hardie	24715	(Government Business No. 26 reported)	24726
Mr. Johns	24715		

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